

COUNCIL MINUTES

April 3 , 2023
Council Chambers
7:00 P.M.

President Ellington called the meeting to order

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

INVOCATION – Mr. Harris

PLEDGE OF ALLEGIANCE - Shelby Aeby-Hopkins, Middle School, Newark Digital Academy

CAUCUS - Motion by Mr. Marmie to excuse Mr. Rine, Mr. Labutis and Ms. Hottinger, Second by Mr. Lang. Passed by Acclamation

MINUTES of March 20, 2023, Motion to approve by Mr. Harris, second by Mr. Barker , 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

There were none this meeting

COMMUNICATIONS

There were none this meeting

COMMENTS FROM CITIZENS

Loren Barber, 424 Thomas Ave., Newark - I wanted to address something I was made aware of while visiting Cedar Hill Cemetery. I had heard there were some policy changes and as I was visiting my grave I had the opportunity to speak with Ms. Patznick regarding the rumors. I asked her to clarify if only live flowers would be available during the summer, she said that was the case. I brought up concerns that I didn't think the community was adequately notified of the change that was going to take place that in my opinion hasn't been enforced in 100 years. I can vouch for 40 that it hasn't been enforced.- So, as I was trying to discuss this I was met with nothing but that's the way it is, that's the way it's going to be, live flowers and nothing else. So, I did advise Ms. Patznick I was taking exception to that, I asked her clearly if it was her that was changing this after all these years, that was given an affirmative. I did let

her know her this could be brought to the attention of the community. So, we had a discussion about whether people were duly notified, she kept pointing to the sign at the front of the graveyard that was proof of that and adequate proof. I think this weekend showed that wasn't the case. There were hundreds of people that didn't know about it. There's more to come. There were people in other states that had to call in and get their relatives to respond to that. I want to acknowledge the problem at Cedar Hill Cemetery, I've been there daily for 7 ½ years, I walk in there and I see the condition of it every day. No one's denying that there is so much improvement that can be done, there's room for someone to make a mark, to take their new position and have the community say wow that is really much better. I'm the first to admit, there are graves that are not attended, a widow who's husband is there and now she's in a nursing home it starts to overgrow. The liberties people have taken with various decorations and things like that, logistically I can see that it's a problem maintaining the cemetery. So, I don't come just to complain, I offer solutions, I tried to do that. I asked Ms. Patznick for a small concession and that has to do, I'm not even concerned with the grave of my daughter, there's children there that and you've heard this, a little Winnie the pooh bear, something, the City has a right to say only this much to keep people from piling things on there, but the other side of that coin is I asked how familiar are you with the human grieving process. My background, I counsel families, suicidal children and I was forced with my degree to have to know what that was about. It's not an inconsequential thing, people grieve differently and that's one point I want to make tonight. They grieve differently. Our City is provided this new old policy is that, well you can plant a flower in the summertime. I said that's no concession ma'am, you have mothers who go up there and that child that lived two years, maybe the most important thing was that sticker and it's not for the baby, it's for the mother going up there there's some connection, something to say I left that for you or whatever. The works up there are exceptional, I've met all of them. I'd like to acknowledge Mr. Rhodes for giving us, he put a hold on this, we weren't asking for a hold or anything, it's just these trinkets, so that we could suggest some things. So, part of my solution to the maintenance problem at the cemetery, as I said we all know liberties have been taken, I started questioning what's the difference between the front of the gravestone, the straight edge of the front of the gravestone and if the City allowed people to and I even hesitate to, 8 inches. We're asking for 8 inches. It should be 12, it should be 18, but 8 inches in front of the gravestone, with the condition that the new management can suggest that if you have something that's loose, it has to be behind a border, no more than 8 inches from the grave. It has to be rectangle, it can't go behind it. So it allows people this much space in the front, the flower's going to be there anyway, so the mower would have to go around it anyway. Ms. Patznick said as one of her justifications to me today that well the mowers have to go straight. I said what's the difference in going straight in front of the headstones 8 inches out for flowers or 8 inches out from a reasonable border. There is no logistical difference, the concerns are you can't get between these stones, you can't get between those stones, this remedies all that, but as Ms. Patznick insisted that sign was adequate notice and it resembled every other sign every year, it started out discussing live vs fake flowers. In the middle of it, it says no artificial decorations. So, of course a flag, we're not talking about the vets

section, these flags are an artificial decoration they are not organic, I pointed that out and she said oh no, those flags can be there. I said and you still think this policy is clear to people? There's a lot of vagueness in that sign, number one, so she said, oh so you just want it re-written more specifically? I said no, I think you're missing the point, we're asking for a little humanity, a little compassion because there are people here in real pain. Sunday I witnessed people crying, one family is here who had to strip the gravesite of their daughter and they brought their other child, they have no headstone, they just had something signifying her name and something personal to her and her little sister would come there and grieve. There's nothing there now, there's a spot of dirt waiting to be filled with grass. Now that's the extreme of what I call a scorched earth policy, that's the extreme of what that causes. There were many people crying. There's a woman here who was trying to roll a statue across the lawn and she was near tears because she couldn't do it. AS I pointed out to Ms. Patznick, these are the things you don't see, there's a misery that's been cause by this inflexible mandate, decree. So, as I went on trying to point out some of the contradictions, she said the flags are allowed, so I asked what's the difference between that 3/8" pole in the ground and a small shepherds hook 3/8'. You're probably aware there's two ladies that fill those bird feeders every day and it's a beautiful place, there's birds everywhere, I spoke to them today they said we've come here for years, you walk through now, there's no love here. You don't see any love, you don't see the human condition walking through that graveyard. So, I wanted to make it clear we're not here, no huge road block, no huge asking you to change something, we're asking for 8 inches and to say please require a border because these guys weed wacking, I also suggested, I spray around my grave every couple months about a 2 inch wide strip of dirt around it no one ever needs to go near it

. I did explore the first time someone goes around weed wacking a guy with spray following him, it's going to save all kinds of man ours, take some tediousness out of it. So I just want you to know this is justification and I will say this very directly, anyone that says, well that policy has always been there, that's the most ludicrous response to this situation. That's the response of a coward hiding behind. Basically, we found an error in Nellie's deed and now we can take the farm from her and her grandpa, that's what I equate this to. When I bought plots there, I never would've thought, can I leave a nightlight for my daughter, because as you look around, these things were there. So, it's almost like either deceiving people that have bought things there, that all of a sudden you need to have a sterile environment, nothing but a flower. Ms. Patznick continuous reply, woke reply, well, they can do it after November. I said I'm here every day, I'm the only footsteps in here most of the winter time, this little girl isn't going to come and try to find her sisters unmarked grave under the snow to leave my little pony or something. So, it goes well beyond reasonable, it goes well beyond humane. The cemetery, I can attest for 40 years has never been this way, the sun has always rose on that cemetery with mementos somewhere. I was told today, oh no, it was enforced 8 years ago, it certainly wasn't, I don't know why that comment was made to me. I 'm asking for some humane concession. The people who this cemetery is for, we pay to have that kept up, we pay the people who manage it, we elect the people to make the decisions for the people who manage it. It's not going away. I don't have a whole

lot of faith anything is going to change with us coming tonight because I know how the red tape rolls, but you started out this meeting summoning the Lord's name and I don't think that this type of move when you're negating people's basic needs and we're asking for just an allowance of a small part of that. That I does not fit in with I think the Lord's vision. You're going to grieve the way this woman dictates, it's the only way you're going to grieve and you have nothing to say. I rarely say this, but because of my past experience I was tasked with categorizing personality types for treatment, things of that nature, I wasn't going to say this until my conversation today with Ms. Patznick, she may have all of the information on how to improve the performance of the cemetery and I don't make blanket statements, but I could over the three conversations I think I've had with her, I've detected no evidence of true empathy, I'm questioning whether she...

Mr. Marmie - Mr. President.

Mr. Barber - You're right, I'm sorry. My observation was that there was never an ability to address her compassionate side or get her to understand the misery that I saw this Sunday.

President Ellington - I think I have your point. Is everyone here for the cemetery, raise your hand if you're here for that. Okay, I'm going to have Superintendent Patznick and Director Rhodes come up and just kind of tell us what the policy is so we have it straight.

Chance Patznick, Superintendent of Cedar Hill Cemetery - The policy that is in place and has been in place for over 50 years is that you are able to have artificial decorations from November 1st to March 31st, during the mowing season when we're doing maintenance, mowing and weed eating, we need to get in and we need to be safe about things, you're allowed to have live flowers from April 1st to November 1st, 8 inches from the front, correct and there have never been borders allowed.

President Ellington - So the 8 inches is to the front.

Superintendent Patznick - Correct, to the front. On the side we've got to be able to locate pins that we're unable to locate if there's decorations or mulch or rocks or things like that on the side and on the back of the stone, you don't actually own that area that person behind it owns that so that's not your space so, you're restricted to those 8 inches in the front.

President Ellington - What may be new this year, Mr. Rhodes correct me if I'm wrong, is they're not going to allow stones or bricks or whatever to outline the grave? Is that correct?

Director Rhodes - We've put a new sign up to that extent. We have some graves that are being outlined with stone and brick and coming way out to the bottom of the gravesite. That causes a problem with mowing and if it's stone if it's thrown it's a car or a person, makes the City liable, it also causes problems with getting backhoes through there if we need to dig a new grave, the policy has been 8 inches.

President Ellington - What am I missing that's been different for the last 40 years that these folks are upset about?

Director Rhodes - It's probably a little bit more of enforcement.

President Ellington - So it's been the rule, but it's not been enforced.

Director Rhodes - The sign about the seasons has been put up there every year, the signs about stones and bordering is new this year.

President Ellington - Is there anyone who would like to ask these two a question, we're going to kind of go off the cuff a little bit.

Krista Hutchison - I'm a single mother and cannot afford a headstone, so now me and my daughter have to come and look at a pile of dirt because I couldn't leave something for my son. I had rocks on my son's grave, but I had them lined up perfectly with every other headstone, what does that hurt, it's been there for over a year?

Superintendent Patznick - We've got a headstone policy as well that you have to follow as well depending on what section you're in. If you want to leave something you can leave live flowers.

Krista Hutchison - If there's no border then what's stopping them from weed eating over anything that I put up there or mowing over everything?

Superintendent Patznick - (inaudible)

Krista Hutchison - Why should we all be punished because one person doesn't do it? (inaudible)

Superintendent Patznick - You're able to have live flowers in the summer and you're also able to put artificial decorations there to honor him.

Krista Hutchison - (Inaudible) Why do I have to take my decorations off, a flag with my son's picture on it, it's the only way to identify that's my son there, a flag with a flag pole with a picture.

Superintendent Patznick - You're allowed to have that out from November 1st to March 31st.

President Ellington - No, no, I'll let you know who's allowed to talk. What's that?

Mr. Barber - I said people grieve during the warm months too. (inaudible)

Vickie Abbott, 1685 Abby Dr - My problem is I understand there are rules and I'm willing to work within the rules, but notification. They can send me flyers to buy flowers for them to plant, which I don't understand how there's time to plant flowers if they don't have enough time to mow, but my thing is, why didn't they send a letter out to the people, I get it because my parents are there, a lot of people don't go to the cemetery in the winter months, so why wasn't a mailer sent out because they send them for wreaths at Christmas and flowers in the spring.

President Ellington - In my mind, the policy hasn't really changed, so I'm not sure why we would've sent out a letter, not a bad point though, didn't you say you were going to do a 30 day wait?

Director Rhodes - On the things that were blowing around, we're going to pick up, on the bigger things with stones or rocks, we're going to put a tag on the gravesite and ask them to come into the cemetery office so we can talk to them and get a plan together.

Mr. Rath - Have there been things removed from the gravesites?

President Ellington - No No, we're going to keep this orderly or we're going to clear the room. You can decide.

Superintendent Patznick - With the windstorms that we've had and we've had a few of them and we've had to pick things up that have blown into the road or blown into the middle of the section. There's been wreaths that have completely blown away things that are anchored in the ground that

have come out. We've had to clean up honestly a lot of things. We had a canopy that was blown off a tent so, yes things have been taken, not because we're enforcing this policy earlier than what's posted but because we have to keep the cemetery up and kept up and when we have these wind storms blow through that's not always possible to do. People's decorations do get blown around.

Mr. Rath - Just as a follow up, everything that you've picked up has been stuff that's been blown away because of the storms, you haven't gone to a specific gravesite and taken anything off of a specific gravesite that was put there by a family member at this point.

Superintendent Patznick - I haven't enforced the decoration policy thus far. Things that have been taken are browning live wreaths, things that have been blown away and things that have been damaged, but I have not enforced the policy. That policy went into affect April 1st and we haven't started yet. We were supposed to start today and now it's been held off so everybody could have a say in what they think the decoration policy should be, so they can speak their peace, so I haven't enforced the decoration policy yet, no.

Stephanie Trager - I just have a question, my husband has a flag on his grave, he's not in the veteran section, is that going to be allowed?

Superintendent Patznick - Yes. The veteran markers that we have in the office are approved by the Veterans Association, just like those were approved in the Veteran's Section.

Stephanie Trager - The other thing too, about putting live flowers, they took all of the water away so unless you bring your own water there is none.

Superintendent Patznick - The spigots are working, I'm not sure why they weren't last year but they are working now.

Citizen - (inaudible) I'm 65 and Cedar Hill Cemetery was like a playground when I was a kid, my grandmother made me promise that my grandfather wouldn't be without his pipe so I take a little pipe and put it down in the ground right in front of the stone (inaudible) or pennies I have to put pennies on his stone, my dad was an arson investigator for the County and I put a little fire truck on his grave, I'm not going to stop doing that.

Superintendent Patznick - I would put it on the stone so there is nothing on the ground to impede us trimming (inaudible) if we're weed eating and catch a flower it's not a safety concern, but if there are trinkets or mementos glass, or ceramic anything like that we catch that could be a safety concern.

President Ellington - Let me ask, because I couldn't hear that answer, you're talking about the 8 inches that they are planting flowers in front of the grave, you can't put anything else in there but flowers, or you can put something in that 8 inches.

Director Rhodes - If you have a small car or matchbox, if you want to set it on the base of the grave, that's not a problem, what she's speaking to is we come around there and we weed wack and if they get to far out then it's gone.

President Ellington - But in that 8 inches where the flowers are can they put something else in there with the flowers?

Superintendent Patznick - Not during the time when we have the live flowers.

Director Rhodes - If she should put a pipe in there, it's just a matter of the policy that's been here, we're just trying to make people more aware. Feel free to, but we just don't want to weed wack it and tear it out.

Citizen - I have a picture can I show it to you?

President Ellington - Sure, go ahead.

Anthony Miceli, 123 N. 11th St. - My father dies two years ago, I have just a little bit of a bed I put flowers in. I have his veterans memorial that's there, I maintain it, I've mowed that plot and weeded it every two weeks for the last two years. Like the gentleman here was saying, this is the spot where I go to mourn, this is where I go to talk to my Dad this is where I go to talk to my God, this is a place my mother goes every week. There's a Mediterranean tradition that you put a rock on the gravestone every time you visit, just to signify that someone went there. My grandparents graves since the 80's and my Father's grave since 2 years ago, every person in my family that has gone there has placed one piece of gravel on there and it's a sign of respect and it's a sign of reverence and it's a sign that I can move past that my father has left this planet. Yesterday my mother because I was worried they were going to throw this stuff away because the policy on the website said this will be removed, to me this means this is going to be put in the trash. All of these things for two years that I've done and I've maintained I had to tear out with my Mother yesterday while she's grieving her husband to make sure this wasn't going in the trash on April 1st. I shouldn't have to do that. We bought these plots for our family for their final resting place. I understand this is a policy that happened 100 years ago, but policies can change, we've proven that over the last 100 years as a society. All we need is just enough space to where we can put a little bit of things, even if it's just a small border such as that for the first 8 inches, that's fine. I'll maintain mine. I will keep my end of the bargain, as long as I am living I'll be doing it. I just want something that I can go to and visit and see my father every two weeks, where my mother can grieve and that's it.

President Ellington - Isn't that picture basically within the thing except for on the edges that he would have to change?

Superintendent Patznick - It's the border and the mulch, you've got live plants.

Anthony Miceli, 123 N. 11th St - I've got live plants and I do put artificial plants in the winter months.

President Ellington - I would say you are within the policy.

Citizen - So I can keep this border?

President Ellington/ Superintendent Patznick - No, not the border.

Anthony Miceli, 123 N. 11th St - So if someone comes over with a lawnmower what's then to stop them going over everything I've placed there? That little piece of border is there to protect, just like your yard you have a border around certain things where your mulch beds are so your grass doesn't go in.

President Ellington - But you've got the border around the headstone, that's the problem.

Anthony Miceli, 123 N. 11th St - That also protects everything that's around that headstone, everything that's been placed there. This is where the compromise is, if it's 8 inches where a flower can be, what's

there to stop anything else from being there, give us 8 inches in the front. If there's a border you can weed around that it's just like having the wall of a gravestone. At least that border is protecting those flowers I've put there and anything else I'm putting there. If you don't have a border there then you can just blow by with the mower and they blow everything then they can remove it because it's not in the spot they said they needed to be. If it's outside those borders, I guess it's time to go. If it's in those borders, I think that's a very reasonable compromise.

Ms. Bryant, 333 Eddy St Apt B - I just want to know what happened in Angel Circle. I've kept stuff on my 2 month old dead daughters grave for 12 years. I don't go up there in the winter months because her birthday is in July and her death day is September. My 16 year old has no way of celebrating with her baby sister anymore. She has no way to celebrate with her baby brother anymore because you guys aren't allowing us to leave the gifts that we put up there. ABC 6 came down 8 years ago when this all came up about. They were told specifically if we had a border nothing would be touched within that border. Nothing. Now my carousel that still worked by the way, after 12 years of being there until her headstone could be placed is gone. There's infants in that circle that these parents don't get to celebrate holidays, they don't get to celebrate birthdays and all their stuff is gone right now. We didn't get no warning to come and get our stuff.

President Ellington - I can tell you, I don't believe these

Ms. Bryant - (inaudible) my time going up there. I can't even tell you how many mothers go up there to grieve their babies and get some sort peace for their babies and now we have (inaudible). It's lifeless up there.

President Ellington - These folks have not removed anything at this point

Multiple people talking

Ms. Bryant - (Inaudible)

President Ellington - Hang on, stop. You have pictures of the cemetery people up there removing your stuff?

Ms. Bryant - I've got my daughters grave before and after.

President Ellington - That's not my question.

Ms. Bryant - They removed everything.

President Ellington - I cannot believe Mr. Rhodes would have the people remove the things and just stand right here

Multiple people talking

Ms. Bryant - (inaudible)

President Ellington - One, it could be the wind which we just had last Saturday

Ms. Bryant - (inaudible)

President Ellington - You're done, we're done, I've just told you the cemetery people have not removed

Ms. Bryant - (inaudible)

President Ellington - Would you shut up and let me talk we might be alright.

Ms. Bryant - (inaudible)

President Ellington - The cemetery people have not removed your stuff.

Ms. Bryant - Then where is it?

President Ellington - I don't know and they don't know. Does anybody else have a question?

Ms. Bryant - (inaudible)

President Ellington - If you have a question, raise your hand, we're going to do a couple more then we're going to clear the room.

Citizen - You mentioned flags need to be in a holder, an American flag not in a holder, will it be removed?

Superintendent Patznick - I'm not removing any American flags, it's just that the VA approves those certain holders.

Citizen - Also, so, I don't know for everybody but for me, I'm there once a week, my son is there, it's for his friends to come and grieve, so sometimes they visit, sometimes they come and eat lunch with him, sometimes they bring a pinwheel or something, it's always fun to see what they leave behind. They're always up against his stone, there's nothing crazy, I just want to make the point that it's not always just for us sometimes other people need to grieve in their own way. Also, what is the next step after this discussion? (inaudible)

Superintendent Patznick - The policy will still be enforced. My job as Superintendent is to provide everybody and their loved one with the most respectable, welcoming cemetery that I can provide for them and enforcing the policy is the way to do this. I know we may not agree on what a respectable gravesite looks like, but I have to please a lot of people and I understand where you all are coming from and I appreciate you coming here and speaking face to face

Citizen - (inaudible)

President Ellington - Hey, hey, No.

Citizen - This is worthless

Citizen - That's not respectable

President Ellington - You don't have to stay. Let me just ask Mr. Rhodes this. Is there any chance that you guys can talk about in that 8 inches, allowing other things besides live flowers in the 8 inches.

Director Rhodes - That's why we're here tonight to talk about things. That's why this morning we didn't remove anything from there. We're gathering information, the policy is still in place, as Chance said, we're going to discuss things in the next couple days to see if there's a middle ground or not. What we're really struggling with is the people that are taking more than the 8 inches. We've got people that are taking the entire grave and things and they're putting rocks in there, I can't my mowers over that and (inaudible). We just want to talk to them about it and let them know that this is kind of disrupting day to day business, can we draw it back.

Vickie Abbot, 1685 Abby Dr. - Even with a compromise with the 8 inches and a small border to protect the flowers because you know they're just whipping thought there and they cut down the flowers and it's like "Oh well, that's the policy". (inaudible)

Director Rhodes - The easy thing for me to say is yes lets do that, that's the easy thing to say. I'd rather talk with the workers up there and see what they think, is a border going to be that big of a problem. (inaudible) And we hear from people complaining about people leaving things on their graves, we hear from people complaining about flowers dying and not being replaced. There's a whole other side to that (Inaudible). We're hearing your input, we're not ignoring it.

President Ellington - Where do you want to go from here Mr. Rhodes?

Director Rhodes - Give me a week and we'll reach out.

President Ellington - How are we going to let these folks know?

Director Rhodes - (inaudible) I spoke with this gentleman today, I'll reach out to him.

President Ellington - I mean how are we going to let everyone else know what you've come up with?

Multiple people talking

Mr. Miceli - I understand, I've been there, I've seen some of the things where they do take up the whole gravesite, I get that. Those small percentage of people could be identified and called and give a certain amount of time or something, say 30 days or whatever you decide, that's fine, but I think that's a small percentage because I've walked around there, we go running there, it's just you know, compromise. There is a way, do you guys have a Facebook or something or something on your website where you can notify everyone as a whole because there are people out of town too who can't make it here. There are people that the internet or a phone is the only way to get ahold of them.

President Ellington - How about we'll go thirty days and then you will put something on the City's page. Can we do that?

Mayor Hall - There's a City website.

President Ellington- We'll put it on the City's website, the cemetery rules and regulations or however you want to do that. Would that work? Would that give you enough time to think about it and talk about it and get some other input?

Director Rhodes - Yes.

Superintendent Patznick - I want to apologize because my intentions were never to hurt anybody or single anybody out. I hear you and I appreciate you all coming here face to face to discuss things. My job as Superintendent is to provide the people with the most respectful, well cared for Cemetery that I possibly can and the decoration policy that was created and put into effect over 50 years ago that has not been enforced in recent years, it's caused major issues, major safety concerns in the cemetery. So, in order to maintain the cemetery in the most respectable and safe way possible I do need to enforce the decoration policy. The decoration policy is not a scorched earth policy like it's been written all over Facebook about, you are able to have something year round for your loved one. During the time that we are actively maintaining the graves for weed eating for mowing you are able to have those live flowers there to remember your loved one. During the times that we are not actively maintaining the graves from November 1st to March 31st you are able to have those artificial decorations there to remember your loved one. AS far as the narrative that I am heartless and that I do not care about anybody, that couldn't be further from the truth. In the few months that I have been Superintendent

we have made countless improvements to the cemetery. We have planted trees, we have trimmed trees, we've ripped out dead bushes, we have planted new plants, we've improved graves, we've done grave restorations to the historic, the Baker Mausoleum, the Miller baby grave that is up in the old section that don't have families, we've improved those and we've made it a respectful place for people to visit and for the people that are buried there that aren't here with us anymore. I care a lot about the cemetery which is why I am here to enforce those rules, so that I can provide you with the most respectable cemetery that I possibly can. I care and my crew cares. I have the most amazing crew of guys that you can possibly imagine. They care about what they do, they take pride in their work and they are there every day working hard to provide you with the most respectable cemetery that they possibly can. They deeply care about the people that are buried there, just like I do. So, unfortunately, without the policy being enforced in the past we've gotten so far out of the realm of what a respectable cemetery and respectable decoration policy that the only compromise is to actually enforce the policy that is in place. I appreciate everybody here tonight coming out with their opinions face to face, I really do. I know that we probably won't reach a 100 percent agreement, but I do appreciate everybody coming out.

Director Rhodes - We've said we're going to review the policy over the next 30 days.

Mr. Miceli - Does that mean it's on pause for those 30 days?

Director Rhodes - It will go on pause because the Council President asked us to.

President Ellington - Ma'am did you have something new you wanted to add to this?

Citizen - Yes. I went in there tonight about 5 o'clock and there was a woman there, she was beside herself crying, and now I'm going to cry, her grandbaby is buried in that circle, she had something glued on the headstone, somebody ripped it off along with all of our decorations. We had angels on my granddaughters grave, we had a carousel, we had live plants, we had everything, they're all gone, I know she said about the windstorm, but I took pictures of graves that still have stuff on their graves that should've blown away in this windstorm, but didn't and I just wanted to make that known.

President Ellington - Do you have something new to add?

Jake Warner - I have two questions, is this a financial decision?

Director Rhodes - No.

Citizen - Because you're saying it's about safety, right? It's a safety issue.

Director Rhodes - Yes, when we have mowers around rocks it's a safety issue. When you get into someone putting a rock border all around a grave and then putting rocks on top of it (inaudible) a mower needs to get through there, that's why we have the 8 inches.

Jake Warner - So, my solution would be either bid it out, find a landscape company, there's many in Newark that would love to have this contract. That is going to save the City tons of money because if you're doing this in-house and you're paying retirement, you're paying all of this payroll to City employees, you could get it done much cheaper, City of Granville does it lots of City's bid out even cemetery work and if the person in charge of the cemetery maintenance is not getting their job done,

it's time to hire somebody that will get it done and can mow around these things, it's not a safety issue.

President Ellington - Okay, we're going to go one more, two more and then we're going to stop. Ma'am do you have a question or a quick comment?

Citizen - I have taken my mower over and mowed the whole block and it's huge. Some of the graves go back to the 1800's and I have had to go push mow because it was so overgrown.

President Ellington - I think that's what we're trying to solve. We get a lot of complaints during the summer, especially July, the grass is overgrown and that's some of the problem they're working on.

Sabrina Warner - A few comments, the empathy Mr. Loren is talking about is actually relevant because in Chance's review, the ability to be there for families in their time of need and be there for families with concerns or comments to quote her and actually being there for families in their time of need. She's under a six month probation period right now and so I would ask that you all take this very seriously because she's picking up heat for something that is not necessarily all about her, David is her boss and I do believe Mayor, you are David's boss, so I want to speak to the two of you and caution you that just last year in 2022 there was a Supreme Court ruling and awarded a man \$750,000 for emotional distress of what is happening right here, right now. You all have an obligation, you two have an obligation to these people, to these citizens right here or there will be a lawsuit will come and it will be won because of this Supreme Court, the \$750,000 emotional distress, I'd be happy to give it to you ma'am and you can take a look at that. (inaudible) These people right here are also elected, she is not, Chance is not, these people are elected, it's very important for you to use your voice and sir, I think it is very rude of you to tell someone to shut up.

President Ellington - I do apologize, I shouldn't have said that to you.

Loren Barber - I apologize for my demeanor today, I'm not normally that way, I'm emotionally invested in this, my daughter was murdered and I had to fight a year with Knox County to get her justice, I never thought the day would come that I would have to fight for her to have a nightlight on her grave. These are the things that people don't put into these perspectives. There's no difference, if we don't have a flag, we have a pinwheel, they're the exact same logistically.

President Ellington - I grew up on Garfield and I have my parents there and my grandparents are there, I understand Cedar Hill Cemetery. Okay, if you have nothing else about the cemetery, you can go now and in 30 days Mr. Rhodes will have something on the city's web page about rules and regulations. We will take a 5 minute break.

President Ellington - We're going to get back to the meeting. We're going to continue with citizen comments.

Kim Blaney, 1407 Musty Glen Dr, Newark - I was born and raised in Newark and still live in Newark. I'm going to talk about my properties on Rice Street, for whatever it's worth, we own the whole street both sides. (inaudible) At some point I think we're going to discuss numbers, we believe there is some qualities to possibly build, that's why we talked to the Mayor at one time to see if we could partner on that at one time, so at this point we're ready to move on in life (inaudible) Right now we're in the

process of tearing down one house and it seems to be having some situations that are (inaudible) with me in a sense that, what do I have 3 minutes, I did toastmasters. So, the real thing I was going to say to start this off, there are three ways to get someone to do something, one is to punish them somehow, I am substitute teaching, we give detention and in school suspension, but there's second way we reward good behavior in elementary and middle school by giving them candy and that's the second way. There's a third way that we're all familiar with, if you're watching the final four, watching the girls basketball team, it's called teamwork. You can accomplish more by developing a team and work together and pull on the same side. So I would help that the City of Newark would help me to sell off these properties for the purpose of development, three acres there, again, we own the entire street, both sides. So, I'm having difficulty with Property Maintenance right now they don't realize that we're under (inaudible) and they hopefully do after today and the idea that they are going to start (inaudible) if I don't get it into dumpsters within a couple of days. Tim is working with me, but I can honestly say that we have enough evidence that they do not want to tell the truth sometimes on what's going on and we've been keeping track of what's going on, so work with me or, I'll finish with this line, we've had a lot of attorneys that are discussing this, there's a fourth way and it will be litigated in court, which I do not want to do and I don't think you want us to litigate, so work with us somehow and we'll sell the property and see that it's developed. I think that's what I've been attempting to say for years and I came down here just to say that so wish me luck and don't punish me if I'm trying to sell off or develop. Thank you.

Rochelle Volen-Smith, 237 Violet Ct. - We've just started child abuse prevention month and I found, I've seen some interesting articles and one particularly caught my attention in the New York Times from the editorial board entitled The Dangerous Race to Put Children to Work and Ohio is part of this unfortunately. Ms. Volen-Smith proceeded to read the article

<https://www.nytimes.com/2023/03/24/opinion/editorials/arkansas-child-labor.html>

Mr. Marmie - Mr. President point of order, is this pertaining to Council and what we deal with in business, or this a State issue that should be addressed to the State level.

President Ellington - Ma'am do you feel like it's a City issue?

Ms. Volen-Smith - Yes. Ms. Smith proceeded to read the article.

President Ellington - Do we have a wrap up on this?

Mr. Marmie - Mr. President, can we get to the Council part, the part that pertains to Newark City Council.

Mr. Rath - Mr. President, point of order, I agree, Arkansas partisan politics lecture and Federal politics lecture and moving onto Ohio, even though we happen to live in the State of Ohio and we're talking about Federal and State laws pertaining to child labor laws is pretty much irrelevant to the City of Newark. We are not going to pass legislation that supersedes State legislation on child labor laws.

President Ellington - Give me a couple sentence wrap up.

Ms. Volen-Smith - So anyway, the Koch brothers have been involved in many national efforts to deregulate business. In terms of Ohio we're implementing things like (inaudible) working with

chemicals, in Ohio they are de-regulating hours for instance. The labor department said they would intensify investigations of violations. Ms. Volen -Smith proceeded with reading the article.

President Ellington - Give me a one or two sentence wrap up and we're going to have to move on.

Ms. Volen - Smith - I think you can agree that this is an issue.

President Ellington - I don't disagree with that, but I don't see how it comes under City Council.

Ms. Volen- Smith - We have sex exploitation of teenagers in our City. I know when my son was working at a fast food place they did things like locking up safety equipment like bandages and things like that. De-regulating laws on safety for children I think it's extremely irresponsible especially in a time when we are emphasizing saving kids from abuse whether it be from parents or whether it be from companies, there are a lot of companies doing a lot of exploitation, I think it is a City responsibility. Thank you I really do appreciate your time this is crucial.

ORDINANCES ON SECOND READING

There were none this meeting

ORDINANCES ON FIRST READING

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

23-07 AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 882 WEIANT AVENUE, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID#054-226500-00.000 FROM THAT OF SINGLE-FAMILY RESIDENCE - RH - HIGH DENSITY DISTRICT TO MFR - MULTI-FAMILY RESIDENCE DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO **Referred to PC**

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

23-08 AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 281 ELMWOOD AVENUE, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-278850-00.000 FROM THAT OF SINGLE-FAMILY RESIDENCE - RH - HIGH DENSITY DISTRICT TO TFR-TWO-FAMILY RESIDENCE DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO **Referred to PC**

RESOLUTIONS ON SECOND 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.

Motion to adopt by Mr. Rath, second by Mr. Barker, Motion passed 7-0

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

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)

Motion to adopt by Mr. M

armie, second by Mr. Houser, Motion passed 7-0

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

Motion to adopt by Mr. Rath, second by Ms. Bline, Motion passed 7-0

RESOLUTIONS ON FIRST READING

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

23-27 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION)\$57,468.16-(Funding of recently created Criminalist position in the Division of Police) (\$219,336.70 -Four unfilled officer positions were erroneously converted to unfunded positions in the 2023 budget. Amounts requested are for April thru December 2023 for those four positions) **Held until April 17th**

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

23-28 Cooperating with the Ohio Department of Transportation (ODOT) for the replacement of two deficient bridges on Moull Street and Jefferson Road over Log Pond Run, and declaring an emergency.

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

Mr. Rath - We're declaring an emergency for two reasons, one because bridges just happen to be near and dear to my heart, and the other is to meet ODOT's deadlines

Motion passed 7-0

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

23-29 Exp APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$395,000.00 -47-49 W Main St approx. \$360,000 and Corner of E Main and Cedar approx.. \$35,000 and all costs involved with the purchase of the two properties) (\$140,000.00 -Amendment to Riverbank Filtration Project for Capacity Study)

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

Mr. Marmie - We have some items on here in which we have to expedite in order to purchase some property that is beneficial to the City and also some other bills that we need to pay.

Motion passed 7-0

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

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

23-30 - A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO TO PARTICIPATE IN THE SOURCEWELL COOPERATIVE PURCHASING PROGRAM
Held until April 17th

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

23-31 A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NEWARK, OHIO, TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE LICKING COUNTY SOIL AND WATER CONSERVATION DISTRICT
Held until April 17th

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

23-32 A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NEWARK, OHIO, TO ENTER INTO A COOPERATIVE AGREEMENT WITH NEWARK DEVELOPMENT PARTNERS AND OTHER AFFECTED PROPERTY OWNERS FOR REPLACEMENT OF A SEWER LINE
Held until April 17th

COMMENTS FROM CITIZENS

Deputy Chief Doug Vermaaten, 75 S 4th Street - Real quickly I just wanted to give you an update on the NFD, I apologize, I didn't have a lot of time to prepare today. First, five new police officers were sworn in this morning, we're happy to announce that two weeks from today the NFD will be swearing in five brand new firefighters into our division. That will bring our ranks starting to build back up we have 4 more candidate currently in the process that we will be able to swear in within the next month. We also have a second round of interviews in April so this way we can try to fill our ranks entirely. I also wanted to update Council and thank them again for the purchase of the medic unit it goes online in June of this year so hopefully will be available by the end of 2024, possibly early 2025. We want to thank Mayor Hall's Administration and the Council for understanding the needs of the Fire Department and realizing for us to best serve the citizens is for us to have the equipment at our access, so thank you for your time and have a good evening.

Bridget Fouty, 207 N. Quentin Rd. - I am here to address the Mayor because I know that you are going to make the ultimate call because you are the boss and I just want to tell you that I am here to help and I would like you to understand that I have been at Cedar Hill for, and I know that none of you honestly care, so I know that this really doesn't affect any of you, but it does affect us and we are citizens of Newark and it's really not fair because my brother has been buried there for 17 years and I have mowed, weedeated and maintained his grave and all five graves and now I've lost my Uncle and my Father passed away two months ago and I just want you to understand the lack of empathy that I was shown today when I showed up to that

office and I said you want me to remove the cross. You guys started with prayer, you call yourselves Christians and I don't see a whole lot of love around here. I've never been to a meeting, but this is pretty disappointing the way you guys, the lack of empathy that everyone in this room showed all of these people, those people are hurting and to be truthful, I don't even like to go to the cemetery, it's not where I find my peace, I know my Dad is with Jesus and I know that's where he is, but those people find their peace there and my Dad did too and when my brother died it was all he had and that's what he chose to do is to take care of it and I've been mowing it, I bought a mower that I can lift myself and again, I know this doesn't really effect any of you, but I just want you to take into consideration that there are people that would help, maybe a volunteer program, anything, there's a group of us that are willing to help and would be more than happy to come to a resolution, which she was not willing to come to any resolution, it was going to be her way or no way. There's a border around my Dad's grave, it's beautiful, I can guarantee is you spoke to any maintenance worker because I spoke to every single one of them, when I said Fitzpatrick they knew who I was, they knew who my Dad was and they knew that he loved that place, you know it was his second home. I don't know the authority any of you have, I don't know anything about that, but if you could just find in your hearts to just really think about what's happening up there. I know that trash blows and I've never thought that they did a bad job taking care of it, but then again, I take care of my own grave, so, I just really hope that you guys take that into consideration tonight.

Sabrina Warner, 1617 Loudon St. Granville - I just really want to echo what Bridget said today. I think it's very important for you all to remember that you are elected officials. I think it's very important for you to remember that when people are coming in and storming in here it's because there's a problem and if you don't take that seriously, your position will not be there any longer. Mr. Lang, I know that you lost your mother, so I hope that you heard everything here tonight and are taking that into consideration. Mayor Hall I just really want to encourage you to put some pressure on Mr. Rhodes that Chance is not capable of doing her job. This is not about whether or not we like her, this is about what she wrote out in her interview process, there was another person that was interviewed for the same particular job and he had more qualifications than she did. You have the power and authority to make this change happen immediately. I just sat here tonight and heard all of you push through all the money that you wanted to push through, every ordinance that you wanted to push through, please make this a sense of urgency, Mr. Hall do we have your word that you're going to make this a sense of urgency.

President Ellington - No you don't ask a question.

Ms. Warner - Do we have your word that you will make this a sense of urgency to talk to Mr. Hall and to talk to Mr. Rhodes.

President Ellington - You can't ask me a question either, but I do believe he heard you.

MISCELLANEOUS

Roger Loomis, Water Administrator - I wanted to take a few minutes to publicly thank the Council, this Council and previous Councils and the Administration for the support over a number of years. Thirty eight years ago I got an appointment letter for the Assistant Superintendent of the Waste Water Plant and Bryce Peterson was the Service Director and said he had moved to Newark a few years before that and it was one of the best decisions of his life and I think the same, I'm happy to be here. It's great to have a job that has a purpose and gives you purpose and I think what I've been able to do here has given me some purpose. We're proud of some of the things we've gotten done, not only downtown, but the treatment plants, I just wanted to thank everybody publicly and Thanks!

President Ellington - For those of you who do not know, Mr. Loomis is retiring in 4 days.

Ryan Bubb, City Auditor - I just want to say thank you very much, I was selfishly hoping this day wouldn't come, I sat on Council for 14 ½ years and in the Auditor's Office you see so much more of how much this man is responsible for and he has it going on, between his knowledge of both Human Resources and Finances, if you think back during the storm we never lost water, he's just an amazing guy, so impressed and hope to see you around and again thank you very much, he's a total rock star.

Bill Spurgeon, HR Director - I too want to thank Roger for his service. Thirty eight years ago you were appointed the Assistant Supt. of the Waste Water Department and 37 years ago I was hired as an operator in training. It was apparent to me that Roger is a skilled Administrator, but equally and more importantly he is a decent, kind human being, so I want to thank him for his service and wish him all of life's blessings in this next step in your journey, thank you Roger.

Tricia Moore, Law Director - First of all Roger, congratulations, I didn't get too long to work with you, but I've appreciated working with you and you will be missed. Certainly a lot to take in here tonight on an issue that came up very quickly, but I want to say that I disagree with some of your comments, we care. I think there's several people up here who do care, this is not nothing for us either, I mean I know your brother, I went to school with him, so this is not, not caring and please don't take us sitting up here not commenting back as a lack of empathy that's just the decorum that we subscribe to due to our rules. I care about what's happening, I think this is a very workable issue I don't think there is anybody up here who thinks this is not a workable issue, but I don't want you to think that we don't care just because we don't respond, okay?

Mayor Jeff Hall - I would echo that, I want everyone to understand we have rules that we have to follow and we can't have back and forth, it's Council Rules to keep an orderly fashion. We listen intently and I'm serious about that so, I wouldn't say that I stand at the top of the mountain and make all the decisions, everyone should understand we have collaborative decisions which includes your input on the other side. Citizens come in all the time and we listen to everything everyone has to say and we do have jobs at the end of the time, things to

get done, I mean I could say put a 4 way stop at this intersection and would everybody stop, no it's got to be a red light. Sadly some things in government and across the City have to be made for those who violate the rules, I'm not justifying what we're doing right now, I'm not making any decisions, we listen and I appreciate everyone coming in and sharing input, we don't see that side sometimes. I've had family buried in that cemetery for a long time, since the late 1800's and I've visited quite a bit, we had a urn, don't forget things get stolen there too and I want to be very careful of accusing people, we've got to be very careful of that. The guys over there are trying their best. We put a lot of work into that cemetery. It won't happen overnight but we will sit down, we sit down and have a lot of conversations and what everybody's comments were and we'll talk about that and we'll see what we can reach, it isn't a close the ears, it doesn't work that way around here. That's not how I operate, please understand that. We'll look at how we can try to accommodate but also get the job done. It's a lot of acres to take care of and maintain and it's easy to say contract it out, we've already gone that route and the cost is so high, it's absurd. We're always looking at ways to improve government, understanding we're spending tax payer dollars and we're the custodian of those dollars. There's also a reason, there's a 1.75% in the City, that's pretty low, Columbus is 2.5%, Heath is 2%, we do what we can with what we have and we're unable to raise that rate unless the citizens want to do that, so we have to be efficient, we should be anyway, if contracting out was cheaper, we'd do it in a second, but it isn't, it's too many acres, but that doesn't mean we don't constantly try to do things efficiently. We will talk about it. Roger, thank you, it's been a pleasure, I would say I would follow Auditor Bubb, we tried to talk him out of it, but we do appreciate it. When you turn that faucet on that water comes out and we say that seems easy, it's an extreme amount of work and he's done a wonderful job, running a wonderful department and it's pretty important around here to have good, safe drinking water and have the disposal of wastewater. It's been a pleasure working with Roger and his team, you know he's got some big shoes to fill but it's nice to rest easy at night knowing they are doing the best they can in the Water and Waste Water Departments, so thank you again, we wish you the best.

Mr. Lang - Tonight's been one of the harder meetings that I've had to sit through on Council and as you mentioned, my Mom was lost just a little over a year ago, so we've spent a lot of time at her grave, she doesn't have a tomb yet or a stone yet, we've put little remembrances there for her so, getting the news about how this was being handled, it was very close to home for me. I think running a cemetery is a big challenge and you know we have to make sure that we're making decisions with sensitivity, flexibility and kindness when it come to the way you run a cemetery and I was glad that Chance and Dave were here tonight to hear and ultimately it's up to them to figure out how they're going to do this in a way that makes people feel cared for when they're grieving their loved ones and I'm hopeful that this is a start of improved communications with people because I think at the end of this it's probably communications

more than anything else and hopefully we can all learn from it and improve from it and be more kind to folks going forward. Congratulation Roger, very pleasurable working with you and wish you all the best.

Mr. Marmie - I need to call a Finance Committee meeting for April 17th. A few comments this evening, the first one, Mrs. Fouty, we do care. My loved ones are up there, my mother and my father are there, I'm the one that takes care of their grave, I'm the one that plants the flowers, replaces it with the artificial back and forth, I've been doing that for years. My father died at the age of 57, at a very young age and I helped my mother until she passed away and my grandparents are buried there, I frequent Cedar Hill a lot, I need that and the folks that were here this evening were hurt, I also know that one of my biggest complaints is when April comes around they don't empty the trash quick enough out there because all those artificial flowers they're there and people just throw things away and when the change of the seasons and people have planted flowers they just put it there, I always take mine with me, so I've known the rules for years and I've abided by them. I'm not saying that rules can't change, that's not what I'm saying, what I'm saying is that there was a purpose for those rules and the signs have been there for years and years. My loved ones, I care about them, I clean the tombstone, I'm the one that's out there, I'll have a beer with my dad and I'll sit there and pour some on the gravesite and drink with him, the hardest day of my life was when I had to put a cigar out there because my son was born and he never got to meet my son. So, it is a part of my life and it is my family, so hearing everything that was said this evening I feel it. I know that make the decisions and they're going to do what's best and I have faith in them and one thing about this administration, they always listen. They always listen. The comment about contracting out, as the Mayor indicated, we've looked into that for years and it isn't like we've given up on it either we revisit it every few years. So, we do hear those things and look for good solutions. One comment on some of Mr. Blaney's comments he talked about you have the hammer and the purse or reward and he talked about teamwork and I don't think that's the third option because you can have teamwork with the hammer approach and with the purse approach. What it really takes, what really drive sit is purpose and that's what Roger Loomis has. He had purpose. That's what our City workers have, purpose, that's what Joe Paul has in Property Maintenance is purpose. There's a purpose for what we do, it's for the betterment of the City it's the betterment of the citizens and I think that that really comes from the heart and you have to have it from the heart. If you ever get a chance one of my most favorite books is Lead for God's Sake, it's about a basketball team and it's really not about a basketball team it's about that purpose, that heart and if we could all just follow in Roger Loomis' footsteps and have that purpose and do what he has done then Newark would be even a better place and I think that we're improving upon it and we are getting better, I have to cut this off and we also need to invoke Rule 11.

Invoke Rule 11

By: Mr. Rath, Mr. Houser

23-09 AN ORDINANCE CONSENTING TO THE ANNEXATION OF CERTAIN TERRITORY, GENERALLY DESCRIBED AS BEING APPROXIMATELY 0.871 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP, TO THE CITY OF NEWARK, OHIO, AND DECLARING AN EMERGENCY

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

Mr. Ellington - We will read 23-10

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

23-10 AN ORDINANCE OBJECTING TO THE ANNEXATION OF CERTAIN TERRITORY, GENERALLY DESCRIBED AS BEING 0.871 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP, TO THE CITY OF NEWARK, OHIO, AND DECLARING AN EMERGENCY.

Died due to lack of a motion

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

23-35 A RESOLUTION ADOPTING A STATEMENT INDICATING WHAT SERVICES, IF ANY, THE CITY OF NEWARK, OHIO, WILL PROVIDE FOR APPROXIMATELY 0.871 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP, A TERRITORY PROPOSED FOR EXPEDITED II ANNEXATION, AND DECLARING AN EMERGENCY

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

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

23-36 A RESOLUTION REGARDING A BUFFER ZONE FOR THE ANNEXATION OF APPROXIMATELY 0.871 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP; AND DECLARING AN EMERGENCY

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

President Ellington - The reason we're using Rule 11 on these is because the legislation has to go back to the County Commissioners within a quick period of time.

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

23-11 AN ORDINANCE CONSENTING TO THE ANNEXATION OF CERTAIN TERRITORY, GENERALLY DESCRIBED AS BEING APPROXIMATELY 2.035 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP, TO THE CITY OF NEWARK, OHIO, AND DECLARING AN EMERGENCY

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

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

23-12 AN ORDINANCE OBJECTING TO THE ANNEXATION OF CERTAIN TERRITORY, GENERALLY DESCRIBED AS BEING 2.035 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP, TO THE CITY OF NEWARK, OHIO, AND DECLARING AN EMERGENCY

Died due to a lack of motion

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

23-37 A RESOLUTION ADOPTING A STATEMENT INDICATING WHAT SERVICES, IF ANY, THE CITY OF NEWARK, OHIO, WILL PROVIDE FOR APPROXIMATELY 2.035 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP, A TERRITORY PROPOSED FOR EXPEDITED II ANNEXATION, AND DECLARING AN EMERGENCY

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

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

23-38 A RESOLUTION REGARDING A BUFFER ZONE FOR THE ANNEXATION OF APPROXIMATELY 2.035 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP; AND DECLARING AN EMERGENCY

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

Mr. Rath - I'll call a Service Committee meeting for April 17th. Roger congratulations, I know the Mayor said he was going to call you, but is there a place on your kayak for a phone? I didn't think so, congratulations. You'll be sorely missed, but it's nice to know that you have prepared your entire team, we appreciate you. Five new police officers that's awesome, glad to hear that and five new firefighters coming that's awesome, glad to hear all of that. It's funny that Mr. Marmie brought up Kim Blaney's comments, you called it the hammer and the purse, I've always heard the age old proverb of the carrot and the stick, how you motivate people, but I thought that was interesting.

Mr. Barker - Roger congratulations again, we can't say enough for what you've done for the City in your time. From when I got on Council 4 years ago, learning the water system was definitely eye opening, so thank you, really appreciate that. You know, I have a hard time hearing that we don't care, Councilman Houser and I this morning spent about two hours at Cedar Hill talking to different residents throughout that time period, some that were here tonight some that weren't, you know when it comes down to it there is nothing legislatively that we can offer, there's no are in our codified ordinance, but we have complete, I have complete trust in Director Rhodes, Supt. Patznick and the Mayor to make the right decision. They do listen and we have given our input. We talked this morning and my father is at Cedar Hill in the mausoleum and so I'm familiar as well, as Mr. Marmie said, of our procedure on that

and it sound like to me that a lot of people weren't. So, as Councilman Lang said, there seem to be some communication issues, I think at the end of the day the biggest thing is that we do care. We want public input, I spent half of my morning with the public as well as my afternoon at work on the phone with different City officials, fellow Council Members and members of the public. So, here's what I always say, we're always going to listen and we're always going to trust our administration because they trust us and if there is a disagreement we all work it out. I think this is something that came on very quick, I remember Saturday talking to Councilman Harris going what happened? Where is this coming from? So, the biggest thing I want people to take away, I wish everyone was here to hear, we do care, we all in some capacity have loved ones in that same cemetery and we're going to work side by side with administration during this 30 day time period to come to the best solution, With that, I want to say congratulations to our new five officers, I left Cedar hill with Councilman Houser and went to that ceremony and I'm happy to hear we have five new firefighters coming on board with four in the up and coming position. Things are turning in the right direction in both those departments, today made it so our police department is fully staffed for now until there is a retirement at some point, which there always is.

Ms. Bline - I want to congratulate Mr. Loomis, thank you. I haven't known you long, but excellence. Everything you do and have done has been done with excellence and we're all grateful for that. I'd like to thank Property Maintenance, if they're still here, but they do incredible work. They are often a first line of defense and I appreciate them greatly. Regarding Mr. Blaney's comments, if a property is maintained then there's not an issue. So, we have to inspect our expectations to some extent. I'd like to thank the Boy Scouts from Troup 4, they are Eagle Scout candidates that for the past 3 Saturday mornings have been out and working and taking care of some properties that need it. So, I'm grateful for their heart and their spirit it's been a great time just being with their families and listening to their goals. There are some really great youth in this community and it was a really great opportunity just to listen. I'd like to thank Shelby for coming tonight and leading the pledge. She'll be returning to Council in a couple weeks with a request. AS far as the cemetery, of course we do care. Again, to echo Mr. Barker and our Law Director, this came fast. This isn't something that I think a lot of us have expertise in and so I know my phone rang for hours over the weekend and if it wasn't calls it was texts or emails, in fact I still have emails that I have to get to tonight and just listening and it was an opportunity for me to learn more and I'm always learning. The thing with people is that none of us are perfect, but it's when we work together that we do find those moments. So, it wasn't our time to talk tonight it was your time this is your City Council, so this is why we're here. I'm so glad you came tonight. I'd like to welcome Mr. Reevly, who's considering politics and so grateful you came tonight.

Mr. Harris - I'll just echo what everyone said about, we do care. I believe most of us here have lost parents so we get it, we understand it. Shelby I think you're the first person that's ever said

the pledge and stayed for a whole meeting, congratulations. Roger good luck to you and wish you well. Yesterday we had a birthday up here, it was Janine, I think she was 29 again, so Happy Birthday.

Mr. Houser - I know Roger when I ran into you at the Rv and Boat show I feel like that was when I realized you were going to take retirement seriously. Thank you for all of your service to the City I know how much the residents here in the City appreciate it, so thank you. I know all of the Council Members have already expressed this, but we certainly care. I know Councilman Barker has already mentioned it, but the moment I got a message from a resident asking me to be present at the cemetery the next morning, I take that seriously, people care and I understand that 100% I'll be down there. So, we spent a few hours down there listening to concerns because that's what we're here to do, so I certainly appreciate everybody coming out. You know there were a lot of personal comments made about Supt. Patznick, this doesn't need to be a personal issue. Any efforts that she's made, there's obviously been some disagreement about that, but they've been her best effort to improve the cemetery so, I appreciate her efforts and I'm sure that she and Director Rhodes have listened to the comments here and they will figure out what they can do to meet the requests of the citizens. I just want to thank Deputy Chief Vermaaten for the update on the firefighters being hires and I also got to attend the swearing in of the police officers, it's my first time doing that, glad to see new members get added to the force.

President Ellington - The cemetery was a touchy issue, that's for sure. I'm sure that Supt. Patznick, Director Rhodes and the Mayor will come up with something, it may not be something everybody is happy with, but I'm sure there will be some sort of a compromise that most everyone can live with and find reasonable. I need to apologize to the young lady I yelled at tonight, I'm usually pretty calm and don't yell at anybody, but after I tried to talk to her about four times, I just yelled and I apologize for that, that wasn't appropriate. Roger Loomis, what did he buy at the boat show? Roger's done a great job, he's leaving the department in great hands because he's done a great job having folks follow him. Roger good luck, you've done a great job, It's been nice knowing you. I'm sure we'll run into each other again soon.

ADJOURNMENT

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

Don Ellington, President of Council