

COUNCIL MINUTES

June 5 , 2023
Council Chambers
7:00 P.M.

President Pro-Tem Harris called the meeting to order

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

INVOCATION – Mr. Houser

PLEDGE OF ALLEGIANCE

CAUCUS - Motion by Mr. Marmie to excuse President Ellington and Mr. Lang, second by Mr. Barker, motion passed by acclamation

Motion by Mr. Marmie to change the Council Committees and Council Meeting for first Monday is July to July 5th, so that Council members can enjoy activities in the community on July 3rd, second by Mr. Rath, motion passed by acclamation

MINUTES of May 15, 2023, Motion to approve by Mr. Labutis, second by Mr. Houser, passed by acclamation

APPOINTMENTS

Mayor Jeff Hall - Reappointing Alvin Taylor, Heather Stasel and Barb Quakenbush to the Human Relations Commission, their 4 year terms will begin July 7, 2023 and expire July 6, 2027

Mayor Hall - They are reappointments and they have served well and asked to be reappointed, so I would ask for your support.

Motion by Mr. Houser, second by Ms. Bline, passed by acclamation

REPORTS OF STANDING COMMITTEES

Finance - **Received and filed without objection**

Service - **Received and filed without objection**

Streets - **Received and filed without objection**

REPORTS FROM CITY OFFICIALS

Brandon Fox, Water Administrator – properties being sent to lien for past due water, sewer and storm water bills in the amount of \$7,185.62

Division of Fire and EMS Presentation - Recognizing Lt. Darby Rehbeck and Firefighter-Paramedic Aaron Berkley for receiving the State of Ohio Valor Award

Newark Fire Department Assistant Chief Neal Murphy - I currently serve as the one unit shift commander for the NFD. The two individuals that you are recognizing this evening, Lt. Darby Rehbeck and Firefighter Aaron Berkley are members of our one unit team. Thank you for the

opportunity to address you all this evening. Before we play the video clip produced by the State Fire Marshalls Office I would like to provide some context for this honor. The Ohio Fire Service Valor Awards have been in place since 1981, they are awarded based on peer and due process by the State Fire Marshalls Office. In some years there are only one or two eligible candidates, in others, several firefighters meet the rigorous criteria for recognition. This year, out of hundreds of thousands of calls for fire or EMS service in the State of Ohio for 2022 and out of tens of thousands of firefighters, paramedics and rescue technicians across our State only 18 individuals were recognized for acts of bravery, two of them are here with us tonight. To say that these men keep rare company would be an understatement. This is the truly unpredictable nature of Fire Science. Lt. Rehbeck and Firefighter Berkley continue to demonstrate what those of us inclined to this calling understand. We must remain ready because we have sworn an oath to protect those who may need us at any moment. To quote the criteria for the award from the State Fire Marshalls website, "this award is conferred to members of the fire services in the State of Ohio, who at great personal risk to themselves credited with directly saving, or attempting to save a life or lives during an extreme emergency". Despite incredibly narrow odds, Rehbeck and Berkley were able to do exactly that, save a life. That ladies and gentlemen is done. It's what we train for. It's what we practice for. It's what we hope for. The opportunity to be there as generations of Newark Firefighters always have been. Ready, willing and able to perform at the highest level, when we are needed the most.

The following YouTube video produced by the Ohio State Fire Marshalls office was played for the audience in Council Chambers <https://www.youtube.com/watch?v=Q9X2-KsxEmc> Ladies and gentleman I would like to call your attention to the attitude of both of these gentlemen, it's a team effort, we did our best, we all deserve credit. Please understand that in the performance of their duty these two heroes exemplify everything that we expect of the members of the Newark Fire Department and indeed embody professionals standards for all of us in this line of work and what we strive daily to obtain. I have had the privilege of serving the citizens of Newark since January of 2001. I've personally witnessed similar incidents play out in my career more times than I can count by many different members of our division and across all shifts. I can think of no two individuals more worthy of our joint admiration than the two who stand before you now. Since receiving this honor in Columbus, I've heard both men say, I was just doing my job. I did what every other member of the Newark Fire Department has already done or is willing to do. While this is true and as much as the 137 years of excellence that is the Newark Fire Department, as witness to those facts, that does not diminish the accomplishments of my two union brothers on that particular day. I feel fortunate to call them friends. We, the members of your Newark Fire Department, remain united in our effort to protect the citizens of Newark. Thank you for recognizing two of our own and thank you again for the opportunity to address you.

COMMUNICATIONS

Vicki Engle - State Route 16 Trees

Benjamin Scott - Urgent Increase in Funding for Newark Fire Department

COMMENTS FROM CITIZENS

Benjamin Scott, 1669 Abby Drive - I stand before you today to implore you to take immediate action

to address staffing shortages in the NFD. Our citizen safety should always be top priority and it's our responsibility to provide our firefighters with necessary resources, staffing levels and compensation they need to be successful. Mayor Jeff Hall and City Council must address this issue as a priority because the lives of my children, my family among the lives of all the residents of Newark are in the City Council and Mayor's hands. It is blatantly neglectful to not address this. We should not be subjected to the uncertainties of post COVID lottery when it comes to emergency services. It is not ethical that the level of fire coverage and emergency response vary based on where one resides. Every individual regardless of their location should have the right to expect and equal and prompt emergency response ensuring their safety and well being. Considering this it is reasonable to expect that com standards should emerge from comprehensive risk management taken by the City of Newark. This would ensure consistent and equitable emergency response resources across the City of Newark regardless of the location or type of risk involved. Jeff Hall, and the City Council in the City of Newark have a duty to care for the residents of the City of Newark which includes providing adequate fire protection and emergency services. Regrettably the City of Newark, City Council and Jeff Hall have breached their duty to care by reducing staff levels, insufficient funding and response times and services are being impacted. This inadequate staffing and funding have directly contributed to the delayed emergency responses, insufficient services, which could also lead to residents receiving delayed or inadequate life saving measures and property damage. As of May 10th the minimum daily staffing for the Fire Department was reduced from 19 firefighters per day to 16. This is a movement in the wrong direction and directly puts lives at risk. This staffing is significant in safety particularly in terms of emergency response times and coverage. The National Fire Academy's recommendation is 1 firefighter for 1,000 residents for fire protection services. With a population of 50,383 in Newark Ohio in 2021, this guideline would suggest approximately 50 firefighters for fire suppression services alone, not including EMT. However, it is important to note this is a general guideline not a requirement. We're already witnessing the consequences of this reduced staffing, medic3 located at Cherry Valley and West Main is now at risk of being out of service, this means there will be significant instances when emergency services will not be available to residents in that area, such delays have sever implications on the well being and the lives of our citizens. Another example, fire engine 2 in the north part of Newark has been shut down multiple days due to reduced staffing. The north side of Newark, especially neighborhoods around Horns hill where I live have reduced fire protection due to this. Over the years Newark Firefighters rely on overtime to bridge that gap, however, the current situation has been exacerbated by the unprecedented 14 vacancies in the first four months of 2023. Consequently the overtime budget for this year is nearly exhausted and additional funding has not been approved. I would like to express my appreciation, however, for the perspective on this challenge faced our city for (inaudible) to Heath as an example, however it's important to consider economic studies between Newark and the surrounding areas when evaluating (inaudible). I'm pleased to hear the City has also allocated money towards certain aspects the Newark Fire Department requested. Regarding the wage of the Fire department employees, I acknowledge based on email correspondence with you folks that

firefighters received recent union negotiations raises, however, these raises which were intended to improve compensation for firefighters received is inadequate when compared to the wages offered by firefighting departments in neighboring and adjoining cities and counties. It's crucial that we address the issue and strive for more competitive wages to ensure that our firefighters are recognized for their dedication and service to the community as well as to ensure we strive to attract new talent, keep existing talent, such as the two firefighters we just witnessed today. I understand that several departments including the Newark Police Department face challenges for hiring due to wage constraints. We live in very unknown times when it comes to wages, so to ensure that our most important (inaudible) in the City who save lives everyday have the additional funding they need I think is important. Why does this matter to you folks. Every second counts, I'll give you an example. If CPR is not initiated in the first 4 minutes following heart attack survivability drops 60%, after 7 minutes of cardiac arrest survivability is less than 70% without intervention, brain cell death occurs within 4 minutes of cessation of breathing, brain cell death is irreversible after 10 minutes, survivability of heart attack victims decreases (inaudible) percent without defibrillation. A patient mortality improves after one hour from onset of injury, the best outcomes are when patients are transported to trauma centers (inaudible). These statistics highlight the importance of quick response and immediate intervention in emergency situations. The importance of quick response is even more highlighted by the fact of with lack of firefighters in the City of Newark we are not meeting those standards. While arguments exist for the ratios of firefighters and EMT's due to population we also need to make sure that we are staffing those and finding wages that accommodate them. Instead of solely relying on increased tax rates which was suggested in email correspondence, it's crucial for us to explore ways to optimize the current budget and seek alternative sources of funding. By conducting comprehensive evaluations, risk management studies in the city of Newark we can ensure we're addressing this and can ensure the financial challenges faced by public servants while considering the economic realities of our community are addressed. Thank you for your support and I encourage continued dialogue and cooperation as you work towards the financial stability of the City of Newark. Together we can ensure the safety and well-being of our citizens by this work.

Mr. Brunner, 419 S. Second St. - I've got three or four things, but they're short. Number one, back in 2012 I met with Mayor Hall, David Rhodes and Bill Spurgeon at my house. We walked up and down 2nd Street hill, I showed him the road, the curbs, the sidewalks and how the road was at least 3 inches above the storm sewers. At that time he told me the City does not have the funds to fix this. Here we are 11 years later, where's the money at. We still don't have it. Why? Number two, I'd like to thank the fire department today, my granddaughter put her son into her car and he had her keys and she shut the door and he locked the car. He's two years old. So, they came out and they unlocked the car, but we had an officer that came out also. He was the rudest officer I ever met. He stood back, never talked to nobody, never cracked a smile, never said a word, he asked who the mother of the child was. The only two women there was my wife at 67 and my granddaughter at 26, I'm sure my wife wasn't. I mean it's time Newark PD starts interacting with people. Not everybody's criminals. And the other thing is

speeding and four wheelers on 2nd Street, Edgemont, Isabelle, Beacon, I mean they're flying down the sidewalks now. I've got great grandkids that play on my sidewalk with their chalk. Why are they on the sidewalks, why can't we get a Newark officer out to take care of this. Every time you call they say they're busy. Well, one night I called they said they were busy so I got in the truck and went for a ride. There was two of them parked out here at the Heisey Museum, there was one parked at Save-a-lot on East Main St. Is that busy? To me they were just sitting there either taking a nap or chit chatting. That ain't right. We're paying for safety. The other thing is cats. We have to have tags for our dogs, we have to be liable for our dogs. I'm tired of cats tearing up my property. I think we need to make people get licenses for cats just like we have to have for dogs. It's no more than fair. They do destruct. They destruct your flower beds, if you've got a convertible they scratch your top, they scratch the paint on your car, they do destruct just like a dog. So, that is all I have to say and I'm hoping you guys can help us out.

ORDINANCES ON SECOND READING

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

OR23-15 AN ORDINANCE AMENDING THE POSITION CLASSIFICATION, PAY RANGE AND DEPARTMENT AUTHORIZATION TABLES OF THE CITY OF NEWARK, DEPARTMENT OF Public Service, DIVISION OF Cemetery and Parks BY CREATING THE CLASSIFICATION OF Grounds Maintenance Worker, AND SETTING THE COMPENSATION THEREFORE

Motion to adopt by Mr. Marmie, Second by Mr. Barker, Motion passed 9-0

ODINANCES ON FIRST READING

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

23-16 AN ORDINANCE VACATING A PORTION OF A SIXTEEN (16) FOOT WIDE ALLEY AS SHOWN ON THE AMENDED PLAT OF WOODSIDE ADDITION, AS RECORDED IN PLAT BOOK 3, PAGE 185 OF THE LICKING COUNTY PLAT RECORDS; SAID ALLEY IS LOCATED SOUTH OF MOULL STREET, RUNNING EAST FROM WOODS AVENUE, SOUTH OF LOG POND RUN. **Held until June 20**

Held until June 20, 2023

RESOLUTIONS ON SECOND READING

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

23-45 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO SUBMIT AN APPLICATION TO THE OHIO DEPARTMENT OF PUBLIC SAFETY OFFICE FOR FEDERAL FISCAL YEAR 2024 OHIO TRAFFIC SAFETY GRANTS PROGRAMS: SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) AND THE IMPAIRED DRIVING ENFORCMENT PROGRAM (IDEP).

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

By: Mr. Marmie, Mr. barker, Mr. Labutis, Mr. Rath, Ms. Bline, Mr. Rine

23-46 A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF NEWARK TO ENTER INTO A COMMUNITY DEVELOPMENT BLOCK GRANT FUNDED SUBRECIPIENT AGREEMENT WITH THE HEREINAFTER NAMED ORGANIZATIONS TO CARRY OUT ACTIVITIES INCLUDED WITHIN NEWARK'S FY 2023 COMMUNITY DEVELOPMENT BLOCK GRANT ONE YEAR ACTION PLAN.

Motion to adopt by Mr. Marmie, Second by Mr. Houser, Motion passed 9-0

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

23-48 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION(\$1,421.62 -Appropriate funds from reimbursement of overtime from the Licking Springs Trout Club fireworks) (\$173,507.22 -Water Booster Stations and Water Plant telemetry systems upgrades. Change order to Water Plant Instrumentation Project)(\$473,423.59--Principal Payment for 4th Street Sewer Separation Project)(\$200,000.00 -To cover salary and project costs for new CDBG CV Energy efficiency activity)

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

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

23-49 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NEWARK, OHIO, TO ENTER INTO A LEASE-PURCHASE AGREEMENT WITH PARK NATIONAL BANK FOR THE LEASE-PURCHASE OF TWO (2) NON-TRANSPORT MEDIC UNTIS FOR THE DIVISION OF FIRE

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

RESOLUTIONS ON FIRST READING

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

23-50 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$125,000.00 -Request to Supplement Fire Overtime) (\$1,565.79 -Received as reimbursement from Licking County OVI Task Force, request it be put back into the OT budget)
Held until June 20th

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

23-51 A RESOLUTION AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY NOW OWNED BY THE CITY OF NEWARK, OHIO TO NEWARK DEWVELOPMENT PARTNERS AS ITS AGENT FOR INDUSTRIAL, COMMERCIAL, DISTRIBUTION AND RESEARCH

Held until June 20th

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

23-52 Exp APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$110,000.00 -350 Mt. Vernon Rd \$135,000(3,888sq ft), 360 Mt. Vernon Rd \$40,000(614 sq ft) plus closing costs and any monies needed associated with the purchase - \$80,000 coming from water funds)(\$2,500.00 -Transfer from JRIG unappropriated funds to Law

Enforcement Supply account for SCRAM GPS monitoring)

Motion to waive the 2 day reading rule by Mr. Marmie, second by Mr. Barker, Motion passed 9-0

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

COMMENTS FROM CITIZENS

Steven Smith, 237 Violet Ct. - Just brief comments. May 24th was the one year anniversary of the shooting in Uvalde. (inaudible) 19 students and 2 teachers were killed, 17 people were wounded, seems to be no longer on the news. Over the memorial Day weekend there were 17 shootings that occurred, this is not an issue that the City can take any specific legislation (inaudible), but it's one of those situations where if you're not outraged, you're not paying attention and for that purpose I would like to use a minute of my time as a moment of silence to reflect upon what is happening. Thank you very much.

Rochelle Volen- Smith, 237 Violet Ct. - I was thrilled to see the recognition of the two officers in the fire department earlier, well deserved and there's a lot more people that deserve it as well. I would like to see the City do more support of the Fire Department, they deserve a raise for instance and a lot more support in other ways. In addition, different topic, there used to be a lot of traffic lights around the downtown area that had a special function. They were designed so that disabled people particularly blind and deaf could cross the street safely, those have been removed by the administration and I think that's an oversight. The roundabouts do not perform that function, in fact in some ways they're reckless. I've worked with blind and other people in the past and I know how life saving that can be. I'd like to see the City reconsider their position on that. Thank you.

MISCELLANEOUS

Tricia Moore, Law Director - I just want to thank the Fire Department for that awesome presentation, I still get chills thinking about that video, so thank you for your service and thank you Deputy Chief Murphy for your presentation.

Mayor Jeff Hall - I'll applaud that. A couple of us went to the ceremony in Columbus and it was very special to see those honored and the two young men from Newark up there so, it's very humbling in many ways. I appreciate all the work they do **every** day.

Mr. Marmie - I need to call a Finance Committee meeting for June 20th. I also want to congratulate the firefighters who were recognized and the entire Newark Fire Department for what they do day in and day out. Not only that, our safety forces as a whole, our firefighters and our police force I can't say enough about both and it was well said that folks just show up and do their job every day and I really appreciate that and my family appreciates it also, so I want to thank all of our safety forces. Finally, I want to congratulate Director Rhodes on a new grandson Sullivan, I think it's great, I remember that experience and especially when it's your little girl who's having that child, so I want to congratulate Director Rhodes on his new grandson born last week.

Mr. Rath - I also want to say congratulations to Lt. Rehbeck and Firefighter Berkley, job well done and I guess I can say the same thing of the rest of the Fire Department as well as the Police Department we all know that they show up and do their job regardless of what that means and we all appreciate that very much. I will call a Service Committee meeting for June 20th.

Mr. Rine - I'd like to thank all the safety services, fire and police, you guys are the tip of the spear, from what I see just driving down the road, I can't imagine what you guys see on a daily basis so, I thank you, my family thanks you and Council thanks you.

Mr. Barker - I just want to say congratulations and thank you to Lt. Rehbeck and Fire Fighter Berkley, I saw it posted on social media, I think the Fire Department Facebook page when the initial award was given and it's great to see them recognized for that. The fire was about 4 houses up from where my dad grew up, so I knew that neighborhood well and knew the family that lived there beforehand and saw that fire and knew it was a serious one when I saw what was being called out to it that night. So, they did a fantastic job and all our firefighters do and our police do and I thank you for that and for their doing their job and doing it so well. About an hour before we had Council tonight we were notified that the City received the Keep Ohio Beautiful Grant which will paint the tunnels on the bike path from Reddington to Cherry Valley Road to Church Street, so good to hear about that, we've had a couple incidents of people vandalizing those tunnels, so that's going to get cleaned up, so glad we were able to get that grant. Also would just like to say thank you for everyone who put together the service at Cedar Hill Cemetery for Memorial day, it was a beautiful service, the Mayor spoke, Council Members were there and had a great outreach from the community there, so it was a great morning.

Ms. Bline - Again, thank you to our service forces, you guys truly you're the best. Like I've said I worked in Columbus this past season and when I hear them talking about you all it's pretty amazing. They noticed you and that's a great compliment and very well deserved. Again congratulations to Lt. Rehbeck and Paramedic Berkley, thank you, that's wonderful. I too would like to say thank you to the Parks and to everyone who got ready the memorial Day services, it was just beautiful, it was really a wonderful service and I was able to attend the one at the VFW as well and that was just wonderful, we're so blessed to have so many heroes, present and past and even those to come in a City such as this. I'd like to thank some local citizens who really stepped up and for lack of a better word gutted front Street to get it ready for the Strawberry Festival. We figured out they freed up places for a little over 160 cars on a rotation, so I was grateful for their work. They did a lot, they got a lot done. I hear your comment about the ATV's and there's discussion coming up on that as well as electric bicycles, I notice a tremendous uptick in that, they're on our sidewalks, getting closer and closer to our yards at speeds that clearly are not necessary for the public in those areas. I also heard your comment about wanting the impaired hazards, thank you. I have a real quick request and this isn't legislation, I haven't talked to the other folks about it, but for those non-profits and people who are handing out donations, it's a very frequent thing, as that occurs, a cycle of use and refuse begins also because when something is used then what is left of it has to be discarded and when that happens it's a tremendous burden of the waste and the activities generated within that waste distribution and that lands in the surrounding neighborhoods, parks and businesses. There are volunteer groups that come out every year, they're faithful, they're awesome, but these cleanups have to be more frequent. So, this is a really simple request, basically requesting that

if you're handing stuff out, please take a weekend or a day, maybe just one day a month just to go out and clean stuff up. I find clothes, blankets, tarps, Narcan, needles, food , hygiene products, some of it's brand new and so again, it's just kind of like kindergarten rules, if you pass it out, clean it up because the burden falls on volunteers and even more so on the Parks and Street Department, it pulls them off task to go clean these things up, so again, just a request.

Mr. Chute - I'll just echo everyone else's comments with respect to Lt. Rehbeck and Firefighter/Paramedic Berkley, we certainly appreciate their service and that of all the safety forces. Mr. Scott, I appreciate your concerns and bringing them to us, I don't want to just give lip service to that I am new to this body, I recognize that this issue with firefighters backing, there may not be an easy or obvious solution, but I hope we can work to alleviate some of those issues that you brought up, so thank you for that.

Mr. Houser - I also want to congratulate Lt. Rehbeck and Firefighter Berkley on their award and thank them for all of their obviously above and beyond service to the City of Newark. I was also able to go out to the Memorial Day cemetery event, I want to thank Supt. Patznick and her team they're doing a great job, I thought the cemetery was beautiful and it was just a testament to what we were trying to honor there.

Mr. Labutis - I too want to congratulate Firefighter Berkley and Lt. Rehbeck on a fantastic honor and you Assistant Chief for a fantastic presentation as well, I appreciate that. I also want to thank all of the people at Cedar Hill as well, I was able to attend the memorial Day Service, it was an honorable event, it was good time spent that morning, so thank you everyone at the cemetery for that, I appreciate it.

Mr. Harris - I too want to thank the firefighters, I'm proud to say that Darby is a classmate of mine, so I appreciate all that you guys do. There is one event on Memorial Day that no one goes to, it's called the Vietnam Ceremony, the Mayor and I was there, it's at 9am on the square and they honor the Vietnam veterans and it's a nice little ceremony. Hopefully next year we get a lot more people out to that. I also want to thank B.J. Varner for helping me with some signs that needed to be taken care of. With that, our next meeting will be Tuesday, June 20th, the 19th is a holiday for the city.

ADJOURNMENT

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

Jeff Harris, President Pro-Tem of Council