

## COUNCIL MINUTES

February 5, 2024  
Council Chambers  
7:00 P.M.

**President Harris called the meeting to order**

**ROLL CALL** - Mr. Lang, Mr. Marmie, Mr. Neely, Mr. Rath, Mr. Rine, Ms. Bline, Mr. Chute, Mr. Cost, Mr. Houser, Mr. Labutis

**INVOCATION** – Ms. Bline

**PLEDGE OF ALLEGIANCE** - Chloe Johnson, Third Grade, Par Excellence Academy

**CAUCUS - President Harris** - Appointment of Brad Chute to represent Newark City Council to the Newark City School Board - passed by acclamation

**MINUTES of January 16, 2024, Motion to accept by Mr. Labutis, Second by Mr. Houser, passed by acclamation**

### **APPOINTMENTS**

There are none this meeting

### **REPORTS OF STANDING COMMITTEES**

Finance - **Received and Filed without objection**

Service - **Received and Filed without objection**

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

### **REPORTS FROM CITY OFFICIALS**

**Marcia J. Phelps, Licking County Municipal Court** - 2023 Licking County Municipal Court Clerk's Annual Report

**Judge David N. Stansbury** - 2023 Licking County Municipal Court Annual Report

**Both Received and filed without objections**

### **COMMUNICATIONS**

**Park National Bank** - Newark Memorial Building/Cedar Hill Cemetery Trust Statement - **Received and Filed without objection**

**Heidy van Hoof** - Concerns about City tap water **Received and Filed without objection**

**Dave Froelich** - Regarding email to Mayor and City Council President - **Objection by Mr. Marmie to filing communication until documentation from the findings for different things from the Auditor and County Prosecutors Office are on file, Second by Mr. Lang Motion to object to filing passed 10-0**

## **COMMENTS FROM CITIZENS**

**Thomas Bruner, 419 S. Second St.** - I have a couple things here. One, is Newark ever going to get another Animal Control Officer because we have issues with people letting their dogs run off their leash in my area and they've actually come up on my front porch with my dogs. We have trouble with people letting their dogs do their business in your yard, you ask them to clean it up, they keep on going. When Toby was our Animal Control Agent he did a great job making sure things got taken care of. I went to the Animal Control Shelter and talked to a Dog Warden out there, he told me he don't deal with any City Ordinances, the only thing he deals with is loose running dogs, mistreated dogs and stuff like that, he don't deal with anything that has to do with the City. So, he told me, call Newark PD, well Newark PD's got enough to do let alone deal with dog issues. So, I think we need to look at getting a new Animal Control Officer if we could, someone who will enforce the laws around Newark. The other thing too, is Isabelle Road. My daughter called me last night, she went home to pull into her driveway and she lives on Isabelle, she has a neighbor, she lives at 221, he lives at 215, he's got all these trailers and all these pickup trucks, they're all sitting on the street, he's got a driveway full, he parks right on the edge of her driveway where she can't hardly get in and out of her driveway, makes it hard for her to get in and out of her driveway period as it is, because Isabelle is so tight. Two of the trailers didn't have tags on them, she called Newark PD, she talked to Officer Carter. Officer Carter came out, he went over and talked to the gentleman, he told him, well I've got tags here in the house for the trailers, he told my daughter, well I took his word for it. Well, today I went by there at 3 o'clock and neither trailer had tags on them, so, my son in law came over at 5 o'clock this evening to the house and said he's got a tag on one trailer now, it's from Tennessee. So, these people moved up here from Florida, I think he's just trying to scam the system, is what he's trying to do, because I think he works for himself, he's all the time taking down trees and stuff like that. It's making it hard for her and along with the construction that's going to happen on Second Street, that's going to make Second Street, Edgemont, Beacon, Isabelle all busier and Isabelle is tight enough with parking on both sides of the street. Why can't we eliminate parking on one side of the street on Isabelle because a lot of those places have places to park out back, the apartments all have places to park and I know I have to pull over so someone can come through before you can go through. So, I'd like to get something done about that too if we could please.

**Matthew F. Craig, 197 Greenfield Ave.** - I was just coming here to City Council, I know there's a lot of infrastructure improvements that have been made downtown and I figured if they ever have any plans of widening 13, I think that would be a good thing for me to address my State Representatives as well as my U.S. Congressmen, because I feel like the buildings that are on 13 are really ugly and I thought if you guys widened the road then it would kill two birds with one stone, tear down all these run down houses and turn it into like a business district, building buildings like what we have here in downtown Newark and that's all I've got to say, thanks.

## **ORDINANCES ON SECOND READING**

There are none this meeting

## **ORDINANCES ON FIRST READING**

**By: Mr. Rath**

**24-01** AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 326 BELLE VISTA AVENUE, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-191040-00.000 AND PARCEL TAX ID #054-191046-00.000 FROM THAT OF SINGLE-FAMILY RESIDENCES - RH - HIGH DENSITY DISTRICT TO MFR - MULTI-FAMILY RESIDENCE DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO

**Referred to Planning Commission and will be back for Public Hearing and 2<sup>nd</sup> Reading on May 6th**

## **RESOLUTIONS ON SECOND READING**

There are none this meeting

## **RESOLUTIONS ON FIRST READING**

**By: Mr. Marmie, Mr. Cost, Ms. Bline, Mr. Neely, Mr. Rath, Mr. Chute**

**24-01** A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUBMIT APPLICATIONS TO THE DEPARTMENT OF HOMELAND SECURITY, FOR FISCAL YEAR 2023 FIRE ACT GRANT PROGRAMS, IN SUPPORT OF TRAINING PROGRAMS, EQUIPMENT PURCHASES, FUNDING FOR PERSONNEL, FIRE PREVENTION, AND FIRE SAFETY PROGRAMS THROUGHOUT THE CITY.

**Held until 2/20/24**

**By: Mr. Marmie, Mr. Cost, Ms. Bline, Mr. Neely, Mr. Rath, Mr. Chute**

**24-02** A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO SUBMIT AN APPLICATION TO THE OHIO DEPARTMENT OF PUBLIC SAFETY FOR AN AWARD OF FISCAL YEAR 2024-2025 FUNDING UNDER THE OHIO EMS TRAINING AND EQUIPMENT GRANT PROGRAM. **Held until 2/20/24**

**By: Mr. Marmie, Mr. Cost, Ms. Bline, Mr. Neely, Mr. Rath, Mr. Chute**

**24-03** A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO APPLY FOR FUNDING FROM THE UNITED STATES DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE UNDER THE BULLETPROOF VEST PARTNERSHIP GRANT PROGRAM. **Held until 2/20/24**

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

**24-04 Exp** APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$16,482.00-oversight in budgeting)

**Motion to waive the two day reading rule by Mr. Marmie, Second by Mr. Lang, Motion passed 10-0**

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

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

**24-05** APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$30,000.00 -For Property Maintenance) **Held until 2/20/24**

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

**24-06** A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUBMIT APPLICATIONS TO THE OHIO ENVIRONMENTAL PROTECTION AGENCY (EPA) FOR THE H2 OHIO RIVERS INITIATIVE CHLORIDE REDUCTION GRANT. PROGRAM.

**Held until 2/20/24**

**By: Mr. Cost, Mr. Marmie, Ms. Bline, Mr. Neely, Mr. Rath**

**24-07** AN RESOLUTION IMPLEMENTING SECTIONS 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE, ESTABLISHING AND DESCRIBING THE BOUNDARIES OF A COMMUNITY REINVESTMENT AREA IN THE CITY OF NEWARK, OHIO.

**Held until 2/20/24**

#### **COMMENTS FROM CITIZENS**

**Jon Spohn, IAFF Local Newark Firefighters 109** - I am here to invite all members of Council and members of the City Administration on April 17<sup>th</sup>, we are having what we call Fire OPS 101 class at Station 1, 75 S. 4<sup>th</sup> Street. There's going to be opportunities to either participate or observe during this day. What it's for is to help educate and inform our Council members and our City Administration that may not have that close in view or idea of what our job is as being your firefighter and paramedics for the City. On that day if you choose to participate there will be opportunities to wear the fire gear, utilize firefighter equipment, rescue tools, perform different rescue tasks and such like that. If you choose to observe it would just give you that more close in view if you don't want to actually participate in the aspects of all of it. I do want to express thanks to Council members Neely, Chute and Houser, also State Representative Miller have already confirmed to us that they want to participate on that day. You can reach out to Assistant Chief Ashcraft, IAF Local President Garwick or myself, I can give anybody my

contact information after the meeting if anybody wants to partake on that day. I believe the time we planned is 9-3 that day.

## **MISCELLANEOUS**

**Tricia Moore, Law Director** - As I have a child turning 16 today, I just want to remind people not to text and drive and I will tell you that the State Patrol has been issuing a lot of tickets, they have been coming through our courts for texting while driving, so just be aware especially if you have kids that are on the roadway just remind them to put the phone down while they're driving. Also, Mr. Bruner, it's my understanding how this is supposed to work is that we have a Humane Agent to deal with humane phone calls regarding animal neglect and abuse and then the County Warden can enforce the State law within the City limits. So, I'm not sure what the breakdown in communication is, so I will reach out to the Dog Warden and confirm that this is still the case. Okay? Thank you for bringing that to my attention.

**Mayor Hall** - I would just expound on that, we kind of took Toby's job and broke it into two directions for a multitude of reasons, but the County would handle the K9's, they don't handle other animals, but they handle the K9 situation and the humane or inhumane treatment of animals elsewhere, so what you're going to do is call the County for the issues that you have and we'll kind of work on that and make sure that channel of communication is there.

Everybody is probably enjoying a little bit of good weather, but winter is not over yet, but it's a lot easier to take this time of year. Friday morning was the 68<sup>th</sup> Annual Ground Hog Breakfast and about 700 business leaders and all kinds of people came together, there were some Council members there and I appreciate that as Administration. It was a great morning, I think when Jennifer, the head of our Chamber said kind of like would you like to make it a lunch, I don't think everybody wanted to do that, so I thought it was kind of interesting they love getting up early in the morning and going to it, but it's a great signature event for our community and it's a great way people collaborate. Obviously Church Street bridge is close and I appreciate Mr. Bruner, your thoughts on South Second Street, it does add population to the side streets, I just ask that residents as they take these detours, please be cognizant you're in neighborhoods, you're not on those main streets, so let's just kind of idle it down a little bit. We'll talk about Isabelle, I'll talk to the staff about that, good point. These roads and the lines under the roads don't last forever and we hate sometimes to close them, but it's what we have to do, that's our job to be detailed with the safety and integrity of them. We have 89 bridges in the City of Newark, some of those are over roads, some are over streams, but that places us about number 6 in the State of number of bridges, the 5 cities that have more than us are probably a quarter million people or more, are very large cities, so it's quite unusual for us, but we've always got a bridge under construction it seems like, but that's the right way to do it to keep them all safe and sound, with that if anybody has any questions, but thank you for the detours you have to take.

**Mr. Lang** - Mr. Spohn, thank you for the invite, I will be there, sounds like a great day and I really appreciate you giving us that opportunity.

**Mr. Marmie** - I need to call a Finance Committee Meeting for February 20<sup>th</sup>. Also, I need to try to get my calendar clear to make it on the 17<sup>th</sup>, but it's going to be a high priority, that's a Rotary day I believe, so I've got to get away from there, so thank you. I'm just going to piggy back on what the Law Director said about having a 16 year old, I usually try to sit down with the

16 year olds and I concur with the texting and driving, but really the subject is distracted driving and that Mt. Dew sitting in that cup holder is the same as texting and I tell them do not take a drink of the Mt. Dew, it's the same as picking up a phone to text. No distracted driving, if you look over in Europe, they don't even have cup holders, they do not have cup holders in their vehicles, there's a reason for that. So, adjusting the radio, drinking that drink, whatever it is be it a Mr. Dew, they love that I say Mt. Dew too by the way and also texting, just avoid any kinds of distractions, there's reason why there's laws in place that limit the number of passengers that they can have until a certain age and so on and so forth, so, it's because if that distracted driving. So, I do understand what you're saying and I just wanted to expound upon that even further because the safety is the most important thing.

**Mr. Neely** - I would like to congratulate the Chamber on a great Ground Hog Day on Friday, Brad Feightner did a great job as the emcee, they had a wonderful speaker from Because I said I would, I'd like to thank Mr. Spohn IAF 109, me a lifelong trooper, I' actually excited to jump over there and get into some fire gear, that's exciting to me, I'm looking forward to the 17<sup>th</sup> and I'm going to echo also the don't text and drive, I saw a lot in my time as a trooper and I think it's so important to just wait until you get there. There's so many aps, we have technology at our fingertips, but there there's aps you can get to prevent yourself from doing that because it's just so easy to pick your phone up anymore, so it's a wonderful reminder I just want to echo that.

**Mr. Rath** - Mr. Mayor I appreciate the invitation to the Groundhog Breakfast and I accepted unfortunately this year I wasn't able to attend, unfortunately, I hope the vote isn't closed because I would've voted for lunch. I will call a Service Committee Meeting for the 20<sup>th</sup> and Mr. Spohn I will see you on April 17<sup>th</sup> as well, I'll be there at least part of the day.

**Mr. Rine** - Jon, I'll definitely try to be there, I didn't make it last year, but I'm going to try to be there, I remember the pictures of Michael in the uniform. With the texting and driving, I drive a lot with my job and I see it. Defensive driving is how I was taught, being 29, I feel old, but I was taught in a manual car and being taught that way, you know someone learns on a manual, you really can't text and drive, maybe we should take a different approach, but that's a conversation for another day.

**Ms. Bline** - I will do my best to be there, I will make the request and hope they say yes. There has been a lot going on, so I'll try and make it quick, I want to thank the Street Dept. for doing a lot of heavy lifting, some projects that have been going on and some replacements, I'm just very appreciative of them and certainly Property maintenance for their tenacity for going after property's for the long term and finally getting them taken care of. It' such a bonus to our community to have a clear, safe neighborhood, it's wonderful and on another note, I'd like to thank all the south Newark citizens who have put bulbs and flower donations on my porch for beautification projects coming up, my porch has been full and I'd like to thank the citizens who call NPD and the Detectives on behalf of their neighborhoods. If they see something they are calling, that's exactly what they need to do and I just want to keep it up, very proud. Lastly, I'd like to thank those investors who have came out, coming to south Newark to consider investing here. This is a great place, there is so much opportunity and so much potential here, I just appreciate their time and inquiry and I hope they find themselves a new home.

**Mr. Chute** - I'm just going to kind of echo some others, Mr. Spohn I appreciate the invitation and I'm looking forward to it, I'm sure it will be educational for us and for anyone else I'm sure

it will be quite entertaining, so. I'll echo the concern for distracted driving, it's kind of an interesting dynamic we have with Trish prosecuting, Dustin writing tickets and the worst case scenario, I don't want to see anybody as a result of distracted driving, certainly, so it's a good reminder for us all.

**Mr. Cost** - Mr. Spohn, I'll plan to be there also, I t does sound like an interesting day, I wouldn't miss that.

**President Harris** - Are you going to participate or watch?

**Mr. Cost** - Oh absolutely!

**President Harris** - you guys heard it, it's on the record!

**Mr. Cost** - Mr. Rine, as far as you feeling old at 29, let me tell you what it's like to be 69 and have your grandchildren going through the same thing about texting and driving.

**Mr. Houser** - Bill, if it makes you feel any better, I feel very young today, so I'll just get that out there. I'm excited for April 17<sup>th</sup>, just some encouragement, if you could make all of the exercises competitive that would make it much better.

**Mr. Labutis** - Mr. Spohn, thank you for the invitation, I will try to be there that day as well.

**President Harris** - Well, I guess I'll be there too and I'll participate. I want to remind everybody that this month is Black History Month and I always like to share some fun facts, the first two I wrote down because of the Fire Department, so, in 1878 Joseph Winters invented the fire escape ladder, Thomas Marshall in 1872 invented the fire extinguisher, Leonard Bailey in 1899 invented the folding bed and Nathaniel Alexander in 1911 invented the folding chair and John Smith in 1897 invented the lawn sprinkler, so that's just some fun facts. Our next meeting is going to be on Tuesday because Monday is a holiday on February 20<sup>th</sup>.

**ADJOURNMENT - Motion to adjourn by Mr. Houser, second by Mr. Labutis , passed by acclamation**

**Jeff Harris, President of Council**