

## COUNCIL MINUTES

February 20, 2024  
Council Chambers  
7:00 P.M.

**President Harris called the meeting to order**

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

**INVOCATION** – Mr. Labutis

**PLEDGE OF ALLEGIANCE** - Elena Tirado-Steil, 1<sup>st</sup> grade, McGuffey Elementary

**CAUCUS Mr. Marmie - Motion to excuse Mr. Chute and Mr. Rine, Second by Mr. Lang, passed by acclamation**

**MINUTES of February 5, 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**

Capital Improvements - **Received and Filed without objection**

Personnel- **Received and Filed without objection**

### **REPORTS FROM CITY OFFICIALS**

**City Auditor, Ryan T. Bubb** – Operating report for period ending January 31, 2024

**Brenda Cooper, Tax Administrator's Office** – Income Tax Revenue Reports for period ending January 31, 2024

**Both Received and filed without objections**

**Certificate of Recognition** - Mayor Hall and President Harris - for Steele Meister

**Mayor Hall** - Everybody who has been following the Wildcats Basketball this year they had a 17-3 year. While we certainly know basketball is a team sport, Steele has certainly pulled his weight in a phenomenal way. This young man scored his thousandth career point this year on a free throw, he's only the 9<sup>th</sup> player ever in the history of the Newark Wildcats to get that and he's still scoring! This is a Mayor's Certificate of Recognition, Steel Meister, thousandth career point scored on February 9<sup>th</sup>, 2024, Newark high Wildcat Basketball.

**President Harris** - So, I talked to coach Quackenbush, he said as a Freshman, Steele only scored 4 points for the whole year, so, he became a ball hog (laughter). He also is first team OCC in football and third team All Ohio, so congratulations.

**Mayor Hall** - Would you like to say anything?

**Steele Meister** - Just "Go Cats!"

## **COMMUNICATIONS**

**Dave Froelich** - Regarding email to Mayor and City Council President

**Alexia Rose, Marketing Manager Licking County Aging Partners** - #SaveLunch Ride Along, March 8-12

## **PUBLIC HEARING**

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

**24-12** RESOLUTION APPROVING THE RENEWAL APPLICATION FOR PLACEMENT OF FARMLAND IN AN AGRICULTURAL DISTRICT AND DECLARING AN EMERGENCY

**President Harris** - Is there anyone here to speak for or against this?

**Motion to adopt by Mr. Rath, Second by Mr. Labutis**

**Mr. Rath** - The only reason for the emergency clause on this is because it was late getting to us, trying to meet a filing deadline.

**Motion passed 8-0**

## **COMMENTS FROM CITIZENS**

There were none this meeting

## **ORDINANCES ON SECOND READING**

There are none this meeting

## **ORDINANCES ON FIRST READING**

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

**24-02** AN ORDINANCE AMENDING THE POSITION CLASSIFICATION, PAY RANGE AND DEPARTMENT AUTHORIZATION TABLES OF THE CITY OF NEWARK, DEPARTMENT OF Safety, DIVISION OF Police BY CREATING THE CLASSIFICATION OF Body Worn Camera Administrator, AND SETTING THE COMPENSATION THEREFORE

**Held until March 4<sup>th</sup>, 2024**

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

**24-03** AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 994 MT. VERNON ROAD, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-274176-00.000 FROM THAT OF SINGLE-FAMILY RESIDENCE - RM - MEDIUM DENSITY DISTRICT TO MFR - MULTI-FAMILY RESIDENCE DISTRICT, ZONING CODE OF

THE CITY OF NEWARK, OHIO

**Referred to the Planning Commission**

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

**24-04** TO PROVIDE FOR THE ISSUANCE OF NOT TO EXCEED \$1,160,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING THE COST OF CHURCH STREET AREA IMPROVEMENTS AND REPAIR, INCLUDING ELECTRICAL, SIDEWALK, STREET AND STREETScape, AND ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

**Motion to adopt by Mr. Marmie, Second by Mr. Lang, Motion passed 8-0**

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

**24-05** TO PROVIDE FOR THE ISSUANCE OF \$370,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING A PORTION OF THE CITY'S COST FOR HORNS HILL ROAD SANITARY SEWER PROJECT IMPROVEMENTS, AND DECLARING AN EMERGENCY.

**Motion to adopt by Mr. Marmie, Second by Mr. Lang, Motion passed 8-0**

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

**24-06** TO PROVIDE FOR THE ISSUANCE OF \$520,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING THE COST OF CONSTRUCTION OF THE STREAMBANK PROTECTION PROJECT, INCLUDING REPLACEMENT OF THE SHEET PILE DAM ON RACCOON CREEK, SITE PREPARATION AND ALL NECESSARY APPURTENANCES, AND DECLARING AN EMERGENCY.

**Motion to adopt by Mr. Marmie, Second by Mr. Lang, Motion passed 8-0**

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

**24-07** AN ORDINANCE CONSOLIDATING THREE BOND ANTICIPATION NOTE ISSUES OF THE CITY OF NEWARK, OHIO AND DECLARING AN EMERGENCY

**Motion to adopt by Mr. Marmie, Second by Mr. Lang, Motion passed 8-0**

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

**24-08** 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 ABOLISHING THE CLASSIFICATION OF EQUIPMENT OPERATOR AND CREATING THE CLASSIFICATION OF GROUND MAINTENANCE WORKER, AND SETTING THE COMPENSATION THEREFORE

**Held until March 4, 2024**

**RESOLUTIONS ON SECOND READING**

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

**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.

**Motion to adopt by Mr. Marmie, Second by Mr. Lang, Motion passed 8-0**

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

**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.

**Motion to adopt by Mr. Marmie, Second by Mr. Lang, Motion passed 8-0**

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

**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.

**Motion to adopt by Mr. Marmie, Second by Mr. Lang, Motion passed 8-0**

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

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

**Motion to adopt by Mr. Marmie, Second by Mr. Lang, Motion passed 8-0**

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

**Motion to adopt by Mr. Marmie, Second by Mr. Lang, Motion passed 8-0**

**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.

**Motion to adopt by Mr. Marmie, Second by Mr. Lang**

**Mr. Marmie** - We had been asked to amend this to include an additional whereas, I'll read the whereas, I believe it's in your packet:

Whereas the area as described more particularly in the Housing Survey includes several parcels of the developable and residential land. The natural boundaries of the Area are: Evans Blvd. To the west, Goosepond Road to the north, N. 21<sup>st</sup> Street to the east, and Jackson Blvd. to the south, along with the southern boundaries of parcels numbered 054-286698-00.000 and 054-

286470-00.176. All land within such boundaries comprise the CRA (as defined below) It was described to us, but wanted it included in the resolution.

**Motion to amend to 24-07-A by Mr. Marmie, Second by Mr. Lang, Motion passed 7-0 with Mr. Houser abstaining**

**Motion to adopt as amended passed 7-0 with Mr. Houser abstaining**

#### **RESOLUTIONS ON FIRST READING**

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

**24-08** APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$1,670.94 -amount rec'd as cash forfeiture from the Court, Court order states a check must be sent to Trumble County for back child support)

**Held until March 4, 2024**

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

**24-09 EXP** APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION ( \$3,077.00 -to pay Invoice for legal services)

**Motion to waive the two day reading rule by Mr. Marmie, Second by Mr. Lang, Motion passed 8-0**

**Motion to adopt by Mr. Marmie, Second by Mr. Lang, Motion passed 8-0**

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

**24-10** A RESOLUTION AUTHORIZING AND DIRECTING THE AUDITOR OF THE CITY OF NEWARK TO PAY BILLS ON BEHALF OF THE CLERK OF COUNCIL PURSUANT TO SECTION 5705.41 (D), THEN AND NOW CERTIFICATION; AND DECLARING AN EMERGENCY.

**Motion to adopt by Mr. Marmie, Second by Mr. Lang**

**Mr. Marmie** - I just want to clarify that the declaring of an emergency is because this one actually pertains to Resolution 24-09 and in order to pay that bill, we have to do a then and now clause, if we don't pass this then it has to wait 30 days because we have to have the approval. So, the finance one goes through immediately, it does not need an emergency because it goes as soon as it's signed, but the resolution does not so we need the emergency clause on this so it can go into effect immediately.

**Motion passed 8-0**

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

**24-13** A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE AND ENTER INTO CONTRACT WITHOUT COMPETITIVE BIDDING FOR THE PURCHASE AND INSTALLATION OF A NEW SECONDARY BOILER FOR THE NEWARK POLICE DEPARTMENT

**Held until March 4, 2024**

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

**24-14** A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION WITH REGARD TO THE RETENTION OF OUTSIDE LEGAL COUNSEL

**Motion to waive the two day reading rule by Mr. Marmie, Second by Mr. Lang, Motion passed 8-0**

**Motion to adopt by Mr. Marmie, Second by Mr. Lang**

**Mr. Marmie** - I want to explain the waiving of the two day reading rule. We did not think this warranted the emergency clause, but this is pertaining to some legal counsel dealing with the Downtown Newark Association and some contracts that we are wishing to put into place so then they can start construction. The timing of this is crucial as far as getting these contracts and getting our legal counsel together for this, so , if we do it this way, it still has to wait 30 days, that 30 days will give us sufficient time, so we just wanted to expedite this to save us two weeks is all we wanted to do.

**Motion passed 8-0**

**By: Mr. Chute, Mr. Cost, MS Bline,, Mr. Rath, Mr. Labutis**

**24-15 CI APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$91,000.00 -NFD Hollander Fire Station Roof, STR Sign Maker)**

**Held until March 4, 2024**

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

**24-16 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NEWARK, OHIO, TO ENTER INTO A PURCHASE AGREEMENT FOR PROPERTY LOCATED AT 261 AND 263 MOUNT VERNON ROAD, NEWARK, OHIO.**

**Held until March 4, 2024**

### **COMMENTS FROM CITIZENS**

**Steven Smith, 237 Violet Ct.** - In the last Council meeting at the end of the Finance Committee, there was a discussion about homelessness and cleaning up the homeless camps that have a unsafe and unsanitary conditions (inaudible). One particular comment caught my ear about these homeless people being someplace where they should not be. I think everyone can agree that's true, the question is, where should they be? That's a difficult question and that's why in 2020 a group of community leaders, various orgs, religious leaders, (Inaudible) spent a lot of time on a task force, Licking County Task Force on Homelessness to work out some solutions to these kind of problems, and got a nice report, I can forward copies of this to anyone interested. Nothing's been done with it and until there is someplace safe for homeless people to go where they can get services, they can get their issues treated when that's necessary and they can have facilities to have a clean and safe place to live, they are going to stay in this sort of downward spiral. So, by not adopting some sort of solution for this, we're basically saying we're okay with there being these encampments in places where they should not be and unsafe and unsanitary situations. I think we as a community, as a City can do better than that. We should do better than that.

**Rochelle Volen-Smith, 237 Violet Ct.** - I've been examining the Newark Station and it's my understanding they have put up signs that they are starting to contract for buying options. The buildings there still don't have windows. They have broken windows from the past and I'm not sure that they resolved the plume issues that were in that area. I just can't see that as a livable area for high priced housing in that section. I'd just like to address that, I don't think it's good for the environment, I taught in that area and have seen the effects of the plumes on children. I don't think the City is ready to develop that particular vicinity.

#### **MISCELLANEOUS**

**Mr. Marmie** - I need to call a Finance Committee Meeting for March 4<sup>th</sup>. I want to congratulate Steele on a fantastic year, it's been a pleasure kind of following him, not only during the basketball season, but during his football career, just been a class act to watch on and off the court. He's been somebody who can be a role model for the youngsters to follow and I think the City of Newark was definitely and the Mayor was great, was great he recognized Steele, so I want to congratulate him. I also want to congratulate the entire Newark High team for what they accomplished. In addition to that, I want to say kudos and congratulations to the Newark Catholic Girls Varsity team, they went 20-0, first time it's ever been done in the history of girls athletics as far as basketball. They've had a phenomenal season, they're now going into tournaments. Tomorrow night will be their first tournament game at home, they also have a player, Kylie Gibson, who scored over a thousand points in her career, very noteworthy of her accomplishment and so, I want to congratulate them as well.

**Mr. Rath** - I will call a Service Committee Meeting for March 4<sup>th</sup>.

**Ms. Bline** - I met with several residents over the weekend in the Miller area and they send their great thanks out to the Storm Water Department. Over the summer there was an artery replaced in that area and it was an experimental type thing they were hoping it would work, the results have been better than what anyone had dreamed. I spoke to residents who had 3 sump pumps in their basements and they said not once have they come on due to this artery, so it's been very effective and they send their thanks to the Storm Water Department. Also I want to thank, we're still working on the fallow properties throughout south Newark. We were able to return some found property that had been removed from premises, one was a shopping cart, we were able to take back some other things that had been taken and abandoned in places, so gratefully there are some ways that we could return them. So the work continues, tree service and excellent volunteers, so I think you.

**President Harris** - I want to congratulate Steele on his accomplishments. I want to remind everybody that Saturday is the Kiwanis Pancake Breakfast up at Grove by the River. I've got 5 quick Black History facts. In 1899 George T. Grant invented the golf tee, in 1897 John Smith invented the lawn sprinkler, I think we all know this one, George Washington Carver invented peanut butter in 1896, Walter Purvis in 1883 invented the hand stamp and Washington A. Martin in 1893 invented the lock. Our next meeting is March 4<sup>th</sup> at 7pm.

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

**Jeff Harris, President of Council**