

COUNCIL MINUTES

September 3, 2024
Council Chambers
7:00 P.M.

President Harris called the meeting to order

ROLL CALL - Mr. Cost, Mr. Houser, Mr. Labutis, Mr. Marmie, Mr. Neely, Mr. Rath, Mr. Barker, Ms. Bline, Mr. Chute

Absent- Mr. Rine

INVOCATION – Mr. Houser

PLEDGE OF ALLEGIANCE – Liam Hollins, 5th grade, Carson Elementary

CAUCUS

Motion to excuse Mr. Rine by Mr. Marmie, Second by Mr. Houser, passed by acclamation

MINUTES of August 19, 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**

REPORTS FROM CITY OFFICIALS

There are none this meeting.

COMMUNICATIONS

Chance Patznick, Parks and Cemetery Superintendent – The City of Newark Parks Department will be hosting the 1st annual Fall Youth Fishing Derby on Saturday, September 7th at T.J. Evans Family Park.

Keith Faber, Auditor of State of Ohio – City of Newark, Licking County, Single Audit January 1, 2023 – December 31, 2023

Public Hearing

By: Mr. Cost

24-18A AN ORDINANCE AMENDING PORTIONS OF THE CURRENT ARTICLES OF THE ZONING CODE OF THE CITY OF NEWARK, OHIO ADOPTED MAY 5, 2009 BY ORDINANCE 08-33A AND SEPTEMBER 5, 2023, BY ORDINANCE 23-22A AND IMPLEMENTING ADDITIONAL ARTICLES OF THE ZONING CODE OF THE CITY OF NEWARK, OHIO.

Upon consideration of the information presented, the following actions are recommended:

- 1. Ordinance 24-18A is recommended for passage and approval by Council.*

Jonathan Lang, 297 Auburn Dr. - A little weird to be back on this side of things. I just wanted to speak to this. This is something that we've been working on for quite some time and unfortunately just one meeting too late. I wasn't able to finish it, but what you got in front of you is the original zoning proposal where we had the maps laid out with a couple of edits from the Planning Commission. One is to remove dispensaries from the industrial zone, so those are those big dark gray areas you may have remembered on the map. Another is to add a two-mile buffer between dispensaries, so everybody worries about having too many, too high density. It'll prevent that. And then the third was a recommendation from our Law Director as we went through the Planning Commission process to add a prohibition on drive-through service. Didn't seem like that was something that our current dispensaries were really interested in, so seemed like something that would be a good limitation going forward given what they're selling. Probably doesn't make sense for a drive-through, so just wanted to kind of lay those out and urge you to send that on as the Planning Commission. Thank you.

Ms. Bline - Mr. President, I'd like to make a motion to table Ordinance 24-18A.

Mr. Marmie - Point of order. It's not on the table until there's a motion and a second.

Ms. Bline - Okay.

Mr. Rath - Mr. President, I'd like to make a motion to adopt 24-18A.

Motion to adopt by Mr. Rath, Second by Mr. Marmie

Ms. Bline - Yes, Mr. President, I would like to make a motion to table Ordinance 24-18A.

Motion to table Ordinance No. 24-18A by Ms. Bline, Second by Mr. Cost

President Harris - Do we have any discussion?

Mr. Houser - Point of order. Do we need to vote on the already established motion on the floor or not? No.

President Harris - Go ahead, Mr. Rath. Sorry.

Mr. Rath - I'm just glad you asked for discussion because I'd like to know why we're tabling it before we vote to table it.

Ms. Bline - Can I speak to that?

President Harris - Sure.

Ms. Bline - Yeah, thank you. When this was brought to Planning Commission, many council members did not get to attend that event, nor go through thoroughly what is presented before us. As well as there are some new things to consider. If you look back at Article 66, we get deeper into cultivators, and honestly, we need to look at this more as a community, as, you know, I haven't had a lot of time, actually, to study what impact the cultivators have on a community, nor what do we need to make them successful. Do we need more law

enforcement? What security do we need? What security will they provide? Again, is what exterior businesses will be involved? And myself, as a council member, I would just like to have a deeper look into that and how it would impact Newark, as well as have other council members thoroughly examine what's set before us.

Mr. Marmie - Yeah, this zoning has been out there and been worked on for quite a while. Everybody has had ample time to provide their input and, you know, their concerns. We need to get our zoning in place and enforced. I don't see the need to further do research that, you know, and not only that, they're tabling at an uncertain date, so therefore, you know, we have to have the zoning in place in order to impact. This has to do with where businesses can be located and what's for certain types of businesses. So, I don't see the need to table at this point. If there's further research or amendments that need to be made to our zoning codes in the future, we have the opportunity to do that. And so, I think, I believe that we need to get this zoning in place so then the dispensaries know exactly where and how they can operate and it's just going to be in place. Thank you.

Mr. Houser - Mr. President, I guess this is more of a clarification question in terms of operation. Is it possible to modify that motion to include a date certain as in the next council meeting for this to be reviewed as kind of a compromise between the two? Is that possible to modify that?

President Harris - If you want to make that motion, yeah.

Mr. Houser - Well, I guess then I would make a motion to table for a date certain as of the next council meeting.

Ms. Bline - I would second that.

Motion to table it to the next Council meeting by Mr. Houser, Second by Ms. Bline, passed

Mr. Rath - Point of order. I guess I'm just confused. You got three things that was a motion on it. The issue, the issue to be tabled...

Mr. Marmie - Actually, Ms. Bline could just modify her motion. It doesn't have to be a separate motion. She can modify that.

Ms. Bline - I'd be willing to make a motion to modify that as not indefinitely, but contingent upon the next council meeting.

Unknown Speaker - We can't hear you.

Mr. Marmie - All she's doing is modifying an original motion. That's not a separate motion.

Motion to table Ordinance No. 24-18A until the 9.16.24 Council meeting by Ms. Bline, Second by Mr. Cost, passed 7-2 with Mr. Marmie and Mr. Rath voting no

COMMENTS FROM CITIZENS

Gary Babcock, 67 Philmont Ave - First of all, I want to commend the parties that were up here at the last meeting. You guys was under some heat and you really kept your composure. Thank you. You are better people for it. Secondly, Mr. Barker, welcome home. And with that, I'm done.

Ted Kalb, 246 Moull St. – I know Jeff Harris, Doug Marmie, Bill Cost, a couple other people. I've got a complaint about the new bridge that was put in at Moull and 12th St. last year in September and October. I've been chasing this pony for about a year now. I talked to the City Engineer Morehead, and he referred me to ODOT, and ODOT referred me back to the City, and the City referred me back to ODOT. I called ODOT and spoke to Steve Miller. I got a little upset with him, but he said he was

referring it back to Morehead. So that's where we are. The problem is, when they built the bridge a year ago, replaced the bridge a year ago, they raised the channel in the creek about 15-18 inches high. Most of you probably know already that water doesn't run uphill. Apparently, some of these engineers think they can make it run uphill. What has happened is, it goes so far, then it builds up with mud and backs up up stream. Builds up, backs up from up stream. That's my complaint. Morehead said that he would take care of the problem, and that was a year ago. I went to see him about two weeks ago. I hired a guy to come and clean the mud out because the mosquitos were awful. There was no water down past the footbridge. Does everybody know where I'm talking about? There was no water down past the footbridge. There was six inches of water in the channel right where I live. Mosquitos were awful. So, I went to the Health Department, and they gave me some hockey pucks to throw in there to get rid of the mosquitos. Then I hired a guy to come level out the mud and get some of the rocks out of there. I'm about done. I'd like for Council to talk to Brian Morehead, or have a meeting on this and see what we can do to get that creek opened up. It's always flowed good. I put concrete in there. I put the walls up in the early 90's. It ran smooth for years, and now the bridge thing is just a disaster. One other thing, I was down here about a year ago, or two years ago, and complained. There is an ordinance you can't leave your trashcans on the sidewalk after they pick up the trash. You have 24 hours or 12 hours, I don't remember what it was. Does anyone know where Fairfield Ave is? Drive down Fairfield Ave sometime. They're there. I've complained to the department over there. I can't remember who's in charge. Anyhow, they said we don't know the vendors who pick up there, so we can't talk to the vendors. You don't talk to the vendors, you talk to the homeowner. He's responsible for it. The vendors are not. They pick it up when it's time to pick it up, put it back, and leave. We have a problem there. They said there's nothing they can do. That's all I have. Does anybody have any questions for me?

Rochelle Volen-Smith, 237 Violet Ct. – Last time I was here, one of the topics I brought up was about Kratom, which is a drug that has been killing people. But unfortunately, it's uncontrolled. That is spelled K-R-A-T-O-M. It was written wrongly in the minutes, and I'd like to see that corrected. But since then, I have found out that over 16 countries throughout the world have made that illegal in their country or have made it a controlled substance. In our country, and I found a number of articles, including the original ones, podcasts, and that sort of thing on it, where it's been known to kill people. And it did turn out that the other drug that I had mentioned is simply another name for the same drug. I do have information, if you're interested, on what some other cities are doing in terms of controlling this deadly substance, which is known to be addictive, if you're interested. Thank you.

Jody Fultz, 650 Mount Vernon Rd - It's more of a statement. Beginning of the school year last year, my daughter was attacked brutally on the bus. When I called the school and the police, I was told there's nothing we can do. This school year, I was told that there was no busing for my daughter. Once again, nothing I can do. I actually called Colton, or I tried to message him. I did talk to Mr. Bill Cost. Thank you for that. Once again, it was out of your guys' scope. There were 12 fights at the high school. I called the board about policy. Big surprise. I was told there's nothing they can do. Me and my brother, however, as citizens, I'll tell you what we've done. We subpoenaed bus videos. We subpoenaed disciplinary

action, and we got a CPO on the child that attacked my daughter. We also made it to where police had to make reports on children's behavior as a course of conduct. FOI at the school, do you guys know what that is? It's a Freedom of Information Act. During that, found that the school board eats out about five times a month. But of course, they can't do anything about busing, right? We have 38, we have 53 buses, 52 bus drivers. 36 of those buses are used for elementary. 26 for middle school. You guys say you can't do anything? Make them do something. You guys can. If I can, you can. They just don't want to. There's adequate busing and bus drivers for them not to be busing children. They have to walk in the rain, the cold. Do any of you guys walk 22 to 44 minutes there and back? And then walk all over the school? Seriously, if citizens can do it, let's get some help and advocate for these children because I shouldn't do it alone. My brother does have a statement to help with some of things. Craig Norman, if you guys are ready for him. Thank you for your time.

Craig Alan Norman, 650 Mount Vernon Road - Lifelong citizen. Went to church with you, Jeff. I don't know whether you remember me or not, but I remember you. And my niece, she got assaulted. But where I came at with this, when we asked for your guys' help, it was out of your scope, which we've seen that. And it's sad that our state law has made the Board of Education technically a puppet. They answer to the Board of Education. The school board doesn't. They should be answering to the City. There's nothing you can do for that. But what we can do. There's a lot of dangers in our City. I know earlier you all was talking about the homeless situation. Lot of years I went down in that riverbank and took food before Reverend Sowers took over the street ministry stuff. And I felt bad for them because I could have been in that situation. Any of us are one step away from making mistakes that can put us down. The problem with the situation with the school buses. I put in the high school's address, 314 Granville Street in the Licking County Sheriff's sex offenders search. Appalling, let me, so I don't get it wrong. Appalling to me. There were seven registered sex offenders en route to our high school. Now of these, there was five that were pre-AWA which was before they did the tier one, tier two, three steps, so I don't know what their tiers were. One was a tier two. And when I look this up, I guess this is like a serious offender. Normally predator on children. And the other was a tier one. Now the tier two lives on Hall Street. I didn't bring their name. I don't call them out like that. However, scary to me was there are also 10, what they called unmappable, meaning they don't have an address to track them. Of those 10, six are tier two offenders. These are serious sexual predators. One is a tier three, which is really bad. So much to normally battery, rape, murder type offense. One was a pre-AWA and the other two are tier one. Which leads me to the next thing. With our open borders, and we do have a sanctuary city not too far from us here in Ohio. I'm not bringing in those politics. But there is a high probability that we have cartel human traffickers near our homes. There's a high probability. The Department of Justice reports that the majority of children that are in the human sex trade trafficking are ages 14 to 17. Ironically, that's high school age. Is that a coincidence? I don't believe so. They are abducted between the hours of 6 a.m. and 8 a.m. and 2 p.m. and 5 p.m. Again, ironically, this is the time that our children are walking to school. I for one, personally, would rather line up all these sexual predators and just shoot them. And that's my opinion. Okay, because we don't hurt women and children if we're a man.

The Attorney General, Dave Yost, reports in Ohio that there are 17,000 missing children every year. That's kind of scary, too. However, 85% are found normally safe, unscathed, and it's been like a family abduction thing, parental, but that still leaves 15%, or about 2,550 children missing. I would infer that those children were kidnapped and probably among the statistics of the 14 to 17-year-olds that are in the human trafficking. I looked up some things. Mr. Cost, I really appreciate you talking with my sister. Colton isn't here today. I'm kind of disappointed he didn't respond to her. Cities are able to make the, where people that are on the registry are more restricted than what state law is. That is in your all's purview. If we cannot fight the school board to ensure that our 14 to 17-year-olds are getting transported, when there's 58 buses total that I counted, now they said there was what, 53 running? But we counted 58 when we went down and took a video, and they have 52 drivers. It's not in my power to make them change because of state law 3327, which I have drafted a constitutional judicial review that it causes disparity for high school children. We will be filing that in the Ohio State Supreme Court. Now the problem with that is it will probably do away with bussing for all. I don't want to do that. I do not want to do that. So, in our purview, what we can do for our Newark children is restrict where these sexual predators can live further away from schools, further away from our parks, further away from where they can harm our kids. Because the next time if somebody hurts my niece while she's walking to school, I'm going to be in prison for life. And I'll gladly take that. And God can judge me. I ask you to look into making it stricter on pedophiles, where they can live. You're allowed to by State law. Please do something to help protect something in your guys' power. It's in our power. Because our children are the future. When you and I were growing up, Jeff, we could walk anywhere in this city, man. Everybody knew everybody. You know, it wasn't like, it's not like that now. We got drugs on every corner. We got sex offenders with no addresses. It's dangerous. It's dangerous. Somebody's got to step up and care. Thank you.

Mr. Rath - I just wanted a clarification. Are you saying that none of our high school students have access to buses?

Mr. Norman - They have a cluster bus. And in the north end, the bus stop is at Derby Downs and 21st Street. And then it goes down Derby Downs and down, what is that, King? Is it King? And goes over to Londondale out by the college. And then over to the high school. The south end, they've got it really well covered. The east end, they've got it really well covered. The west end, not so much. And the north, Mr. Colton's ward. Other than Derby Downs, there's nothing. That puts them still walking almost a mile. Hillview has a bus stop up north too. Sorry. Sorry about that. I forgot about Hillview. So, there are some gaps along that way. Now, we asked them to put in a couple, three buses. Not hard. Not hard. That bus coming from Daniels to Derby Downs or from Daniels to Hillview, you couldn't put a couple stops in. They hid behind state law. I think it's time that all of us stop hiding behind revised code and do what's in our power to do. And that is to protect what's ours. And what's ours is the children of our community. I love Newark, Ohio. I have left here and tried to go, but I've always come home. I've always tried to do what was good here. I mean, I made some mistakes. God knows I tried. I was raised by my grandparents. I didn't know my sister. I knew she was there. But we met later on as adults, and,

you know, I care about her. And I definitely care about the babies. I mean, my children are older. My daughter, I think, may have spoke on the issue with the drugs. She has twin grandsons. They're eventually going to be in high school. Thank you.

Holly Watson, 258 Hudson Ave - I feel like I kind of found out about the sleeping on the streets discussion by mistake. I don't know how people find out about these things. If they're not maybe on Facebook or something. But to me, it's kind of horrifying that we're talking about such a big problem, and it's boiled down to the question, do we arrest them or not? I mean, I don't want to see people in unfortunate circumstances. I have a family member who has mental illness. I mean, we all have a reason for having, you know, opinions on this matter. I mean, is there going to be more? Are we literally? I mean, it just feels like, and nothing against anybody here, but it feels like politics as usual, where a few people with representation of, what, a thousandth of a percent are here to discuss it, and we're not talking about ideas, you know, what can be done. Or even something that says, here's how much it would cost, and put that in front of people. There's not one option. One option, yes, is to arrest people. Does anybody think that is the best option? I don't think so. But also, does anybody want to live in San Francisco? So, we saw it go too far, and then what happens is, people who are on the street are not protected. So, it's not doing anybody any favors to say, yeah, go ahead and live on the street, because now you're just kind of undocumented, out of the way, and nothing is happening for you. You don't have that count. How many do we actually need to house. What actually needs to be done. It feels to me, and I don't know the work that goes on behind the scenes politically, and each of you have your own chair in that, but it seems like there should be a bigger conversation here. Because we don't want unsafe conditions like this gentleman was talking about for his kids. The same thing with people in the street. It's not just one solution. What scares me is that we would walk away from this, and you folks being human and humane, want to vote against criminalizing people being on the streets. And I don't blame you. So then, what do we do so that we don't go down a path that's really destructive and we've watched it play out in other cities. It's kind of like, if we're going to take the time to get people together, we need to hear what everybody is saying, and the majority of the people in the back couldn't. I was straining. It just feels like more can be done, and maybe that's from the standpoint of someone who is just not involved and doesn't know. I'm new to Newark. I'm not a lifer. I have in-laws that have been here forever. I think it's a wonderful area. I don't want to see it destroyed with good intentions. There are two extremes. I wouldn't want to see either one taken. And quite honestly, I feel that's the voice of most people. They want to see helpless cared for. It demonstrates who we are as a society, but we also don't want to have dangerous situations and not learn from other examples. So, my hope walking away from this would be that there's more of a discussion that happens here. So, if it's a no vote on criminalizing it, I get that. I don't want to see someone who's unfortunate be arrested, but then what comes next? It seems fair to say here's what it would cost. Here's the estimated homeless today, and projections, let's say five years, and here's the money it would take for homeowners. A real conversation, real consideration with real solutions presented. I'd love to see that. I'd be part of it. And maybe more advertising with this kind of stuff. I

know I got a leaflet on my door when there was a vote to change the businesses that were allowed on Hudson Ave. I came to that. I really didn't get good answers. A little disappointing there.

ORDINANCES ON SECOND READING

There are none this meeting.

ORDINANCES ON FIRST READING

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

24-29 TO PROVIDE FOR THE ISSUANCE OF NOT TO EXCEED \$730,000 OF BONDS FOR THE PURPOSE OF PAYING A PORTION OF THE COST OF BURIAL OF OVERHEAD ELECTRIC, CABLE AND TELEPHONE LINES, INCLUDING EASEMENT ACQUISITION AND ALLEY REPAIRS, AND ALL NECESSARY APPURTENANCES THERETO, BY RETIRING NOTES PREVIOUSLY ISSUED IN ANTICIPATION OF SUCH BONDS, MATTERS RELATED TO SUCH BONDS, AND DECLARING AN EMERGENCY. **Motion to adopt by Mr. Marmie, Second by Mr. Houser, Passed 9-0**

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

24-30 TO PROVIDE FOR THE ISSUANCE OF NOT TO EXCEED \$890,000 OF BONDS FOR THE PURPOSE OF PAYING A PORTION OF THE COST OF CONSTRUCTING THE 4TH AND MAIN ROUNDABOUT, BY RETIRING NOTES PREVIOUSLY ISSUED IN ANTICIPATION OF SUCH BONDS, MATTERS RELATED TO SUCH BONDS, AND DECLARING AN EMERGENCY. **Motion to adopt by Mr. Marmie, Second by Mr. Houser, Passed 9-0**

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

24-31 TO PROVIDE FOR THE ISSUANCE OF NOT TO EXCEED \$2,130,000 OF BONDS FOR THE PURPOSE OF PAYING A PORTION OF THE COST OF THE PROPOSED MULTIPLE ROAD, BRIDGE AND BIKE PATH IMPROVEMENTS AND PROVIDING ADDITIONAL FUNDS FOR SUCH IMPROVEMENTS, BY RETIRING NOTES PREVIOUSLY ISSUED IN ANTICIPATION OF SUCH BONDS, MATTERS RELATED TO SUCH BONDS, AND DECLARING AN EMERGENCY. **Motion to adopt by Mr. Marmie, Second by Mr. Houser, Passed 9-0**

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

24-32 TO PROVIDE FOR THE ISSUANCE OF NOT TO EXCEED \$840,000 OF BONDS FOR THE PURPOSE OF PAYING A PORTION OF THE COST OF ICE RINK ROOF REPLACEMENT, BY RETIRING NOTES PREVIOUSLY ISSUED IN ANTICIPATION OF SUCH BONDS, MATTERS RELATED TO SUCH BONDS, AND DECLARING AN EMERGENCY. **Motion to adopt by Mr. Marmie, Second by Mr. Houser, Passed 9-0**

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

24-33 TO PROVIDE FOR THE ISSUANCE OF NOT TO EXCEED \$2,590,000 OF BONDS FOR THE PURPOSE OF PAYING A PORTION OF THE COST OF TAMARACK 40TH STREET UPGRADE STORMWATER SEWER IMPROVEMENTS, COMPRISED OF PROPERTY AND/OR EASEMENT ACQUISITION, UTILITY RELOCATION, STORM SEWER INSTALLATION, REPLACEMENT AND

REPAIR, TOGETHER WITH PAVEMENT, SIDEWALK AND GRADING IMPROVEMENTS, AND ALL NECESSARY APPURTENANCES THERETO, BY RETIRING NOTES PREVIOUSLY ISSUED IN ANTICIPATION OF SUCH BONDS, MATTERS RELATED TO SUCH BONDS, AND DECLARING AN EMERGENCY. **Motion to adopt by Mr. Marmie, Second by Mr. Houser, Passed 9-0**

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

24-34 TO PROVIDE FOR THE ISSUANCE OF NOT TO EXCEED \$3,170,000 OF BONDS FOR THE PURPOSE OF PAYING A PORTION OF THE COST OF INITIAL WATER SYSTEM IMPROVEMENTS, AND ALL NECESSARY APPURTENANCES THERETO, BY RETIRING NOTES PREVIOUSLY ISSUED IN ANTICIPATION OF SUCH BONDS, MATTERS RELATED TO SUCH BONDS, AND DECLARING AN EMERGENCY. **Motion to adopt by Mr. Marmie, Second by Mr. Houser, Passed 9-0**

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

24-35 AN ORDINANCE CONSOLIDATING UP TO SIX BOND ISSUES OF THE CITY OF NEWARK, OHIO, ESTABLISHING THE TERMS OF SUCH CONSOLIDATED BOND ISSUE, AND DECLARING AN EMERGENCY. **Motion to adopt by Mr. Marmie, Second by Mr. Houser, Passed 9-0**

RESOLUTIONS ON SECOND READING

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

24-66 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NEWARK, OHIO, TO ENTER INTO A COOPERATIVE CONSTRUCTION AGREEMENT WITH OWENS CORNING INSULATING SYSTEMS, LLC, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR THE PURPOSE OF CONSTRUCTING A NEW BRIDGE AT RIVERSIDE DRIVE
Motion to adopt by Mr. Rath, Second by Mr. Houser, Passed 9-0

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

24-69 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION. **Motion to adopt by Mr. Marmie, Second by Mr. Houser, Passed 9-0**

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

24-70 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A NEW MANAGEMENT AGREEMENT WITH THE NEWARK SPORTS AND EVENTS COMMISSION, INC., TO OPERATE THE LOU AND GIB REESE ICE ARENA AND PICKLEBALL COURTS
Motion to adopt by Mr. Rath, Second by Mr. Cost, Passed 9-0

RESOLUTIONS ON FIRST READING

By: Mr. Rath, Mr. Marmie, Mr. Cost

24-71 A RESOLUTION AUTHORIZING NEWARK DEVELOPMENT PARTNERS TO ACT AS AGENT FOR THE CITY OF NEWARK FOR THE SALE OF CERTAIN PARCELS OF PROPERTY AND AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH NEWARK DEVELOPMENT PARTNERS GOVERNING THE SALE AND DISTRIBUTION OF PROCEEDS. **Held until 9.16.24.**

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

24-72 CI APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$332,854.53 Contingency). Held until 9.16.24.

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

24-73 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$6,822.40 Monies paid to incorrect vendor, sent back to pay correct vendor) Held until 9.16.24.

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

24-74 Exp. A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (a disappropriation in the amount of \$500,000.00 Water Lines) (appropriations in the amounts of \$500,000.00 OPT Health Insurance, \$500,000.00 Health Insurance Claim Cost, \$218,334.79 Maintenance of streets, Service General Projects).

Motion to waive the 2-day reading rule by Mr. Marmie, Second by Mr. Houser, Passed 9-0.

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

COMMENTS FROM CITIZENS

Linda LaMontagne, 538 Manor Dr - Why did we approve money to fix the roof on the ice rink? Just out of curiosity.

President Harris - Someone will answer that in their comments. We can't.

Ms. LaMontagne - Okay, alright, that's my question.

President Harris - Okay, thank you.

Caitlin Curtis - I've been homeless for three years since my husband died. I spoke earlier about people telling us that we can't sleep on park benches or public places or private places. The homeless don't have access to public bathrooms at night to use the restroom. Me personally, I have seizures. I take 1,500 milligrams of Keppra and Lamictal, 200 milligrams of Lamictal a day. I've had four and five seizures this week. I'm paralyzed from a car accident due to a seizure. I've been blind from glaucoma almost two years now. I've been homeless since my husband died. My SSI is pending. All I want to know is how it's come. Homeless people would be getting arrested and going to jail just because we want to find a place to sleep or find a place to eat or be able to have housing. Like I said, I only get \$934 a month widows benefits. I got no place to go. And putting me in jail ain't going to solve nothing because I'm just going to sit there like a bump on a log anyway because I can't work and I ain't got nothing to do. And putting me in jail ain't going to help me. I just want to know how they're going to fix helping us homeless people so we can get off the streets because I've waited three years.

President Harris - Thank you. Anybody else?

MISCELLANEOUS

Tricia Moore, Law Director - Thank you. A lot to take in tonight. A lot to think about. I appreciate everybody's comments tonight. I'd like to welcome back Spencer Barker. Quite a night to come back. With that, I'll pass. Thank you.

Mayor Hall - I'd like to welcome Spencer back too. I appreciate everybody's comments this evening. That's what kind of guides us as we make decisions. Citizens' comments and citizens' inputs are important. There is some inaccurate information about the budget of the City and monies in the City. And those are always good things to take in a little bit. Columbus brings in at least \$2 for every dollar we bring in as citizens, so you know that. A high-income tax that low-income paying citizens have to pay. We're at 1.75%, they're at 2.5%. So, we could charge more, but that's hard on people too. So, you have to think about that a little bit. We bring in \$27-28 million in income tax. Columbus brings in \$900 million a year. Now they're a bigger city than us, but relatively speaking, it's enormously off balance. It's an amazing amount of money difference. That gives them the latitude to do things. The Community Shelter Board over in Columbus oversees homelessness. Their budget a year is \$55 million. And I would say you wouldn't go over there and say there is no homelessness. So, it's not solving it. But we're always looking. It's one of the hardest things we've had to deal with. And we appreciate people's input. We want to find solutions and helps. We appreciate everyone that helps with homelessness. That's critically important. And it does. But we also have to look ways. We have people. There are good citizens. There are bad citizens. There is homelessness. There are home people that commit crimes. It does happen. So, to throw all homeless in one bucket is not fair. And we don't do that. They're just as diverse as we all are in a lot of different ways. So, we have to look at trying to help those ones that want to help themselves. And try to make it better. And that's what the Community Shelter Board does. Fifteen of us went over several years ago. And really analyzed the entire situation. And so much of it was based. But they have that money. They have large corporations that donate that money. Which is phenomenal. We don't have that here. And that's our tough, tough one. A tough nut to crack. So, with that, we appreciate your input. And we'll continue to work on it. So, with that, I'll pass.

Mr. Cost – Well, first of all, I'd also like to thank everyone who came tonight to speak on the homeless issue. To add to what the mayor says, something I didn't mention earlier, we can all be grateful that we have so many non-profits and community groups, they do everything they can to help. I cannot imagine what the city of Newark would be like if we did not have those groups. There are, you know, ten and I'm sitting here writing names out, and without them we would be, our homeless population would be two or three times what it is now, and I don't know what we would do. A lot of help out in the community. And I'd also like to welcome Spencer back. Thank you, Mr. President.

Mr. Houser – Thank you, Mr. President. I'd like to welcome Spencer back as well. Congratulations on getting back on Council. I just want to thank everybody for coming out, too. I know we'll still hear from people in the next Committee, but I appreciate everyone giving feedback on the issue and giving us some more insight. I appreciate that. With that, I'll pass.

Mr. Labutis – Thank you, Mr. President. I will echo what everyone else has said. Thank you to those that came out this evening to give us some insights on the homeless community. It is something that us as a council and the City as a group as a whole has tried to work on over at least the past four or five years, if not before that. And I appreciate the passion discussion. I do respect, I do appreciate the respectfulness that everyone showed during the Safety Committee meeting during a very passionate conversation that everyone's comments were civil and impassioned. I appreciate that. Also, I'd like to welcome Mr. Barker back. With that, Mr. President, I will pass.

Mr. Marmie - Thank you, Mr. President. First thing I need to do is call a Finance Committee meeting for the 16th of September. I want to thank everybody for coming out, voicing your opinions. I think that a lot can be solved with communication. I believe we have a little bit of a communication problem and I'm not talking about the word appurtenances. What I mean by that is we have attempted to get all the groups together in the city to try to come up with solutions and have failed. Everybody wanted to stay in their own silos. They didn't want to work together. We spend money on homeless. CDBG spends money annually every single year. A lot of the organizations that were here this evening are recipients of that. We spend thousands upon thousands of dollars helping people with roof repairs, helping them with repairs to their home in which it keeps them in their home so they don't become homeless. This young lady right here in the front row is a perfect example. If somebody wants help, Newark has services and she can succeed. Others can succeed. There are many stories like that. It is not illegal to be homeless. Illegal activities by those who are homeless is just as illegal as illegal activities for those who are not homeless. We need to be able to protect our citizens and our community. We need to have tools for our police and for our property maintenance and for other parts of our city to be able to protect citizens from those that are not good citizens. Those that are, we have assistance that we can help them with. It is mainly the social services agencies within our community. It is not our city who provides that. Are there things that can improve? Yes. We can always make improvements. The first step is working together. We have attempted it and I will state again, it failed. The same folks that are stating that they want solutions, we have tried that. We have had meetings. We have had community leaders who have come together who ended up being scrutinized by those in attendance. We have tried and we have failed. We can talk all we want about protecting those that are homeless and I agree 100% that we need to help those who want help and need help. There are those that choose not to seek any help. They do not want any help and therefore there's a difference in that. We don't have an exorbitant amount of funds available to just take care of all the problems by just throwing money at the problems. So, these are things that need to be addressed as well as all the things that were communicated earlier. The Mayor indicated our budget and the differences between our community and other communities. We do a lot with the little bit of money that we get. We work with private-public partnerships like the Ice Arena. The money goes there because we are in a partnership with the Ice Arena and we are owners of that facility in order to make sure that we have facilities like that within our community. But it's being run by a private organization so we don't have to pay taxpayer dollars in order to run that. I'm proud of this city and what we do. I love the way that our city looks. It's improving every single day. We still have work to do though. I don't think there's anybody up here that thinks we're finished yet. We can always do better and we always listen but we have to communicate and not just when an ordinance comes through. We need to make sure safety forces have the tools to be able to take care and protect our citizens. It is not about just throwing everybody in jail. That is not what this is about but that's what those out in our community are trying to pin on this legislation. This is about protecting everyone from those who are not doing what is good for our community. There are many that are doing fine and that are trying to improve. We will help them. They will get help and I'm not even going to take the credit. This body can't take the credit. It's the organizations within our community that provide those services that deserve all the credit. We're able to fund

some of them by giving them some of our grant money and we love what they do and that's why we support them. I look forward to working with folks with solutions. I don't look forward to combating with folks who just want to argue because we have tried that before and literally it failed. So, I hope that those that say they want solutions are part of that because I can tell you I know there are folks up here that were that attempted to be a part of that. The young lady, Holly Watson, I really appreciate what you said because there is drug issues and concerns with some of these homeless camps. There's human trafficking going on. There's prostitution going on and these are things that we need to protect some of the folks that are inside those circles. They need our protection just as well. So, when we say that we're protecting our citizens, some of them are the homeless that we need to help protect. But if we can't get in, if we have no right to be in, if our police can't go forward and be a part of it, then they can't be a part of the solution. They can't protect those folks because they're not allowed. So yes, it is. It's a scale and we try to not to tip the scales too far one way or the other, but we need both. We need we need solutions, but we also need enforcement. It is not illegal to be homeless. It's illegal to do illegal activities, whether you are homeless or have a home within our community. With that, I'll pass.

Mr. Neely – Thank you, Mr. President. This is a tough one. I'm new to this. I don't have the experience of a Doug Marmie. I appreciate everybody coming out. At the end of the day, we are all just trying to do what's best for our citizens. The thing you learn quickly is whatever decision you make, left or right, you're going to upset about half of the people. So, at the end of the day we have to do what we think is best for the citizens, and that's what's going to guide our vote. We appreciate you guys coming out and giving us your opinions. It doesn't end here, trust us. It will continue during this process, getting different opinions. We want Newark to be safe for everybody. We do appreciate you coming out. Spencer, welcome back. With that, I will pass.

Mr. Rath – Thank you. I'll call a Service Committee meeting for the 16th. Welcome back, Mr. Spencer. I'll join the crowd on that bandwagon. Ms. Volen-Smith, if you have information on other cities, documentation on what other cities are doing I'd be interested in you sharing that. As far as the situation that we're talking about, we're going to reconvene Safety Committee, there's not a whole lot I can add to that. It's a frustrating situation. We are certainly doing all that we can do, all that we know to do. We've been battling this for years. It's not that we're not doing anything, and it's certainly not because we don't care. We're doing what we can. With that, I'll pass.

Mr. Barker – Thank you, Mr. President. I want to thank everybody for the welcome back this evening. It was quite a meeting to come back on Council for. I can't say much better than what Mr. Marmie said. I agree with 100% of how he spoke on this issue. I do want to tell a quick story. We had an issue that this ordinance would've helped to combat. Last year, we had a woman over on the east end who had called me and said the homeless are sleeping in a tent, not on my property, it says it's owned by the City and the County, and I had a cookout with my grandkids, and they suddenly came out of nowhere and ransacked our family cookout. Now my grandkids won't come to my house anymore. I can't afford to put up a fence. I can't afford to move. But, they're not on my property. What do I do? The woman was scared to even call the

police for fear of retribution. I worked with the Law Director's office at the time to figure out if there was a way we could help her. There really wasn't. Our hands were tied. I think back to that tonight. I appreciate everyone coming out and making us aware of how you feel. That's what this forum is for, but I also see the other side of it where a grandmother was trying to have her grandkids over for a simple family cookout, and they're scared to do that now. You shouldn't be scared in your own home or on your own property to do something with your family. So, I agree. There's a lot more discussion to be had. I look forward to the Safety Committee discussion and hearing that. I see both sides of it, but also at the end of the day, it's a safety thing. We have to make sure all citizens are safe. One thing I would like to add, this Saturday is the Lite the Nite Cruise-In here in downtown. It's an annual event. Downtown will be full of classic cars for most of the day. It's going to be a great time, good weather. Hopefully, you can get out there with your families. With that, I will pass.

Ms. Bline – Thank you, Mr. President. Spencer, thank you. Welcome back. Ms. Fultz, is she still here? Mr. Norman? They left? I was wondering during their testimony if they had considered the transit. Honestly, I don't know if that would be an opportunity for high school students as minors. I don't know. Maybe we can make it an opportunity through some assistance until... I know that bus drivers are very limited right now. I understand that as well. Exploring other alternatives, maybe there is something we can do to bring safety to those high school kids. I echo Mr. Marmie as well, and Mr. Barker. It's a difficult, difficult situation. With everyone coming, it's great to hear some alternative solutions. Everyone doesn't think of everything. Obviously, we still have a problem. There is that balance that we do have to maintain to keep everyone safe. There's a silent majority that didn't show up tonight, much to Spencer's testimony. It was the victims. Those who have been harmed or experience great loss or have become prisoners in their own homes. It is a difficult situation. There are some that won't let their children outside anymore. There are some that won't let them go into parks anymore. Children in some neighborhoods have had to incorporate a whole different lifestyle, not only because of the presence of unknown persons, but because the theft of their belongings. Bicycling isn't a thing anymore because their stuff has been stolen. Their bicycles are gone. Children's bikes are gone. Even the small ones are gone. A resident told me about that. Very quickly, a person, she was in a tent and she had her bike stolen. She said I'll fix it. I watched her. She went up the street and within, I didn't see where she went, within 15 minutes she came back with a brand new bike. That was very difficult, I'm sure, for that family. Regardless, we want to do what's best for everyone. Safety is one of the primary functions of the City. We need to care about everyone. So, thank you for your insight and wisdom on that. We are working to do our very best. I've gone into several encampments trying to help people get out if they choose to. Most have chosen to stay. Some have not responded. So, we just keep working. Thank you.

Mr. Chute - Thank you, Mr. President. I don't want to waste anybody's time by repeating anything that has been said. Everybody has done a pretty good job of stating various

viewpoints. I will just say that I appreciate you all being here. I know you've taken time out of your lives to be here, and it is a difficult conversation to be sure. It is also pretty neat to see a community engaged in this way, whatever the topic is, and citizens willing to share your views and help guide us in the legislative process. So, I appreciate you being here sharing your thoughts. With that, Mr. President, I will pass.

President Harris – Our next meeting will be September 16th. Welcome back, Spencer. Go Browns on Sunday.

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

Jeff Harris, President of Council