

COUNCIL MINUTES

December 16, 2024
Council Chambers
7:00 P.M.

President Harris called the meeting to order

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

INVOCATION – Ms. Bline

PLEDGE OF ALLEGIANCE - Blair Rogers, 6th Grade, President of Student Council at Par Excellence Academy

CAUCUS

MINUTES of December 2, 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**
Ways & Means – **Received and Filed without objection**
Personnel - **Received and Filed without objection**

REPORTS FROM CITY OFFICIALS

Ryan Bubb, City Auditor – Operating report for period ending November 30, 2024 - **Received and Filed without objection**
Brenda Cooper, Tax Administrator – Income Tax Revenue Reports for period ending November 30, 2024 - **Received and Filed without objection**

COMMUNICATIONS

Crystal Stamper, Par Excellence STEM Academy – Annual Community Breakfast on January 20, 2025 in celebration of a day to commemorate Martin Luther King, Jr.

Ohio Division of Liquor Control – New liquor permit application from Stop & Save Carryout 2024 LLC, dba Stop & Save Carryout, 20 S. 29th St., Newark, Ohio 43055

Ohio Division of Liquor Control - Transfer liquor permit application from Lawrence Courson, Jr., dba Colonial Bar, 1012 Mt. Vernon Rd., Newark, Ohio to LPD Vision LLC dba The Colonial Tavern, 1012 Mt. Vernon Rd., Newark, Ohio 43055

Ohio Division of Liquor Control - Transfer liquor permit application from Kwik & Kold Express LLC, dba Kwik N Kold, 998 N. 21st St. D/thru and S/garage, Newark, Ohio to A1 Drive Thru Newark LLC dba Kwik N Kold, 998 N. 21st St. D/thru and S/garage, Newark, Ohio 43055

COMMENTS FROM CITIZENS

ORDINANCES ON SECOND READING

There are none this meeting.

ORDINANCES ON FIRST READING

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

24-47 AN ORDINANCE TO MAKE AN APPROPRIATION FOR THE EXPENDITURES OF THE CITY OF NEWARK, OHIO DURING THE YEAR ENDING, DECEMBER 31, 2025 (General Fund)

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

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

Mr. Barker - Thank you, Mr. President. I need to make a motion to amend 24-47 to reduce line item 100.114-5238 by \$30,000 and take that \$30,000 and put it in the unappropriated balance.

Mr. Marmie – Point of order. It's actually, the account is 5200. 5238 is a sub-account, but what's actually being voted on is account 5200. So just make sure that's correct.

Motion to amend by Mr. Barker, second by Mr. Rath, Motion passed 10-0

Motion to adopt passed 10-0

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

24-48 AN ORDINANCE TO MAKE AN APPROPRIATION FOR THE EXPENDITURES OF THE CITY OF NEWARK, OHIO DURING THE YEAR ENDING, DECEMBER 31, 2025 (All Other Funds)

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

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

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

24-49 AN ORDINANCE TO MAKE AN APPROPRIATION FOR THE EXPENDITURES OF THE CITY OF NEWARK, OHIO DURING THE YEAR ENDING, DECEMBER 31, 2025 (Grant Funds)

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

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

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

24-50 AN ORDINANCE AMENDING CHAPTER 890 OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO REGARDING THE LEVYING AND COLLECTION OF MUNICIPAL INCOME TAXES

Held until 1.6.25

RESOLUTIONS ON SECOND READING

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

24-100 A resolution authorizing the conveyance of certain real property now owned by the city of Newark, Ohio to Newark Development Partners as its agent for industrial, commercial, distribution, and research

Motion to adopt by Mr. Rath, Second by Ms. Bline, Motion passed 10-0

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

24-101 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE AND ENTER INTO CONTRACT WITH LAYTON, INC., FOR THE EXCAVATION OF THE TOWER SITE AND CONSTRUCTION OF A RETAINING WALL FOR THE NEW STEEL ANTENNA TOWER AT HORNS HILL PARK AND WAIVING COMPETITIVE BIDDING

Motion to adopt by Mr. Rath, Second by Ms. Bline

Mr. Marmie - I would just like to urge all my fellow council members to support this and the next two. We have a temporary tower sitting there waiting to go up, so we need these so that we can just get moving with all this stuff. I urge everybody. I think it's going to be a great thing for the city of Newark to get the new tower up there.

Motion passed 10-0

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

24-102 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE AND ENTER INTO CONTRACT WITHOUT COMPETITIVE BIDDING WITH PAUL J. FORD & COMPANY FOR THE DECOMMISSION OF THE EXISTING ANTENNA TOWER AT HORNS HILL PARK, THE INSTALLATION OF THE REPLACEMENT TOWER, AND THE TRANSFER OF BROADCAST EQUIPMENT

Motion to adopt by Mr. Rath, Second by Ms. Bline, Motion passed 10-0

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

24-103 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE AND ENTER INTO CONTRACT WITH REMBCO GEOTECHNICAL CONTRACTORS, INC., FOR THE DESIGN AND CONSTRUCTION OF THE FOUNDATION AND ANCHORS FOR THE NEW STEEL ANTENNA TOWER AT HORNS HILL PARK AND WAIVING COMPETITIVE BIDDING

Motion to adopt by Mr. Rath, Second by Ms. Bline, Motion passed 10-0

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

24-104 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE AND ENTER INTO CONTRACT WITH VALMONT INDUSTRIES, INC., FOR THE PRODUCTION OF A NEW STEEL ANTENNA TOWER TO REPLACE THE CURRENT HORNSHILL ANTENNA TOWER AND WAIVING COMPETITIVE BIDDING

Motion to adopt by Mr. Rath, Second by Ms. Bline, Motion passed 10-0

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

24-106 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR CONSTRUCTION OF A NEW SOUTHWEST PRESSURE ZONE WATERLINE EXTENSION.

Motion to adopt by Mr. Rath, Second by Ms. Bline, Motion passed 10-0

RESOLUTIONS ON FIRST READING

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

24-108 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

Held until 1.6.25

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

24-109 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR CERTAIN ESSENTIAL SUPPLIES FOR VARIOUS DEPARTMENTS OF THE CITY OF NEWARK, OHIO, FOR 2025.

Held until 1.6.25

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

24-110 Exp APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

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

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

COMMENTS FROM CITIZENS

Brad Feightner, Jr., City Treasurer - I try to do this periodically but as we, you know, get to the conclusion of budgeting and preparing for next year, I want to take a moment to just commend the staff of the treasurer's office and the Newark City income tax department. I'm sure you all noticed the income tax revenue report that came out for through the end of November and we met our certified projected goal of 28 million and have exceeded that. So that's no coincidence that the staff is working very hard. We've funded some positions to help with compliance, to help with some delinquent tax that hasn't been collected, and we've really streamlined and made that process more efficient and more effective. So, I just wanted to take a moment to commend them and, you know, everything moving forward in December is just going to be, you know, a surplus for us and so I wanted to thank them for that. So thank you all for your time.

MISCELLANEOUS

Tricia Moore, Law Director - Merry Christmas and Happy New Year. With that, I'll pass.

Mayor Hall – Merry Christmas and Happy New Year. Wish everybody to be safe, people out on the roads, and people traveling a lot of places. You can still have an enjoyable time and be safe at it. Community really steps up during the holidays I think there's a lot of nice things going on across our community and I commend everyone that's working hard at that. I'll reach out and thank all the employees of the city also about 350 employees. They all did a phenomenal job

throughout the year. While many people probably like snowflakes on Christmas, I'd rather not. But with that, thank you everyone, and thank Council for a good, active 2024, and look forward to a great 2025. With that, I'll pass.

Mr. Marmie – Thank you, Mr. President. First, I want to wish Beth a very happy birthday today. For your birthday, we're not going to call a Finance Committee for the first of the year. So, that's my birthday present to you. We always try to skip the first meeting of the year because we just passed the budget. We should not have a whole lot to really discuss. I too want to wish everyone a very Merry Christmas and a Happy New Year. I hope everybody has a safe and happy holiday season. Congratulations, Brad, appreciate what you have done in making sure that we meet certification. There was a time this year where I was worried about it, but you came through and that's what those certifications are for. Our auditors indicated we have a lot that we have to work towards as far as making some improvements. I'm going to still continue to beat that bandwagon, though I think we have some businesses out there that are not paying into our city income tax that are operating within our municipality. I also want to thank all my colleagues up here. 2024, I think that there were a lot of accomplishments. And with the support of many of you and the ideas of many of you, I appreciate what you have put forth as far as what we have done for the City and for the citizens of Newark. I also want to thank the administration and all the other elected officials for what they have done. I think that we have a good working relationship, and I think we're working together to accomplish a lot. It doesn't mean we always agree, but it means we're working towards the same goal, and that's to make Newark better. I appreciate all of you, and again, I want to wish everybody a Merry Christmas and a Happy New Year. With that, I'll pass.

Mr. Neely - I want to echo Mr. Marmie's sentiments. Treasurer Feightner here. He's doing a great job, has a great staff, kind of the calm before the storm right now. In about a month and a half, the busy season approaches. I also just wish everyone a Merry Christmas and a Happy New Year.

Mr. Rath - Thank you. I will call a Service Committee meeting for January 6th. It'll probably be canceled, but I'll call it anyway. I haven't seen Mr. Waldren around recently for the last two meetings, but I always wish him a happy birthday. He and I share a birthday. So, Tim, if you're watching this, happy birthday. Happy birthday to Ms. Bline. I don't want to forget that. Merry Christmas and Happy New Year to everybody else.

Mr. Rine - Thank you, Mr. President. Beth, happy birthday. Jeff, happy belated birthday. Merry Christmas to everyone. 24 was a year to remember, that's for sure. Good and bad, but I'm glad I was able to serve it with all of you up here. With that, I'll pass.

Mr. Barker – Thank you, Mr. President. Beth, happy birthday today. Jeff, happy belated birthday. Mr. Cost, I know you had a substantial birthday. So, congratulations. You can get me back. It's all right. But, again, I just want to echo the comments that Councilman Marmie said. Treasurer Feightner, your office is doing a fantastic job. We appreciate everything they're doing. Staff in all city departments are doing a great job. So, with that, I want to wish everyone a Merry Christmas and a Happy New Year. I'll pass.

Ms. Bline – Hey, thank you for the birthday wishes. I really appreciate it. Again, we have, what, four now in December? Jeff, Michael, Bill, and myself. Great company. Thank you. I'd like to echo Doug's sentiments as well. We have a great team here, and it's just been a blessing to work with you all. It really has been. It's been good. It's been great to listen to the citizens and

do our very best to move their concerns forward, as well as working with what's best for the city. It's just been a very good year. I'd like to also thank the street department and property maintenance. They've just done a fantastic job, always being on call and showing up. Lindsey Brighton has gone above and beyond this week, and I don't know if she'll hear this or not, but I really appreciate her efforts. Thank you.

Mr. Chute - Thank you, Mr. President. I will pass.

Mr. Cost – It's been a good 2024 with everybody. It's good to be back, and thank you all. Merry Christmas and Happy New Year, everybody. Thank you. I'll pass.

Mr. Houser – Thank you, Mr. President. I want to thank the service director. I got a few requests from residents about doing a landscaping project. Similar to what we see on the on and off ramps in various parts of the city. I called the service director, and he made that happen. We got a new project over there on Cedar which is really cool and will be nice in the spring to see that bloom. I know the residents will really appreciate that, so I appreciate his effort. I'll just echo everyone's comments towards you, Brad. I appreciate you always providing me the numbers when I ask for them for random reasons. So, I appreciate you always responding. With that, I'll pass.

Mr. Labutis – Beth, happy birthday to you. Congratulations to Treasurer Feightner and the work that your team is doing and that you're doing as well. We certainly appreciate that. I want to wish everyone a Merry Christmas and a Happy New Year, and a thank you in advance to our safety forces who will be out on the roads serving the community on Christmas and New Year's as well. We'll pray for you and keep you safe as well. With that, I will pass.

President Harris – Thank you. I want to -- I forgot to wish Michael and Jeff last meeting happy birthdays. Then we have another birthday up here in a couple weeks. I also want to thank Amy. She came in, I think, in March and caught up and dealt with all of us. And thank you for everything you've done. I want to thank Blair Rogers for the pledge. It's pretty cool that he's the president of his class. Then remind everybody about the breakfast. Crystal, you can't talk. Just wave your hand. Crystal, my partner in crime for the breakfast. So, if you don't want to deal with me about the Martin Luther King breakfast, Crystal has all the information. Merry Christmas, everybody. Happy New Year. Our next meeting will be January 6th, 2025. Everyone be safe.

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

Jeff Harris, President of Council