Finance Committee Minutes

Honorable Council City of Newark, Ohio September 6, 2023 5:45pm

The Finance Committee met in Council Chambers September 5, 2023 with these members in attendance:

Doug Marmie – Chair Spencer Barker Bradley Chute Jonathan Lang Michael Houser

We wish to report:

Mr. Marmie - The unappropriated balance of the General Fund is \$873,630.00 and the balance of the Budget Stabilization Fund is \$1,572,430.00

1. Resolution No. 23-78 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUMIT TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) A ONE YEAR USE OF FUNDS/ACTION PLAN ALONG WITH AN APPLICATION FOR FY 2024 FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (CDBG), AS REQUIRED BY 24 CFR PART 91.220, FOR VARIOUS PROGRAMS RELATED TO HOUSING AND COMMUNITY DEVELOPMENT.

Barbara Gilkes - This is the annual resolution, we will be using the 2023 allocation of \$746,544.00 for planning purposes with this. We traditionally allocate to Economic Development housing, covered facilities, admin and planning as well as a category that is called other which covers demo and Covid.

Motion to send to full Council by Mr. Lang, second by Mr. Barker, Motion passed 5-0

 Resolution No. 23-79 Exp APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

Section 1. There is hereby an appropriation of the unappropriated balance of the 100 General Fund, in the amount of \$3,000.00 (Funds for Interpreting Services)

100.116.5238	Services General	3,000.00

Kevin Saad, Director of Adult Probation - This is a request for \$3,000 for our interpreter fees. Just to give you some background information before you vote on this, we budgeted for \$4,500 for interpreter, as of today we've spent \$4,228. We've had 15 on probation that have needed interpreter services, they are quite expensive \$50 per event, so we're just here asking for more money.

Motion to send to full Council by Mr. Lang, second by Mr. Barker

Mr. Lang - So, just curious you said we've got 14 or 15?

Director Saad - Just probation has had 15.

Mr. Lang - How does that compare to usual numbers, I'm just trying to get a sense of why we are so much higher.

Director Saad - It's really high. In the past. Like last year our budget was only \$400, so it's skyrocketed and I foresee it even worse next year. The judge just shared with me what they're spending it's way more than us. So, we're seeing lots of different folks come into court. In order for them to access justice they have to have an interpreter, we have no way to communicate with them. We're considered and ancillary service through the court, probation is, so.

Mr. Lang - Is there anything we could do as this continues to grow to mitigate those costs?

Director Saad - I have reached out to the Supreme Court of Ohio, they do have a list of interpreters, but for instance for Nepali, I think they have 2 or 3 for the entire state, you can imagine how busy those people are. So, what we do is we have 3 different companies that we use for interpreter services, they are all local, they also have a telephonic service available and that's free, but there's a bunch of hoops to jump through to get involved with that, but the problem with that is they said if it's complicated that wouldn't be the best route to go. So, when they come in for probation, they make an appointment and it takes roughly an hour for doing the assessments and different types of things and speaking with someone over the telephone isn't ideal in that situation. So, we're looking at right now one way to do this is to contract with the companies, we pay for the service, they sit there. We've also looked at document conversion for Nepali folks for an intake packet, I know that will save time, but it's expensive. I just got a quote for \$2,000 to convert one document. So, we can look into that, I don't know how much time that would save.

Mr. Marmie - So, a couple of them I asked you over the phone, so these cannot be incorporated into any kind of fees according to what the Law Director has indicated, correct?

Director Saad- No that I know. If there is a pot of money somewhere, I'd like to know where it is.

Mr. Marmie - The biggest thing is these are Licking County cases, they're not Newark and Newark is ending up footing the bill and as you indicated, even if they no-show, we still have to pay.

Director Saad - Yes, so let me explain. The Probation Department for many years has had an agreement with the County Commissioners. So, it's really an agreement between the Mayor and the County Commissioners, but they've paid 40% of the General Funds probation money for years. So, really it's not the Cities sole responsibility, it's the City and County. So, it's a 60/40 split, the City pays 60 and the County pays 40, the City is not completely on the hook for this, but I can't go over to the Commissioners and ask them to start paying specific line items for our budget, it doesn't work that way. We reworked this agreement about 6 years ago. Basically the fees that we bring in from probationers paying, it kind of discounts it off. SO, the 60/40 split is for example if we

bring in \$100,000 and we bring in \$10,000 in probation fees it's down to \$90,000, so it would be a 60/40 split on the 90. So, they are assisting and there is nothing in the Revised Code that says the County has to help us. They don't have to pay us a dime. So, the jurisdiction for our Courts, County jurisdiction so we appreciate them recognizing that it's County Jurisdiction and they are willing to pay us. It's basically a reimbursement, we send them a General Fund expense, itemize the expenses each quarter, then they'll reimburse us.

Mr. Marmie - The biggest concern is that we do not curtail this, or find some way to remediate it or mitigate it in some fashion. It's just going to get to a point where it's going to be astronomical and so I guess my ask is that we do something now that we don't wait until three years down the road. We need to find some plausible solutions to make sure that we are providing the service that is required by law, but yet curtailing the costs. In particular, why we have to pay when they no-show and if there's no consequence to them no-showing and we still have to pay those interpreter fees.

Director Saad - Again, the Administrative Judge is here and maybe he can speak to this, but we had a case where we filed a motion to revoke somebody's probation in an attempt to get the court to order restitution back and per law, and Judge please speak on this behalf if you would, but he could not order restitution. Maybe he can tell you why that is.

Mr. Marmie - Your honor, is there a reason for it?

Judge Stansbury - Yes, the Supreme Court says so. So, this was a mandate that came down about 7 or 8 years ago and the rule of superintendents govern the operation of all the courts across the State of Ohio. Common Peas, Muncipal, Mayor's Court, Courts of Appeals etc. Basically, it said, Courts will provide translator and interpreter services to English division defendants and may not assess the cost of the interpretation services to the defendant in any way. SO, it's an unfunded mandate and it would be nice if the Supreme Court was as generous with interpreter funds as it was with technology grants during the pandemic, but until and unless the State starts to pitch in for this, unfortunately it's going to fall on the funding majorities of each court and by law the City of Newark is the funding authority for the Licking County Municipal Court, even though it has countywide jurisdiction.

Mr. Marmie - Does it stipulate which type of interpretative service we provide? Can it not be electronic or some kind of Al?

Judge Stansbury - It really comes down to feasibility, I don't think the technology is up to par. I've done one jury trial with a Nepali interpreter and we were there to about 7 o'clock on a simple OVI case. Trying to use unproven technology I think would've kept us there probably until midnight or into a second day. So, I can appreciate what the Cities position is as far as wanting to get a handle on this, we've had conversations, I mean do we want to hire somebody as a full time interpreter, well that's great, but number one, they're going to have vacations and you're still going to need interpreting services, if it's a domestic violence you have to get an interpreter for both the offender and the victim, if the victim is also English deficient. So, I'm all for trying to figure out more affordable ways or efficient ways to provide the service, but, I'm open to suggestions at this point.

Mr. Marmie - I just think it's something we need to discuss for the future and I know

that he had indicated to me over the phone that your costs are even a lot higher. **Judge Stansbury** - \$63,946.92 and we're not going to need money because we budgeted even more than that, but who know I may see you guys next summer.

Section 2. There is hereby an appropriation of the unappropriated balance of the 231 Adult Probation Fund, in the amount of \$6,565.00 (Unspent Funds from ISP and JRIG

231.113.5289	Other	Gov't	457.00
	Billings		
231.236.5289	Other	Gov't	5,272.04
	billings		
231.113.5312	Law Enfo	rcement	835.96
	Supplies		

Grants, appropriate needed for Law Enforcement Supplies)

Motion passed 5-0

Director Saad - These are all in reference to our Grants. So, the first two are in reference to the Grants that we are closing out. The first Grant is our ISP Diversion Grant, we spent all of the money except for \$457.00 we have to give that back, the second one is for our Justice Incentive Grant, we spent all of the money except \$5,272.04, we need to give that back and then the last one for \$835.96, we need that for assessments for our offenders.

Motion to send to full Council by Mr. Lang, second by Mr. Barker, Motion passed 5-0

Section 3. There is hereby a dis- appropriation of the appropriated balance of the 100 General Fund, in the amount of \$74,100.00 (Amount was doubled when original budget was done)

100.205.5238999	Services General	74,100.00
	Quartermaster	

Ryan Bubb- City Auditor - The \$32,000 would've been budgeted late last year, we had only budgeted for one sick leave conversion, after the contract was done two were awarded, therefore we need to come back for some more money as folks are allowed to convert sick time now twice a year in this contract. The other item with the Quartermaster there will be that much money to go back to the General Fund.

Motion to send to full Council by Mr. Lang, second by Mr. Houser, Motion passed 5-0

Section 4. There is hereby an appropriation of the unappropriated balance of the 100 General Fund, in the amount of \$32,000.00 (Added in contract additional sick leave conversion - increase in Civil Service Payments and missed in original budget (2024 pay in advance))

100.205.5147	Sick	Leave	30,000.00
	Conversion	1	

100.109.5127	Workers Comp	2,000.00

Motion to send to full Council By Mr. Chute, second by Mr. Lang, Motion passed 5-0

Section 5. There is hereby an appropriation of the unappropriated balance of the 247 Downtown SID Fund, in the amount of \$22,241.25 (Brought in more money than estimated)

247.147.5283	Detac Fees	106.08
247.147.5284	Auditor/Treasure r Fee	498.10
247.147.5611	Refunds	21,637.07

Auditor Bubb- This is simply we brought in more money than what was estimated so we ask that you appropriate this.

Motion to send to full Council by Mr. Lang, second by Mr. Houser, Motion passed 5-0

Section 6. There is hereby an appropriation of the unappropriated balance of the 295 JAG Fund, in the amount of \$7,712.50 (Return money to GF for advancement from 2022)

295.194.5992100	Advance GF	7,712.50

Auditor Bubb- Last year we advanced money to get it out of the red, there is money now to return this to the General Fund, so we would ask your support.

Motion to send to full Council by Mr. Lang, Second by Mr. Barker, Motion passed 5-0

Section 7. There is hereby an appropriation of the unappropriated balance of the 220 ARPA Fund, in the amount of \$520,000.00 (Ohio EMA ARPA First Responders Retention Incentives)

220.202.5114	Retention	252,000.00
	Incentive	
220.205.5114	Retention	268,000.00
	Incentive	

Auditor Bubb - The following requests that are coming up are to fund the salary accounts with the raises that were just given. That covers the rest of these, obviously AFSCME is still out there. An Answer to a question you might ask, should you approve this, which I don't think you have a whole lot of choice, that would take your unappropriated balance down \$546,000, just a little bit north of there. Not to jump the gun, but Director Rhodes has a request for a new boiler system that the Police Department needs, especially with winter coming up, so that would take it down to about \$415 in the unappropriated balance, so just trying to make you prepared.

Motion to send to full Council by Mr. Lang, second by Mr. Barker

Mr. Lang - I appreciate you saying that before I asked.

Auditor Bubb - I knew you were going to ask, are you ready? Right now, assuming that you approve Mr. Fox's request, the unappropriated balance would be \$172,175.00 **Motion passed 5-0**

Section 8. There is hereby an appropriation of the unappropriated balance of the 100 General Fund, in the amount of \$161,570.00 (Raises and Ratification bonus for 2023 Non-Bargaining Employees)

			1	
100	102	5111	Salaries	3,241.00
100	102	5122	PERS	125.00
100	102	5126	Medicare	13.00
100	102	5127	Workers Comp	14.00
100	104	5111	Salaries	2,591.00
100	104	5122	PERS	34.00
100	104	5126	Medicare	4.00
100	104	5127	Workers Comp	4.00
100	106	5111	Salaries	19,661.00
100	106	5122	PERS	779.00
100	106	5126	Medicare	81.00
100	106	5127	Workers Comp	87.00
100	106	5147	Sick Leave Conversion	525.00
100	107	5111	Salaries	54,617.00
100	107	5122	PERS	2,054.00
100	107	5126	Medicare	213.00
100	107	5127	Workers Comp	229.00

I 1			Sick Leave	
100	107	5147	Conversion	700.00
100	112	5111	Salaries	28,763.00
100			2500	4.055.00
100	112	5122	PERS	1,066.00
100	112	5126	Medicare	111.00
100	112	5127	Workers Comp	119.00
			Sick Leave	
100	112	5147	Conversion	770.00
100	115	5111	Salaries	3,297.00
100	115	5122	PERS	133.00
100	115	5126	Medicare	14.00
100	115	5127	Workers Comp	15.00
100	113	3127	Workers Comp	13.00
100	116	5111	Salaries	19,874.00
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100	116	5122	PERS	809.00
100	116	5126	Medicare	84.00
100	116	5127	Workers Comp	90.00
100	110	3127	Sick Leave	90.00
100	116	5147	Conversion	707.00
100	121	5111	Salaries	3,297.00
100	121	5122	PERS	133.00
100	121	5126	Medicare	14.00
100	121	2170	ivicultate	14.00
100	121	5127	Workers Comp	15.00
			Sick Leave	
100	121	5147	Conversion	119.00
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100	122	5111	Salaries	5,904.00
100	122	5122	PERS	169.00

100	122	5126	Medicare	18.00
100	122	5127	Workers Comp	19.00
100	203	5111	Salaries	7,131.00
100	202	F122	PERS	241.00
100	203	5122	PERS	341.00
100	203	5126	Medicare	36.00
100	203	5127	Workers Comp	38.00
100	432	5111	Salaries	3,342.00
100	432	5122	PERS	139.00
100	432	5126	Medicare	15.00
100	432	5127	Workers Comp	16.00

Section 9. There is hereby an appropriation of the unappropriated balance of the 221 Street Fund, in the amount of \$3,427.00 (Raises and Ratification bonus for 2023 Non-Bargaining Employees)

221	302	5111	Salaries	3,269.00
221	302	5122	PERS	129.00
221	302	5126	Medicare	14.00
221	302	5127	Workers Comp	15.00

Section 10. There is hereby an appropriation of the unappropriated balance of the 231 Adult Probation Grant Fund, in the amount of \$10,347.00 (Raises and Ratification bonus for 2023 Non-Bargaining Employees)

231	113	5111	Salaries	9,867.00

231	113	5122	PERS	395.00
231	113	5126	Medicare	41.00
231	113	5127	Workers Comp	44.00

Section 11. There is hereby an appropriation of the unappropriated balance of the 235 Judicial SR Fund, in the amount of \$9,623.00 (Raises and Ratification bonus for 2023 Non-Bargaining Employees)

235	112	5111	Salaries	9,248.00
235	112	5122	PERS	308.00
235	112	5126	Medicare	32.00
235	112	5127	Workers Comp	35.00

Motion to send to Full Council by Mr. Lang, second by Mr. Barker, Motion passed 5-0

Section 12. There is hereby an appropriation of the unappropriated balance of the 100 General Fund, in the amount of \$11,313.00 (Raises and Ratification bonus for 2023 Non-Bargaining Employees)

100	601	5111	Salaries	10,483.00
100	601	5122	PERS	481.00
100	601	5126	Medicare	50.00
100	601	5127	Workers Comp	54.00
			Sick Leave	
100	601	5147	Conversion	245.00

Motion to send to Full Council by Mr. Lang, second by Mr. Barker, Motion passed 5-0

Section 13. There is hereby an appropriation of the unappropriated balance of the 261 Court Computerization Fund, in the amount of \$4,668.00 (Raises and Ratification bonus for 2023 Non-Bargaining Employees)

261	161	5111	Salaries	1,362.00
261	161	5122	PERS	125.00
261	161	5126	Medicare	13.00
261	161	5127	Workers Comp	14.00
			Sick Leave	
261	161	5147	Conversion	20.00
261	167	5111	Salaries	2,883.00
261	167	5122	PERS	141.00
261	167	5126	Medicare	15.00
261	167	5127	Workers Comp	16.00
			Sick Leave	
261	167	5147	Conversion	79.00

Section 14. There is hereby an appropriation of the unappropriated balance of the 621 Water Fund, in the amount of \$14,081.00 (Raises and Ratification bonus for 2023 Non-Bargaining Employees)

621	706	5111	Salaries	6,128.00
621	706	5122	PERS	200.00
621	706	5126	Medicare	21.00
621	706	5127	Workers Comp	23.00
621	709	5111	Salaries	7,271.00
621	709	5122	PERS	360.00
621	709	5126	Medicare	38.00
621	709	5127	Workers Comp	

40.00

Motion to send to Full Council by Mr. Lang, second by Mr. Barker, Motion passed 5-0

Section 15. There is hereby an appropriation of the unappropriated balance of the 661 Sewer Fund, in the amount of \$7,709.00 (Raises and Ratification bonus for 2023 Non-Bargaining Employees)

661	713	5111	Salaries	7,271.00
661	713	5122	PERS	360.00
661	713	5126	Medicare	38.00
661	713	5127	Workers Comp	40.00

Motion to send to Full Council by Mr. Lang, second by Mr. Barker, Motion passed 5-0

Section 16. There is hereby an appropriation of the unappropriated balance of the 100 General Fund, in the amount of \$124,779.00 (Raises and Ratification bonus for 2023 Chiefs & Deputy Chiefs)

100	202	5111	Salaries	74,804.00
100	202	5121	OP&F	4,591.00
100	202	5126	Medicare	314.00
100	202	5127	Workers Comp	337.00
100	205	5111	Salaries	41,514.00
100	205	5121	OP&F	2,860.00
100	205	5126	Medicare	173.00
100	205	5127	Workers Comp	186.00

Section 17. There is hereby an appropriation of the unappropriated balance of the 100 General Fund, in the amount of \$58,179.00 (Raises and Ratification bonus for 2023 Management)

			1	
100	103	5111	Salaries	5,014.00
100	103	5122	PERS	167.00
100	103	5126	Medicare	18.00
100	103	5127	Workers Comp	19.00
100	104	5111	Salaries	5,285.00
100	104	5122	PERS	205.00
100	104	5126	Medicare	22.00
100	104	5127	Workers Comp	23.00
100	114	5111	Salaries	5,177.00
100	114	5122	PERS	189.00
100	114	5126	Medicare	20.00
100	114	5127	Workers Comp	21.00
100	116	5111	Salaries	10,303.00
100	116	5122	PERS	371.00
100	116	5126		39.00
100	116	5127	Workers Comp	42.00
100	122	5111	Salaries	14,127.00
100	122	5122	PERS	691.00
100	122	5126	Medicare	72.00
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100	122	5127	Workers Comp	77.00
100	127	5111	Salaries	5,225.00
100	127	3111	Salaries	3,223.00
100	127	5122	PERS	195.00
100	127	5126	Medicare	21.00
100	127	5127	Workers Comp	22.00
100	131	5111	Salaries	10,372.00
100	131	5122	PERS	379.00
100	131	5126	Medicare	40.00
100	131	5127	Workers Comp	43.00

Section 18. There is hereby an appropriation of the unappropriated balance of the 100 General Fund, in the amount of \$10800.00 (Raises and Ratification bonus for 2023 Management)

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100	432	5111	Salaries	10,346.00
100	432	5122	PERS	373.00
100	432	5126	Medicare	39.00
100	432	5127	Workers Comp	42.00

Section 19. There is hereby an appropriation of the unappropriated balance of the 221 Street Fund, in the amount of \$16,384.00 (Raises and Ratification bonus for 2023 Management)

221	302	5111	Salaries	15,675.00
221	302	5122	PERS	

				583.00
221	302	5126	Medicare	61.00
221	302	5127	Workers Comp	65.00

Section 20. There is hereby an appropriation of the unappropriated balance of the 621 Water Fund, in the amount of \$49,896.00 (Raises and Ratification bonus for 2023 Management)

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621	706	5111	Salaries	25,860.00
621	706	5122	PERS	1,147.00
021	700	3122	TENS	1,147.00
621	706	5126	Medicare	119.00
621	706	5127	Workers Comp	128.00
621	708	5111	Salaries	16,005.00
621	708	5122	PERS	625.00
621	708	5126	Medicare	65.00
621	708	5127	Workers Comp	70.00
021	, 00	3127	Workers comp	70.00
621	709	5111	Salaries	5,581.00
621	709	5122	PERS	243.00
621	709	5126	Medicare	26.00
621	709	5127	Workers Comp	27.00

Motion to send to Full Council by Mr. Lang, second by Mr. Barker, Motion passed 5-0

Section 21. There is hereby an appropriation of the unappropriated balance of the 661 Sewer Fund, in the amount of \$17,263.00 (Raises and Ratification bonus for 2023 Management)

664	740	F444	Calada	44.047.00
661	713	5111	Salaries	11,017.00
661	713	5122	PERS	465.00
661	713	5126	Medicare	49.00
661	713	5127	Workers Comp	52.00
661	714	5111	Salaries	5,413.00
661	714	5122	PERS	219.00
661	714	5126	Medicare	23.00
661	714	5127	Workers Comp	25.00

Section 22. There is hereby an appropriation of the unappropriated balance of the 669 Storm Water Fund, in the amount of \$5,662.00 (Raises and Ratification bonus for 2023 Management)

669	169	5111	Salaries	5,395.00
669	169	5122	PERS	219.00
669	169	5126	Medicare	23.00
669	169	5127	Workers Comp	25.00

Motion to send to Full Council by Mr. Lang, second by Mr. Barker, Motion passed 5-0

Section 23. There is hereby an appropriation of the unappropriated balance of the 265 HODAG Fund, in the amount of \$75,000.00 (Commitment for project/Terrace Gardens project)

265.165.5238	Services General	75,000.00

Barbara Gilkes - This is for an appropriation for the HODAG Fund.

Section 24. There is hereby an appropriation of the unappropriated balance of the 297 Fire Safety Fund, in the amount of \$2,366.25 (Ohio EMA Grant Award increased per Ohio Dept. of Public Safety)

297.296.5303100	EMS Grant	2,366.25

Barbara Gilkes - This pertains to Fire/EMS Grant. There was an increase in the grant. Motion to send to Full Council by Mr. Lang, second by Mr. Barker, Motion passed 5-0 Ms. Gilkes - Can I ask you a question?

Mr. Marmie - Sure.

Ms. Gilkes - I want to make sure this went through, Section 7 First Responders Retention Incentives, \$520,000 for Police and Fire.

Mr. Marmie - Yes, it did.

Section 25. There is hereby an appropriation of the unappropriated balance of the 100 General Fund, in the amount of \$130,000.00 (Heating and Cooling system NPD)

100.121.5533	Machinery 8	દ્ર	130,000.00
	Equipment		

David Rhodes, Service Director - In the Police Department, incidentally that building was built 18 plus years ago, there Are two oiler systems. One is a main boiler, one is a back-up boiler system. Both systems are in need of work and repair. What we're proposing right now is to replace one of them and we'd like to do it pretty quick. Johnson Controls is a company that has worked with us on these systems and their recommendation is to replace, actually both of them, but at a minimum, one.

Motion to send to Full Council by Mr. Lang, second by Mr. Barker

Mr. Barker - The \$130,00 is for replacing one is that also for servicing the second one? **Director Rhodes** - We'll have a service agreement on this, but their recommendation is to replace that one also, we got a quote on that today, but it came in about 5 minutes prior to Councilman Marmie and I having another meeting so I haven't looked at it yet. It was about \$210,000, but I wasn't comfortable bringing that forward to you guys tonight because I hadn't had a chance to really look at it

Mr. Marmie - I guess the biggest thing is, review that and if it makes sense and we need to make some kind of amendment in the future once you've had a chance to review it, or if we need to defer it to later, we want to do what's best.

Motion passed 5-0

3. **Resolution No. 23-80** A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

Ryan Bubb, City Auditor - Just a housekeeping item.

Meeting stands adjourned

Doug Marmie, Chair