

## Safety Committee Minutes

Honorable Council  
City of Newark, Ohio  
June 14, 2016

The Safety Committee met in Council Chambers on Tuesday, June 13, 2016 following the Finance Committee with these members present:

|                     |                |
|---------------------|----------------|
| Mark Fraizer, Chair | Curtis Johnson |
| Jeremy Blake        | Carol Floyd    |
| Jeff Rath           |                |

We wish to report:

1. **Ordinance No. 16-25** amending chapter 454 and chapter 407 of the codified ordinances of the City of Newark, Ohio, regarding the regulation of parking vehicles in the downtown area was considered.

**Director Spurgeon-** we have been talking for some time to our friends and merchants in the downtown area. We have a challenge. I can't tell you that it is something that I have my hands around in its' totality because we have not finished the utility improvement project but something needs to be done in the interim. We have a collaboration with the private sector where this will be their funding of it. My friend Steve here has come up with a lot of the ideas for it, I am in support this because again we have listened, there is some frustration and it is time that something is done to get us through this utility improvement.

**Steve Layman, 9 N 3<sup>rd</sup> St-** this all started at a meeting that was held here between the Downtown Newark Association and the city about concerns about parking. Three things were clear at that meeting; one is that there is a parking problem downtown. That is not news we have been downtown around the square since 1983 and there has always been a parking problem downtown around the square. It is a little bit worse now because there are fewer spaces and there is no enforcement. So the two things that was clear out of that meeting besides the fact that there is a parking problem was that there is no enforcement. The merchants, the downtown people who do business here want enforcement. The second thing that was clear was the city doesn't currently have the capacity to do that for a lot of reasons. Parking enforcement is not on the city's agenda and that is ok. At that meeting it became clear that enforcement was available by the mean of hiring part time off duty officers. A proposal was put forth and some funding was made available, not a lot but some funding was made available to hire off duty officers to enforce parking. The question is what do we want them to enforce? There are a couple of things that come into play. I think the current ordinance is \$15.00 if you were

to get a fine. One thing that we want to be clear on is that we don't want innocent people who come down and shop and go see their attorney or go to the county building to do business and eat lunch to get a ticket. What we do want to do is get the people who park around the square in the near core of downtown all day. They park their car at 8:00, they go to work, they get out of work at 4:00-4:30 and they move their car. Those are the people we want to move out of the core of the downtown. So the question then becomes how to do that without catching innocent shoppers who stay some arbitrary time limit. The solution that is on the table that is contained in this ordinance is that we would like Council to amend the existing ordinance to allow two hour parking in the current area that is three hours. That would seem fairly serious but there are two things about this that are contained in the ordinance. One is parking would only be enforced between 8:00 and 12:30 which means if you came down to eat lunch and you got her at 11:00 you could take four hours to eat lunch because parking enforcement stops at 12:30 and you haven't hit your two hour window so it won't catch any of those people. The other safe guard is so that we don't catch innocent shoppers and a patron of downtown businesses is that there are three warnings. The reason that we have three warnings is because we are proposing a \$50.00 fine. We believe that a \$50.00 fine will change behavior we want to change. The question asked was how much money will this ordinance raise? My hope is that this enforcement raises no money. We would like nothing better than 40-50 people with two warnings. The ordinance calls for three warnings and then they change their behavior and never get a ticket. It seems like a reasonable plan to change behavior; we think that it will work. The DNA supported this; they matched the original contribution so there is about \$4,000.00 to pay for off duty patrolmen. That program would last depending on how we use the money for about 20 weeks. Our goal is to change people's behavior in that time period and to move people out of the core of downtown who are there using those spaces as a private parking lot.

**Motion by Mrs. Floyd to send to full Council, second by Mr. Johnson**

**Mrs. Floyd-** this proposal makes sense to me, the DNA has been talking about this proposal for a very long time and when we talked about two hours before people were concerned about if they wanted to go downtown for lunch then go into a couple of stores chances are they'd be there longer than two hours. I don't want that to be an issue. There are lots downtown that you can rent a space for \$15, 20, 25.00. At a DNA meeting about two months ago they passed out a map of downtown that showed where the free parking lots are but they also designated the lots around downtown where there is a monthly fee, \$15.00, 20.00, 25.00, its not outrageous, for somebody who wants to have a set place to park every day that they could go so to me this is a reasonable thing to do to change people's pattern of behavior.

**Mr. Rath-** I have never thought that we had a parking problem downtown I have always thought that we had a walking problem downtown. I think that this will address that. I think that there are plenty of parking spaces if people are willing to walk from one end of the mall to the other or less. Word travels fast so what happens in 21 weeks when everybody knows that enforcement is down? Especially if that gets printed.

**Steve Layman-** the warnings won't go away and because it is a private pot of money that has hired an off duty patrolman we could certainly save several weeks' worth of money

for sporadic unannounced enforcement. It will be unpredictable. Maybe the first three weeks will be three days a week and then maybe they don't come back for a week. If people move after the first warning than we are ok, we can stop. The idea is to convince people to move out of the core who are working downtown. If their behavior changes and they do that then we are not doing this to try to hassle people about parking we are trying to open up parking for patrons. If that is accomplished after the first warnings go out then we don't have to continue enforcement until it happens again then you go and target where that problem is. If it is successful and we run out of money I am fairly sure that we could raise private money. There are people that it is worth the investment and it's not a lot of money to keep this thing going. I don't think that it's going to be a problem but we will cross that bridge when it gets here. We are not asking the city to so the enforcement. Parking enforcement was always an expense; you have to give a lot of \$5.00 tickets to make up the salary of the Parking Enforcement Officer. It's not fair to ask the city to do this; it is a downtown problem with downtown people solving it.

**Mr. Rath-** is there a plan to communicate this to the downtown employees through any other means other than the first three warnings? This is the employers, the business owners that want this and I understand why. I continue to be perplexed how the employers can't or don't or won't enforce it themselves with their own employees.

**Steve Layman-** because some employers are also violators. That is reality. I have been watching this game being played since 1984. You need a big enough hammer to change behavior which we think a \$50.00 fine is a big enough hammer. You want to make it so that you don't catch anybody who is innocent. If it takes three warnings word will get around. It is not our intent to harass people it is to make parking spaces available for customers and patrons of the businesses.

**Mr. Fraizer-** when do you want to start targeting enforcement of this? I know that you have 20 weeks but is there a set date?

**Steve Layman-** we can't do anything until Council passes an ordinance. I made the comment that the downtown should look after the downtown but we do need cooperation from the city. We need Council approval and I would stress this in discernment that we may be back here in eight months from now saying that it didn't really work but we want to try this and beg your indulgence. We are asking the city to change the signs and that isn't in expensive and we also need a hand held computer because you have to keep track of the warnings and we are asking the city to do that. I don't think that it is part of this ordinance but for us to be effective we need those two tools. We have talked to the administration about it and they say that they are very supportive of us.

**Mr. Fraizer-** I assume you come into work before noon downtown right?

**Steve Layman-** I am here at 8:00

**Mr. Fraizer-** do you see the same cars parked there day in and day out?

**Steve Layman-** yes

**Mr. Fraizer-** I take it you are in agreement? As far as the signs and the hand held device

**Director Rhodes-** yes, we will take care of it. We have a Sign Fabricator and in terms of the hand held device we will just have to get with the Chief of Police and see what he needs.

**Mr. Johnson-** I think that it is a great idea.

**Director Mauter-** I want to back up everything that Steve has brought to the table. It has been an ongoing issue from day one when Mayor Hall took office. One of the first things that we talked about was parking. The DNA has made a couple of attempts to get this done within their organization. They tried to put pledges out and get people to sign the pledges stating that they would honor the parking and would try to park outside the three hour limit and unfortunately I think all it takes is one person to be negligent on that then other people start falling into line. When Steve made this proposal at the DNA meeting just last Tuesday they took a vote on this proposal and it was 100% unanimous in favor of it and I think that is very important to note. The other part that I would like to bring up that I don't think Steve mentioned was that on those warnings they would actually be informative warnings. Not just you are in violation but there is parking here here and here around the city. We don't want to drive anybody away we just want to have a positive behavior change.

**Motion passed by a vote of 5-0.**

Mark Fraizer, Chair