

**CITY OF NEWARK
DELAWARE**

COUNCIL MEETING MINUTES

May 3, 2021

Those present at 6:15 p.m.:

Presiding: Mayor Jerry Clifton
Deputy Mayor, James Horning, District 1
District 2, Sharon Hughes
District 3, Jay Bancroft
District 4, Dwendolyn Creecy
District 5, Jason Lawhorn
District 6, Travis McDermott

Staff Members: City Manager Tom Coleman
City Secretary Renee Bensley
City Solicitor Paul Bilodeau
Chief Communications Officer Jayme Gravell
Chief Human Resources Officer Devan Hardin
Chief Purchasing and Personnel Officer Jeff Martindale
Electric Director Bhadresh Patel
Deputy Electric Director Sam Sneeringer
Purchasing Administrator Cenise Wright
Finance Director David Del Grande
IT Infrastructure Manager James Reazor
NPD Deputy Chief Kevin Feeney
Parks and Recreation Director Joe Spadafino
Parks and Recreation Deputy Director Paula Ennis
Planning and Development Director Mary Ellen Gray
Parking Manager Marvin Howard
Public Works and Water Resources Director Tim Filasky
Public Works and Water Resources Deputy Director Ethan Robinson

1. Mr. Clifton called the meeting to order at 6:15 p.m.
2. **EXECUTIVE SESSION**
 - A. Executive Session pursuant to 29 Del. C. §10004 (b) (2) for the purposes of preliminary discussions on leases of real property.

MOTION BY MR. HORNING, SECONDED BY MR. LAWHORN: THAT COUNCIL ENTER EXECUTIVE SESSION PURSUANT TO 29 DEL. C. §10004 (B) (2) FOR THE PURPOSES OF PRELIMINARY DISCUSSIONS ON LEASES OF REAL PROPERTY.

MOTION PASSED. VOTE 7 to 0.

Aye – Horning, Hughes, Bancroft, Creecy, Lawhorn, McDermott, Clifton.
Nay – 0.

3. **RETURN TO PUBLIC SESSION**

Council exited Executive Session at 7:00 p.m. and Mr. Clifton announced no further action was necessary.

4. **SILENT MEDITATION & PLEDGE OF ALLEGIANCE**

Mr. Clifton asked for a moment of silence and the Pledge of Allegiance.

Mr. Clifton explained the procedures for the GoToMeeting Platform. He stated that at the beginning of each item, he would call on the related staff member to present and, once the presentation was complete, he would call on each Councilmember in order of district number to offer their comments.

If a Councilmember had additional comments to add later, they should signal Ms. Bensley through the GoToMeeting chat function. Members of the public wishing to comment should also signal Ms. Bensley through the chat function with their name, district or address, and the agenda item on which they would like to comment. He noted that for participants logged in by phone, names would only appear as Caller One, Caller Two, et cetera, so it was imperative that the participants inform Council of their identities. He stated that all lines would be muted until individuals were called to speak. All speakers were required to identify themselves prior to speaking and, in compliance with the executive order on teleconference meetings by Governor Carney, votes would be taken by roll call. He continued that it may be necessary to adjust the guidelines if any issues arose during the meeting. He reminded that all lines should be muted until called upon to speak.

5. 1. **FINANCIAL STATEMENT:** None

6. 2. **RECOMMENDATIONS ON CONTRACTS & BIDS OVER \$75,000:** None

7. 3. **SPECIAL DEPARTMENTAL REPORTS:**

A. Discussion and Direction to Staff Regarding Proposed Project Prioritization for American Rescue Plan Funding – City Manager/Finance Director (120 minutes)

3:52

Mr. Del Grande informed that on Thursday, March 11, President Biden signed the American Rescue Plan Act (ARPA), a \$1.9 trillion investment package critical to the Country's recovery. Within the plan, the Coronavirus Local Fiscal Recovery Fund provided \$350 billion for states, municipalities, counties, tribes, and territories, including \$130 billion for local governments to split evenly between municipalities and counties. An award of \$17,089,516.42 was specifically allocated for the City of Newark to be delivered in two tranches of 50% from the U.S. Treasury through the State of Delaware and to be expended by December 31, 2024. The disbursements were required to be channeled through the State because of Newark's classification as a non-metropolitan city. He clarified that 50% of the local government allocations from the U.S. Treasury to the State were required to be remitted within 60 days of the signing of the legislation or by May 10th. The remaining 50% was required to be remitted to the State no sooner than one year after the first disbursements and the State had 30 days from receipt of funds to make disbursements to its respective local governments, which meant that Newark was set to receive just over \$8.5 million by June 10th, 2021, and another \$8.5 million around June 10th, 2022.

Mr. Del Grande reported that staff completed all of the requirements to receive the funding from the State and anticipated official guidance on appropriate use from the U.S. Treasury within seven days. Although no official spending guidance had yet been provided, he explained that ARPA was no more restrictive than the CARES Act and because of general parameters and assumptions, staff felt it was appropriate to begin conversations on best uses for the \$17.1 million given the short time allotment allowed for spending. At a high level, staff were aware of eligible expenditures and regulatory requirements, which were:

- Expenses incurred in responding to the public health emergency or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality
- Expenses incurred by essential workers responding during the COVID-19 public health emergency by providing premium pay to eligible workers, or by providing grants to eligible employers that had eligible workers who performed essential work
- Allows for revenue replacement using the most recent full fiscal year prior to the emergency
- Allows for the necessary investments in water, sewer, or broadband infrastructure

Mr. Del Grande stated that per regulatory requirements, the City was permitted to transfer funds to a private nonprofit organization, a public benefit corporation involved in the transportation of passengers or cargo, or a special-purpose unit of State or local government. He explained that the grant monies were prohibited for use in pension funds or to reduce the property tax rate. Regulations dictated that all grantees were required to provide the Treasury Department with periodic reports providing a detailed account of fund usage. He assumed that because the City would be receiving the allocations from the State, City staff would report to the State, and the State would then report to the U.S. Treasury on the City's behalf. The City agreed with the State to report ARPA spending through a centralized portal to be managed by the State Auditor's Office and be available to the public.

In anticipation of receiving the funding, staff compiled a list of needs and wants for each respective Department. Directors were asked to focus their requests to include:

- Current or former CIP projects that have been historically delayed

- One-time expenses that offset future spending
- Projects that met the requirements of the Comprehensive Development Plan
- Projects that required upfront funding, but could provide a revenue source or a reduction in future spending
- Projects that would be beneficial to low-income and/or senior population
- IT projects that would render City operations more efficient and secure

As the Finance Director, Mr. Del Grande suggested that staff also focus on projects that could spare the City from future capital outlays in the utility infrastructure and that would not increase the annual impact on operating expenses but would result in operational efficiencies throughout the Departments. Staff compiled a list of 125 items perceived as justifiable uses for ARPA funding, totaling just under \$33.8 million. The list was separated into three categories of urgency, ranking from most important to least important. He explained that he would not elaborate for the sake of time and because of the current lack of direction from the U.S. Treasury on what were considered acceptable expenditures but revealed the list included twelve projects that were currently contained in the 2021-2025 Approved Capital Improvement Program and totaled \$4.7 million. If the projects were prioritized and approved as part of the ARPA Grant, the need to allocate City funds to the same projects over the next five years would reduce which could potentially release funds for utilization in other Capital Projects. He revealed that some of the projects were in the outyears (Old Paper Mill Park) or reflected a significant impact on the General Fund (the forthcoming purchase of five refuse trucks) and emphasized that incorporating the dozen projects into the ARPA plan would assist in balancing the City's future needs and obligations. Approving all of the items would leave a balance of \$11.6 million in ARPA funds that could be used for revenue replacement or towards other requested items. Although the majority of the utility infrastructure projects were eligible, the dozen projects could be completed by using the funds.

Mr. Del Grande explained that there were a few items that were not included in the compilation list which staff deemed appropriate to discuss with Council to solicit feedback:

- City-wide broadband – While staff listed two fiber projects that would further link City assets, there was a need to consider City-wide broadband, which would provide some or all in the City with accessibility to high-speed internet and provide an additional source of revenue. The project could potentially be done in partnership with DEMEC.
- Subvention to Aetna Hose Hook and Ladder – Staff felt it was appropriate to discuss what, if any, potential subvention could be provided to Aetna for fire and ambulance services provided to the City. Aetna was currently in the process of relocating from the Academy Street station into a new building (still to be developed) at the old Burger King property. Aetna representatives reached out to City staff as a preliminary measure to discuss a potential City contribution towards the project.
- Joint project with New Castle County – There was some interest with the County to reserve some ARPA funds to work on a joint venture to benefit all County residents.
- Non-AFSCME premium pay - Staff felt it was appropriate to consider using a portion of the funds to compensate all active, non-AFSCME employees, with the amount determined to be based upon qualifying factors (active employee, prorated by date of hire, etc.).
- Payout of compensation time - Payout of accrued compensatory time earned by staff while under the State of Emergency (SOE) since March 2020. He explained the payout would reduce any future financial obligations to the City and noted it was also an option recently provided to Local 3919.
- Zoning Code Updates – Staff acknowledged the need to update the Zoning Code, most notably the BB zoning district. ARPA funding could potentially be used to fund a consultant to lead a similar effort comparable to the Comp Plan and Sustainability Plan. Mr. Del Grande admitted that available staff lacked bandwidth to appropriately tackle the effort in-house.
- Economic Development Initiatives – Staff suggested that Council could wish to reserve some ARPA funds to cover the cost of economic development initiatives to help fill empty commercial space in the City. One example was to provide a temporarily reduced electric rate for new businesses filling spaces that had been vacant for at least six months.

Mr. Del Grande revealed that staff felt it was too early to earmark 100% of the ARPA funds until the U.S. Treasury provided specific guidance on proper use but did request feedback to determine Council's priorities. He added that if any projects were not included on the list that Council wanted to be considered or if there were projects listed that Council was not interested in pursuing, the information would be helpful in formulating a path forward once the U.S. Treasury guidance was received. Staff also requested guidance for the seven designated "items not included but should be considered" as part of the ARPA grant allocation as well as whether or not to include the twelve Capital Projects already included in the 2021-2025 CIP in the ARPA workplan.

The Mayor opened the table to Council comment.

Mr. Coleman reiterated that the full list of allowable expenses and context was not available but through experiences with the CARES Act and in discussions with the County, staff discovered that the fewer items that could be bundled into the reimbursement requests, the better. His primary recommendation to Council was to use initial funding for revenue replacement because it would be the easiest to justify and would be immediately available. He explained that because the City had already met the ARPA requirements, the funds could be used as desired because they would be considered revenue and would be in City reserves. He repeated that his first recommendation was to replace revenue and then concentrate the remainder on what met the various requirements of the ARPA regulations. He confirmed that the City agreed to provide all of the uses of the money to the State Auditor's Office who would host a database on their website for full transparency. He and Mayor Clifton met with the County to discuss partnership initiatives that were not isolated by municipal boundaries and affected all County residents, such as homelessness and affordable housing. The County suggested that each municipality agree to reserve some funding for use in a joint concern but acknowledged the process was still in its early phases. He reiterated that the funding would be delivered in two tranches and recognized that the City could not realistically spend all of the funds at once. He explained that although the CIP contained more projects, the dozen suggested were entirely contained within the five-year CIP. The dozen did not include any recurring projects such as the Annual Street Program, water main replacement, sewer rehab projects, storm sewer pipe rehabs or any other repeated yearly projects, although they were qualified for funding use. He reiterated that staff was seeking Council direction on where effort should be spent on creating a proposal for consideration, if there were areas of general consensus for action, or if there were other areas that were non-starters.

Mr. Horning agreed that revenue replacement was sensible and was pleased with the transparency on spending. He asked if the City owned the land for Old Paper Mill Park and Mr. Coleman confirmed. Mr. Horning recalled discussion on addressing congestion issues at the Park but wanted to focus the funds on infrastructure and big-ticket Capital Expenditures. He asked for clarification on the revenue replacement process. Mr. Coleman replied that the current understanding was that the most recent pre-pandemic fiscal year results (2019 for the City) would be compared to the 2020 results and the City could claim the difference as lost revenue due to the pandemic for the 2020 year. He reminded that the funds would be available through the end of 2024 so theoretically, the City could compare each year to 2019 although he hoped for an economic rebound in the near term. He assumed there was a chance for the City to have lost revenue in 2021 even if the budget targets were achieved because the numbers were down by \$2 million compared to the 2019 actual. He emphasized that if Council opted for revenue replacement, then the City would meet its obligation to spend the \$17.1 million prior to the deadline and Council could use the funds for whatever deemed appropriate. He reiterated that choosing revenue replacement meant that the funds would be available for more projects and initiatives. Mr. Horning agreed and felt that staff's efforts put the City in a strong position with a balanced budget but noted the economy was still recovering and he wanted to remain cautious.

Mr. Horning asked if the broadband could make the City a competitor or if it would be provided free of charge and continued that as long as the technology was competitive with the private market then many residents in the City could benefit from the access. Mr. Coleman replied that the broadband would theoretically compete with Verizon and Comcast and revealed that various municipalities offered municipal broadband service. He noted that while a few States preempted municipal broadband, Delaware had not, so it remained an option for the City. He confirmed that staff spoke with DEMEC about potentially expanding shared services beyond power purchasing and informed that City staff had previously investigated municipal broadband as a solo project but determined it was not a financially sensible initiative because the City could not support a 24-7 call center. He theorized that DEMEC could provide the service to municipalities that were not current DEMEC members per its charter but confessed the project would require extensive investigation. Mr. Horning wanted to balance the project with the City's available resources and was interested in additional revenue streams.

Mr. Horning reminded that the City saved millions of dollars by having Aetna's services in the City and thought it was sensible to support the organization because it was a long-term savings to the City's finances. He was not opposed to any of the listed projects and wanted to learn more about the County's intent. He did not support premium pay for non-AFSCME employees and assumed that residents would prefer using the funds for infrastructure and longer-term debt obligations. He acknowledged the City had encountered difficulties on paying some SOE pay because the initial intent was to cover a shorter-term event, so the payout was unexpected. He emphasized that he was not diminishing any employee's contribution. He thought it made sense to pay out compensation time as it was an obligation and could be eliminated. He considered the Zoning Code updates as one of the residents' greatest concerns and he supported using resources for the project because it was a long-term investment in preserving the City's

charm. He wanted to work with The Newark Partnership (TNP) to promote economic development. He claimed to be open to all possible uses and asked if the “public benefit corporation involved in transportation of passengers or cargo” was UNICITY and Mr. Coleman replied that he expected the funds were intended for SEPTA, Amtrak, or Light Rail. He explained that UNICITY was run by the City.

Ms. Hughes concurred with Mr. Horning’s comments. She was interested in a plan for the subvention to Aetna and asked if an amount had been discussed. Mr. Coleman introduced Dan Seador and Ed Klima from Aetna and believed that the combined project cost around \$13 million. Mr. Klima said reminded that the project began in 2015 with a feasibility study of Aetna’s facilities and service to the greater community. The report suggested consolidating two of the stations and so there would be three stations instead of four. The current master plan involved two major projects: renovating and expanding the facility on Thorn Lane for training and administrative functions, and the community’s and company’s desire to maintain a station in the downtown corridor. Aetna staff had a parcel in mind but confessed that locating property in the downtown area was difficult. He continued that Aetna had been engaged with an architect over the last five months tasked with working on schematics for the two projects to determine definitive costs. He noted that costs were escalating in the current construction environment, but Aetna staff estimated a total cost of between \$12 and \$14 million. Ms. Hughes asked if Aetna was requesting a specific amount. Mr. Klima responded that Aetna was committed to pledging \$4 to \$5 million from the sale of one property and some savings but indicated that \$2 to \$4 million would be extremely helpful.

Ms. Hughes agreed with Mr. Horning regarding the premium pay and Zoning Code updates. She asked if the dozen projects were included in the compiled list and Mr. Coleman confirmed. She asked how long staff took to compile the list and Mr. Del Grande estimated two to three weeks. Mr. Coleman clarified that the dozen projects were included in the master list but the seven items “not included but should be considered” were not in the master list. Ms. Hughes asked if staff had concerns to bring to Council’s attention. Mr. Coleman stated there were a few types of projects that needed to be prioritized above the rest, primarily those that had been repeatedly deferred. He gave the example that the parking lot at City Hall had deteriorated so badly that striping paint no longer stuck to the surface. He suggested that the permitting and licensing software could also use updating and explained that in 2016, staff transitioned from CityView, a failing program, to MUNIS which was not working well. He clarified that at the time, staff had the choice between two software programs and the previous administration chose to combine under the same software used by the City in other areas. He reiterated that the program was not performing as needed and added that EnerGov, the second consideration at the time, was the better choice then and was definitely the better choice currently. He emphasized that EnerGov would solve many internal matters regarding process issues, as well as improve the user experience for residents and the development community.

Mr. Coleman concurred with Mr. Klima that construction costs were accelerating and had been since the start of the pandemic, so he was concerned that the Federal stimulus would trigger construction estimates to skyrocket. He informed there was more money in circulation attached to the spending deadline but there was limitation on the types of projects that could be constructed. He speculated that many municipalities would fight over the same contractors for the same work and he wanted to monitor construction costs and reprogram the project lists. He reiterated that the funds had to be spent by the end of 2024 and unless more funding followed to fill the void, he theorized there would be excess capacity in the construction market accompanied by a lack of project funding. He suggested that the funds be utilized for fewer large projects as opposed to many smaller projects because he was concerned regarding staff’s existing workload with the addition of \$17 million in capital spending. He preferred to concentrate on projects that scaled more easily, such as water line replacements and the purchase of large equipment, in order to avoid construction costs estimates. He emphasized that staff would need to be creative and reassured Council that there was time to establish a plan that could be amended as needed. Ms. Hughes agreed with the concern of construction costs and hoped there would be discussions on paving the parking lot at City Hall.

Dr. Bancroft supported the plan based on its flexibility and ability to select experts. He thought it was sensible to use the funds for revenue replacement and then address large CIP projects that had been delayed. He found the titles of the projects to be confusing and asked for clarification about the line extension across the UD Farm. Mr. Clifton interjected and requested that projects be referenced by line number for clarity. Dr. Bancroft referred to the dozen CIP projects listed on page four and agreed with Mr. Coleman to address outstanding projects. He thought IT projects were sensible and addressed economic development and community orientation. He wanted the City to support net neutrality to demonstrate good stewardship as municipal leaders. He supported tech-related initiatives (items 64 and 65) and the installation of broadband through a partnership with DEMEC. He supported helping Aetna in principle but did not know the details of the property and building situation. He wanted to leverage funds, so the City was recognized for supporting emergency service and thought that a partnership with the County was

also sensible. He wanted to be cautious with comp time so as not to annoy constituents but wanted to recognize employees who worked in dangerous situations. He agreed that Zoning Code updates required expertise and assumed the work would be in conjunction with the Planning Commission. He mentioned that the City was attempting to focus on economic development incentives that dovetailed with emergency services. He thought the City could make its infrastructure greener and more resilient and the CIP projects fed into that notion. He thought supporting Parks programs and other familiar community-oriented projects would be easily understood by the public and were also easy for the City to organize. He wanted to combine the student and senior populations by merging UD community activities with the Newark Senior Center, enhance green infrastructure, and make the City a leader in emergency services and municipal/community action.

Ms. Creecy credited staff for the presentation and agreed with some of the comments from Mr. Horning and Ms. Hughes. She concurred that Aetna should receive some support from the City and shared that her father was a paramedic so she understood and supported jobs of service. She asked if the old building would be sold to help fund the new facility and Mr. Coleman confirmed. She fully supported the installation of broadband and revealed that students from low-income households did not have reliable access to internet during the shutdown. She informed that even with low-income billing, Verizon was unable to provide proper services to students. She requested that the City parking lot be paved, supported infrastructure projects, and agreed that Zoning Codes needed to be updated as soon as possible. She agreed with Mr. Coleman's suggestion of revenue replacement and asked for clarification on the seven items. Mr. Coleman replied that the seven items were listed on page 4 and 5. Ms. Creecy thanked staff for the presentation and appreciated Council's output.

Mr. Clifton asked Mr. Coleman to clarify the pay issue. Mr. Coleman explained that each union contract had a different value and employees could accrue 150 hours of comp time in general. Since the City was a government agency, it could pay comp time instead of overtime in certain circumstances. He continued that if an employee had 100 hours of comp time and their pay was \$10 per hour during the accrual, staff carried \$1,000 in expenses forward. If the employee received promotions during their tenure and made \$20 an hour by the time the comp time was used, then the comp hour value doubled for the employee. He revealed that it was in the City's best interest to carry smaller comp balances because they tended to grow faster than inflation due to contractually obligated step increases and cost of living adjustments. He admitted it was almost always less expensive for the City to pay out for comp time accruals and remove them from the books (or to pay overtime in some instances) than it was to pay for comp time. He explained that the City was carrying an abundance of comp time expenses on the books so providing a payout would not only eliminate the cost but also allow staff control for when the expense would be taken off the books. He revealed that the current practice was for comp time to accrue during an employee's tenure and the City would pay out when the employee retired.

Mr. Lawhorn approved revenue replacement so that the initial funds could be used at Council's discretion and the excess could be used for larger projects. He thought the loss of revenue justified using the funds for capital projects, but he wanted to make sure the money went towards rebuilding the City's economic and community health. He wanted to challenge TNP to create a Newark Economic Recovery Plan that specified project details and the required budget so that Council could discuss actual budgets and progress to allow the business community to recover. He noted that he was heavily involved in Little League and the pandemic had decimated the organization. He continued that the League impacted many children and brought many adults and community members together. He explained that because the organization relied on children returning year after year and because younger children were unable to start T-ball because of the pandemic, a small grant might help the League to rebuild. He wondered how many other non-profits could benefit from a similar program and wanted to consider ways to directly finance parts of the community that provided true benefits to the residents. He admitted there could be costs if a grant program had to be administered by a consultant but reiterated his challenge to staff to discover ways to promote support community non-profits and local agencies.

Mr. Lawhorn fully supported the Aetna subvention and acknowledged the difficulties in generating finances and volunteers for the Fire and Service industry, in addition to rising costs. He wanted to ensure that Aetna remained viable for years to come and reminded that the City paid hundreds of thousands to Aetna yearly and, if Aetna disappeared, the City would be forced to spend millions on maintaining its own fire department. He supported an investment with Aetna once they were able to provide clarity on their needs and transparency on where the funds would be used.

Mr. Lawhorn found it difficult to prioritize without knowing related costs but reiterated that he wanted to use a significant portion of the funds to benefit the community. He acknowledged that while the CIP improved service to the residents, offered long-term financial benefits to the City, and helped keep taxes down, he wanted to make sure there were direct positive benefits to the community. He

fundamentally agreed with covering comp time, either through the funding or the City's own financial plan. He thought the joint project with the County could be tied into the Aetna support because he recalled that 60% of the calls were in the County versus 40% in the City and reiterated that the project required transparency. He did not support a joint project where there was no clear direction on how funds were spent and emphasized that he was more confident with how the City managed its budget versus the County. He supported the idea of broadband expansion but did not have a grasp of the scope. He required more detail on the issue of premium pay and thought the Zoning Code update project was an inevitable necessity. He reiterated that economic development initiatives required further definition and repeated his intent to challenge TNP to present a plan.

Mr. Coleman noted he had spoken to Leann Moore, Executive Director of TNP, regarding an economic development plan and Ms. Moore was fully on board. He also spoke with the chair of TNP's Economic Enhancement Committee about various concepts, including the one outlined in the memo, and the Committee Chair agreed it would likely be enough to help small business startups facing upfront costs. He believed the City had TNP's support and thought they would be willing to run a program on the City's behalf. He shared a recommendation from a Main Street business that the City should investigate and recruit various retail businesses that were successful in other college towns to fill vacancies in Newark. Ms. Moore offered to investigate on the City's behalf. He thought TNP was an excellent partner with its own resources that could assist as necessary. He clarified that the Zoning Code would absolutely require a consultant and could also require contractual employees to help augment the Planning staff. He continued that Director Gray was creating a staff augmentation plan to on-board temporary staff to assist with the various upcoming development projects and demands for planning-type services. He emphasized that the project would fall into his highest priority tier.

Mr. Lawhorn hoped that TNP would engage with the entire business community to provide Council with various ideas for discussion. He asked Mr. Coleman for his thoughts on funneling money into other community organizations and Mr. Coleman replied the decision would depend on the Treasury Department's guidance and how much bookkeeping would be required to track the money to report to the State and Treasury. Mr. Lawhorn noted TNP had a non-profit portion that could potentially manage and administer smaller grants with the City's oversight. Mr. Coleman was amenable as long as it was permissible.

Mr. McDermott agreed with previous comments supporting revenue replacement, the CIP, and comp time payout. He asked if the funds could be used for stormwater management to assist residents routinely impacted by rains and to prevent future issues. He noted that the Police training budget was decreased to essential training only and asked DC Feeney to address what potential training opportunities the Police wanted to reintroduce. He emphasized the need for a highly trained Police Department for liability purposes and reiterated the need for training opportunities. He expanded the suggestion of repaving the parking lot at City Hall (item 17) to include fencing to protect City property and provide security for employees. He asked Mr. Coleman for an update on the status of stationing the Paramedic Unit within the City. He understood that Aetna responded from the Kirkwood Highway Library to the City during overnight hours when the City was not staffed by a paramedic. He recalled discussions with the County, Aetna, and Newark about how to station a paramedic unit in the City for 24/7 service. Mr. Coleman understood that the current plan was to move the paramedics into Station 9A, across from the main station on Academy Street, which would then become the paramedic station as part of the reconfiguration. Mr. McDermott asked if the move would be funded by the County and Mr. Coleman replied that the paramedics would lease the space from Aetna. Mr. Klima confirmed that the paramedics would lease the building from Aetna, renovate it, and operate solely out of the location. Mr. McDermott supported the Aetna subvention and Zoning Code updates and requested more details on the broadband expansion and the partnership with the County.

Mr. Clifton introduced Dan Seador to provide more details. Mr. Seador explained Aetna's current intent was to lease the paramedics the space at 9A but informed that Aetna had no control over paramedic scheduling. He explained the paramedics were currently at the Ogletown Road facility for 12 hours a day and sometimes 24 hours a day but had not yet fully staffed the unit 24/7. He reiterated that Aetna did not control the paramedic element but did want the unit to remain within the central Newark area. Mr. McDermott shared that he had conversations with paramedic leadership who hoped to have a location that could be staffed 24/7 and thought there was a possibility to be part of the new Aetna building.

Mr. Clifton agreed that item #17 required more protection. He asked Mr. Coleman if the City had been vindicated regarding the \$10 ambulance fee. Mr. Coleman replied that staff had not yet received a response but did submit a letter to the State outlining the City's position. Mr. Coleman hoped the State would continue to allow the charge and shared that years prior, he met with now-Lieutenant Governor Hall-Long, Representative Osienski, and Aetna to discuss issues they faced. He noted that Aetna was

hemorrhaging money for Medicare runs because they were only reimbursed \$80 per run when the cost was nearly \$500. He supported funding for the ambulance service or getting additional paramedics into the City.

Mr. Clifton spoke to Bill Sullivan of the Marriott Hotel and shared that the hotel was undergoing a deep clean in order to reopen on May 20th and were already booked for the four days surrounding graduation, as was SpringHill. Mr. Clifton noted that SpringHill had a full lot on Saturday morning, and he learned that there was a resurgence of visitors for local sports. He was pleased on behalf of the economy and the City's Lodging Tax.

Mr. Clifton spoke to Kathy McGuinness, the State Auditor, and learned that when the CARES Act funding was dispersed, Ohio was hit with a large amount of FOIA requests to discover where the funds were spent. As a result, Ohio went to a web format and FOIA requests were cut by 50%. He continued that he wanted people-related issues to be funded first and reminded that the City had a partnership with the Hope House, a hotel on I-95, that was run by the County. He wanted the initiative to be strengthened as a joint project. He also met with various representatives of the small housing community seeking to offset homelessness. He admitted that land prices were too high in Newark for the project, but he understood the County was considering the topic and reminded that many of the issues crossed borders and were not specific to the City. He agreed that staff needed to investigate each outlay of cash to the County to ensure that the project was both endorsed by the City and would be a value to individuals in the City that had been impacted by the pandemic.

Mr. Clifton fully supported the Aetna subvention and considered it critical for the organization to obtain a new base to replace Station 8. He thought the local facilities were dated, the time was at hand to build a functional station and noted that parking could be problematic for responding firefighters and various crews. He fully supported the City-wide broadband initiative and thought the service should either be free or inexpensive to low-income areas such as Alder Creek and other Housing Authority locations. He referenced a conversation with a potential developer regarding razing the office site for Newark Housing and the old apartments on Independence Way in George Read Village. He noted the plans had not yet been approved by the Housing Authority and but said if they were approved and recognized by Housing and Urban Development, then he wanted the City to participate. He wanted to provide safer and newer places for seniors to live. He added that another plan was to relocate some outlying properties to Main Street which he found logical because the homes would be in a walkable distance to grocery stores and Newark High. He anticipated having the conversation in the near-term.

Mr. Clifton agreed with the comp time payout to eliminate inflated expenses from the City's books. He referred to line items 2 and 16 for the reservoir and parking lot and reminded that the area was popular, and Council had resisted a parking fee in order to encourage residents to visit and enjoy the outdoors. He considered the project a people-centric item. He supported the suggestion to assist City employees with mental health and thought the Zoning Code updates were a necessity. He was pleased that the new Director was on board with the economic development initiatives and he hoped to have a conversation on plans for the funding shortly.

Mr. Clifton wanted to address stormwater issues on Julie Lane and Rahway Drive. He and Mr. Horning visited Rahway Drive and learned that residents had taken action to try to mitigate some of the flooding. He admitted there was not much that residents on Julie Lane could do and reminded that a resident's basement on a cross street flooded every time it rained. He wanted the City to help mitigate the issues in the two areas. He supported updating the permitting system to streamline for residents and staff. He thought repaving the City Hall parking lot was a low-priority item but admitted he was in the minority. He reiterated his desire to directly help those who were most impacted by the pandemic and wanted to address projects that had been delayed.

There was no public comment and the Mayor returned the discussion to the table.

Mr. Clifton asked Mr. Coleman and Mr. Del Grande if there was sufficient direction and Mr. Del Grande confirmed.

The Mayor opened the table to further Council comment.

Ms. Hughes asked if the shooting range was included and Mr. Del Grande informed it was not. Mr. Coleman added that staff had spoken with the State about a potential parcel for the range and he understood that the land was still being reserved for the City, but staff had not made much progress on funding the construction. He admitted that the project was delayed for lack of funding due to COVID. Ms. Hughes asked if the range was a consideration and Mr. Coleman thought the project would have to be

used by the second round of funding because it did not fit for the categories provided thus far but thought there could be a chance. Mr. Clifton noted that Police Departments were expanding and finding range time was more difficult.

Mr. Horning thanked Mr. Clifton for the stormwater follow up and understood that it was still unclear if the City could use the funds for stormwater. He supported determining whether stormwater was an allowable use. He asked if the refuse truck purchase was a matter of using the funding first with a delayed delivery and Mr. Coleman confirmed that the funds could be spent through the end of 2024 and the trucks were scheduled for replacement in 2022, 2024, and 2025. He noted the replacement for 2025 would have to be moved forward and reiterated that guidance from the Treasury was critical because it would be more difficult if the City was required to take delivery of the trucks before the end of 2024. He noted the lead time on the trucks was already about one year and was not unusual. Mr. Horning referred to the UD Farm line extension and asked if the large substation for \$5 million was included in the list. Mr. Coleman informed that the initiative was not included because it was beyond the end year of the funding availability and depended on eligibility guidance from the Treasury. Mr. Horning thought the project could bolster the STAR Campus as a place for new businesses to help stabilize future revenue. He asked if there were any discussions on whether funds could help boost establishing a Police Athletic League (PAL) to work with community youth or a community center in partnership with UD to help students after school. Mr. Coleman recalled the last discussion on potential State funding was to first establish a track record of success with the current PAL and then return to the State. DC Feeney agreed and could not add further insight. Mr. Horning understood that the PAL was attempting to fundraise and hoped the funding was an opportunity for the community to provide a boost.

Ms. Creecy thanked Council for comments on the PAL Program and shared that area children were excited for the prospect. She thanked Mr. Clifton for concentrating on people first.

Mr. Clifton thanked staff for attending and Mr. Coleman and Mr. Del Grande for the presentation.

8. 4. **ITEMS SUBMITTED FOR PUBLISHED AGENDA:**
 - A. Council Members: None
9. 4-B. **OTHERS:** None
10. **Meeting adjourned at 8:39 p.m.**

Renee K. Bensley, CMC
Director of Legislative Services
City Secretary

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