

Service Committee Minutes

Honorable Council
City of Newark, Ohio
March 15, 2021

The Service Committee met via Zoom on Tuesday, March 15, 2021 with these members in attendance:

Jeff Rath - Chair
Jeff Harris – Vice Chair
Spencer Barker
Jeremy Blake
Ryan Bubb

1. **We wish to report:**
2. Consider **Ordinance No. 21-09** AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 19 EAST STREET, CITY OF NEWARK, LICKING COUNTY, OHIO, FROM THAT OF TFR – TWO-FAMILY RESIDENCE DISTRICT TO MFR – MULTI –FAMILY RESIDENCE DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO
Mr. Brian Morehead, City Engineer – This came from the property owner who wishes to change the use of this property to allow for multi-family rentals.
Motion to send to full council by Mr. Bubb, second by Mr. Barker, motion passed 5-0
3. Consider **Ordinance No. 21-10** AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 774 HUDSON AVENUE, CITY OF NEWARK, LICKING COUNTY, OHIO, FROM THAT OF LB – LIMITED INTENSITY BUSINESS DISTRICT TO MB – MEDIUM INTENSITY BUSINESS DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO
4. **Mr. Brian Morehead, City Engineer** – This came to us from the property owner. He wishes to do automotive repair at this location and is not permitted under the LB District, so he is asking for a change to the MB District.
Motion to send to full council by Mr. Bubb, second by Mr. Barker, motion passed 5-0.
5. Consider **Ordinance No. 21-11** AN ORDINANCE CONSENTING TO THE ANNEXATION OF CERTAIN TERRITORY, GENERALLY DESCRIBED AS BEING APPROXIMATELY 55.5 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP, TO THE CITY OF NEWARK, OHIO, AND DECLARING AN EMERGENCY (RULE 11)
Mr. Doug Sassen, Law Director – I will address the next 5 pieces of legislation all together because they all relate to the same issue. They're not before your committee here tonight for purpose of vote, they're here for the purpose of discussion, question and answer only because the committee seems to facilitate that process better than full council. They're going to appear on the agenda of full council tonight pursuant to Rule 11. The reason they will be here pursuant to Rule 11, with the approval of both Mr. Blake and Mr. Marmie who have both provided that consent, although Mr. Marmie is not here he did provide that consent in writing to council and I believe Jeremy can confirm that he did that. The reason they are here as an emergency and Rule 11 is because this is a single property owner and annexation and is filed as an Expedited II Annexation, which means

that 3 of these pieces of legislation need to be dealt with by council within 20 days of our receipt and the others need to be dealt with within 25 days of our receipt of the information from the County Commissioners. Today is the 19th day after our receipt, so we need to act upon this legislation tonight to meet our statutory deadlines. As a reminder to everyone, we've been through this before, but if you look at Ordinances 21-11 and 21-12 they are mirror opposites of each other. One is a consent and one is an object to the annexation. I like to do this because it gives council a meaningful opportunity to object if they so desire. Obviously we can't pass both of them, so if it's councils wish to move forward on this annexation it would move forward on 21-11 and then 21-12 would die for a lack of a motion. The other pieces of legislation are companion legislation with regard to highway maintenance responsibilities and buffer zones and a statement to the property owner of what services are available if indeed they do annex into the city. Those are fairly ministerial that come along with this process should council agree to consent. Procedurally those are my comments, I know we've been through this before, we won't be voting here in committee but if you have any questions I'll be glad to answer those and I also know that the applicant and his attorney are here tonight if you have any questions of them.

6. Consider **Ordinance No. 21-12** AN ORDINANCE OBJECTING TO THE ANNEXATION OF CERTAIN TERRITORY, GENERALLY DESCRIBED AS BEING 55.5 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP, TO THE CITY OF NEWARK, OHIO, AND DECLARING AN EMERGENCY (RULE 11)
7. Consider **Ordinance No. 21-13** AN ORDINANCE ASSUMING MAINTENANCE RESPONSIBILITY FOR THE FULL WIDTH OF HORNS HILL ROAD FROM THE EXISTING CITY OF NEWARK CORPORATE BOUNDARIES, AS SHOWN ON THE MAP ATTACHED AS EXHIBIT "A", UPON ANNEXATION OF 55.5 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP, TO THE CITY OF NEWARK; AGREEING TO COOPERATE IN THE MAINTENANCE OF SAID ROADWAY AND INDEMNIFYING THE TOWNSHIP OF NEWARK AND LICKING COUNTY; AND DECLARING AN EMERGENCY (RULE 11)
8. Consider **Resolution No. 21-16** A RESOLUTION ADOPTING A STATEMENT INDICATING WHAT SERVICES, IF ANY, THE CITY OF NEWARK, OHIO, WILL PROVIDE FOR APPROXIMATELY 55.5 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP, A TERRITORY PROPOSED FOR EXPEDITED II ANNEXATION; AND DECLARING AN EMERGENCY (RULE 11)
9. Consider **Resolution No. 21-17** A RESOLUTION REGARDING A BUFFER ZONE FOR THE ANNEXATION OF APPROXIMATELY 55.5 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP; AND DECLARING AN EMERGENCY (RULE 11)
10. Consider **Ordinance No. 21-14** AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AND A RESOLUTION AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; PROVIDING FOR THE ADOPTION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND DECLARING AN EMERGENCY

Mr. Doug Sassen, Law Director – This is our standard annual legislation to update our published ordinances, which we are required to do. They're published in print and various offices get a copy of that, they are also updated online. We do that every year. It requires action of council. It's an emergency to meet the publishers deadline to ensure our ordinances are updated in a timely fashion.

Mr. Blake – I just wanted to inquire about exhibit A of the legislation, it looks like there are 8 different areas with a change. Is that from the legislature making a change and not necessarily council?

Director Sassen – It's a combination of both. It will be things required by State Statute to update our ordinances and also ordinances that have been passed by city council.

Motion to send to full council by Mr. Bubba, second by Mr. Barker, motion passed 5-0

11. Consider **Resolution No. 21-20** 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

Mr. David Rhodes, Service Director – This is the site of the property that was formerly known as “the pink house”. Years back we tore that house down and that lot has been vacant. Newark Development Partners is putting together lot combinations for potential redevelopment. It's another artery into the downtown area and we want to transfer this piece of property to NDP so they can hopefully put together a nice development there. As always when the property sells the city does get a little bit of money back.

Motion to send to full council by Mr. Bubba, second by Mr. Barker

Mr. Blake – I'm curious about when we transfer this land, we recently read in the Advocate the discussion about changing the downtown boundary, what's the timeline on when that legislation will be coming?

Director Rhodes – That's a fair question. I would say relatively soon. That's something we've been working on for a period time. We've worked with the War Councilman and talked about the changes and the reason for the changes, so I would say soon. You will see that sooner rather than later. I don't want to say two weeks and it be four weeks, but pretty quick.

Motion passed 5-0

12. **Service Committee meeting stands adjourned**

Jeff Rath - Chair