

## **COUNCIL AGENDA**

July 18, 2022

*Committee and Council Meetings can be viewed by accessing YouTube*

Council Chambers  
7:00 P.M.

### **ROLL CALL**

**INVOCATION** – Jeff Harris

**PLEDGE OF ALLEGIANCE**

**CAUCUS**

**MINUTES of July 5, 2022**

**APPOINTMENTS**

### **REPORTS OF STANDING COMMITTEES**

Finance  
Service  
Safety

### **REPORTS FROM CITY OFFICIALS**

**City Auditor, Ryan T. Bubb** – Operating report for period ending June 30, 2022

**Brenda Cooper, Tax Administrator's Office** – Income Tax Revenue Reports for period ending June 30, 2022

### **COMMUNICATIONS**

**Ohio Division of Liquor Control** - New Liquor permit application for West Church 1650 LLC,  
1650 West Church St, Newark, Ohio 43055

### **COMMENTS FROM CITIZENS**

### **ORDINANCES ON SECOND READING**

There are none this meeting

### **ORDINANCES ON FIRST READING**

There are none this meeting

### **RESOLUTIONS ON SECOND READING**

**22-54** A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF NEWARK TO ENTER INTO A COMMUNITY DEVELOPMENT BLOCK GRANT FUNDED SUBRECIPIENT AGREEMENT WITH THE HEREINAFTER NAMED ORGANIZATIONS TO CARRY OUT ACTIVITIES INCLUDED WITHIN NEWARK'S FY 2022 COMMUNITY DEVELOPMENT BLOCK GRANT ONE YEAR ACTION PLAN.

**22-55** A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO SUBMIT AN APPLICATION TO THE OHIO DEPARTMENT OF PUBLIC SAFETY OFFICE FOR FEDERAL FISCAL YEAR 2022 AMERICAN RESCUE PLAN ACT (ARPA) FIRST RESPONDER WELLNESS, RECRUITMENT, RETENTION & RESILIENCY GRANT.

**22-58** APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION ( \$500.00 -Request appropriation of funds from VFW Post 1060 earmarked for First Responders into misc. acct) (\$20,000.00 -Intel economic impact study-city share)

#### **RESOLUTIONS ON FIRST READING**

**22-59** District wide bridge painting on the following structures: COS-36-24.42L (SFN 1600516), LIC-79-13.71 (SFN 4505026), MUS-70-18.45R (SFN 6003214), MUS-70-18.45L (SFN 6003249), MUS-70-19.58 (SFN 6003338). Repair and paint beam 5 at forward abutment on Gue-7. The LIC-79-13.71 structure is located within the city of Newark and carries SR 79 SB over SR 16.

**22-60** A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUBMIT APPLICATIONS TO THE UNITED STATES BUREAU OF JUSTICE ASSISTANCE FOR FISCAL YEAR 2022 EDWARD BYRNE JUSTICE ASSISTANCE GRANT FUNDING.

**22-61** **Exp** APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$3,100.00 -Payout for resigning Municipal Court employee Rachel Cox) (\$35,700.00 -Payout for retiring Police Sgt. Jeffrey Pritt)

**22-62** APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$110,000.00.-Law Technology and Engineering Technology)

**22-63** A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE AND ENTER INTO CONTRACT WITHOUT COMPETITIVE BIDDING FOR THE PURCHASE AND INSTALLATION OF A POOL LINER FOR THE HOLLANDER POOL

**22-64** A RESOLUTION OF INTENT TO APPROPRIATE THE REAL ESTATE KNOWN AS PARCEL # 054-216618-00.000, NEWARK, LICKING COUNTY, FOR MAINTAINING AND IMPROVING THORNWOOD CROSSING WITHIN THE CITY OF NEWARK, OHIO; AUTHORIZING THE MAYOR TO

GIVE NOTICE TO THE OWNER OF SUCH LANDS AS REQUIRED BY LAW; AND DECLARING AN EMERGENCY.

**22-65** A RESOLUTION OF INTENT TO APPROPRIATE THE REAL ESTATE KNOWN AS PARCEL # 054-225744-00.000 AND PARCEL # 054-225738-00.000, NEWARK, LICKING COUNTY, FOR MAINTAINING AND IMPROVING THORNWOOD CROSSING WITHIN THE CITY OF NEWARK, OHIO; AUTHORIZING THE MAYOR TO GIVE NOTICE TO THE OWNER OF SUCH LANDS AS REQUIRED BY LAW; AND DECLARING AN EMERGENCY.

**22-66** A RESOLUTION OF INTENT TO APPROPRIATE THE REAL ESTATE KNOWN AS PARCEL # 054-228294-00.000 AND PARCEL # 054-228294-00.001, NEWARK, LICKING COUNTY, FOR MAINTAINING AND IMPROVING THORNWOOD CROSSING WITHIN THE CITY OF NEWARK, OHIO; AUTHORIZING THE MAYOR TO GIVE NOTICE TO THE OWNER OF SUCH LANDS AS REQUIRED BY LAW; AND DECLARING AN EMERGENCY.

#### **COMMENTS FROM CITIZENS**

**MISCELLANEOUS  
ADJOURNMENT**

BY: \_\_\_\_\_

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF NEWARK TO ENTER INTO A COMMUNITY DEVELOPMENT BLOCK GRANT FUNDED SUBRECIPIENT AGREEMENT WITH THE HEREINAFTER NAMED ORGANIZATIONS TO CARRY OUT ACTIVITIES INCLUDED WITHIN NEWARK'S FY 2022 COMMUNITY DEVELOPMENT BLOCK GRANT ONE YEAR ACTION PLAN.

WHEREAS, pursuant to Title I of the Housing and community Development Acts of 1974 and 1990, as amended, the City of Newark has applied for and received a Community Development Block Grant (CDBG) for certain community development activities; and, WHEREAS, it is necessary to enter into a CDBG funded subrecipient agreement with the hereinafter mentioned organizations to implement the foregoing FY 2022 CDBG funded activity; and,

WHEREAS, it is necessary to authorize the Mayor to enter into the CDBG funded subrecipient agreement; and,

WHEREAS, this Resolution must be passed as an emergency in order to meet deadlines imposed by the Department of Housing and Urban Development in order to qualify for receipt of the requested and necessary funds; and, WHEREAS, copies of the proposed subrecipient agreements are on file in the offices of the Director of Public Service and Director of Development; and,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, AND STATE OF OHIO, THAT:

Section 1: The Mayor is hereby authorized and directed to enter into CDBG funded subrecipient agreements with the following organizations for the implementation of the following FY 2022 CDBG funded projects:

- A. Behavioral Healthcare Partners Inc.
- B. St. Vincent de Paul
- C. Licking County Coalition of Care
- D. Newark Development Partners CIC
- E. Licking County Coalition for Housing

- F. Canal Market District
- G. Together We Grow, Inc.
- H. The Woodlands-New Beginnings
- I. St. Vincent Haven

Section 2: This Resolution shall become effective upon the earliest date permitted by Article 4.07 of the Charter of the City of Newark, Ohio.

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022

\_\_\_\_\_, PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_, CLERK OF COUNCIL

DATE FILED WITH MAYOR: \_\_\_\_\_

DATE APPROVED BY MAYOR: \_\_\_\_\_

SIGNED BY MAYOR; \_\_\_\_\_

FORM APPROVED BY LAW DIRECTOR: \_\_\_\_\_

RESOLUTION 22-55

BY: \_\_\_\_\_

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO SUBMIT AN APPLICATION TO THE OHIO DEPARTMENT OF PUBLIC SAFETY OFFICE FOR FEDERAL FISCAL YEAR 2022 AMERICAN RESCUE PLAN ACT (ARPA) FIRST RESPONDER WELLNESS, RECRUITMENT, RETENTION & RESILIENCY GRANT.

Whereas, Governor Mike DeWine designated the Ohio Office of Criminal Justice Services (OCJS) to administer a portion of the ARPA funding and the General Assembly appropriated a total of \$175 million to provide grants to support communities that have experienced an increase in violent crime, more difficulty providing services to respond to or mitigate the effects of violence during the COVID-19 pandemic, or both; and,

WHEREAS, the City of Newark was notified by the Ohio Department of Public Safety that the City is eligible to submit an application for Fiscal Year 2022 ARPA First Responder Wellness, Recruitment, Retention & Resiliency Grant Funds; and,

WHEREAS, each unit of local government receiving funds must establish special revenue funds into which all payment received by the unit of local government under the ARPA First Responder Wellness, Recruitment, Retention & Resiliency Grant is deposited, and it is necessary to establish special revenue accounts for that purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING AND STATE OF OHIO THAT:

Section 1: This Council authorizes and directs the Mayor, or his representative to prepare an application to the Ohio Department of Public Safety Office of Criminal Justice Services, for funding assistance through the ARPA First Responder Wellness, Recruitment, Retention & Resiliency Grant and, to make in connection therewith, all certifications, understandings, and assurances, contained therein.

Section 2: In furtherance of the directives established herein, the Mayor is authorized to take whatever action is legally available to attain such funding in the best interest of the City and its participation in available ARPA funds.

Section 3: The Mayor is designated as the authorizing official to enter into an agreement with the Ohio Department of Public Safety Office of Criminal Justice Services, to administer the grant programs and to accept said funds when they become available.

Section 4: There are hereby established a special revenue funds to be known as the ARPA Law Enforcement Violence Reduction & Staffing Grant funds. The Auditor is authorized and directed to deposit all receipts from the OCJS ARPA Law Enforcement Violence Reduction & Staffing Grant into these funds. Monies deposited into the funds are to be used solely for the purpose of reducing violent crime and /or providing services to respond to or mitigate the effects of violence during the COVID-19 pandemic.

Section 5: This resolution shall become effective at the earliest time permitted by Section 4.07 of the Charter of the City of Newark, Ohio.

ADOPTED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022

\_\_\_\_\_, COUNCIL PRESIDENT

ATTEST \_\_\_\_\_, CLERK OF COUNCIL

DATE FILED WITH MAYOR \_\_\_\_\_

DATE APPROVED BY MAYOR \_\_\_\_\_

\_\_\_\_\_, MAYOR

FORM APPROVED \_\_\_\_\_, DIRECTOR OF LAW

Resolution No.22-58

BY: \_\_\_\_\_

A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

WHEREAS, to properly, efficiently and expeditiously conduct business of the City of Newark in the best interest of its citizens, there is an immediate requirement for a certain financial transaction as indicated.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, STATE OF OHIO.

Section 1. There is hereby an appropriation of the unappropriated balance of the 621 Water Fund, in the amount of \$135,000.00 (Moull, Jefferson, Church Streets water line relocations for bridge projects)

621.706.5521	Water Lines	135,000.00
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Section 2. There is hereby an appropriation of the unappropriated balance of the 100 General Fund, in the amount of \$500.00 (Request appropriation of funds from VFW Post 1060 earmarked for First Responders into misc. acct)

100.204.5319	Miscellaneous	500.00
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Section 3. There is hereby an appropriation of the unappropriated balance of the 100 General Fund, in the amount of \$20,000.00 (Intel economic impact study-city share)

100.121.5238	Services General	20,000.00
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This resolution is a measure providing for an appropriation for current expenses of the municipal corporation; it shall go into effect pursuant to Section 4.07 of the Charter of the City of Newark, Ohio.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

President of Council \_\_\_\_\_

Attest Clerk of Council \_\_\_\_\_

Date filed with Mayor \_\_\_\_\_

Date approved by Mayor \_\_\_\_\_

Mayor \_\_\_\_\_

Approved as to form Director of Law \_\_\_\_\_, \_\_\_\_\_

BY: \_\_\_\_\_

## PRELIMINARY LEGISLATION

Consent

Rev. 6/26/00

Resolution#: 22-59

County/Route/Section: D05 BP FY 2023

The following is a Resolution enacted by the City of Newark of Licking County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

### SECTION I – Project Description

WHEREAS, the Ohio Department of Transportation (ODOT) has determined the need for the described project:

District wide bridge painting on the following structures: COS-36-24.42L (SFN 1600516), LIC-79-13.71 (SFN 4505026), MUS-70-18.45R (SFN 6003214), MUS-70-18.45L (SFN 6003249), MUS-70-19.58 (SFN 6003338). Repair and paint beam 5 at forward abutment on Gue-7. The LIC-79-13.71 structure is located within the city of Newark and carries SR 79 SB over SR 16.

NOW THEREFORE, be it ordained by the City of Newark of Licking County, Ohio.

### SECTION II – Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

### SECTION II – Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the development and construction of the above described project as follows:

1. The LPA gives consent for the above improvement, and
2. The LPA further agrees to pay 100% of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

### SECTION IV – Utilities and Right-of-Way Statement

If City owned utilities, within a corporation limit or in a private easement outside corporation limits, need to be relocated due to this ODOT project, the City will be reimbursed for any relocation work; ODOT will perform the coordination, relocation, and reimbursement which shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

If other public and private utilities need to be relocated due to this ODOT project they will not be reimbursed for relocation; with exceptions due to an easement, etc.

## SECTION V – Maintenance

Upon completion of the Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the Project in accordance with all applicable State and Federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

## SECTION VI Authority to Sign

The LPA hereby authorizes, \_\_\_\_\_ of the City of Newark is hereby empowered on behalf of the City of Newark to enter into agreements with the Director of Transportation which are necessary to complete the above described project.

## SECTION VII-Emergency measure

This Resolution is hereby declared to be an emergency measure to expedite the highway project and to promote highway safety. Following appropriate legislative action, as an emergency measure, it shall take effect and be in force immediately upon its passage and approval.

Passed: \_\_\_\_\_, 20\_\_\_\_.  
(Date)

President of Council: \_\_\_\_\_

Attested: \_\_\_\_\_  
(Clerk of Council)

Date filed with Mayor: \_\_\_\_\_

Date Approved by Mayor: \_\_\_\_\_

Mayor: \_\_\_\_\_

Approved as to form – Director of Law: \_\_\_\_\_

Contracting Agent – Service Director: \_\_\_\_\_

CERTIFICATE OF COPY  
STATE OF OHIO

City of Newark of Licking County, Ohio

I, \_\_\_\_\_, as Clerk of the City of Newark of Licking County, Ohio, do hereby  
certify that the foregoing is a true and correct copy of Resolution \_\_\_\_\_ adopted by the legislative  
Authority of the said City of Newark on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

That the publication of such Resolution has been made and certified of record according to Law; that no proceedings  
looking to a referendum upon such Resolution have been taken; and that such Resolution and certificate of  
publication thereof are of record in \_\_\_\_\_, Page \_\_\_\_\_.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable,  
this \_\_\_\_\_ day of \_\_\_\_\_ 2 \_\_\_\_\_.

\_\_\_\_\_  
(Clerk)

(SEAL)

City of Newark of Licking County, Ohio

The foregoing is accepted as a basis for proceeding with the project herein described.  
For the City of Newark of Licking County, Ohio.

Attested: \_\_\_\_\_ Date \_\_\_\_\_

\*\*\*\*\*

For the State of Ohio

Attested: \_\_\_\_\_ Date \_\_\_\_\_  
(Director, Ohio Department of Transportation)

BY \_\_\_\_\_

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUBMIT APPLICATIONS TO THE UNITED STATES BUREAU OF JUSTICE ASSISTANCE FOR FISCAL YEAR 2022 EDWARD BYRNE JUSTICE ASSISTANCE GRANT FUNDING.

WHEREAS, the federal Edward Byrne Memorial Justice Assistance Grant provides federal financial assistance to state and local law enforcement agencies for activities which, among other purposes, improve the effectiveness of the criminal justice system; and,

WHEREAS, the United States Department of Justice Bureau of Justice Assistance has prepared Fiscal Year 2022 funding directives which provides that funds are available for certain crime prevention activities; and,

WHEREAS, a Memorandum of Understanding between the City of Newark and Licking County must be executed in order to apply for the \$15,425. allocation set by the Bureau of Justice Assistance.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, AND STATE OF OHIO, THAT:

- Section 1: This Council does hereby authorize and direct the Mayor, and his representative, to prepare applications to the United States Bureau of Justice Assistance funding assistance through the Edward Byrne Justice Assistance Grant for Fiscal Year 2022, and to make in connection therewith, all certifications, understandings, and assurances contained therein.
- Section 2: In furtherance of the directives established herein, the Mayor is authorized to take whatever action is legally available to attain such funding in the best interest of the City and its participation in available crime prevention funding programs.
- Section 3: That the Mayor be and hereby is designated as the authorizing official to enter into an agreement with the United States Bureau of Justice Assistance to administer the grant program and to accept said funds when they become available.
- Section 4: This Resolution shall become effective upon the earliest date permitted by Article 4.07 of the Charter of the City of Newark, Ohio.

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022

\_\_\_\_\_, PRESIDENT OF COUNCIL

ATTEST \_\_\_\_\_, CLERK OF COUNCIL

DATE FILED WITH MAYOR \_\_\_\_\_

DATE APPROVED BY MAYOR \_\_\_\_\_

\_\_\_\_\_, MAYOR

FORM APPROVED: \_\_\_\_\_, DIRECTOR OF LAW

Resolution No.22-61 Exp

BY: \_\_\_\_\_

A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

WHEREAS, to properly, efficiently and expeditiously conduct business of the City of Newark in the best interest of its citizens, there is an immediate requirement for a certain financial transaction as indicated.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, STATE OF OHIO.

Section 1. There is hereby an appropriation of the unappropriated balance of the 153 Comp Abs Fund, in the amount of \$3,100.00 (Payout for resigning Municipal Court employee Rachel Cox)

153.107.5144	Termination Vacation	3,000.00
153.107.5145	Termination Comp	100.00

Section 2. There is hereby an appropriation of the unappropriated balance of the 153 Comp Abs Fund, in the amount of \$35,700.00 (Payout for retiring Police Sgt. Jeffrey Pritt)

153.202.5143	Termination Sick	15,000.00
153.202.5144	Termination Vacation	2,200.00
153.202.5145	Termination Comp	18,500.00

This resolution is a measure providing for an appropriation for current expenses of the municipal corporation; it shall go into effect pursuant to Section 4.07 of the Charter of the City of Newark, Ohio.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

President of Council \_\_\_\_\_

Attest Clerk of Council \_\_\_\_\_

Date filed with Mayor \_\_\_\_\_

Date approved by Mayor \_\_\_\_\_

Mayor \_\_\_\_\_

Approved as to form Director of Law \_\_\_\_\_, \_\_\_\_\_

Resolution No.22-62

BY: \_\_\_\_\_

A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

WHEREAS, to properly, efficiently and expeditiously conduct business of the City of Newark in the best interest of its citizens, there is an immediate requirement for a certain financial transaction as indicated.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, STATE OF OHIO.

Section 1. There is hereby an appropriation of the unappropriated balance of the 220 COVID 19- ARP Fund, in the amount of \$110,000.00. (Law Technology and Engineering Technology)

220.103.5536.210	Law Computer Software/Hardware	50,000.00
220.103.5536.220	Eng. Computer Software/Hardware	60,000.00

This resolution is a measure providing for an appropriation for current expenses of the municipal corporation; it shall go into effect pursuant to Section 4.07 of the Charter of the City of Newark, Ohio.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

President of Council \_\_\_\_\_

Attest Clerk of Council \_\_\_\_\_

Date filed with Mayor \_\_\_\_\_

Date approved by Mayor \_\_\_\_\_

Mayor \_\_\_\_\_

Approved as to form Director of Law \_\_\_\_\_, \_\_\_\_\_

**RESOLUTION NO-22-63**

**BY:** \_\_\_\_\_

**A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF  
PUBLIC SERVICE TO NEGOTIATE AND ENTER INTO CONTRACT  
WITHOUT COMPETITIVE BIDDING FOR THE PURCHASE AND  
INSTALLATION OF A POOL LINER FOR THE HOLLANDER POOL**

**WHEREAS**, the City of Newark is the owner of the real property generally known as the Hollander Pool; and,

**WHEREAS**, the current pool liner is need of replacement and it would be advantageous to utilize RenoSys to replace the liner as they are familiar with this particular project and installed the previous liner; and,

**WHEREAS**, this matter was considered in regular session by the Service Committee who voted to refer the same to full Council for consideration.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE  
CITY OF NEWARK, COUNTY OF LICKING AND STATE OF OHIO,  
THAT:**

**Section 1:** The Director of Public Service is hereby authorized to negotiate and enter in contract with RenoSys for the purchase and installation of a pool liner for Hollander Pool, subject to the appropriation of funds.

**Section 2:** It is in the best interest of the City and its residents that competitive bidding not be required and the same is hereby waived pursuant to Article 10.02 of the Charter of the City of Newark, Ohio and the Director of Public Service is hereby authorized and directed to negotiate and enter directly into contract with RenoSys for the purchase and installation of the pool liner.

**Section 3:** This Resolution shall be effective as a non-emergency at the earliest date pursuant to Article 4.07 of the Charter of the City of Newark, Ohio.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2022

\_\_\_\_\_  
President of Council

Attest: \_\_\_\_\_  
Clerk of Council

Date Filed with Mayor: \_\_\_\_\_

Date Approved by Mayor: \_\_\_\_\_

\_\_\_\_\_  
Mayor

Form Approved: \_\_\_\_\_  
Director of Law

BY: \_\_\_\_\_

A RESOLUTION OF INTENT TO APPROPRIATE THE REAL ESTATE KNOWN AS PARCEL # 054-216618-00.000, NEWARK, LICKING COUNTY, FOR MAINTAINING AND IMPROVING THORNWOOD CROSSING WITHIN THE CITY OF NEWARK, OHIO; AUTHORIZING THE MAYOR TO GIVE NOTICE TO THE OWNER OF SUCH LANDS AS REQUIRED BY LAW; AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code Chapter 163 authorizes a public agency to appropriate property or a portion thereof for public use; and,

WHEREAS, Ohio Revised Code Chapter 719 authorizes a municipal corporation to appropriate property for opening, widening, straightening, changing the grade of, and extending streets as well as the construction or operation of streets; and,

WHEREAS, Ohio Revised Code Section 719.04 requires the legislative authority of a municipal corporation when it is deemed necessary to appropriate property to pass a resolution declaring such intent, defining the purpose of the appropriation and setting forth a property description of the land and the estate or interest desired to be appropriated; and,

WHEREAS, Ohio Revised Code 719.05 only requires one reading of the Resolution required by Ohio Revised Code Section 719.04; and,

WHEREAS, Ohio Revised Code Section 719.05 further requires the Mayor, upon passage of the Resolution to cause written notice to be given to the owner or agent of, person in possession of or person having an interest of record in, every piece of property sought to be appropriated; and,

WHEREAS, this Council recognizes the necessity for maintenance and improvements to Thornwood Crossing; and,

WHEREAS, this Council also recognizes the necessity for the appropriation of the property described as in Exhibit A attached hereto for the purposes of maintenance and improvements to Thornwood Crossing, such property presently owned by Raymond and Gay Ellen Clodfelter; and

WHEREAS, it is immediately necessary to provide for the health, safety and welfare of the citizens of the City of Newark, Ohio, to commence appropriation of the real estate described in Exhibit A; and,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF NEWARK, COUNTY OF LICKING AND STATE OF OHIO, THAT:

SECTION ONE: This Council, considering it a necessity, hereby declares its intention to appropriate for the maintenance and improvements to Thornwood Crossing within the City of Newark, Ohio, a temporary easement on the premises as fully described in the attached Exhibit A, the property now owned by Raymond and Gay Ellen Clodfelter.

SECTION TWO: The Mayor, by and through his designee, is authorized and directed to cause written notice of the passage of this Resolution to be given to the owners of the property and/or the structures thereon and occupants with a possessory interest in the same to be served and returned in accordance with the applicable provisions of the Ohio Revised Code.

SECTION THREE: An emergency is declared to exist to preserve the health, safety and welfare of the City of Newark inhabitants. Therefore, this Resolution shall be immediately effective upon passage as provided in City of Newark Charter, Article 4.07.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

DATE FILED WITH THE MAYOR: \_\_\_\_\_

DATE APPROVED BY THE MAYOR: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

FORM APPROVED: \_\_\_\_\_  
DIRECTOR OF LAW

Prepared by the Office of the Director of Law at the request of the Division of Engineering.

BY: \_\_\_\_\_

A RESOLUTION OF INTENT TO APPROPRIATE THE REAL ESTATE KNOWN AS PARCEL # 054-225744-00.000 AND PARCEL # 054-225738-00.000, NEWARK, LICKING COUNTY, FOR MAINTAINING AND IMPROVING THORNWOOD CROSSING WITHIN THE CITY OF NEWARK, OHIO; AUTHORIZING THE MAYOR TO GIVE NOTICE TO THE OWNER OF SUCH LANDS AS REQUIRED BY LAW; AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code Chapter 163 authorizes a public agency to appropriate property or a portion thereof for public use; and,

WHEREAS, Ohio Revised Code Chapter 719 authorizes a municipal corporation to appropriate property for opening, widening, straightening, changing the grade of, and extending streets as well as the construction or operation of streets; and,

WHEREAS, Ohio Revised Code Section 719.04 requires the legislative authority of a municipal corporation when it is deemed necessary to appropriate property to pass a resolution declaring such intent, defining the purpose of the appropriation and setting forth a property description of the land and the estate or interest desired to be appropriated; and,

WHEREAS, Ohio Revised Code 719.05 only requires one reading of the Resolution required by Ohio Revised Code Section 719.04; and,

WHEREAS, Ohio Revised Code Section 719.05 further requires the Mayor, upon passage of the Resolution to cause written notice to be given to the owner or agent of, person in possession of or person having an interest of record in, every piece of property sought to be appropriated; and,

WHEREAS, this Council recognizes the necessity for maintenance and improvements to Thornwood Crossing; and,

WHEREAS, this Council also recognizes the necessity for the appropriation of the property described as in Exhibit A attached hereto for the purposes of maintenance and improvements to Thornwood Crossing, such property presently owned by John Lindsey, and managed by executor Kirk Lindsey; and

WHEREAS, it is immediately necessary to provide for the health, safety and welfare of the citizens of the City of Newark, Ohio, to commence appropriation of the real estate described in Exhibit A; and,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF NEWARK, COUNTY OF LICKING AND STATE OF OHIO, THAT:

SECTION ONE: This Council, considering it a necessity, hereby declares its intention to appropriate for the maintenance and improvements to Thornwood Crossing within the City of Newark, Ohio, a fee simple interest, as well as perpetual and temporary easements, on the premises as fully described in the attached Exhibit A, the property now owned by John Lindsey, and managed by executor Kirk Lindsey.

SECTION TWO: The Mayor, by and through his designee, is authorized and directed to cause written notice of the passage of this Resolution to be given to the owners of the property and/or the structures thereon and occupants with a possessory interest in the same to be served and returned in accordance with the applicable provisions of the Ohio Revised Code.

SECTION THREE: An emergency is declared to exist to preserve the health, safety and welfare of the City of Newark inhabitants. Therefore, this Resolution shall be immediately effective upon passage as provided in City of Newark Charter, Article 4.07.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

DATE FILED WITH THE MAYOR: \_\_\_\_\_

DATE APPROVED BY THE MAYOR: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

FORM APPROVED: \_\_\_\_\_  
DIRECTOR OF LAW

Prepared by the Office of the Director of Law at the request of the Division of Engineering.

BY: \_\_\_\_\_

A RESOLUTION OF INTENT TO APPROPRIATE THE REAL ESTATE KNOWN AS PARCEL # 054-228294-00.000 AND PARCEL # 054-228294-00.001, NEWARK, LICKING COUNTY, FOR MAINTAINING AND IMPROVING THORNWOOD CROSSING WITHIN THE CITY OF NEWARK, OHIO; AUTHORIZING THE MAYOR TO GIVE NOTICE TO THE OWNER OF SUCH LANDS AS REQUIRED BY LAW; AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code Chapter 163 authorizes a public agency to appropriate property or a portion thereof for public use; and,

WHEREAS, Ohio Revised Code Chapter 719 authorizes a municipal corporation to appropriate property for opening, widening, straightening, changing the grade of, and extending streets as well as the construction or operation of streets; and,

WHEREAS, Ohio Revised Code Section 719.04 requires the legislative authority of a municipal corporation when it is deemed necessary to appropriate property to pass a resolution declaring such intent, defining the purpose of the appropriation and setting forth a property description of the land and the estate or interest desired to be appropriated; and,

WHEREAS, Ohio Revised Code 719.05 only requires one reading of the Resolution required by Ohio Revised Code Section 719.04; and,

WHEREAS, Ohio Revised Code Section 719.05 further requires the Mayor, upon passage of the Resolution to cause written notice to be given to the owner or agent of, person in possession of or person having an interest of record in, every piece of property sought to be appropriated; and,

WHEREAS, this Council recognizes the necessity for maintenance and improvements to Thornwood Crossing; and,

WHEREAS, this Council also recognizes the necessity for the appropriation of the property described as in Exhibit A attached hereto for the purposes of maintenance and improvements to Thornwood Crossing, such property presently owned by Steven and Jennifer Cannon, fka Jennifer Posey; and

WHEREAS, it is immediately necessary to provide for the health, safety and welfare of the citizens of the City of Newark, Ohio, to commence appropriation of the real estate described in Exhibit A; and,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF NEWARK, COUNTY OF LICKING AND STATE OF OHIO, THAT:

SECTION ONE: This Council, considering it a necessity, hereby declares its intention to appropriate for the maintenance and improvements to Thornwood Crossing within the City of Newark, Ohio, a fee simple interest in the premises as fully described in the attached Exhibit A, the property now owned by Steven and Jennifer Cannon, fka Jennifer Posey.

SECTION TWO: The Mayor, by and through his designee, is authorized and directed to cause written notice of the passage of this Resolution to be given to the owners of the property and/or the structures thereon and occupants with a possessory interest in the same to be served and returned in accordance with the applicable provisions of the Ohio Revised Code.

SECTION THREE: An emergency is declared to exist to preserve the health, safety and welfare of the City of Newark inhabitants. Therefore, this Resolution shall be immediately effective upon passage as provided in City of Newark Charter, Article 4.07.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

DATE FILED WITH THE MAYOR: \_\_\_\_\_

DATE APPROVED BY THE MAYOR: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

FORM APPROVED: \_\_\_\_\_  
DIRECTOR OF LAW

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