

COUNCIL AGENDA

March 17, 2025

Committee and Council Meetings can be viewed by accessing YouTube

Council Chambers

7:00 P.M.

ROLL CALL

INVOCATION – Ms. Bline

PLEDGE OF ALLEGIANCE – Dylan DiBlasio, 5th grade, Ben Franklin Elementary

CAUCUS

MINUTES of March 3, 2025

APPOINTMENTS

There are none this meeting.

REPORTS OF STANDING COMMITTEES

Finance

Service

Capital Improvement

REPORTS FROM CITY OFFICIALS

Ryan Bubb, City Auditor – Operating report for the period ending February 28, 2025

Jill Frew, Tax Administrator's Office – Income Tax Revenue Reports for the period ending February 28, 2025

COMMUNICATIONS

Melissa Owens, Licking County Aging Partners – An email regarding the national #SaveLunch campaign supporting Meals on Wheels programs.

COMMENTS FROM CITIZENS

ORDINANCES ON SECOND READING

25-06 AN ORDINANCE AMENDING PART 8, TITLE TWO: BUSINESS REGULATIONS OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO WITH MARKETING CARTRIDGE-BASED ELECTRONIC NICOTINE DELIVERY SYSTEMS (ENDS) PRODUCTS AND OTHER ENDS PRODUCTS THAT HAVE NOT OBTAINED PREMARKET AUTHORIZATION

25-07 AN ORDINANCE ACCEPTING THE DEED OF DEDICATION OF EASEMENT AND RIGHT-OF-WAY FOR PUBLIC USE OF STEMFLX WAY, A NEWLY DEVELOPED STREET LOCATED ON THE WEST SIDE OF MT. VERNON ROAD, BETWEEN NORTH 21ST STREET AND MYRTLE AVENUE.

ORDINANCES ON FIRST READING

25-08 AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 134 EAST MAIN STREET, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-186858-00.000, #054-186876-00.000, #054-186864-00.000, #054-186870-00.000, AND #054-195762-00.000 FROM THAT OF MB – MEDIUM INTENSITY BUSINESS ZONING DISTRICT TO DC – DOWNTOWN ZONING DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

25-09 AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 330 THORNWOOD DRIVE, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-216702-00.000 FROM THAT OF MFC - MULTI-FAMILY CONDO ZONING DISTRICT TO MFH – MULTI-FAMILY HIGH RISE ZONING DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO

25-10 AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 360 THORNWOOD DRIVE, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-216624-00.000 FROM THAT OF MFC - MULTI-FAMILY CONDO ZONING DISTRICT TO MFH – MULTI-FAMILY HIGH RISE ZONING DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO

RESOLUTIONS ON SECOND READING

25-07 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO APPLY FOR FINANCIAL SUPPORT FROM THE STATE OF OHIO 2025 URBAN FORESTRY GRANT.

25-08 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (Horns Hill building improvements storage bldg. and radio operations bldg.), (Natureworks Grant \$45,115 to be reimbursed from state, City share \$63,410)

25-09 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (BWC Grant Awarded – Equipment for the Fire Department), (PEP Grant)

RESOLUTIONS ON FIRST READING

25-11 A RESOLUTION EXPANDING THE EXISTING DESIGNATED OUTDOOR REFRESHMENT AREA FOR DOWNTOWN NEWARK AND ENACTING REGULATIONS WITH REGARD THERETO

25-12 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$7,799.00 Annual mower replacement plan), (\$33,000.00 individual heating controls on the tower city's share), (\$30,000.00 Don Edwards Park lot with red house on it – 686 Downey St. Newark)

25-13 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$1,500.00 Request appropriation to put donation from American Legion into the Misc. account until it has been decided what the needs of the division are and what the funds will be used for)

COMMENTS FROM CITIZENS

MISCELLANEOUS

ADJOURNMENT

BY _____

**AN ORDINANCE AMENDING PART 8, TITLE TWO: BUSINESS
REGULATIONS OF THE CODIFIED ORDINANCES OF THE CITY OF
NEWARK, OHIO WITH MARKETING CARTRIDGE-BASED ELECTRONIC
NICOTINE DELIVERY SYSTEMS (ENDS) PRODUCTS AND OTHER ENDS
PRODUCTS THAT HAVE NOT OBTAINED PREMARKET AUTHORIZATION**

WHEREAS, the Codified Ordinances of the City of Newark, Ohio currently contain various provisions in regard to safety, sanitation, and health; and,

WHEREAS, the City of Newark currently has multiple businesses within its jurisdiction selling cartridge-based electronic nicotine delivery systems (or ENDS) products; and,

WHEREAS, the City of Newark is a charter city and exercises Home Rule pursuant to Article XVIII, Section 3 of the Ohio Constitution for other businesses in the City in regards to ensuring compliance with both State and Federal regulations for the health and safety of the Citizens of the City of Newark and other visitors who patronize businesses within the City; and,

WHEREAS, concerns regarding the significant health and safety issues caused by the sale of cartridge-based electronic nicotine delivery systems (or ENDS) products and other ENDS products which have not received premarket authorization from the Food and Drug Administration (FDA) under section 910 of the Federal Food, Drug and Cosmetic Act (FD & C Act) (21 U.S.C. 387 through 387u) warrant monitoring by the City and the Licking County Health Department to ensure compliance with both State and Federal Law; and,

WHEREAS, the Ohio Legislature passed ordinance R.C. 9.681 which went into effect April 24, 2024, prohibiting the regulation of tobacco and alternative nicotine products by cities under the Home Rule doctrine; and,

WHEREAS, multiple Ohio cities have sued the State of Ohio challenging the constitutionality of the State law claiming it violates a municipality's right to exercise Home Rule pursuant to the Ohio Constitution Article XVIII, Section 3; and,

WHEREAS, Judge Serrott of the Franklin County Court of Common Pleas in the City of Columbus, et al., vs. State of Ohio, et al, issued a declaratory judgment that R.C. 9.681 is an unconstitutional infringement on the rights of the Plaintiff municipalities to exercise their right to Home Rule pursuant to the Ohio Constitution Article XVIII, Section 3; and

WHEREAS, the case is now being appealed to the Tenth District Court of Appeals;
and,

WHEREAS, it is requested that this Council vote to amend Part 8, Title Two of the Newark Codified Ordinance with the understanding that enforceability of such ordinance is dependent on the ruling of the Court in the pending matter cited above and will not be enforced unless and until it is deemed lawful; and,

WHEREAS, should the Ohio Court find R.C. 9.681 is in fact constitutional and therefore Home Rule does not apply to such regulations, enforcement of this Ordinance will not occur and action will be taken to repeal said legislation; and,

WHEREAS, this ordinance was considered and addressed by the Safety Committee of this Council who passed this Ordinance on to the full Council for consideration.

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

SECTION 1: Part 8, Title Two of the Codified Ordinances of the City of Newark, Ohio Titled Business Regulations is hereby amended to include Section 854 which shall read as follows:

**854.00 MARKETING CARTRIDGE-BASED ELECTRONIC BASED NICOTINE
DELIVERY SYSTEMS (OR ENDS) PRODUCTS AND OTHER ENDS PRODUCTS**

854.01 DEFINITIONS

As used in this section:

- (a) Cartridge-based electronic nicotine delivery systems (or ends) products are a type of ends product that consist of includes, or involves a cartridge or pod that holds liquid that is to be aerosolized through product use. For purpose of this definition, a cartridge or pod is a small, enclosed unit (sealed or unsealed) designed to fit within or operate as part of an electronic nicotine delivery system. An example of products that would not be captured by this definition include completely self-contained, disposable products.
- (b) Ends products include devices, components, and/or parts that deliver aerosolized e-liquids when inhaled. For example, the Federal Food and Drug Administration (FDA) considers vapes or vape pens, personal vaporizers, e-cigarettes, cigalikes, e-pens, e-hookahs, e-cigars, and e-pipes to be ends.
- (c) E-liquids are a type of ends product and generally refer to liquid nicotine and nicotine-containing e-liquids (i.e. liquid nicotine combined with colorings, flavorings, and/or other ingredients). Liquids that do not contain nicotine or other material made or derived from tobacco, but that are intended or reasonably expected to be used with or for the human consumption of a tobacco product, may

be components of parts and, therefore, subject to FDA's tobacco control authorities.

- (d) Tobacco product means any product made or derived from tobacco that is intended for human consumption, including any component, part, or accessory of a tobacco product (except for raw product). The term "tobacco product" does not mean an article that under the Federal Food, Drug, and Cosmetic Act (FD&C Act) is a drug (Section 201(g) (21 U.S.C 321 (g)(1))), a device (Section 201(h)), or a combination product (Section 503(g) (21 U.S.C 353(g))). Section 201 (rr) of the FD&C Act.

854.02 MARKETING CARTRIDGE-BASED ELECTRONIC BASED NICOTINE DELIVERY SYSTEMS (OR ENDS) PRODUCTS AND OTHER ENDS PRODUCTS THAT HAS NOT OBTAINED PREMARKET AUTHORIZATION

No person shall market any cartridge-based electronic nicotine delivery systems (or ENDS) products and other ENDS products that has not obtained premarket authorization from the Food and Drug Administration (FDA) under Section 910 of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 387 through 387u).

854.03 INSPECTIONS

The Licking County Board of Health shall conduct annual inspections of all wholesale and retail facilities that market ENDS products.

854.04 ENFORCEMENT

This chapter shall be enforced by the Licking County Board of Health and its designee(s). The Health Commissioner and his or her designee(s), and the Mayor and his or her designee(s) shall have concurrent jurisdiction to enforce all provisions of this chapter.

854.05 SEVERALBILITY

If any provision, clause, sentence, or paragraph of this chapter or the application thereof to any person or circumstances shall be held invalid, the invalidity shall not affect the other provisions of this chapter that can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared severable.

854.99 PENALTY

(a) Upon the receipt of a first report that a proprietor of a public place or place of employment has violated any provision of Section 854.02 of this chapter, the Licking County Board of Health shall issue a warning letter to the proprietor. Thereafter, the penalties contained in subsection (b) here of shall apply.

(b) Whoever violates any provision of Section 854.02 of this chapter is guilty of a minor misdemeanor on the first offense; on a second offense, the person is guilty of a misdemeanor of the fourth degree; for a third or subsequent offense, the person is guilty of a misdemeanor of the third degree.

(c) Strict liability is intended for a violation of Section 854.02 of this chapter.

(d) All fines and costs collected as a result of enforcement of section 854.02 of this chapter, shall be paid directly to the enforcing agency to fund future enforcement and education.

SECTION 2: This Ordinance shall not be enforced unless and until it is deemed lawful by either a Court of competent jurisdiction or by an act of the Ohio Legislature.

SECTION 3: This legislation shall become effective at the earliest time permitted by Article 4.07 of the Charter of the City of Newark, Ohio

ADOPTED this _____ day _____, 2025.

PRESIDENT OF COUNCIL

ATTEST: _____
Clerk of Council

Date filed with Mayor: _____

Date approved by Mayor: _____

JEFF HALL, MAYOR

Approved as to form: _____
Tricia M. Moore
Director of Law

BY: _____

AN ORDINANCE ACCEPTING THE DEED OF DEDICATION OF EASEMENT AND RIGHT-OF-WAY FOR PUBLIC USE OF STEMFLEX WAY, A NEWLY DEVELOPED STREET LOCATED ON THE WEST SIDE OF MT. VERNON ROAD, BETWEEN NORTH 21ST STREET AND MYRTLE AVENUE.

WHEREAS, Newark Planning Commission met on February 11, 2025, and approved and accepted the survey plat and deed of dedication of the easement and right-of-way of a newly developed street named STEMFlex Way, located on the west side of Mt. Vernon Road, between North 21st Street and Myrtle Avenue; and,

WHEREAS, the dedication affects property currently being developed by the Heath-Newark-Licking County Port Authority; and,

WHEREAS, the newly developed street will create public access to additional development sites currently owned by the Heath-Newark-Licking County Port Authority.

WHEREAS, on February 25, 2025, Newark City Planning Commission, acting through its Planning Director, recommended to Newark City Council that it accept the dedication of the additional easements and right-of-way known as STEMFlex Way.

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

Section 1: All or parts of the roads, streets and easements, as shown on the survey plat and deed of dedication for public use of the newly developed street known as STEMFlex Way and not heretofore dedicated, are hereby accepted as dedicated to public use.

Section 2: That is Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this _____ day of _____, 2025.

President of Council

Attest: _____
Clerk of Council

Date Filed with Mayor: _____

Date Approved by Mayor: _____

Mayor

Form Approved: _____
Law Director

Prepared by the Division of Engineering.

ORDINANCE NO. 25-08

BY: _____

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 134 EAST MAIN STREET, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-186858-00.000, #054-186876-00.000, #054-186864-00.000, #054-186870-00.000, AND #054-195762-00.000 FROM THAT OF MB – MEDIUM INTENSITY BUSINESS ZONING DISTRICT TO DC – DOWNTOWN ZONING DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

WHEREAS, an application for zoning classification has been filed with Council; and

WHEREAS, pursuant to Article 4.12 of the Charter of the City of Newark, Ohio, this ordinance shall be referred to the Planning Commission immediately after its first reading; and

WHEREAS, the Planning Commission shall hold a public hearing upon such application and the Clerk of Council shall cause notice of such hearing to be publicized one time at least seven (7) days prior to the date of such public hearing; and

WHEREAS, upon the return of the ordinance to Council by the Planning Commission, council shall cause a second reading to be made of this ordinance and shall take such action as is appropriate pursuant to Article 4.12 of the Charter of the City of Newark, Ohio.

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

Section 1: The zoning map as established by Ordinance 08-33 (A) is hereby revised by changing the zoning classification for the following described property from MB – MEDIUM INTENSITY BUSINESS ZONING DISTRICT TO DC – DOWNTOWN ZONING DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

SEE EXHIBIT “A” FOR LEGAL DESCRIPTION

Section 2: Pursuant to Article 4.12(C) of the Charter of the City of Newark, Ohio, a vote of at least six (6) members shall be necessary to adopt or defeat the ordinance in the event the Planning Commission has recommended approval or has made no recommendation. An affirmative vote of at least seven (7) Council members shall be necessary to adopt a zoning ordinance that the Planning Commission has recommended against approval.

Section 3: The Newark Planning Commission is hereby authorized and directed to make the change described herein on the aforementioned zoning map.

Section 4: This ordinance shall become effective at the earliest time permitted by Section 4.07 of the Charter of the City of Newark, Ohio.

Passed this _____ day of _____, 20____.

PRESIDENT OF COUNCIL

ATTEST: _____
Clerk of Council

DATE FILED WITH MAYOR: _____

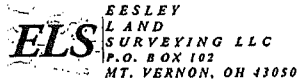
DATE APPROVED BY MAYOR: _____

MAYOR

FORM APPROVED:  _____
Director of Law

DESCRIPTION APPROVED: _____
Brian Morehead, Engineer

Prepared by the Office of the Director of Law



Email: Eric @EasleyLandSurveying.com
August 2, 2024

| | |
|---|---|
| PRE-APPROVAL | |
| LICKING COUNTY ENGINEER | |
| APPROVED <input checked="" type="checkbox"/> | CONDITIONAL <input type="checkbox"/> |
| APPROVED BY: [Signature] | |
| DATE: 08/09/2024 | |

Phone: 740-501-0190
Job No. 24-0204

Surveyor's Description ~ 1.530 Acres in all

All of PID 054-186858-00.000 ~ All of Lots 3063 & 3064 & Vacated Alley – 0.314 Ac.
All of PID 054-186876-00.000 ~ All of Lots 3065 & 3066 – 0.246 Ac.
All of PID 054-186864-00.000 ~ Part of Lot 3130 - 0.173 Acres
All of PID 054-186870-00.000 ~ Part of Lots 3131 & 3132 - 0.451 Ac.
All of PID 054-195762-00.000 ~ Part of Lots 3127 & 3129 – 0.346 Ac.

The parcel herein described is known as being the same lands conveyed to RJR LLC as described in Instrument No. 201902040002095 and is situated in and all of Lots 3063, 3064, 3065 3066, All of the vacated alley (Ord. No. 5202 dated 03/19/40) and Part of Lots 3127, 3129, 3130, 3131 and 3132 in the Grable, Clifton & Linafelter Addition (Plat Book 3 Page 113) to the City of Newark in the U.S Military Lands of Licking, County, Ohio and is better described as follows:

Beginning for a reference at a set 5/8" iron pin at the Southeast Corner of Lot 3066 in Grable, Clifton & Linafelter Addition (Plat Book 3 Page 113) to the City of Newark on the north line of East Main Street (Varying R/W);

Thence, with the south line of Lots 3066, 3065 & 3064 and the north line of East Main Street, **South 88 degree 08 minutes 16 seconds West, 120.00 feet** to a set 2" Magnetic Nail at the Southwest Corner of Lot 3064;

Thence, with the south line of Lot 3063, **North 73 degrees 53 minutes 04 seconds West, 45.41 feet** to the southwest corner of Lot 3063;

Thence, with the west line of the Grable, Clifton and Linafelter Addition, **North 4 degree 12 minutes 20 seconds East**, passing a set 5/8" iron pin at 120.90 feet on the northwest corner of Lot 3063, a total distance of **371.33 feet** to a set 5/8" iron pin at the Northwest Corner of Lot 3127;

Thence, with the north line of Lot 3127 and the south line of Joe Curry (Instr. No. 202003120006056), **South 85 degrees 47 minutes 40 seconds East, 188.00 feet** to a set 5/8" iron pin;

Thence, with the west line of George James Alexzander Bryan & Laquayla L. Megginson (Instr. No. 202102280003269), Christiane Properties LLC (Instr. No. 201906110011405), Jason W. & Sherry K. Campbell (Instr. No. 201804300008325), Steven & Patricia Trout (O.R. 427 Pg. 202) & Brooke Sousa Capital LLC (Instr. No. 202204220010064), **South 4 degrees 12 minutes 20 seconds West**, passing an existing 5/8" iron pin at 120.00 feet, a total distance of **214.35 feet** to a set 5/8" iron pin on the south line of Lot 3132, the same being the north line of an alley (16' R/W);

Thence, with the south line of Lot 3132 and the north line of the said alley, **South 88 degrees 08 minutes 16 seconds West, 24.38 feet** to a set 5/8" iron pin;

Thence, with the west line of Lot 3067 extended and the west line of East Mound Community Dev. Corp. (O.R. 608 Pg. 869), **South 4 degrees 12 minutes 20 seconds West**, passing an existing 3" iron pipe at 12.73 feet, a total distance of **151.09 feet** to the **Point of Beginning**.

Documentation
APPROVED For Zoning Purposes
1 By [Signature]
Div. of Engineering
City of Newark, Ohio
2 AUG 05

Containing 1.530 Acres, of which, 0.173 acres are in Lot 3127, 0.173 acres are in Lot 3129, 0.173 acres are in Lot 3130, 0.173 acres are in Lot 3131, 0.278 acres are in Lot 3132, 0.130 acres in Lot 3063, 0.123 acres are in Lot 3064, 0.123 acres are in Lot 3065, 0.123 acres are in Lot 3066, 0.061 acres are in the vacated alley (Ord. No. 5202 dated 3/19/40) and being subject to all legal roads, easements, and restrictions of record.

"Bearings are based on the Ohio State Plane Coordinate System, Ohio South Zone, NAD83 (CORS), as established using GPS Observations processed against the Ohio CORS network, with the east line of North Avenue as bearing North 4 degree 12 minutes 20 seconds East, and are used to denote angles only.

All iron pins set are 5/8" x 30" rebar with a 2" aluminum ID cap stamped "Paul J. Boeshart - S-6512".

I, Paul J. Boeshart, with Eesley Land Surveying, hereby certify that the above description represents a true and correct survey and all measurements were made under my direct supervision in accordance with Chapter 4733-37 of the Ohio Administration Code in August, 2024.



Paul J. Boeshart, Professional Land Surveyor
Registration No. S-6512

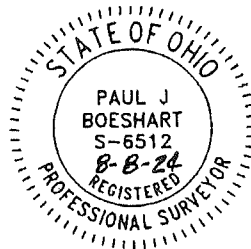


EXHIBIT A

Situated in the State of Ohio, County of Licking, City of Newark and being Lots Numbered 3063, 3064, 3065, 3066, and the entire vacated alley lying to the north of said Lots and the portions of Lots 3132, 3131, 3130, 3129, 3127, 3123 and 3121 which lie westerly of the east line of a fifteen foot right-of-way, these portions being about 188 feet in depth, east to west in the Grable, Clifton and Linafelter Addition as recorded in Plat Book 3 at Plat 113, Plat Records.

Being all of that portion of the alley north of lots 3063 to 3066 to south line of lot 3132 being 16' feet in width. Said alley being vacated by the City of Newark - Ordinance No. 5202, passed on March 19, 1940.



02121190503113001000



02121190503113008000



02121190503113002000



02121190503113028000



02121190503113004000



02121190503113028100



02121190503113005000



02121190503113028200



02121190503113006000



02121190503113029000



02121190503113007000



02121190503113030000

ORDINANCE NO. 25-09

BY: _____

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 330 THORNWOOD DRIVE, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-216702-00.000 FROM THAT OF MFC – MULTI-FAMILY CONDO ZONING DISTRICT TO MFH – MULTI-FAMILY HIGH RISE ZONING DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

WHEREAS, an application for zoning classification has been filed with Council; and

WHEREAS, pursuant to Article 4.12 of the Charter of the City of Newark, Ohio, this ordinance shall be referred to the Planning Commission immediately after its first reading; and

WHEREAS, the Planning Commission shall hold a public hearing upon such application and the Clerk of Council shall cause notice of such hearing to be publicized one time at least seven (7) days prior to the date of such public hearing; and

WHEREAS, upon the return of the ordinance to Council by the Planning Commission, council shall cause a second reading to be made of this ordinance and shall take such action as is appropriate pursuant to Article 4.12 of the Charter of the City of Newark, Ohio.

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

Section 1: The zoning map as established by Ordinance 08-33 (A) is hereby revised by changing the zoning classification for the following described property from MFC – MULTI-FAMILY CONDO ZONING DISTRICT TO MFH – MULTI-FAMILY HIGH RISE ZONING DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

SEE EXHIBIT “A” FOR LEGAL DESCRIPTION

Section 2: Pursuant to Article 4.12(C) of the Charter of the City of Newark, Ohio, a vote of at least six (6) members shall be necessary to adopt or defeat the ordinance in the event the Planning Commission has recommended approval or has made no recommendation. An affirmative vote of at least seven (7) Council members shall be necessary to adopt a zoning ordinance that the Planning Commission has recommended against approval.

Section 3: The Newark Planning Commission is hereby authorized and directed to make the change described herein on the aforementioned zoning map.

Section 4: This ordinance shall become effective at the earliest time permitted by Section 4.07 of the Charter of the City of Newark, Ohio.

Passed this _____ day of _____, 20____.

PRESIDENT OF COUNCIL

ATTEST: _____
Clerk of Council

DATE FILED WITH MAYOR: _____

DATE APPROVED BY MAYOR: _____

MAYOR

FORM APPROVED: 
Director of Law

DESCRIPTION APPROVED: _____
Brian Morehead, Engineer

Prepared by the Office of the Director of Law

PC-25-16

| PRE-APPROVAL | |
|--------------------------|--|
| LICKING COUNTY ENGINEER | |
| APPROVED | CONDITIONAL |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> BS |
| APPROVED BY: | |
| DATE: | 12/27/24 |

EXHIBIT A

9.186 acres
 Thornwood Dr Newark, OH 43055
 Parcel No. 054-216702-00.000

** Poor Exception*

Situated in the State of Ohio, County of Licking, City of Newark, being part of Quarter Township 3, Township 2 North, Range 12 West, United States Military Lands, being 9.186 acres conveyed to Carman Wee in Official Record Volume 452, Page 574 and being more particularly described as follows:

Commencing at an Iron pin set at the centerline intersection of Reddington Road (Township Road 131) with Thornwood Drive (Township Road 134);

Thence North 89 degrees 40' 09" East, with the centerline of Reddington Road, a distance of 491.44 feet to a railroad spike, set in the westerly line of premises conveyed to Thomas J. Evans Foundation by Official Record Volume 809, Page 1018 (formerly T & C.O. Railroad);

Thence, South 47 degrees 22' 33" East, with the westerly line of said Evans tract, a distance of 841.40 feet to an Iron pin set in the easterly line of a 18.25 acre tract (Parcel One) conveyed to Hans S. Wee by Official Record Volume 694, Page 361 at the northerly corner of a 0.205 acre tract (Parcel Two) conveyed to Hans S. Wee by Official Record Volume 694, page 361;

Thence, South 01 degrees 55' 55" West, with the easterly line of said 18.25 acre tract and the westerly line of said 0.205 acre tract, and the westerly line of a 6.236 acre tract conveyed to Carman Wee by Official Record Volume 452, Page 572, (passing over a 1/2" rebar at 93.53 feet) a total distance of 293.83 feet, to an Iron pin set at the southeasterly corner of said 18.25 acre tract and the northeasterly corner of said 9.186 acre tract, and being the True Place of Beginning of the tract herein to be described;

Thence, from said True Place of Beginning, South 01 degrees 55' 55" West, with the westerly line of said 6.236 acre tract and the easterly line of said 9.186 acre tract, a distance of 349.53 feet to a 1/2" rebar found at the southwesterly corner of said 9.186 acre tract and being in the northerly line of a 10.00 acre tract conveyed to Roy A. Vaughn & Dorothy M. Vaughn by Instrument Number 20008180026402;

Thence, North 86 degrees 49' 40" West, with the northerly line of said 10.00 acre tract and the southerly line of said 9.186 acre tract a distance of 431.12 feet to an Iron pin set at the northwesterly corner of said 10.00 acre tract, at the northwesterly corner of a 9.56 acre tract conveyed to Mary L. Smith by Instrument Number 199912290052185;

Thence, North 85 degrees 51' 26" West, with the northerly line of said 9.56 acre tract and the southerly line of said 9.186 acre tract (passing over an Iron pin set at 685.32 feet), a total distance of 710.33 feet to an Iron pin found in the centerline of Thornwood Drive (County Road 134), at the southwesterly corner of said 9.186 acre tract and the northwesterly corner of said 9.56 acre tract;

Thence, North 03 degrees 24' 14" East, with the centerline of said Thornwood Drive a distance of 350.01 feet to an Iron pin found at the northwesterly corner of said 9.186 acre tract and being the southwesterly corner of said 18.25 acre tract;

Thence, South 86 degrees 11' 27" East, with the southerly line of said 18.25 acre tract and the northerly line of said 9.186 acre tract (passing over an Iron pin set at 25.12 feet), a total distance of 1132.44 feet to The True Place of Beginning.

Containing 9.186 acres of land, more or less.

Subject, however, to all easements, restrictions and rights-of-way of record, if any.

LESS AND EXCEPTING THEREFROM THE 3.862 Acres platted on Plat for The Overlook Subdivision of record as Instrument No. 202309230017425, Recorder's Office, Licking County, Ohio.

DESIGNATION
 APPROVED FOR ZONING PURPOSES
 By *[Signature]*
 Div. of Engineering
 City of Newark, Ohio

ORDINANCE NO. 25-10

BY: _____

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 360 THORNWOOD DRIVE, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-216624-00.000 FROM THAT OF MFC – MULTI-FAMILY CONDO ZONING DISTRICT TO MFH – MULTI-FAMILY HIGH RISE ZONING DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

WHEREAS, an application for zoning classification has been filed with Council; and

WHEREAS, pursuant to Article 4.12 of the Charter of the City of Newark, Ohio, this ordinance shall be referred to the Planning Commission immediately after its first reading; and

WHEREAS, the Planning Commission shall hold a public hearing upon such application and the Clerk of Council shall cause notice of such hearing to be publicized one time at least seven (7) days prior to the date of such public hearing; and

WHEREAS, upon the return of the ordinance to Council by the Planning Commission, council shall cause a second reading to be made of this ordinance and shall take such action as is appropriate pursuant to Article 4.12 of the Charter of the City of Newark, Ohio.

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

Section 1: The zoning map as established by Ordinance 08-33 (A) is hereby revised by changing the zoning classification for the following described property from MFC – MULTI-FAMILY CONDO ZONING DISTRICT TO MFH – MULTI-FAMILY HIGH RISE ZONING DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

SEE EXHIBIT “A” FOR LEGAL DESCRIPTION

Section 2: Pursuant to Article 4.12(C) of the Charter of the City of Newark, Ohio, a vote of at least six (6) members shall be necessary to adopt or defeat the ordinance in the event the Planning Commission has recommended approval or has made no recommendation. An affirmative vote of at least seven (7) Council members shall be necessary to adopt a zoning ordinance that the Planning Commission has recommended against approval.

Section 3: The Newark Planning Commission is hereby authorized and directed to make the change described herein on the aforementioned zoning map.

Section 4: This ordinance shall become effective at the earliest time permitted by Section 4.07 of the Charter of the City of Newark, Ohio.

Passed this _____ day of _____, 20____.

PRESIDENT OF COUNCIL

ATTEST: _____
Clerk of Council

DATE FILED WITH MAYOR: _____

DATE APPROVED BY MAYOR: _____

MAYOR

FORM APPROVED: _____
Director of Law

DESCRIPTION APPROVED: _____
Brian Morehead, Engineer

Prepared by the Office of the Director of Law

DC-25-15

EXHIBIT A

Real property in the City of Newark, County of Licking, State of Ohio, and is described as follows:

Situated in the County of Licking, in the State of Ohio, in the City of Newark and formerly in the Township of Granville, and bounded and described as follows:

Being in Range 12, Township 2 and Quarter Township 3, and being further described as follows:

Commencing at an iron pin at the intersection of Township Road 134 and Township Road 131; thence south 3 degrees 30 minutes west along Township Road 134 a distance of 737.71 feet to an iron pin, which iron pin is the place of beginning; thence south 85 degrees 45 minutes east a distance of 710.60 feet to an iron pin in the northwest corner of a tract of land owned by Roy A. Vaughn and Dorothy M. Vaughn; thence south 3 degrees 30 minutes west along said Vaughn west line a distance of 613 feet to an iron pin; thence north 86 degrees 25 minutes west a distance of 501.82 to a point; thence north 3 degrees 30 minutes east a distance of 104.38 feet to a point, thence north 86 degrees 25 minutes west a distance of 208.72 feet to an iron pin in Township Road 134; thence North 3 degrees 30 minutes east along said Township Road a distance of 316.62 feet to the place of beginning, containing 9.56 acres, more or less

The above described tract being a parcel out of the southwest corner of a 37 acre tract of land deed to Carl A. Rosskopf and Fare E. Rosskopf from Charles D. Showman on February 13, 1937, said deed being recorded in Licking County Deed Records, Volume 321, at page 374.

Parcel #: 54-216624-00 000

LESS AND EXCEPTING THEREFROM THE 0.488 Acres platted on the Plat for The Overlook Subdivision of record as Instrument No. 202309250017425, Recorder's Office, Licking County, Ohio.

DECLARATION
APPROVED For Zoning
By Ben Miller PURPOSES
Div. of Engineering
City of Newark, Ohio

BY: _____

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO APPLY FOR FINANCIAL SUPPORT FROM THE STATE OF OHIO 2025 URBAN FORESTRY GRANT.

WHEREAS, The USDA Forest Service provides funding to eligible government agencies and nonprofit organizations; and,

WHEREAS, The City of Newark is eligible to apply for reimbursement assistance to invest in the long term growth and development of local urban and community forestry programs; and,

WHEREAS, the City meets the Disadvantaged Communities Requirement for 100% reimbursement as defined by the Environmental Protection Agency's Disadvantaged Communities Map; and,

WHEREAS, the State of Ohio through the Ohio Department of Natural Resources, administers financial assistance for public recreation purposes, through the State of Urban Forestry Grant program; and,

WHEREAS, the City of Newark desires financial assistance under the Urban Forestry Grant Program; and,

WHEREAS, the City of Newark approves filing this application for financial assistance; and,

WHEREAS, the City of Newark does agree to obligate the funds required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms of the **Urban Forestry Grant Program**.

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 authorized to take whatever action is legally available to attain funding in the best interest of the City and its participation in available grant funding to invest in the long term growth and development of local urban and community forestry programs.

Section 2: The Mayor is designated as the authorizing official to enter into a reimbursement agreement with the State of Ohio Department of Natural Resources and accept said funds.

Section 3: This Resolution shall become effective upon the earliest date permitted by Article 4.07 of the Charter of the City of Newark, Ohio.

ADOPTED THE _____ DAY OF _____, 2025

_____, PRESIDENT OF COUNCIL

_____, ATTEST, CLERK OF COUNCIL

_____, DATE FILED WITH THE MAYOR

_____, DATE APPROVED BY MAYOR

_____, MAYOR

_____, FORM APPROVED BY LAW DIRECTOR

Resolution No.25-08

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 335 Capital Improvement Fund, in the amount of \$35,000.00 (Horns Hill building improvements storage bldg. and radio operations bldg.)

| | | |
|--------------|--------------------------|-----------|
| 335.121.5511 | Building Improvements | 35,000.00 |
|--------------|--------------------------|-----------|

Section 2. There is hereby an appropriation of the unappropriated balance of the 335 Capital Improvement Fund, in the amount of \$108,525.00 (Natureworks Grant \$45,115 to be reimbursed from state, City share \$63,410)

| | | |
|-----------------|--|------------|
| 335.432.5314600 | Recreation Amenities – Pickleball Court | 108,525.00 |
|-----------------|--|------------|

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 _____, 2025.

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.25-09

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 100 General Fund, in the amount of \$11,026.94 (BWC Grant Awarded – Equipment for the Fire Department)

| | | |
|--------------|--------------------------------|-----------|
| 100.204.5331 | Machinery Equipment & Supplies | 11,026.94 |
|--------------|--------------------------------|-----------|

Section 2. There is hereby an appropriation of the unappropriated balance of the 221 Street Fund, in the amount of \$1,000.00 (PEP Grant)

| | | |
|--------------|-----------------------------|----------|
| 221.302.5315 | Street Maintenance Supplies | 1,000.00 |
|--------------|-----------------------------|----------|

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 _____, 2025.

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. 25-11

BY _____

**A RESOLUTION EXPANDING THE EXISTING DESIGNATED OUTDOOR
REFRESHMENT AREA FOR DOWNTOWN NEWARK AND ENACTING
REGULATIONS WITH REGARD THERETO**

WHEREAS, on September 8, 2020, the Newark City Council adopted Resolution 20-59A, which approved the establishment of a Designated Outdoor Refreshment Area ("DORA") pursuant to Ohio Revised Code ("ORC") Section 4301.82; and

WHEREAS, pursuant to the provisions of the ORC Section 4301.82(D)(2), a municipality with a population of less than fifty thousand is permitted to created up to three (3) designated outdoor refreshment areas ("DORA"); and

WHEREAS, on February 19, 2025, the Office of the Mayor of the City of Newark submitted an application to City Council for approval of an expanded DORA in a specified section of Downtown Newark (the "DORA Application"); and

WHEREAS, pursuant to ORC Section 4301.82(C), notice of the filing off the DORA Application, its availability for public inspection during regular business hours, and the date of a public hearing was published in one newspaper of general circulation in the municipality as provided in ORC Section 4301.82(C); and

WHEREAS, a public hearing on the application was held during which the opportunity for public testimony was made available; and

WHEREAS, ORC Section 4301.82(F)(1) requires the City to establish requirements determined necessary to ensure public heath and safety in the area and ORC Section 4301.82(F)(2) requires notice of this proposed action to be published in a newspaper of general circulation in the municipality; and

WHEREAS, the DORA Application as submitted, including the premises of the permit holders located at the street addresses on Exhibit "A", meets the requirements of ORC Section 4301.82(B)(1)-(5), it being further clarified that the boundary of the DORA includes the premises of the permit holders located at the street addresses listed on Exhibit "A"; and,

WHEREAS, approval of the DORA will serve to enhance the experiences of the patrons on the business establishments and the special events within the Downtown Newark area; and,

WHEREAS, the Resolution was addressed in a regular session of the Service Committee of this Council which voted to forward the same on to full Council for consideration and adoption.

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

SECTION ONE: The DORA Application is hereby approved as having met the requirements of ORC Section 4301.82(B)(1)-(5) and approves the establishment of a

DORA comprised of the area depicted in Exhibit "A", attached hereto and made part hereof, such area to include and encompass the premises of the permit holders located at the street addresses listed on Exhibit "A", as is required to be included pursuant to ORC Section 4301.82(F)(1)(a).

SECTION TWO: That all public notice requirements of ORC Section 4301.82 prior to the passage of this Resolution have been met.

SECTION THREE: That in order to ensure public health and safety and in accordance with ORC Section 4301.82(F)(1)(b), the number, spacing, and type of signage designating the DORA boundary shall be set forth on Exhibit "B", attached hereto and made a part hereof.

SECTION FOUR: The DORA encompasses not fewer than two (2) qualified permit holders, all of which are identified on Exhibit "C", attached hereto and made a part hereof, by business name, address, liquor permit type and liquor permit number. ORC Section 4301.82(D)(2). Also, included on Exhibit "C" and in accordance with ORC Section 4301.82(F)(1)(c) are the hours of operation for the DORA, which will apply to all activity within the DORA, only as may be limited by approval of special event permitting. More, the Mayor and/or Chief of Police may suspend the operation of the DORA in the interest of public safety or for a special event. Any additional regulations, events, and/or amended hours must be approved by the DORA Board and be in accord with the ORC.

SECTION FIVE: The Public Health & Safety Plan as described on Exhibit "D", attached hereto and made a part hereof is hereby approved as meeting the requirements of ORC Section 4301.82(F)(1)(d), including the manner in which the number of personnel needed to carry out the plan shall be determined.

SECTION SIX: The Sanitation Plan that will help maintain the appearance and public health of the area as described on Exhibit "E", attached hereto and made a part hereof, is hereby approved as meeting the requirements of ORC Section 4301.82(F)(1)(e)-(f), including the manner in which the number of personnel needed to carry out the plan shall be determined.

SECTION SEVEN: As is required by ORC Section 4301.82(F)(1)(g), beer and intoxicating liquor shall only be served in plastic containers, which shall be provided by the qualified permit holders and approved by the DORA board.

SECTION EIGHT: That this Council shall review the requirements of the DORA, as established herein, five years from the effective date of this Resolution to determine whether to continue the DORA under the same or modified terms and conditions, or dissolve it pursuant to Section 4301.82(I)(2).

SECTION NINE: The Clerk of Council is hereby instructed to forward a copy of this Resolution to the Ohio Division of Liquor Control and to the investigative unit of the Ohio Department of Public Safety, all in accordance with ORC Section 4301.82(C) and 4301.82(F)(3).

Section TEN: This Resolution shall be effective at the earliest time permitted by Article 4.07 of the Charter of the City of Newark, Ohio.

Adopted this _____ day of _____, _____.

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

DATE FILED WITH MAYOR: _____

DATE APPROVED BY MAYOR: _____

MAYOR

APPROVED AS TO FORM:

TRICIA M. MOORE
DIRECTOR OF LAW

Prepared by the Office of the Director of Law

EXHIBIT "A" PERMIT HOLDERS

| Business Name | DBA | Street Address | Permit Class | Permit Number | Parcel ID |
|------------------------------------|---|--|----------------------|---------------|-------------------|
| Ten North Park LLC | 1922 On The Square 1 st Fl & BSMT | 10 N Park Pl | D5, D6 | 8829272 | 054-203370-00.000 |
| Draft House of Newark LLC | Draft House | 15 W Main St 1 st Fl Only | D5 | 2296715 | 054-202908-00.000 |
| MJ Sarap Company LLC | Elliot's Woodfired Pizza and Tap | 16 W Main St 1 st Fl & Bsmt | D5, D6 | 6069939 | 054-201024-00.000 |
| 3GSBBG LLC | Moe's Original Bar B Que & Patio | 21 W Church St | D5, D6 | 88713100005 | 054-203310-00.000 |
| New Golden Wok INC | Golden Wok 1 st Fl rear & 2 nd Fl | 22 ½ N Park Pl Rear 1 st & 2 nd Fl | D1, D2, D3 | 63688790005 | 054-202092-00.000 |
| Buckeye Winery LLC | Buckeye Winery 1 st & 2 nd Fl & Bsmt & Patios | 25 N 3 rd St | A1A, A2, D6, B2A, S1 | 10733890001 | 054-201768-00.000 |
| Linnets Flowers on the Square Ltd. | Linnets Flowers on the Square | 30 N Park Place | D8, C2 | 5218929 | 054-201624-00.000 |
| 31 West LLC | 31 West & Patio | 31 W Church St | D5, D6 | 8869495 | 054-203310-00.000 |
| Newark Midland Theatre Association | Midland Theatre | 36 N Park Pl | D5, D6 | 6368815 | 054-202458-00.000 |
| Five North Third LLC | Mariposa | 5 N 3 rd St | D1, D2, D3, D6 | 2749660 | 054-201492-00.000 |
| Indus Newark Hotel LLC | Elements Local Bistro | 50 N 2 nd St & Patio | D5A, D6 | 4137180 | 054-201522-00.000 |
| Babas Grill LLC | Babas Grill | 19 S Park Pl | D1 | 0346741 | 054-201540-00.000 |
| Block & Cleaver LLC | Block & Cleaver | 54 W Main St | C1, C2 | 0741500 | 054-202752-00.000 |
| Buckeye Axe Throwing LLC | Buckeye Axe Throwing 2 nd Fl & Mezz Only | 46 W Main St | D5, D6-PND | 1070401 | 054-202980-00.000 |
| Christys Pizza LLC | Christys Pizza | 15 E Church St | D1, D2 | 1436485 | 054-202590.00.000 |
| Franks & Sammies LLC | Tap That Glass | 32-34 S 3 rd St. | D1, D2, D3, D6 | 2889280 | 054-202434-00.000 |
| Park Place General LLC | Chickies General Store 1 st Fl & BSMT | 2 N Park Pl | C1, C2 | 6694995 | 054-201834-00.000 |
| Shipp Brothers Brewing LLC | Stein Brewing Co | 23 W Church St & Patio | D5A, D6 | 4137180 | 054-203310-00.000 |

| | | | | | |
|---------------------------------------|----------------------|-------------------------|------------------|---------------|-------------------|
| Short and Stout Mobile Bar LLC | MNCHS | 56 W Main St | D5, D6 | 8108053 | 054-202752-00.000 |
| UDF Limited Partnership II | United Dairy Farmers | 77 N 4 th St | C1, C2, D6 | 91335120657 | 054-259524-00.000 |
| BPOE Lodge0391 | Elks | 73 N 3 rd St | D4, D6 | 0898401-39103 | 054-202614-00.000 |

EXHIBIT "A" (Continued) PROPOSED BOUNDARY EXPANSION

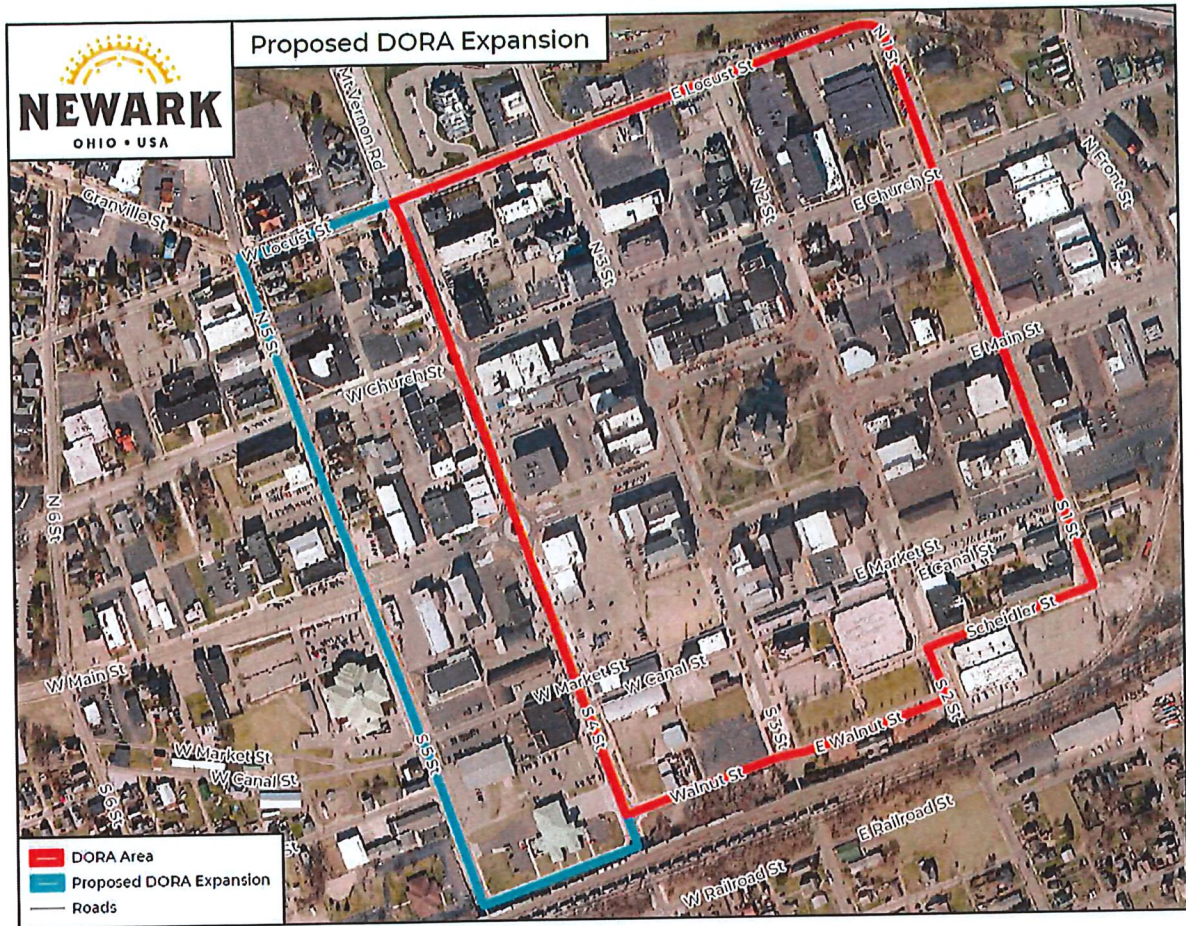


EXHIBIT "B" SIGNAGE PLAN

The following logo will appear on all DORA containers, AND signs:



DOWNTOWN NEWARK
DORA

Sample Boundary Sign:

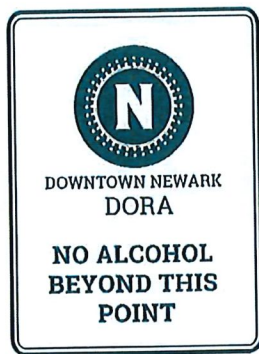


EXHIBIT "C" QUALIFIED PERMIT HOLDERS

| Business Name | DBA | Street Address | Permit Class | Permit Number | Parcel ID |
|------------------------------------|---|--|---------------------|---------------|-------------------|
| Ten North Park LLC | 1922 On The Square 1 st Fl & BSMT | 10 N Park Pl | D5, D6 | 8829272 | 054-203370-00.000 |
| Draft House of Newark LLC | Draft House | 15 W Main St 1 st Fl Only | D5 | 2296715 | 054-202908-00.000 |
| MJ Sarap Company LLC | Elliots Woodfired Pizza and Tap | 16 W Main St 1 st Fl & Bsmt | D5, D6 | 6069939 | 054-201024-00.000 |
| 3GSBBG LLC | Moes Original Bar B Que & Patio | 21 W Church St | D5, D6 | 88713100005 | 054-203310-00.000 |
| New Golden Wok INC | Golden Wok 1 st Fl rear & 2 nd Fl | 22 1/2 N Park Pl Rear 1st & 2nd Fl | D1, D2, D3 | 63688790005 | 054-202092-00.000 |
| Buckeye Winery LLC | Buckeye Winery 1 st & 2 nd Fl & Bsmt & Patios | 25 N 3 rd St | A1A, A2,D6, B2A, S1 | 10733890001 | 054-201768-00.000 |
| Linnets Flowers on the Square Ltd. | Linnets Flowers on the Square | 30 N Park Place | D8, C2 | 5218929 | 054-201624-00.000 |
| 31 West LLC | 31 West & Patio | 31 W Church St | D5, D6 | 8869495 | 054-203310-00.000 |
| Newark Midland Theatre Association | Midland Theatre | 36 N Park Pl | D5, D6 | 6368815 | 054-202458-00.000 |
| Five North Third LLC | Mariposa | 5 N 3 rd St | D1, D2, D3, D6 | 2749660 | 054-201492-00.000 |
| Indus Newark Hotel LLC | Elements Local Bistro | 50 N 2 nd St & Patio | D5A, D6 | 4137180 | 054-201522-00.000 |
| Babas Grill LLC | Babas Grill | 19 S Park Pl | D1 | 0346741 | 054-201540-00.000 |
| Block & Cleaver LLC | Block & Cleaver | 54 W Main St | C1, C2 | 0741500 | 054-202752-00.000 |
| Buckeye Axe Throwing LLC | Buckeye Axe Throwing 2 nd Fl & Mezz Only | 46 W Main St | D5, D6-PND | 1070401 | 054-202980-00.000 |
| Christys Pizza LLC | Christys Pizza | 15 E Church St | D1, D2 | 1436485 | 054-202590.00.000 |
| Franks & Sammies LLC | Tap That Glass | 32-34 S 3 rd St. | D1, D2, D3, D6 | 2889280 | 054-202434-00.000 |
| Park Place General LLC | Chickies General Store 1 st Fl & BSMT | 2 N Park Pl | C1, C2 | 6694995 | 054-201834-00.000 |
| Shipp Brothers Brewing LLC | Stein Brewing Co | 23 W Church St & Patio | D5A, D6 | 4137180 | 054-203310-00.000 |

| | | | | | |
|---------------------------------------|----------------------|-------------------------|------------------|---------------|-------------------|
| Short and Stout Mobile Bar LLC | MNCHS | 56 W Main St | D5, D6 | 8108053 | 054-202752-00.000 |
| UDF Limited Partnership II | United Dairy Farmers | 77 N 4 th St | C1, C2, D6 | 91335120657 | 054-259524-00.000 |
| BPOE Lodge0391 | Elks | 73 N 3 rd St | D4, D6 | 0898401-39103 | 054-202614-00.000 |

EXHIBIT "C" (Continued)

Hours of Operation: Rules and regulations of the Downtown Newark DORA will be applicable during the following patio hours:

Sunday through Saturday (including approved Holidays) 10:00AM--10:00PM.

The DORA will also be in effect during special events. Organizers of special events must submit an application to the DORA Board to be included.

Any additional REGULATIONS, events and/or amended hours must be approved by the DORA Board AND BE IN ACCORD WITH THE OHIO REVISED CODE.

THE MAYOR AND/OR THE CHIEF OF POLICE MAY SUSPEND THE OPERATION OF THE DORA IN THE INTEREST OF PUBLIC SAFETY OR FOR A SPECIAL EVENT.

Special Events: The City of Newark requires a permit for the use of public right-of-way. As is the City's practice, each event will be reviewed by the City's Departments. Permit requirements may differ between events depending on their size, layout, use of right-of-way, and program. However, each event will be reviewed to ensure that adequate sanitation, signage and public safety requirements are established. The necessity for portable bathrooms, handicap accessibility, pedestrian mobility, police, fire and emergency medical ingress and egress, crowd control, DORA boundary management and trash management (dumpsters, cans, pick-up, etc.) will be addressed. Event organizers may be required to pay for special duty officers or overtime for public service or safety workers if necessary to ensure adequate health, public and safety requirements.

Temporary Permits and the DORA: F-class permit holders which sponsor an event located inside the DORA that desire to sell alcoholic beverages as part of the Downtown Newark DORA may, as provided by state law, apply to the Division of Liquor Control for issuance of an outdoor refreshment area designation. An F permit holder that receives a designation must comply with all laws, rules, and regulations that govern the permit, comply with the public health and safety requirements established for the DORA, and not block ingress or egress to the DORA or any other liquor permit premises located within the area.

EXHIBIT "D" HEALTH AND SAFETY PLAN

In accordance with O.R.C. 4301.82(B)(5), the proposed requirements for the purpose of ensuring public health and safety within the DORA shall include:

Administration: The DORA will be administered by NDP with guidance from the DORA Board. The DORA Board will include the following members:

- City of Newark Safety Director
- City of Newark Service Director
- Mayoral Appointment
- Newark Development Partners Appointment
- Downtown Newark Special Improvement District Appointment

Participation Requirements: Qualifying permit holders that desire to sell alcoholic beverages as part of providing an outdoor dining area in the City of Newark's right of way must comply with the following DORA requirements:

- Outdoor Dining Site Plan: Qualifying permit holders that desire to sell alcoholic beverages as part of providing an outdoor dining area in the City of Newark's right of way (adjacent to the establishment) must obtain a right of way permit and meet the requirements of the Codified Ordinances for right of way use and the DORA. The establishment must submit a site plan with dining table and sign locations. The permit review will ensure that there are adequate pedestrian passageways and that ingress/egress for emergency services is adequate. Failure to comply with the requirements of the permit can result in revocation.
- Signage (See Exhibit B for proposed signage and branding):
 - Boundary Signage: At least two signs must be purchased by each establishment including a stand with wheels for signage mobility. Signs shall be designed by NDP in accordance to Newark's signage and wayfinding plan.
 - Door Signage: Each establishment must place a sticker or sign on the building's frontage signaling participation in the DORA. Stickers and signs shall be designed by NDP in accordance to Newark's signage and wayfinding plan.
- Beverage Containers: Participating establishments must serve beverages in clear plastic cups purchased from NDP. Permissible cups consistent with Newark's signage and wayfinding plan will be purchased and distributed by NDP.

EXHIBIT "E" SANITATION PLAN

Sanitation Plan: Outdoor dining tables are required to be bused by establishment staff after each patron departs. Trash receptacles will be emptied before and after each event with additional receptacles placed within the DORA as needed. Additionally, event organizers may be required to pay for special duty officers or overtime for public service or safety workers if necessary to ensure adequate health, public, and safety requirements.

Resolution No.25-12

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 335 Capital Improvement Fund, in the amount of \$7,799.00 (Annual mower replacement plan)

| | | |
|--------------|----------------------|----------|
| 335.432.5331 | Machinery/ equipment | 7,799.00 |
|--------------|----------------------|----------|

Section 2. There is hereby an appropriation of the unappropriated balance of the 335 Capital Improvement Fund, in the amount of \$33,000.00 (individual heating controls on the tower city's share)

| | | |
|-----------------|--|-----------|
| 335.121.5271601 | Maint. Buildings/Grounds CHASE/Tower building | 33,000.00 |
|-----------------|--|-----------|

Section 3. There is hereby an appropriation of the unappropriated balance of the 335 Capital Improvement Fund, in the amount of \$30,000.00 (Don Edwards Park lot with red house on it – 686 Downey St. Newark)

| | | |
|--------------|---------------|-----------|
| 335.121.5501 | Land Purchase | 30,000.00 |
|--------------|---------------|-----------|

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 _____, 2025.

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.25-13

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 100 General Fund, in the amount of \$1,500.00 (Request appropriation to put donation from American Legion into the Misc account until it has been decided what the needs of the division are and what the funds will be used for)

| | | |
|--------------|---------------|----------|
| 100.204.5319 | Miscellaneous | 1,500.00 |
|--------------|---------------|----------|

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 _____, 2025.

President of Council _____

Attest Clerk of Council _____

Date filed with Mayor _____

Date approved by Mayor _____

Mayor _____

Approved as to form Director of Law _____