

## COUNCIL AGENDA

April 7, 2025

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

Council Chambers

7:00 P.M.

### ROLL CALL

**INVOCATION** – Mr. Labutis

**PLEDGE OF ALLEGIANCE** – Theo Ronan, Claire Juzenas, and Eli Juzenas, 5<sup>th</sup> and 6<sup>th</sup> graders from My Place To Be School

### CAUCUS – Invoke Rule 20

**24-39** AN ORDINANCE MODIFYING THE PAY RANGE FOR THE POSITION OF Senior Automotive Mechanic/Equipment Operator IN THE CITY OF NEWARK, DEPARTMENT OF Service, DIVISION OF Street Maintenance AND AMENDING THE DEPARTMENT AUTHORIZATION TABLES OF AND SETTING THE COMPENSATION THEREFORE

### MINUTES of March 17, 2025

### APPOINTMENTS

There are none this meeting.

### REPORTS OF STANDING COMMITTEES

Finance

Street

Service

Capital Improvement

Personnel

### REPORTS FROM CITY OFFICIALS

**Ryan Bubb, City Auditor** – Operating report for the period ending March 31, 2025

**Brandon Fox, Water Administrator** - A list of properties being sent to county property tax lien for delinquent water, sewer and stormwater bills, totaling \$3,257.99

### COMMUNICATIONS

**CPT David Geist, Ohio Army National Guard** – The Ohio Army National Guard is hosting an open house on Sunday, May 18, 2025 at the Newark Armory, 1257 Hollar Lane, Newark, OH.

**Ohio Division of Liquor Control** - Transfer Liquor application from Malherbe Girls LLC, DBA Bummies Pub & Grub & Patio, 155 N. Cedar St, Newark, OH 43055 to Mi Cocina LLC, 3 W. Church St., Newark, OH 43055

## **PUBLIC HEARING**

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

## **COMMENTS FROM CITIZENS**

### **ORDINANCES ON SECOND READING**

There are none this meeting.

### **ORDINANCES ON FIRST READING**

**25-11** AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 2236 RIVER ROAD, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-225738-00.000 AND #054-225744-00.000 FROM THAT OF MFC - MULTI-FAMILY CONDO ZONING DISTRICT TO MFR – MULTI-FAMILY RESIDENCE ZONING DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO

**25-12** AN ORDINANCE AMENDING THE POSITION CLASSIFICATION, PAY RANGE AND DEPARTMENT AUTHORIZATION TABLES OF THE CITY OF NEWARK, DEPARTMENT OF Public Service, SUBDIVISIONS OF Water Treatment Plant and Wastewater Treatment Plant BY RECLASSIFYING THE CLASSIFICATIONS OF Water Plant Electro Mechanical Technician and Wastewater Electro Mechanical Technician, AS Water Electro Mechanical Technician/Operator and Wastewater Electro Mechanical Technician/Operator and SETTING THE COMPENSATION THEREFORE.

### **RESOLUTIONS ON SECOND READING**

**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)

### **RESOLUTIONS ON FIRST READING**

**25-14** A RESOLUTION DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO PROCEED WITH THE STEPS NECESSARY TO DESIGNATE WASHINGTON STREET AS DR. CHARLES NOBLE, SR. STREET.

**25-15** A RESOLUTION AUTHORIZING NEWARK DEVELOPMENT PARTNERS TO ACT AS AGENT FOR THE CITY OF NEWARK FOR THE SALE OF CERTAIN REAL PROPERTY AND AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH NEWARK DEVELOPMENT PARTNERS GOVERNING THE SALE AND DISTRIBUTION OF PROCEEDS.

**25-16 Exp** A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$33,074.00 Funds will be appropriated for Woodlands Batterer's Intervention Program, purchase of OCSS kiosk and annual support for drug screening program and purchasing drug supplies.)

**25-17** A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$310,000.00 2024 Note Principal Payment for Streambank Protection Project. This was unexpectedly left out of the budget. Will be reimbursed from the renewal of the note in March 2025.)( \$1,600,000.00 Failed to include in 2025 budget. Utilized for emergency equipment replacement at Water and Wastewater plants.)

**25-18** A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$21,125.00 Crime Lab roof fluid applied roofing system)

#### **COMMENTS FROM CITIZENS**

#### **MISCELLANEOUS**

#### **ADJOURNMENT**

ORDINANCE NO: 24-39

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

AN ORDINANCE MODIFYING THE PAY RANGE FOR THE POSITION OF Senior Automotive Mechanic/Equipment Operator IN THE CITY OF NEWARK, DEPARTMENT OF Service, DIVISION OF Street Maintenance AND AMENDING THE DEPARTMENT AUTHORIZATION TABLES OF AND SETTING THE COMPENSATION THEREFORE

**WHEREAS**, the Division of Street Maintenance has had cause to review their staffing needs and has determined that an alteration to the current position of Senior Automotive Mechanic/Equipment Operator is warranted due to changing workplace needs; and,

**WHEREAS**, in order to accomplish the foregoing objective, it is necessary to amend the position classification/pay range table for the Department of Service - Division of Street Maintenance; and,

**WHEREAS**, the Personnel Committee considered this matter on October 7, 2024, and recommended that it be considered by full council.

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

**SECTION 1:** The position of Senior Automotive Mechanic/Equipment Operator is hereby amended and shall receive compensation and benefits as set forth in the current Pay Range 42 and Class 2 License Pay as per Collective Bargaining Agreement AFSCME 2963. This position is in the classified non-exempt service of the City of Newark.

**SECTION 2:** The Class 2 License Pay for the ASE certification is particular to this position within the Street Maintenance Department.

**SECTION 3:** This amendment is in consideration of the position being erroneously excluded from the most recent contract negotiation between AFSCME and the City of Newark resulting in the current contract. The position is subject to renegotiation during bargaining for the upcoming contract.

**SECTION 4:** The amended compensation for the Senior Automotive Mechanic/Equipment Operator shall retroactively go into effect beginning January 1, 2025.

**SECTION 5:** This ordinance shall become effective at the earliest time permitted by Article 4.07 of the Charter of the City of Newark, Ohio.



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

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

ATTEST

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

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

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

\_\_\_\_\_  
MAYOR

APPROVED AS TO FORM \_\_\_\_\_  
Director of Law

*\*Strength authorization table*

Active	Position Number	Description	Department	Benefit Group	Position Status
Yes	2.302.211.01	Assistant Superintendent	Street Maint.	MGMT EXEMPT	Single
Yes	2.302.212.01	Street/Traffic Control Ops Mgr	Street Maint.	MGMT EXEMPT	Single
Yes	2.302.222.01	Superintendent	Street Maint.	MGMT EXEMPT	Single
Yes	3.302.319.01	Data Technician/Sign Fabricator	Street Maint.	AFSCME	Single
Yes	3.302.320.01	Equipment Operator	Street Maint.	AFSCME	Single
Yes	3.302.320.02	Equipment Operator	Street Maint.	AFSCME	Single
Yes	3.302.320.03	Equipment Operator	Street Maint.	AFSCME	Single
Yes	3.302.320.04	Equipment Operator	Street Maint.	AFSCME	Single
Yes	3.302.321.01	Equipment Operator	Street Maint.	AFSCME	Single
Yes	3.302.321.02	Equipment Operator	Street Maint.	AFSCME	Vacant
Yes	3.302.623.01	Sign Fabricator/Impound Clerk	Street Maint.	AFSCME	Vacant
<b>Yes</b>	<b>3.302.812.01</b>	<b>Senior Auto Mechanic/Equip Op</b>	<b>Street Maint.</b>	<b>AFSCME</b>	<b>Single</b>
Yes	3.302.813.02	Auto Mechanic/Equipment Operator	Street Maint.	AFSCME	Single
Yes	3.302.813.03	Auto Mechanic/Equipment Operator	Street Maint.	AFSCME	Vacant
Yes	3.302.830.01	Equipment Operator	Street Maint.	AFSCME	Vacant
Yes	3.302.830.02	Equipment Operator	Street Maint.	AFSCME	Single
Yes	3.302.830.03	Equipment Operator	Street Maint.	AFSCME	Single
Yes	3.302.830.04	Equipment Operator	Street Maint.	AFSCME	Single
Yes	3.302.830.05	Equipment Operator	Street Maint.	AFSCME	Single
Yes	3.302.830.06	Equipment Operator	Street Maint.	AFSCME	Single
Yes	3.302.830.07	Equipment Operator	Street Maint.	AFSCME	Vacant
Yes	3.302.830.08	Equipment Operator	Street Maint.	AFSCME	Single
Yes	3.302.830.09	Equipment Operator	Street Maint.	AFSCME	Single
Yes	3.302.830.10	Equipment Operator	Street Maint.	AFSCME	Vacant
Yes	3.302.830.11	Equipment Operator	Street Maint.	AFSCME	Single
Yes	3.302.830.12	Equipment Operator	Street Maint.	AFSCME	Single
Yes	3.302.830.13	Equipment Operator	Street Maint.	AFSCME	Single
Yes	3.302.830.14	Equipment Operator	Street Maint.	AFSCME	Vacant
Yes	3.302.830.15	Equipment Operator	Street Maint.	AFSCME	Vacant
Yes	3.302.830.16	Equipment Operator	Street Maint.	AFSCME	Vacant
Yes	3.302.864.01	Crew Leader	Street Maint.	AFSCME	Single
Yes	3.302.865.01	Crew Leader	Street Maint.	AFSCME	Vacant
Yes	3.302.865.02	Crew Leader	Street Maint.	AFSCME	Vacant
Yes	4.302.662.01	Secretary 1	Street Maint.	NON-BARG	Single

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

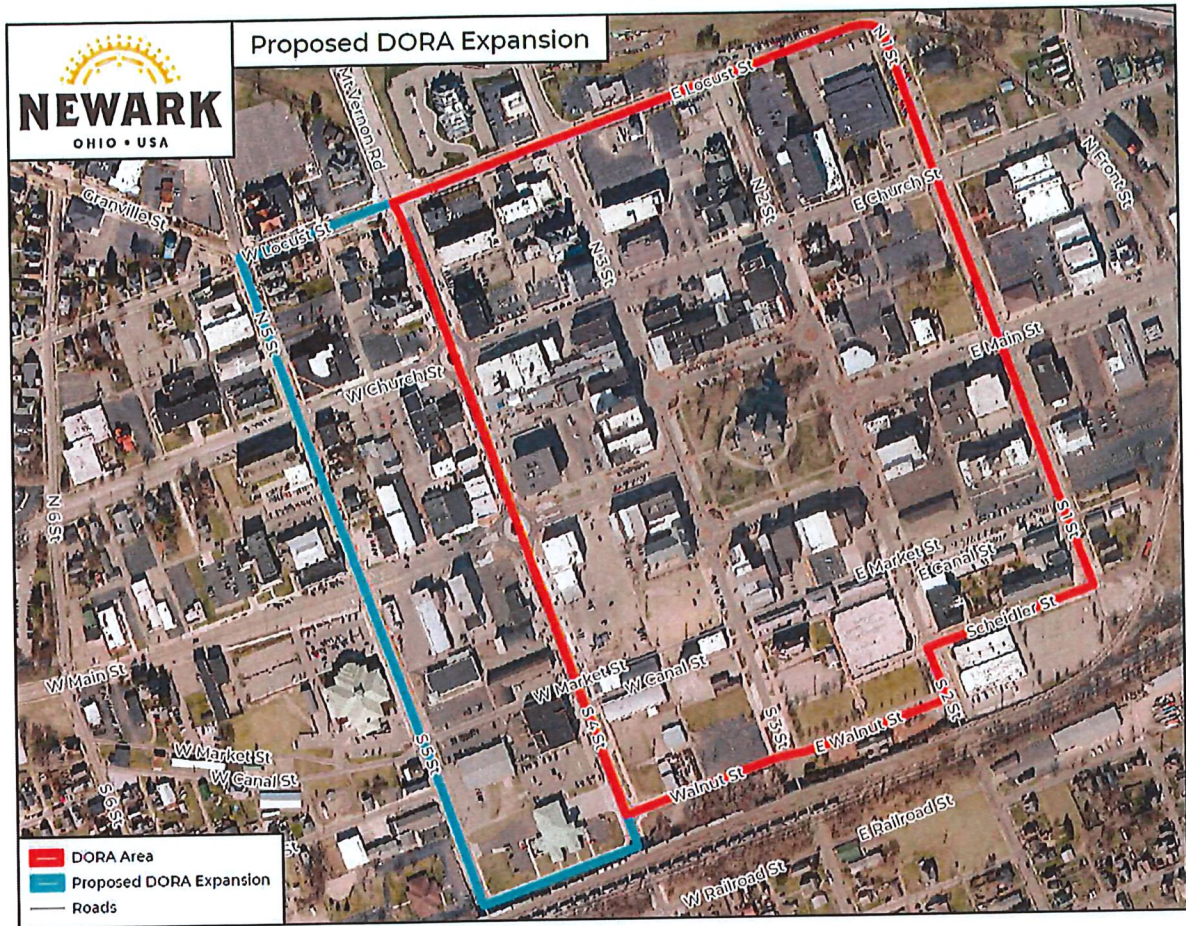
### EXHIBIT "A" PERMIT HOLDERS

Business Name	DBA	Street Address	Permit Class	Permit Number	Parcel ID
Ten North Park LLC	1922 On The Square 1 <sup>st</sup> 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 <sup>st</sup> Fl Only	D5	2296715	054-202908-00.000
MJ Sarap Company LLC	Elliot's Woodfired Pizza and Tap	16 W Main St 1 <sup>st</sup> 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 <sup>st</sup> Fl rear & 2 <sup>nd</sup> Fl	22 ½ N Park Pl Rear 1 <sup>st</sup> & 2 <sup>nd</sup> Fl	D1, D2, D3	63688790005	054-202092-00.000
Buckeye Winery LLC	Buckeye Winery 1 <sup>st</sup> & 2 <sup>nd</sup> Fl & Bsmt & Patios	25 N 3 <sup>rd</sup> 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 <sup>rd</sup> St	D1, D2, D3, D6	2749660	054-201492-00.000
Indus Newark Hotel LLC	Elements Local Bistro	50 N 2 <sup>nd</sup> 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 <sup>nd</sup> 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 <sup>rd</sup> St.	D1, D2, D3, D6	2889280	054-202434-00.000
Park Place General LLC	Chickies General Store 1 <sup>st</sup> 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

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



## EXHIBIT "A" (Continued) PROPOSED BOUNDARY EXPANSION





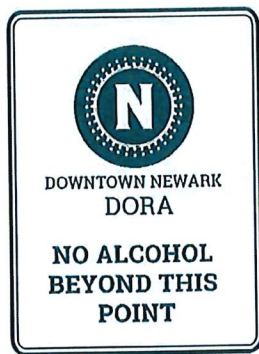
## EXHIBIT "B" SIGNAGE PLAN

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 <sup>st</sup> 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 <sup>st</sup> Fl Only	D5	2296715	054-202908-00.000
MJ Sarap Company LLC	Elliots Woodfired Pizza and Tap	16 W Main St 1 <sup>st</sup> Fl & Bsmt	D5, D6	6069939	054-201024-00.000
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Buckeye Winery LLC	Buckeye Winery 1 <sup>st</sup> & 2 <sup>nd</sup> Fl & Bsmt & Patios	25 N 3 <sup>rd</sup> 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
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Babas Grill LLC	Babas Grill	19 S Park Pl	D1	0346741	054-201540-00.000
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<b>BPOE Lodge0391</b>	Elks	73 N 3 <sup>rd</sup> 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.

ORDINANCE NO. 25-11

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

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 2236 RIVER ROAD, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-225738-00.000 AND, #054-225744-00.000, FROM THAT OF MFC – MULTI-FAMILY CONDO ZONING DISTRICT TO MFR – MULTI-FAMILY RESIDENCE 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 MFR – MULTI-FAMILY RESIDENCE 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\_\_\_\_.

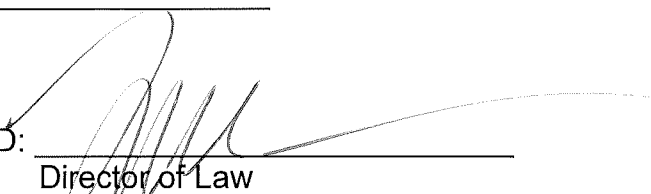
\_\_\_\_\_  
PRESIDENT OF COUNCIL

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



EXHIBIT A

LINDSEY DESCRIPTION  
18.723 ACRE PARCEL

Situated in the Lot 1, Second Range of Lots as surveyed by the Licking Land Company, 4<sup>th</sup> Quarter, Township 2N, Range 13W, USML, City of Newark, County of Licking, State of Ohio, and being part of the John R. Lindsey parcel as recorded in Instrument Number 202103090007176, all references are the Records of the Licking County Recorder, said parcel being further described as follows:

Commencing at the centerline intersection of River Road, a.k.a. Township Road 131 and Thornwood Drive, a.k.a. Township Road 134;

Thence, North 85° 53' 16" West, 891.10 feet, along the centerline of said River Road, to a point, said point being the southeast corner of the 1.5 acre, Newark Redwood Combined LLC parcel, as recorded in Instrument Number 202311080020599;

Thence, North 03° 44' 13" East, 47.14 feet, along the east line of said Newark Redwood Combined LLC parcel, passing a 3/4" O.D. iron pipe found at 29.11 feet, to an iron pin set, said point also being the **True Point of Beginning** for the parcel herein described;

Thence, North 03° 21' 44" East, 483.61 feet, continuing along the east line of said Newark Redwood Combined LLC parcel, to an iron pin set at a southeast corner of the 4.653 acre, Newark Redwood Combined LLC parcel, as recorded in Instrument Number 202311080020599;

Thence, North 03° 23' 45" East, 149.97 feet, along the east line of said 4.653 acre, Newark Redwood Combined LLC parcel, to the southeast corner of the Newark Redwood Combined LLC parcel, as recorded in Instrument Number 202311080020598, witnessed by a 5/8" dia. Iron pin found, South 25° 15' 16" East, 0.22 feet from said corner;

Thence, North 03° 59' 31" East, 911.24 feet, along the east line of said Newark Redwood Combined LLC parcel, to an iron pin set at the southeast corner of the Licking Land Trust parcel, as recorded in Instrument Number 200802010002322;

Thence, North 03° 59' 31" East, 257.78 feet, along the east line of said Licking Land Trust parcel, to an iron pin set on the south line of the Thomas J. Evans Foundation parcel, as recorded in Deed Book 809 at Page 1018;

Thence, South 37° 55' 48" East, 1134.33 feet, along the south line of said Thomas J. Evans Foundation parcel, to an iron pin set on the west Right of Way line of Thornwood Crossing, (Width Varies);

Thence, along the west Right of Way line of said Thornwood Crossing the following nine (9) courses:

South 45° 09' 31" West, 132.66 feet, to an iron pin set;

South 24° 53' 03" West, 141.20 feet, to an iron pin set;

South 02° 08' 08" West, 281.99 feet, to a 5/8" dia. iron pin found;

South 67° 49' 01" West, 70.45 feet, to a 5/8" dia. iron pin found;

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DESCRIPTIONS  
**APPROVED** FOR ZONING  
PURPOSES  
By [Signature]  
Div. of Engineering  
City of Newark, Ohio  
18.723 ACRES ± 1.30/ACRES  
3 ACRES

South 52° 30' 12" West, 170.79 feet, to a 5/8" dia. iron pin found;

South 44° 53' 22" West, 201.20 feet, to an iron pin set;

South 44° 07' 22" West, 57.72 feet, to an iron pin set;

South 04° 02' 46" West, 18.48 feet, to an iron pin set;

Continuing and along a non-tangent curve to the right, having a Delta of 33° 43' 34", a Radius of 475.87 feet, an arc length of 280.11 feet, a chord length of 276.08 feet which bears South 75° 50' 16" West, to the **True Point of Beginning**.

Containing 18.723 Acres, of which 4.694 acres are in PN 54-225738-00.000 and 14.029 acres are in PN 54-225744-00.000, more or less, subject to all legal highways, all limitations of public access to highways, leases, zoning regulations, easements of record and restrictive covenants.

Subject To a Perpetual Easement for a Channel, ODOT Parcel 11-CH, as recorded in Instrument Number 202306300011547;

All iron pins set are 5/8" dia. x 30" long, rebar with Orange ID Cap.

Bearings are based on Centerline of River Road Avenue, being North 85° 53' 16" West, Ohio State Plane Grid, South Zone NAD83(2011).

PN 54-225738-00.000 and Part of PN 54-225744-00.000

This Description is based on a survey made under the direct supervision of Todd D. Willis in July 2024, Reg. Surveyor No. 7996. Phone No. 740-739-4030, Willis Engineering & Surveying.

*Todd D. Willis*  
7-15-2024

PRE-APPROVAL	
LICKING COUNTY ENGINEER	
APPROVED <input checked="checked" type="checkbox"/>	CONDITIONAL <input type="checkbox"/>
APPROVED BY:	<i>[Signature]</i>
DATE:	7/16/24

EXHIBIT A

LINDSEY DESCRIPTION  
1.301 ACRE REMAINDER

Situated in the Lot 1, Second Range of Lots as surveyed by the Licking Land Company, so called, 4<sup>th</sup> Quarter, Township 2N, Range 13W, USML, City of Newark, County of Licking, State of Ohio, and being part of the John R. Lindsey parcel as recorded in Instrument Number 202103090007176, all references are the Records of the Licking County Recorder, said parcel being further described as follows:

Commencing at the centerline intersection of River Road, a.k.a. Township Road 131 and Thornwood Drive, a.k.a. Township Road 134;

Thence, North 02° 08' 17" East, 214.69 feet, along the centerline of said Thornwood Drive, to a point;

Thence, South 60° 13' 34" West, 146.53 feet, to an iron pin set, said point also being the **True Point of Beginning** for the parcel herein described;

Thence, along the Public Right of Way line of Thornwood Crossing, the following six (6) courses;

South 51° 53' 04" West, 135.20 feet, to an iron pin set;

North 85° 59' 16" West, 232.64 feet, to an iron pin set;

North 27° 14' 50" West, 58.34 feet, to an iron pin set;

North 44° 08' 56" East, 264.51 feet, to an iron pin set;

South 55° 29' 50" East, 155.60 feet, to an iron pin set;

South 31° 23' 22" East, 101.15 feet, to the **True Point of Beginning**.

Containing 1.301 Acres, more or less, subject to all legal highways, all limitations of public access to highways, leases, zoning regulations, easements of record and restrictive covenants.

All iron pins set are 5/8" dia. x 30" long, rebar with Orange ID Cap.

Bearings are based on Centerline of River Road Avenue, being North 85° 53' 16" West, Ohio State Plane Grid, South Zone NAD83(2011).

Part of PN 54-225744-00.000

This Description is based on a survey made under the direct supervision of Todd D. Willis in July 2024, Reg. Surveyor No. 7996. Phone No. 740-739-4030, Willis Engineering & Surveying.

*Todd Willis*  
7-15-2024



PRE-APPROVAL	
LICKING COUNTY ENGINEER	
APPROVED	CONDITIONAL
<input checked="checked" type="checkbox"/>	<input type="checkbox"/>
APPROVED BY: <i>[Signature]</i>	
DATE: 7/16/24	

ORDINANCE NO: 25-12

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

AN ORDINANCE AMENDING THE POSITION CLASSIFICATION, PAY RANGE AND DEPARTMENT AUTHORIZATION TABLES OF THE CITY OF NEWARK, DEPARTMENT OF Public Service, SUBDIVISIONS OF Water Treatment Plant and Wastewater Treatment Plant BY RECLASSIFYING THE CLASSIFICATIONS OF Water Plant Electro Mechanical Technician and Wastewater Electro Mechanical Technician, AS Water Electro Mechanical Technician/Operator and Wastewater Electro Mechanical Technician/Operator and SETTING THE COMPENSATION THEREFORE:

**WHEREAS**, the Sub - Divisions of Water and Wastewater Treatment Plants have had cause to review their staffing needs and has determined that alteration is warranted in the organization or structure due to changing workplace needs;

and,

**WHEREAS**, it is necessary to amend the position authorization and classification/pay range tables to accomplish the foregoing objective;

and,

**WHEREAS**, the overall position authorization for both sub - divisions will not change;

and,

**WHEREAS**, the Personnel Committee considered this matter on 3.17.25, and recommended that it be considered by full council.

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

SECTION 1: The positions of Water Plant Electro Mechanical Technician and Wastewater Electro Mechanical Technician are hereby reclassified within the Department of Public Service Divisions of Water Treatment Plant and Wastewater Treatment Plant

SECTION 2: The position classification/pay range table for the hereby is unaffected as follows.

SECTION 3: The positions of Water Electro Mechanical Technician/Operator and Wastewater Electro Mechanical Technician/Operator shall receive

compensation and benefits as set forth in the current Pay Range 42 - AFSCME L2963  
Collective Bargaining Agreement. This position is in the classified service of the City of  
Newark.

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

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

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

ATTEST

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

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

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

\_\_\_\_\_  
MAYOR

APPROVED AS TO FORM \_\_\_\_\_  
Director of Law

*\*Strength authorization table - WATER*

Active	Position Number	Description	Department	Benefit Group	Position Status
Yes	2.709.210.01	Water Facilities Manager	709 - Water Treatment	MGMT EXEMPT	Single
Yes	2.709.220.01	Water Facilities Assistant Mgr.	709 - Water Treatment	MGMT EXEMPT	Single
Yes	3.709.330.01	Electro Mechanical Technician	709 - Water Treatment	AFSCME	Vacant
Yes	3.709.840.02	Plant Operator	709 - Water Treatment	AFSCME	Single
Yes	3.709.840.03	Plant Operator	709 - Water Treatment	AFSCME	Single
Yes	3.709.840.04	Plant Operator	709 - Water Treatment	AFSCME	Single
Yes	3.709.840.05	Plant Operator	709 - Water Treatment	AFSCME	Single
Yes	3.709.840.06	Plant Operator	709 - Water Treatment	AFSCME	Single
Yes	3.709.842.01	Lab Technician/Operator	709 - Water Treatment	AFSCME	Single
Yes	3.709.843.01	Utility Operator	709 - Water Treatment	AFSCME	Single
Yes	3.709.844.01	Maintenance Mechanic/Operator	709 - Water Treatment	AFSCME	Single
Yes	3.709.845.01	Maintenance Technician/Operator	709 - Water Treatment	AFSCME	Single
Yes	4.709.350.01	Instrumentation Technician	709 - Water Treatment	NON-BARG	Single
Yes	4.709.694.01	Maintenance Leader	709 - Water Treatment	NON-BARG	Single

*\*Strength authorization table - WASTEWATER*

Active	Position Number	Description	Department	Benefit Group	Position Status
Yes	2.713.210.01	Wastewater Facilities Manager	713 - Wastewater Treatment Plant	MGMT EXEMPT	Single
Yes	2.713.220.01	Wastewater Facilities Asst Mgr	714 - Wastewater Treatment Plant	MGMT EXEMPT	Single
Yes	3.713.330.01	Electro Mechanical Technician	715 - Wastewater Treatment Plant	AFSCME	Single
Yes	3.713.340.01	Operations Technician/Operator	716 - Wastewater Treatment Plant	AFSCME	Single
Yes	3.713.840.01	Plant Operator	717 - Wastewater Treatment Plant	AFSCME	Single
Yes	3.713.840.02	Plant Operator	718 - Wastewater Treatment Plant	AFSCME	Single
Yes	3.713.840.03	Plant Operator	719 - Wastewater Treatment Plant	AFSCME	Single
Yes	3.713.840.04	Plant Operator	720 - Wastewater Treatment Plant	AFSCME	Single
Yes	3.713.840.05	Plant Operator	721 - Wastewater Treatment Plant	AFSCME	Single

Yes	3.713.840.06	Plant Operator	722 - Wastewater Treatment Plant	AFSCME	Single
Yes	3.713.840.07	Plant Operator	723 - Wastewater Treatment Plant	AFSCME	Vacant
Yes	3.713.843.01	Utility Operator	724 - Wastewater Treatment Plant	AFSCME	Vacant
Yes	3.713.843.02	Utility Operator	725 - Wastewater Treatment Plant	AFSCME	Vacant
Yes	3.713.844.01	Maintenance Mechanic/Operator	726 - Wastewater Treatment Plant	AFSCME	Single
Yes	4.713.350.01	Instrumentation Technician	727 - Wastewater Treatment Plant	NON-BARG	Single
Yes	4.713.694.01	Maintenance Leader	728 - Wastewater Treatment Plant	NON-BARG	Single



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
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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
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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
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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 \_\_\_\_\_, 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
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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 \_\_\_\_\_, 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. 25-14

BY \_\_\_\_\_

A RESOLUTION DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO PROCEED WITH THE STEPS NECESSARY TO DESIGNATE WASHINGTON STREET AS DR. CHARLES NOBLE, SR. STREET.

WHEREAS, Dr. Charles Noble, Sr. was instrumental in creating the Washington Square Apartments, a series of senior and housing projects established throughout the State of Ohio and the first senior housing in Licking County located on Washington Street within the City of Newark, Ohio; and

WHEREAS, Dr. Charles Noble, Sr. served as Pastor of Shiloh Missionary Baptist Church from July 11, 1969 to December 31, 2011. For over 42 years he influenced the lives of many across the country through his commitment to the Word of God; and

WHEREAS, Dr. Charles Noble, Sr.'s ministry touched the children in Par Excellence Academy, college students at Denison University and Central Ohio Technical College, community leaders through Park National Bank Board of Directors, and the Rotary Club.

WHEREAS, this matter was considered in regular session by the Street 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 and directed to proceed with the steps necessary to designate Washington Street in the City of Newark, Ohio, to Dr. Charles Noble, Sr. Street.

**SECTION 2:** This Resolution shall become effective at the earliest time permitted in accordance with Article 4.07 of the Charter of the City of Newark, Ohio.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

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

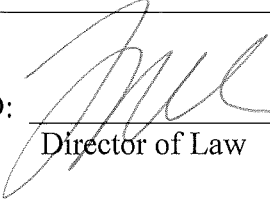
ATTEST: \_\_\_\_\_  
Clerk of Council

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

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

\_\_\_\_\_  
MAYOR

FORM APPROVED: \_\_\_\_\_

  
\_\_\_\_\_  
Director of Law

Prepared by the Office of the Director of Law

RESOLUTION NO. 25-15

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

**A RESOLUTION AUTHORIZING NEWARK DEVELOPMENT PARTNERS TO ACT AS AGENT FOR THE CITY OF NEWARK FOR THE SALE OF CERTAIN REAL PROPERTY AND AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH NEWARK DEVELOPMENT PARTNERS GOVERNING THE SALE AND DISTRIBUTION OF PROCEEDS**

**WHEREAS**, the City of Newark and Newark Development Partners have entered into an Amended Designated Agency Agreement authorizing the transfer of real property owned by the City and controlling the manner in which such property may then be developed and/or transferred by Newark Development Partners and the manner in which any revenues generated from such development and transfer are to be disbursed; and,

**WHEREAS**, the City desires to enter into a special Memorandum of Understanding with Newark Development Partners as to the particular method and terms by which the property is to be sold and the required distribution of funds; and

**WHEREAS**, the subject property, because of its size, location, and zoning restrictions, is not currently suitable for any municipal purpose; and,

**WHEREAS**, the sale of the subject real property would promote the general welfare and stabilize the neighborhood in question, assist in development, and promote the reclamation, rehabilitation, and reutilization of such real property; and,

**WHEREAS**, this matter was considered in regular session of 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, STATE OF OHIO, THAT:**

SECTION ONE: The Director of Public Service is hereby authorized to enter into a Memorandum of Understanding with Newark Development Partners who shall act as agent for the City of Newark for the sale of the following listed parcel of real property located within the City of Newark:

37 South Morris Street, Newark, Ohio, Parcel #054-203964-00.000

SECTION TWO: Council hereby declares the subject real property to no longer be needed by the City of Newark, Ohio for any municipal purpose and that the City's interests are best served by sale of the property by Newark Development Partners subject to the agreed upon

Memorandum of Understanding containing the terms of sale and the disbursement of proceeds generated therefrom.

SECTION THREE: This Resolution shall become effective at the earliest date permitted pursuant to Article 4.07 of the Charter of the City of Newark, Ohio.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

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

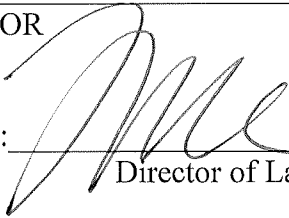
ATTEST: \_\_\_\_\_  
Clerk of Council

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

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

\_\_\_\_\_  
MAYOR

FORM APPROVED: \_\_\_\_\_

  
Director of Law

Prepared by the Office of the Director of Law

**MEMORANDUM OF UNDERSTANDING FOR ACCEPTANCE AND DISPOSITION  
OF REAL PROPERTY**

This Memorandum of Understanding is made between the City of Newark (“City”) and Newark Development Partners (“NDP”), an Ohio non-for-profit corporation organized as a community improvement corporation under Chapter 1724 of the Ohio Revised Code, for and only as pertains to the sale of the following listed parcel of real property located within the City of Newark:

<u>ADDRESS</u>	<u>PARCEL NO.</u>
37 South Morris Street	054-203964-00.000

WHEREAS, the City owns the above parcel of real estate with the listed Licking County tax parcel number (the “Property”) which have been determined to be of no value in its current state of development and not currently suitable for any municipal purpose; and,

WHEREAS, NDP has been designated as an agency of the City of Newark for future commercial and retail growth and development, pursuant to a Designated Agency Agreement effective October 15, 2012, as amended April 27, 2016, and March 20, 2023; and,

WHEREAS, the City has determined that the conveyance of the Property would serve a public purpose for the benefit of the City; and,

WHEREAS, the City wishes to convey the Property to NDP for disposition with the terms and conditions described herein; and,

WHEREAS, NDP wishes to accept the Property on such terms and conditions.

NOW, THEREFORE, the parties agree as follows:

1. The Property shall be conveyed to NDP in fee simple by quit claim deed, free of all encumbrances subject only to such easements, rights of way, conditions and restrictions of record, legal highways, zoning ordinances or resolutions.
2. NDP agrees to sell the property for at least the appraised value of said property.
3. Upon sale of the property, NDP shall retain from the proceeds of the sale the costs associated with the sale which may include, but are not limited to, title examination, title insurance commitment and policy, survey if required for transfer of title, marketing costs including real estate brokerage costs, conveyance fees, and NDP’s service fee. The balance of the proceeds of the sale shall be paid by NDP to the City of Newark, Ohio.

4. This Agreement shall survive the closing of the transaction by which the property is transferred from the City to NDP, and it may not be modified or amended except by a writing agreed to and signed by both parties.
5. It is the intention of the parties that the laws of the State of Ohio shall govern the validity of this Agreement, the construction of its terms, and the interpretation of the rights and obligations of the parties. Venue shall be deemed to be in Licking County.
6. In the event that a court of competent jurisdiction finds that any one or more of the provisions contained herein is invalid, illegal, or unenforceable, such holding shall not affect any other provision hereof, and this Agreement shall be construed as though the invalid, illegal, or unenforceable provision had never been contained herein.

**IN WITNESS WHEREOF**, the undersigned have hereunto caused their names to be subscribed to this Agreement, by authority of Resolution of the City Council of the City of Newark, Ohio and Resolution of the Board of Directors of Newark Development Partners on the dates set forth beneath each signature.

Newark Development Partners

By: \_\_\_\_\_

C. Daniel DeLawder, Chairman

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

City of Newark, Ohio

By: \_\_\_\_\_

Director of Public Service

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



Resolution No.25-16 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 231 Adult Probation Fund, in the amount of \$33,074.00 (Funds will be appropriated for Woodlands Batterer's Intervention Program, purchase of OCSS kiosk and annual support for drug screening program and purchasing drug supplies.)

231.113.5238	General Service	24,774.00
231.113.5536	Computer Supplies	4,250.00
231.113.5312	Law Enforcement	4,050.00

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.25-17

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 665 CSO/Sewer Projects Fund, in the amount of \$310,000.00 (2024 Note Principal Payment for Streambank Protection Project. This was unexpectedly left out of the budget. Will be reimbursed from the renewal of the note in March 2025.)

665.712.5411104	Principal Notes Streambank Protection	310,000.00
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Section 2. There is hereby an appropriation of the unappropriated balance of the 662 and 632 Funds, in the amount of \$1,600,000.00 (Failed to include in 2025 budget. Utilized for emergency equipment replacement at Water and Wastewater plants.)

662.733.5299	Contingency	800,000.00
632.706.5299	Contingency	800,000.00

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.25-18

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 \$21,125.00 (Crime Lab roof fluid applied roofing system)

335.121.5271	Maintenance buildings/grounds	21,125.00
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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 \_\_\_\_\_, 2025.

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

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

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

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

Mayor \_\_\_\_\_

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