

COUNCIL AGENDA

November 3, 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 – Addilyn Davis, 2nd grade, St. Francis de Sales

CAUCUS

MINUTES of October 20, 2025

APPOINTMENTS

There are none this meeting.

REPORTS OF STANDING COMMITTEES

Finance

Service

REPORTS FROM CITY OFFICIALS

Brandon Fox, Water Administrator - A list of properties being sent to lien for past due water, sewer, and stormwater bills, totaling \$4,217.35

COMMUNICATIONS

Reddington Village Condominium Association Board – Support for the reopening of the Showman Arch Bridge on Cherry Valley Rd.

Public Utilities Commission of Ohio – Ohio Power Company Staff Report 2025

Ohio Division of Liquor Control - New liquor permit for Vibe City, LLC., 1150 Mount Vernon Rd., Newark, Ohio.

COMMENTS FROM CITIZENS

ORDINANCES ON SECOND READING

There are none this meeting.

ORDINANCES ON FIRST READING

25-34 AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AND A RESOLUTION AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES;

PROVIDING FOR THE ADOPTION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND DECLARING AN EMERGENCY.

RESOLUTIONS ON SECOND READING

25-65 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION. (\$17,600.00 - Amount was received as proceeds from the sale of used cruisers. It was deposited into 100.155.4910.300 Auction Proceeds Vehicle Auction. We would like to use this money toward the replacement of a totaled cruiser)(\$249,822.81 - Horns Hill Tower Project)

25-66 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION. (\$50,000.00 - Donation John & Mary Alford Foundation)

25-68 A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION - STATE CAPITAL IMPROVEMENTS PROGRAM AND TO EXECUTE CONTRACTS AS REQUIRED.

25-69 A RESOLUTION ESTABLISHING RATES FOR THE STORMWATER UTILITY SERVICE CHARGE AS AUTHORIZED BY CODIFIED ORDINANCE OF THE CITY OF NEWARK, OHIO.

RESOLUTIONS ON FIRST READING

25-70 Exp A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION. (\$20,000.00 - Negotiations, Replace previous budget cut)

25-71 A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO EXECUTE A CONTRACT FOR REIMBURSEMENT OF LEGAL REPRESENTATION OF INDIGENT PERSONS FOR CALENDAR YEAR 2026 WITH THE LICKING COUNTY BOARD OF COMMISSIONERS FOR THE CITY OF NEWARK, LICKING COUNTY, OHIO AND DECLARING AN EMERGENCY.

COMMENTS FROM CITIZENS

MISCELLANEOUS

ADJOURNMENT

ORDINANCE NO. 25-34

BY: _____

AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AND A RESOLUTION AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; PROVIDING FOR THE ADOPTION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND DECLARING AN EMERGENCY.

WHEREAS, Council has had the matter of general updating and revision of the Codified Ordinances of the City before it for some time; and

WHEREAS, it has heretofore entered into a contract with American Legal Publishing to prepare and publish such updating and revision; and

WHEREAS, various ordinances and a resolution of a general and permanent nature have been passed by Council since the date of the last updating and revision of the Codified Ordinances (December 31, 2023) and have been included in the Codified Ordinances of the City; and

WHEREAS, certain changes were made in the Codified Ordinances to bring City law into conformity with State law; and

WHEREAS, an emergency exists in the City in that it is necessary to have an up-to-date Code of laws with which to administer the affairs of the City and to insure law and order.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NEWARK, STATE OF OHIO:

Section 1: That the editing, arrangement and numbering or renumbering of the following ordinances and resolution are hereby approved as parts of the various component codes of the Codified Ordinances of the City, so as to conform to the classification and numbering system of the Codified Ordinances:

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
23-60	1-2-24	890.01 to 890.23, 890.97 to 890.991
24-11	4-1-24	890.013
24-18-A	9-16-24	1260.04, 1261.04, 1262.04, 1263.04, 1264.04, 1265.021, 1266.02, 1266.04, 1266.06, 1266.15, 1267.04, 1267.06, 1267.15
24-19	7-1-24	210.10
24-20-A	7-1-24	850.01 to 850.08
24-36	10-21-24	660.18

Section 2: That the following sections of the Codified Ordinances are or contain new matter in the Codified Ordinances and are hereby approved, adopted and enacted:

402.213, 402.54, 434.07, 434.08, 436.16, 452.05, 606.165, 612.07, 624.01, 624.20, 666.02, 666.03, 672.18, 698.05

Section 3: That the following section of the Codified Ordinances is hereby repealed:

636.22 Failure to perform viability testing.

Section 4: That pursuant to R.C. § 731.23, the Clerk of Council shall publish, in a manner required by law, a notice of the enactment of this ordinance, containing the title of this ordinance, together with a summary of the new matter contained in the 2025 Replacement Pages hereby approved, adopted and enacted, a copy of which summary is attached hereto as Exhibit A.

Section 5: That all ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the new matter adopted in Section 2 of this ordinance are hereby repealed as of the effective date of this ordinance except as follows:

(a) The enactment of such sections shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act committed in violation of any such legislative provision, nor to affect an indictment or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purpose of revision and recodification.

Section 6: That for the reasons stated in the preamble hereto, which is made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor.

Passed this ____ day of _____, 20____.

President of Council

Attest: _____
Clerk of Council

Date Filed With Mayor: _____

Date Approved by Mayor: _____

Mayor

Form Approved: _____
Law Director

EXHIBIT A

SUMMARY OF NEW MATTER
CONTAINED IN THE 2025 REPLACEMENT PAGES
FOR THE
CODIFIED ORDINANCES OF NEWARK, OHIO

New matter in the Codified Ordinances of Newark, Ohio, as contained in the 2025 Replacement Pages therefor, includes legislation regarding:

<u>Section</u>	<u>New or amended matter regarding:</u>
402.213	Definition of natural resources officer.
402.54	Definition of wildlife officer.
434.07	Street racing, stunt driving and street takeovers prohibited.
434.08	Vehicular homicide; vehicular manslaughter; vehicular assault.
436.16	Removal of vehicles after accidents.
452.05	Willfully leaving vehicles on unposted private or public property.
606.165	Compliance with lawful order of police officer; fleeing.
612.07	Open container prohibited.
624.01	Definitions pertaining to drugs.
624.20	Adult use cannabis control; limitations on conduct by individuals.
636.22	Failure to perform viability testing. (Repealed)
666.02	Unlawful sexual conduct with a minor.
666.03	Sexual imposition.
672.18	Concealed handgun licenses; possession of a revoked or suspended license; additional restrictions; posting of signs prohibiting possession.
698.05	Multiple sentences.

Resolution No.25-65

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 \$17,600.00 (Amount was received as proceeds from the sale of used cruisers. It was deposited into 100.155.4910.300 Auction Proceeds Vehicle Auction. We would like to use this money toward the replacement of a totaled cruiser.)

100.203.5532	Vehicles	17,600.00
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Section 2. There is hereby an appropriation of the unappropriated balance of the 333 Infrastructure Fund, in the amount of \$249,822.81 (Horns Hill Tower Project)

333.121.5238	Services General	249,822.81
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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.25-66

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 \$50,000.00 (Donation John & Mary Alford Foundation.)

335.432.5314600	Recreational Amenities Pickleball Court	50,000.00
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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 _____, _____

BY: _____

A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION - STATE CAPITAL IMPROVEMENTS PROGRAM AND TO EXECUTE CONTRACTS AS REQUIRED.

WHEREAS, the State Capital Improvements Program provides financial assistance to political subdivisions for capital improvements to public infrastructure, and;

WHEREAS, The Ohio Public Works Commission has announced funding in Round 40 that may be offered as a grant or loan for road, bridge and other infrastructure projects, and;

WHEREAS, the City of Newark is proposing to make a capital improvements funding application for construction projects within the City of Newark, namely:

1. Resurfacing and related roadway work on West Main Street, South 30th Street, East Main Street and Granville Street, ODOT PID# 118682 – Application for portion of City’s funding toward the overall project cost.

WHEREAS, the infrastructure improvements herein above described are considered to be a priority need for the community and are a qualified project under OPWC program; and,

WHEREAS, this matter was addressed by the Service Committee at a regularly scheduled meeting thereof which recommended consideration of passage by full Council.

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

Section 1: The Director of Public Service of the City of Newark is hereby authorized to apply to the OPWC for funds as described above.

Section 2: The Director of Public Service of the City of Newark is further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

Section 3: This ordinance shall take effect at the earliest time permitted by 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: _____
Law Director

Prepared by the Division of Engineering

RESOLUTION NO. 25-69

BY _____

A RESOLUTION ESTABLISHING RATES FOR THE STORMWATER UTILITY SERVICE CHARGE AS AUTHORIZED BY CODIFIED ORDINANCE OF THE CITY OF NEWARK, OHIO.

WHEREAS, Ordinance 05-55 was adopted by Newark City Council on December 19, 2005 and approved by the Mayor of the City of Newark on December 20, 2005; and

WHEREAS, Ordinance 05-55 amended the Municipal Code of the City of Newark, Ohio by adding a new Chapter 52.00 Stormwater Utility to the Municipal Code; and

WHEREAS, Ordinance 05-55 provides for the funding of the operation, maintenance, and improvement of the stormwater system within the limits of the City of Newark; and

WHEREAS, Ordinance 05-55 specifies in Section 7(3): “City Council shall, by resolution, establish the base rate for the stormwater utility service charge. The base rate shall be calculated to ensure adequate revenues to fund the expenditures of stormwater management and to provide for the operation, maintenance, and capital improvements of the stormwater system within the city limits.”; and

WHEREAS, the Public Service Committee of the Newark City Council met on October 6, 2025 and approved submission of the legislation for full council consideration.

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

Section 1: In accordance with Ordinance 05-55 Section 7(3) the base rate for the stormwater service charge shall hereby be set in accordance with the table.

<u>Rate/ERU/Month</u>	<u>Effective Date</u>
\$8.05	1/1/2026
\$8.41	1/1/2027
\$8.79	1/1/2028
\$9.19	1/1/2029
\$9.60	1/1/2030
\$10.03	1/1/2031
\$10.48	1/1/2032
\$10.95	1/1/2033
\$11.44	1/1/2034
\$11.95	1/1/2035

Note: ERU is the abbreviation for Equivalent Residential Unit as defined in Ordinance 05-55

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.

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 Division of Water and Wastewater

Resolution No.25-70 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 100 General Fund, in the amount of \$20,000.00 (Negotiations, Replace previous budget cut)

100.114.5238	Services General	20,000.00
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This resolution is a measure providing for an appropriation for current expenses of the municipal corporation; it shall go into effect pursuant to Section 4.07 of the Charter of the City of Newark, Ohio.

Adopted this _____ day of _____, 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 25-71

BY _____

A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO EXECUTE A CONTRACT FOR REIMBURSEMENT OF LEGAL REPRESENTATION OF INDIGENT PERSONS FOR CALENDAR YEAR 2026 WITH THE LICKING COUNTY BOARD OF COMMISSIONERS FOR THE CITY OF NEWARK, LICKING COUNTY, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, in circumstances where an indigent individual is charged with a violation of ordinances of the City of Newark, and that person requests appointed counsel because the defendant is indigent, the Licking County Municipal Court will appoint an attorney to provide for the individual's defense; and,

WHEREAS, the county provides legal representation for indigent adults through an appointed counsel system adopted in accordance with Ohio Revised Code Section 120.33.

WHEREAS, the county may contract with a municipal corporation to provide legal representation for indigent persons charged with a violation of an ordinance of a municipal corporation for which the penalty or any possible adjudication includes the loss of liberty.

WHEREAS, if there is no existing agreement between the City of Newark and Licking County Board of Commissioners regarding the reimbursement of the counsel appointed for defendant, Licking County is unable to reimburse such attorney.

WHEREAS, it is necessary to annually execute a new agreement between the City of Newark and the Licking County Board of Commissioners regarding such reimbursement; and,

WHEREAS, the contract must be executed on or before December 31, 2025 and therefore this Resolution must be effective ahead of that date to ensure the continuation of the required contractual reimbursement process; and

WHEREAS, the Service Committee of the Newark City Council has considered this matter and forwards the same to the full Council for its 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 enter into and execute a Contract for Legal Representation of Indigent Persons in the Licking County Municipal Court with the Licking County Board of Commissioners regarding the reimbursement of counsel fees for indigents charged with violations of Municipal

Ordinances for which the penalty or any possible adjudication includes potential loss of liberty.

SECTION 2: This Resolution shall become effective immediately for the reasons as set forth herein and to protect the public peace, health, safety or welfare pursuant to Article 4.07 of the Charter of the City of Newark, Ohio.

Adopted 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

Prepared by the Office of the Director of Law