

July 13, 2023

FINANCE COMMITTEE

July 17, 2023

Committee and Council Meetings can be viewed by accessing YouTube

Council Chambers

5:45pm

AGENDA

1. Consider **Resolution No. 23-68** A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUBMIT APPLICATIONS TO THE UNITED STATES BUREAU OF JUSTICE ASSISTANCE FOR FISCAL YEAR 2023 EDWARD BYRNE JUSTICE ASSISTANCE GRANT FUNDING.
2. Consider **Resolution No. 23-69 Exp** APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION
3. Consider **23-31** AN ORDINANCE ACCEPTING THE FACT FINDER'S REPORT RECEIVED IN CONNECTION WITH THE COLLECTIVE BARGAINING NEGOTIATIONS BETWEEN THE CITY OF NEWARK AND FRATERNAL ORDER OF POLICE LOCAL 127, BLUE AND GOLD UNITS AND RECOMMENDATIONS CONTAINED THEREIN AND DECLARING AN EMERGENCY.
FOR DISCUSSION ONLY: USING RULE 11 ON COUNCIL AGENDA
4. Consider **23-32** AN ORDINANCE REJECTING THE FACT FINDER'S REPORT RECEIVED IN CONNECTION WITH THE COLLECTIVE BARGAINING NEGOTIATIONS BETWEEN THE CITY OF NEWARK AND THE FRATERNAL ORDER OF POLICE LOCAL 127, BLUE AND GOLD UNITS AND RECOMMENDATIONS CONTAINED THEREIN AND DECLARING AN EMERGENCY.
FOR DISCUSSION ONLY: USING RULE 11 ON COUNCIL AGENDA
5. Other items at the discretion of the chair

BY _____

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUBMIT APPLICATIONS TO THE UNITED STATES BUREAU OF JUSTICE ASSISTANCE FOR FISCAL YEAR 2023 EDWARD BYRNE JUSTICE ASSISTANCE GRANT FUNDING.

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

WHEREAS, the United States Department of Justice Bureau of Justice Assistance has prepared Fiscal Year 2023 funding directives which provides that funds are available for certain crime prevention activities; and,

WHEREAS, a Memorandum of Understanding between the City of Newark and Licking County must be executed in order to apply for the \$15,142. allocation set by the Bureau of Justice Assistance.

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

Section 1: This Council does hereby authorize and direct the Mayor, and his representative, to prepare applications to the United States Bureau of Justice Assistance funding assistance through the Edward Byrne Justice Assistance Grant for Fiscal Year 2023, and to make in connection therewith, all certifications, understandings, and assurances contained therein.

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

Section 3: That the Mayor be and hereby is designated as the authorizing official to enter into an agreement with the United States Bureau of Justice Assistance to administer the grant program and to accept said funds when they become available.

Section 4: This Resolution shall become effective upon the earliest date permitted by Article 4.07 of the Charter of the City of Newark, Ohio.

ADOPTED THIS _____ DAY OF _____, 2023

_____, PRESIDENT OF COUNCIL

ATTEST _____, CLERK OF COUNCIL

DATE FILED WITH MAYOR _____

DATE APPROVED BY MAYOR _____

_____, MAYOR

FORM APPROVED: _____, DIRECTOR OF LAW

Resolution No.23-69 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 297 Fire Safety Grant Fund, in the amount of \$760.20 (EMS Grant from State of Ohio)

297.296.5303100	Medical Supplies EMS	760.20
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Section 2. There is hereby an appropriation of the unappropriated balance of the 623 Water Fund, in the amount of \$1,862,682.00 (Lead Service Line Replacement Project #3)

623.706.5000303	Lead Service Lines #3	1,742,682.00
623.706.5231303	Professional Services Lead Service Line	120,000.00

Section 3. There is hereby an appropriation of the unappropriated balance of the 220 COVID Fund, in the amount of \$12,747.52 (remaining money granted prior year for fire overtime not spent)

220.205.5118	Overtime	12,747.52
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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 _____, 2023.

President of Council _____

Attest Clerk of Council _____

Date filed with Mayor _____

Date approved by Mayor _____

Mayor _____

Approved as to form Director of Law _____, _____

Finance Committee Request Form

Appropriate ** From Unappropriated Balance of Specific Fund					623- Water Funds	Fund Source
Fund	Dept	Object	Account Description	Amount		
623	706	5000303	Lead Service Lines #3	1,742,682.00		
623	706	5231303	Professional Services Lead Service Line	120,000.00		
Total				\$ 1,862,682.00		

Reason for Appropriations
Lead Service Line Replacement Project #3

1. Verify with the Auditor's office to make sure there is a sufficient amount in the unappropriated balance of the fund.

2. Please enter Fund Source from which dollars will be appropriated -Number and Name.

Disappropriate						
Fund	Dept	Object	Account Description	Amount		
Total				\$ -		

Reasons for Disappropriations

1. Disappropriations will need to be made if funds need moved from a Personnel account into an operating account.

2. This can only be done if there are sufficient funds to cover remaining expenses in those accounts for the remainder of the year.

Expedite - Waive Second Reading	Yes		No	
Reason				

Requester <i>[Signature]</i>	Date 7/7/2023			
Director <i>[Signature]</i>	Date 7/11/2023	Approve <input checked="" type="checkbox"/>	Disapprove <input type="checkbox"/>	
Mayor <i>[Signature]</i>	Date 7.10.23	Approve <input checked="" type="checkbox"/>	Disapprove <input type="checkbox"/>	
Auditor <i>[Signature]</i>	Date 7-11-23	Approve <input checked="" type="checkbox"/>	Disapprove <input type="checkbox"/>	

Finance Committee Action	Date	Approve <input type="checkbox"/>	Disapprove <input type="checkbox"/>	
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Finance Committee Request Form

Appropriate ** From Unappropriated Balance of Specific Fund

220- COVID

Fund Source

Fund	Dept	Object	Account Description	Amount
220	205	5118	Overtime	12,747.52
Total				\$ 12,747.52

Reason for Appropriations

Remaining money granted prior year for fire overtime not spent

1. Verify with the Auditor's office to make sure there is a sufficient amount in the unappropriated balance of the fund.
2. Please enter Fund Source from which dollars will be appropriated -Number and Name.

Disappropriate

Fund	Dept	Object	Account Description	Amount
Total				\$ -

Reasons for Disappropriations

1. Disappropriations will need to be made if funds need moved from a Personnel account into an operating account.
2. This can only be done if there are sufficient funds to cover remaining expenses in those accounts for the remainder of the year.

Expedite - Waive Second Reading

Yes No

Reason

Requester	Date 7-11-23	
Director	Date	Approve <input type="checkbox"/> Disapprove <input type="checkbox"/>
Mayor	Date 7-11-23	Approve <input checked="" type="checkbox"/> Disapprove <input type="checkbox"/>
Auditor	Date 7-11-23	Approve <input checked="" type="checkbox"/> Disapprove <input type="checkbox"/>

Finance Committee Action	Date	Approve <input type="checkbox"/> Disapprove <input type="checkbox"/>
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BY _____

AN ORDINANCE ACCEPTING THE FACT FINDER'S REPORT RECEIVED IN CONNECTION WITH THE COLLECTIVE BARGAINING NEGOTIATIONS BETWEEN THE CITY OF NEWARK AND FRATERNAL ORDER OF POLICE LOCAL 127, BLUE AND GOLD UNITS AND RECOMMENDATIONS CONTAINED THEREIN AND DECLARING AN EMERGENCY.

WHEREAS, the City of Newark, Ohio, is a public employer as that phrase is defined in Chapter 4117 of the Ohio Revised Code and is currently engaged in collective bargaining with Fraternal Order of Police Local 127, Blue and Gold units; and

WHEREAS, representatives of the City of Newark have received a fact-finding report containing findings, recommendations and summaries of a fact-finder; and

WHEREAS, the law of this State provides that when the parties to the collective bargaining process receive such a fact finder's report, the legislative body of the public employer shall meet, within seven days of the date on which the report is sent to consider the report and to accept or reject same; and,

WHEREAS, the law further provides that upon failure of the legislative body to accept or reject the report, the recommendations are deemed by operation of law to be "agreed upon" by the parties as the final resolution of the issues submitted and requires that upon the deeming of the issues to be resolved, a collective bargaining agreement must be executed between the parties by mutual agreement; and,

WHEREAS, the Finance Committee considered this matter on July 17, 2023, and recommended that it be considered by the full Council,

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

Section 1: By virtue of the Newark City Charter 3.07, this Council, not later than seven days after the findings, recommendations and summaries of the fact finder were served, does hereby certify that it has been provided with the said findings, recommendations, and summaries of the fact finder; that the legislative body has met in open session having done so on July 17, 2023, and did by at least a three-fifths vote of its membership vote to accept the report and recommendations of the fact finder.

Section 2: The Clerk of Council is, by this Ordinance authorized to certify two copies of this Ordinance.

- a) The Clerk of Council shall by certified mail, return receipt requested, mail one certified copy of the Ordinance to the State Employment Relations Board, 65 East State Street, Suite 1200, Columbus, Ohio 43215.

- b) The Clerk of Council shall by certified mail, return receipt requested, mail one certified copy of the Ordinance to the Representative of the Fraternal Order of Police Local 127, Blue and Gold units, Keith Washburn, 222 E. Town St., Columbus, Ohio 43215.
- c) Both of the above mailings must be completed no later than twenty-four hours after the vote count.
- d) The Clerk of this Council shall post a copy of this Ordinance and a copy of the fact-finding report in a conspicuous location where employees will be reasonably apprised of the contents.

Section 3: An emergency is hereby declared to exist due to the fact that Ohio law requires that proper procedures and practices be ratified for the necessary employment of uniformed members of the Division of Police therefore, this Ordinance shall become effective immediately in accordance with Article 4.07 of the Charter of the City of Newark.

Passed this _____ day of July, 2023.

 PRESIDENT OF COUNCIL

ATTEST: _____
 Clerk of Council

DATE FILED WITH MAYOR: _____

DATE APPROVED BY MAYOR: _____

 MAYOR

FORM APPROVED: _____
 DIRECTOR OF LAW

BY _____

AN ORDINANCE REJECTING THE FACT FINDER'S REPORT RECEIVED IN CONNECTION WITH THE COLLECTIVE BARGAINING NEGOTIATIONS BETWEEN THE CITY OF NEWARK AND THE FRATERNAL ORDER OF POLICE LOCAL 127, BLUE AND GOLD UNITS AND RECOMMENDATIONS CONTAINED THEREIN AND DECLARING AN EMERGENCY.

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WHEREAS, the law further provides that upon failure of the legislative body to accept or reject the report, the recommendations are deemed by operation of law to be "agreed upon" by the parties as the final resolution of the issues submitted and requires that upon the deeming of the issues to be resolved, a collective bargaining agreement must be executed between the parties by mutual agreement; and,

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Section 2: The Clerk of Council is, by this Ordinance authorized to certify two copies of this Ordinance.

- a) The Clerk of Council shall by certified mail, return receipt requested, mail one certified copy of the Ordinance to the State Employment Relations Board, 65 East State Street, Suite 1200 Columbus, Ohio 43215.

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- c) Both of the above mailings must be completed no later than twenty-four hours after the vote count
- d) The Clerk of this Council shall post a copy of this Ordinance and a copy of the fact-finding report in a conspicuous location where employees will be reasonably apprised of the contents.

Section 3: An emergency is hereby declared to exist due to the fact that Ohio law requires that proper procedures and practices be ratified for the necessary employment of uniformed members of the Division of Fire therefore, this Ordinance shall become effective immediately in accordance with Article 4.07 of the Charter of the City of Newark.

Passed this _____ day of July, 2023.

 PRESIDENT OF COUNCIL

ATTEST: _____
 Clerk of Council

DATE FILED WITH MAYOR: _____

DATE APPROVED BY MAYOR: _____

 MAYOR

FORM APPROVED: _____
 DIRECTOR OF LAW