

May 12, 2022

**SERVICE COMMITTEE**

May 16, 2022

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

Council Chambers

Following Finance Committee

**AGENDA**

1. Consider **Ordinance No. 22-17** 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
2. Consider **Resolution No. 22-49** A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR CONSTRUCTION OF A GRAVITY SANITARY SEWER ON RIVER ROAD FROM PARK TRAILS TO THORNWOOD DRIVE.
3. Consider **Resolution No. 22-50** A RESOLUTION AUTHORIZING THE LICKING COUNTY COMMISSIONERS TO ACT AS THE PURCHASING AGENT AND GOVERNMENTAL AGGREGATOR FOR NATURAL GAS AGGREGATION PROGRAM FOR THE CITY OF NEWARK, LICKING COUNTY, OHIO.
4. Other items at the discretion of the chair

ORDINANCE NO. 22-17

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 The American Legal Publishing Company 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, 2020) 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>
20-37-A	2-1-21	1294.01, 1294.11
21-01	2-16-21	1244.02

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:

202.03, 402.193, 402.52, 416.13, 416.14, 432.19, 434.03, 436.01, 436.02, 436.04, 436.09, 475.21, 606.20, 606.30, 612.01, 612.07, 612.09, 624.01, 624.19, 630.01, 630.06, 630.07, 630.09, 630.11, 630.12, 630.15, 636.18, 642.03, 642.11, 642.125, 642.14, 642.34, 648.09, 666.07, 666.085, 672.02, 672.07, 672.09, 672.12, 672.18, 698.02

Section 3: That the following section of the Codified Ordinances is hereby repealed:

Section 4: That pursuant to Ohio 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 2022 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 2022 REPLACEMENT PAGES  
FOR THE  
CODIFIED ORDINANCES OF NEWARK, OHIO

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New matter in the Codified Ordinances of Newark, Ohio, as contained in the 2022 Replacement Pages therefor, includes legislation regarding:

<u>Section</u>	<u>New or amended matter regarding:</u>
202.03	Rules of construction.
402.193	Definition of low-speed micromobility device.
402.52	Definition of vehicle.
416.13	Operation of personal delivery device on sidewalks and crosswalks.
416.14	Low-speed micromobility devices.
432.19	Right-of-way of public safety or coroner's vehicle.
434.03	Maximum speed limits; assured clear distance ahead.
436.01	Driver's or commercial driver's license required.
436.02	Possession of more than one license prohibited.
436.04	Certain acts prohibited pertaining to licensing; accidents.
436.09	Display of license plates; registration; obstructions.
475.21	Electric bicycles.
606.20	Interfering with civil rights.
606.30	Self-defense: limitations on duty to retreat prior to using force.
612.01	Definitions pertaining to alcoholic beverages.
612.07	Open container prohibited.
612.09	Conveying intoxicating liquor or cash onto grounds of detention facilities or other institutions.
624.01	Definitions pertaining to drugs.
624.19	Sale of dextromethorphan.
630.01	Definitions pertaining to gambling.
630.06	Responsibility of charitable organization conducting bingo game.
630.07	Maintenance of records by charitable organizations.
630.09	Exemption for bingo games conducted for amusement.
630.11	Raffle drawings.
630.12	Instant bingo other than at bingo sessions.
630.15	Electronic instant bingo; prohibited conduct.
636.18	Hazing.
642.03	Degree of offense when certain property involved.
642.11	Criminal mischief.
642.125	Aggravated trespass.
642.14	Passing bad checks.
642.34	Railroad vandalism; criminal trespass; interference with operation of train; grade crossing device vandalism.

Section   New or amended matter regarding:

- 648.09   Making false alarms.
- 666.07   Procuring; engagement in sexual activity for hire.
- 666.085   Loitering to engage in solicitation.
- 672.02   Carrying concealed weapons.
- 672.07   License or permit to possess dangerous ordnance.
- 672.09   Unlawful transactions in weapons.
- 672.12   Fireworks.
- 672.18   Concealed handgun licenses; possession of a revoked or suspended license; additional restrictions; posting of signs prohibiting possession.
- 698.02   Penalties for misdemeanor.

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## **≡DIVISION OF WATER & WASTEWATER≡**

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Roger A. Loomis  
Water Administrator  
740-670-7945

34 South 5<sup>th</sup> Street  
P. O. Box 4100  
Newark, Ohio 43058-4100

Brandon Fox  
Project Manager  
740-670-7947

### **MEMORANDUM**

**TO:** Jeff Rath, Chairman  
Public Service Committee

**FROM:** Roger Loomis  
Water Administrator 

**SUBJECT:** Service Committee Agenda

**DATE:** May 4, 2022

**COPIES:** Mayor, Service Director, Clerk of Council, Beth Bline, Spencer Barker,  
Cheri Hottinger, Jeff Harris, file

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I would appreciate some time on the next Service Committee agenda to present the following resolution.

**A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR CONSTRUCTION OF A GRAVITY SANITARY SEWER ON RIVER ROAD FROM PARK TRAILS TO THORNWOOD DRIVE.**

RESOLUTION NO. \_\_\_\_\_

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

**A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR CONSTRUCTION OF A GRAVITY SANITARY SEWER ON RIVER ROAD FROM PARK TRAILS TO THORNWOOD DRIVE.**

**WHEREAS**, the City of Newark operates a wastewater collection system on River Road near a planned ODOT road improvement project; and,

**WHEREAS**, this area is currently within the planned ODOT roundabout expansion and served by a sanitary pump station near Park Trails and force main on River Road and has some reoccurring maintenance costs; and,

**WHEREAS**, there is need for abandonment of the existing pump station and force main sewer and install of a gravity sewer to ensure reliable service for current and future customers; and,

**WHEREAS**, detailed plans and specifications for the aforementioned improvement project are being prepared and will be available for review in or through the Director of Public Service office; and,

**WHEREAS**, funding from the American Rescue Plan is available to fund this project; and,

**WHEREAS**, the Service Committee of the Newark City Council met on the 16<sup>th</sup> day of May, 2022 and voted to forward this legislation to full Council for its further 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 advertise for bids and enter into contract, subject to the appropriation of funds, for the construction of a new booster station and upgrading of the existing booster station.

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 \_\_\_\_\_ 2022.

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

ATTEST:

CLERK OF COUNCIL

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

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

\_\_\_\_\_  
MAYOR

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

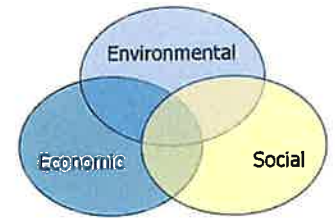
Prepared by the Division of Water and Wastewater



## Department of Public Service

### Division of Water and Wastewater

#### Request for Legislation



#### ***Project Title: River Road Sewer replacement***

**A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR CONSTRUCTION OF THE RIVER ROAD SEWER REPLACEMENT.**

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#### **Background/Purpose:**

The Ohio Department of Transportation is installing a roundabout in the area of River Road, Thornwood Drive and Reddington Road intersection. Due to the proposed roundabout, the City of Newark, Division of Water and Wastewater desires to abandon an existing sanitary pump station and force main in the River Road area with a gravity sewer and connect to the gravity sanitary sewer interceptor the Evans Foundation Bike Path crossing under Reddington Road. The proposed gravity sewer will allow future development in the service area to connect to the City without additional pump stations.

#### **Scope of Work:**

The Division of Water and Wastewater, through the Director of Public Service, is requesting authorization to enter into a construction agreement for this project. This work will include connecting to the existing sewer lift station at the entrance to Park Trails and constructing a sewer line to the east and connecting the gravity line to an existing line on Reddington Road near Reddington Condos.

#### **Justification/Urgency:**

It is in the best interest of the City to abandon the pump station and install gravity sewer in conjunction with the ODOT project to provide more reliable gravity sewer to the service area. This work will need to be completed prior to the work on the bridge over Raccoon Creek and the installation of the roundabout at Reddington and Thornwood Drive.

#### **Anticipated Costs and funding source:**

The estimated cost at this time is \$3M. Funding for this project is expected using the American Rescue Plan funds.

#### **Schedule or Term of Contract:**

The engineering design will be completed 2<sup>nd</sup> quarter 2022 with anticipated construction starting 4<sup>th</sup> quarter 2022. This design work for this project was completed by Gannett Fleming.

**Current Contract(s):**

The Preliminary Engineering Report was completed in August 2021 by Gannett Fleming, who is also currently designing the ODOT portion of the project.

**Governance:**

Current legislation is needed to enter into a construction agreement. Legislation for funding is already in place for this project.

**Infrastructure Sustainability:**

The existing Sanitary Pump Station will be abandoned therefore eliminating the associated Operation and Maintenance costs. Gravity sewers will provide more reliable service to the existing and future customers.

**Return on Investment:**

It is anticipated that the cost of this project will be funded entirely using grant funds and will eliminate a sanitary pump station and the associated costs of maintenance and electricity.

**Community Impact:**

This project will benefit this area with improved gravity sewer service for current future customers.

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

**A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR CONSTRUCTION OF A GRAVITY SANITARY SEWER ON RIVER ROAD FROM PARK TRAILS TO THORNWOOD DRIVE.**

**WHEREAS**, the City of Newark operates a wastewater collection system on River Road near a planned ODOT road improvement project; and,

**WHEREAS**, this area is currently within the planned ODOT roundabout expansion and served by a sanitary pump station near Park Trails and force main on River Road and has some reoccurring maintenance costs; and,

**WHEREAS**, there is need for abandonment of the existing pump station and force main sewer and install of a gravity sewer to ensure reliable service for current and future customers; and,

**WHEREAS**, detailed plans and specifications for the aforementioned improvement project are being prepared and will be available for review in or through the Director of Public Service office; and,

**WHEREAS**, funding from the American Rescue Plan is available to fund this project; and,

**WHEREAS**, the Service Committee of the Newark City Council met on the 16<sup>th</sup> day of May, 2022 and voted to forward this legislation to full Council for its further 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 advertise for bids and enter into contract, subject to the appropriation of funds, for the construction of a new booster station and upgrading of the existing booster station.

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 \_\_\_\_\_ 2022.

\_\_\_\_\_  
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. 22-50

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

**A RESOLUTION AUTHORIZING THE LICKING COUNTY COMMISSIONERS TO ACT  
AS THE PURCHASING AGENT AND GOVERNMENTAL AGGREGATOR FOR  
NATURAL GAS AGGREGATION PROGRAM FOR THE CITY OF NEWARK, LICKING  
COUNTY, OHIO.**

WHEREAS, On May 3, 2022 the residents of the City of Newark voted in favor of natural gas aggregation to improve purchasing leverage and offer reduced natural gas rates to residential and small business consumers; and,

WHEREAS, The Licking County Commissioners have offered their services to act on behalf of City of Newark, Licking County, Ohio as the governmental aggregator; and,

WHEREAS, having one centralized aggregator will provide for the most expeditious manner to handle any issues arising in the process of natural gas aggregation; and

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

**Section 1.** The Council of the City of Newark hereby authorizes the Licking County Commissioners to act as the governmental agent for purchasing and aggregation of natural gas program for the residents of the City of Newark, Licking County, Ohio.

**Section 2.** This resolution shall be copied to the Licking County Commissioners, 20 South Second Street, Newark, Ohio 43055.

**Section 3.** It is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were so adopted in an open meeting of

this Council, and that all formal actions, were in meetings open to the public, in compliance with all legal requirements.

**Section 4.** This Resolution 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 \_\_\_\_\_, 2022.

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

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

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

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

\_\_\_\_\_  
MAYOR

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