

Service Committee Minutes

Honorable Council
City of Newark, Ohio
April 17, 2018

The Service Committee met in Council Chambers on Monday April 16, 2018 following the Finance Committee with these members in attendance:

Jeff Rath, Chair
Bill Cost Jr
Jonathan Lang
Jeremy Blake
Ryan Bubb

We wish to report:

1. **Resolution No. 18-34** a resolution declaring the necessity of improving properties in and abutting Fairway Estates subdivision and along Horns Hill Road by upgrading the existing sanitary sewer system and installing a new gravity sewer system and the necessary appurtenances was considered.

Mr. Bubb- I will be abstaining from conversations regarding this resolution, the reason being is that I serve on the board of the homeowners association for Fairway Estates.

Brian Morehead, City Engineer- we have moved through the process to develop an assessment project to install a new gravity sewer in the Horns Hill Road area. This is the next step in the process. The petition has been filed with the city and the appropriate amounts of signatures have been obtained. This legislation is the next to come about in the formal assessment process. I am trying to get this before you knowing that it is going to be another 4 weeks until this is actually passed. This piece of legislation directs us to file a cost estimate for this project to the Clerk of Council which we will be doing prior to the May 7th meeting. We aren't quite finished with it at this point. It also directs us in Section 8 to give notice to the property owners that this piece of legislation has been passed. Section 7 directs us to develop the estimated assessments for each of the property owners. We will do that after this has passed. There are several other pieces of legislation that will be along the path after the resolution declaring the necessity of improving the properties is passed assuming that it passes also depending on whether objections are filed. The next piece of legislation will be to proceed with the project. If there are no objections after May 21st we will move forward with that ordinance, hopefully that can be passed in June and then we can have the project out to bid directly after that.

Mr. Rath- what has been your feedback from the people in the neighborhood thus far?

Brian Morehead- in Fairway Estates we have 77% of the property owners signatures on the petition, 75% was the requirement. There is also the opportunity for any of those along Horns Hill Road where the sewer will be passing by their property to join as a voluntary assessment. They can choose to have the assessment levied on to their property and have the availability of the sewer if they wish. We have had some that are not in Fairway Estates Subdivision who are against the project on the front end so we changed the project around and not made it a requirement for them however they have the ability to join in the project voluntarily.

Mr. Lang- what is the timeline for the project once you get the legislation through?

Brian Morehead- we hope to have it completed by this construction season.

Mr. Lang- do you have an estimate of how the cost is going to break down in terms of the residents who are subject to the assessment?

Brian Morehead- the assessments that we have been talking about all along have been about \$4200.00 per benefited property.

Jeff Rath- if I'm not mistaken that is assessed on to their utility bill.

Brian Morehead- no when the project is complete they will have an opportunity to pay it as a lump sum payment or if they choose not to do that it can be assessed on their property taxes and we have chosen to do that over a 20 year period.

Mr. Blake- refresh my memory there was a discussion about this before, you mentioned that there were 77% of signatures gathered in Fairway Estates was there an initial signature gather point and then there was a second one?

Brian Morehead- the law says that we have to have 75% to make the assessment project go forward.

Mr. Blake- I was referring to the properties that were included in the signature gathering.

Brian Morehead- I don't know what the percentage was including everyone along Horns Hill Road, it wasn't 75%

Mr. Blake- and then it went back a second time?

Brian Morehead- yes

Mr. Blake- so the second time it just included Fairway Estates?

Brian Morehead- correct

Mr. Blake- and where did that decision come from?

Brian Morehead- the decision point changed when we chose to allow the folks along Horns Hill Road that are not part of Fairway Estates to be voluntary on the assessment versus mandatory on the assessment.

Mr. Rath- if someone decides to voluntarily participate does that affect everybody's assessment?

Brian Morehead- yes it would drop it somewhat.

Mr. Rath- so as people volunteered everybody's assessment goes down

Brian Morehead- there are 44 properties on the assessment right now so if one additional person signed on it wouldn't drop it very much, if 10 additional people signed on it would have a bigger impact of course.

Mr. Cost- as far as the voluntary what has that reaction been?

Brian Morehead- I have got 2 people who have shown interest. One is a for sure the other is still trying to make a decision.

Mr. Fraizer- is there are time period for voluntary before the 20 year extension is provided to them? Do they have to contact you by the end of this year in order to get that 20 year term?

Brian Morehead- I think that we would have to talk to our attorney on that I don't know what the drop dead deadline is but I would assume that it is prior to filing the actual assessments which happens after the construction.

Motion by Mr. Lang to send to full Council, second by Mr. Cost

Motion passed by a vote of 5-0.

Mr. Rath- Mr. Morehead has a couple other items he wanted to discuss that are included in our packets.

Brian Morehead- there are two other items I want to discuss just for information. First of all I sent you a map of the Cherry Valley storm water master plan area. We have an Engineering Consultant on board and they are starting the study work. The heavy rains are giving us a good modeling of how the storm system works. By the end of the week all the property owners out in that area will be receiving a questionnaire from the consulting team which will ask them different questions about flooding and where they see water entering. This will help us do the most through job we can in designing this system. The last item was a discussion of our existing corporate line that was discovered to actually be cutting through the abutting property owners property lines. Newark and Heath have been discussing it over the last couple of months and would like to get it cleaned up; we are going to be working on balancing out those lines. Some properties will be officially moved into Newark and some will officially be moved into Heath. Basically the corporate line will follow the property lines as opposed to bisecting through properties at that point. We will be coming forward with legislation in the next couple of months that will allow us to make those corrections to the corporate line.

Mr. Rath- should we anticipate a slew of annexations?

Brian Morehead- my understanding is that it wouldn't actually be an annexation; the folks from Heath who has researched it more than us said that the joint legislation by Heath and Newark will allow this agreement to be made.

Mr. Rath- does this involve primarily residential properties or commercial properties or a mix?

Brian Morehead- it is a mix. The majority is residential properties but for instance Newark Maennerchor is one of them.

Mr. Rath- will this affect anyone's taxes?

Brian Morehead- we are looking at that and the idea will be that it won't affect anyone's taxes that is part of the balancing act.

Steven Smith, 237 Violet Court- is anyone's school district assignment going to be affected by this?

Brian Morehead- no

Jeff Rath, Chair