

Service Committee Minutes

Honorable Council
City of Newark, Ohio
September 26, 2017

The Service Committee met in Council Chambers on Monday September 25, 2017 following the Street Committee with these members in attendance:

Jeff Rath
Bill Cost Jr
Mark Fraizer
Carol Floyd
Ryan Bubb

We wish to report:

1. Resolution No. **17-68** a resolution of intent to appropriate the real estate known as parcel # 054-271110-00.001, Newark Licking County, for maintaining and improving the Manning Street Bridge within the City of Newark, Ohio; authorizing the Mayor to give notice to the owner of such lands as required by law; and declaring an emergency was considered.

Brian Morehead- I will talk generally first, all five of these resolutions in front of you tonight are resolutions of intent to appropriate real estate and they are for two bridges. The first one is the Manning Street Bridge; we have been through the design process to replace the Manning Street Bridge and the Ohio Street Bridge. In both of those situations both bridges were built in the 60's right acquisition laws weren't what they are today back when those parcels were purchased so in the course of securing the new right of way for the new bridge structures that will be basically at the same location it was found that many of these parcels were either not either acquired properly or not either acquired with clear title. We basically have to go back and make sure the title is clear on all of these properties. On the Manning Street Bridge the parcel that needs to be acquired is from Owens Corning and it is on the northeast corner of the bridge. The appraised value of that small piece of land we need is \$300.00. This is a friendly appropriation; we have talked to Owens Corning they are not opposed to it however they are not able to jump through all of the legal hoops and do all of the paperwork that needs to be done to actually turn the piece of property over to us in the time frame we need to. We will need to file an appropriation .This will allow them to basically sit back

and do nothing. They will not respond to the appropriation, it will become ours and we will give them the \$300.00.

Motion by Mr. Bubb to send to full Council, second by Mrs. Floyd

Mr. Faizer- can you walk us through the process, it goes and passes through what are the next step?

Brian Morehead- at the next meeting we will have an ordinance appropriating the land. It will come from the Law Director's office. That will be the official appropriation. We need to have this move along as quickly as possible because you will have thirty days after the ordinance is signed and we need to clear the right of way clear to ODOT in November. This will allow the 30 days pass and we will be able to make our certifications to ODOT in November. The final plans are due to ODOT in December and the bids will open in March of next year. We will be under construction for both of these bridges and a multi-use path along the south side of Ohio Street is also included in the project. That will all be bid in March of next year and under construction at this time next year.

Motion passed by a vote of 5-0.

2. **Resolution No. 17-69** a resolution of intent to appropriate the real estate known as parcels #2A and 2B WD, Newark Licking County, for maintaining and improving the Ohio Street Bridge within the City of Newark, Ohio; authorizing the Mayor to give notice to the owner of such lands as required by law; and declaring an emergency was considered.

Brian Morehead- the next four pieces of legislation deal with the Ohio Street Bridge. The owner was the original owner; we don't even know the actual date but Alice G. Fleek Miller and Grace F Kennedy their addresses unknown, we have tried to contact their heirs and we have had no luck in finding those folks. The appraised value of this property is also \$300.00.

Mr. Rath- you have \$768.00 in here, the good faith offer.

Brian Morehead- yes that is for both parcels. Just 2A was for \$300.00

Motion by Mrs. Floyd to send to full Council, second by Mr. Fraizer

Mr. Rath- what will happen with the \$768.00 dollars when there are no heirs and I am assuming the owners have passed?

Brian Morehead- when the ordinance is passed the Law Director's office will file the cases with the courts and the money will be deposited and if any of the heirs ever show up they will be able to withdraw that money.

Motion passed by a vote of 5-0.

3. **Resolution No. 17-70** a resolution of intent to appropriate the real estate known as parcels # 6 T and 6 WD, Newark Licking County, for maintaining and improving the Ohio Street Bridge within the City of Newark, Ohio; authorizing the Mayor to give notice to the owner of such lands as required by law; and declaring an emergency was considered.

Brian Morehead- this parcel again there are no known heirs, the last known owner was Theodosia Wilson. This parcel is actually down in the river and there was no actual parcel number assigned to it. I believe our appraised amount was \$300.00. We have also tried to contact any heirs and have had no luck.

Motion by Mr. Floyd to send to full Council, second by Mr. Bubb

Motion passed by a vote of 5-0.

4. **Resolution No. 17-71** a resolution of intent to appropriate the real estate known as parcels # 7 T and 7 WD, Newark Licking County, for maintaining and improving the Ohio Street Bridge within the City of Newark, Ohio; authorizing the Mayor to give notice to the owner of such lands as required by law; and declaring an emergency was considered.

Brian Morehead- this is a similar situation, the last known owners were Bessie M. Bourne and Bessie C White. The last one was deceased in July 6th of 1963. It is a parcel that is now at the bottom of the creek. There was no auditor's parcel number for that one and the appraised amount is \$369.00.

Motion by Mrs. Floyd to send to full Council, second by Mr. Fraizer

Motion passed by a vote of 5-0.

5. **Resolution No. 17-72** a resolution of intent to appropriate the real estate known as parcel # 054-212748-00.000, Newark Licking County, for maintaining and improving the Ohio Street Bridge within the City of Newark, Ohio; authorizing the Mayor to give notice to the owner of such lands as required by law; and declaring an emergency was considered.

Brian Morehead- this parcel is actually located on the southwest corner, some of the land at that corner was last owned by Josephine Rizzo who is deceased as of September 13th of 2000. We had no contact and no response from her heirs. The appraised value of this one is also \$300.00.

Motion by Mrs. Floyd to send to full Council, second by Mr. Fraizer

Mr. Fraizer- what is the notification process to the heirs?

Brian Morehead- if you look through that title document you have about 77 pages of background that goes with each of these appropriations. Our right of way acquisition consultant spent a lot of time at the County Courthouse researching these properties,

doing Google searches for the airs, pretty much exhausting any possibilities they could to turn these folks up to have some sort of meaningful negotiation.

Motion passed by a vote of 5-0.

Jeff Rath, Chair