

COUNCIL AGENDA

January 18, 2022

Committee and Council Meetings can be viewed by accessing YouTube

*** Due to COVID the meeting location is subject to change based on the current situation*

Council Chambers

7:00 P.M.

ROLL CALL

INVOCATION – Jeff Harris

PLEDGE OF ALLEGIANCE – Lauren Peters, 4th grade, Hillview Elementary

CAUCUS

MINUTES of January 3, 2022

APPOINTMENTS

REPORTS OF STANDING COMMITTEES

Finance

Service

Street

Personnel

REPORTS FROM CITY OFFICIALS

City Auditor, Ryan T. Bubb – Operating report for period ending December 31, 2021

Brenda Cooper, Tax Administrator's Office – Income Tax Revenue Reports for period ending December 31, 2021

COMMUNICATIONS

Park National Bank – Newark Memorial Bld/Cedar Hill Cemetery Trust Statement

COMMENTS FROM CITIZENS

ORDINANCES ON SECOND READING

20-16-C AN ORDINANCE SETTING COMPENSATION AND STATING POLICY WITH RESPECT TO CERTAIN POSITIONS WITHIN THE OFFICE OF THE CLERK OF THE LICKING COUNTY MUNICIPAL COURT OF THE CITY OF NEWARK, OHIO AND REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT

21-44 AN ORDINANCE REPEALING AND AMENDING CHAPTER 440, SECTION 440.01, SUBSECTION (g) BRIDGES, OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO

ORDINANCES ON FIRST READING

22-01 AN ORDINANCE VACATING A PORTION OF A SIXTEEN (16) FOOT WIDE ALLEY AS SHOWN ON THE PLAT OF CHARLES G. PENNEY'S 1st ADDITION, AS RECORDED IN PLAT BOOK 2, PAGE 454 OF THE LICKING COUNTY PLAT RECORDS, AND ON THE PLAT OF CHARLES G. PENNEY'S 2nd ADDITION, AS RECORDED IN PLAT BOOK 3, PAGE 263 OF THE LICKING COUNTY PLAT RECORDS; SAID ALLEY IS LOCATED EAST OF NORTH CEDAR STREET, BETWEEN EAST MAIN STREET AND TUSCARAWAS STREET.

22-02 AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 404 RIDGE AVENUE, LOT NUMBER 3975 (PARCEL #054-195288.00-000), CITY OF NEWARK, LICKING COUNTY, OHIO, FROM THAT OF SINGLE FAMILY RESIDENCE – RH – HIGH DENISTY DISTRICT TO MFR – MULTI-FAMILY RESIDENCE DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

22-03 AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 404 RIDGE AVENUE, LOT NUMBER 3976 (PARCEL #054-195282.00-000), CITY OF NEWARK, LICKING COUNTY, OHIO, FROM THAT OF SINGLE FAMILY RESIDENCE – RH – HIGH DENISTY DISTRICT TO MFR – MULTI-FAMILY RESIDENCE DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

RESOLUTIONS ON SECOND READING

21-82 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 REPLACEMENT OF LEAD SERVICE LINES WITHIN THE WATER DISTRIBUTION SYSTEM.

21-83 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 NEW FAYE DRIVE BOOSTER PUMP STATION AND UPGRADING OF THORNWOOD DRIVE BOOSTER STATION AND SURROUNDING WATERLINES.

21-84 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 EASTSIDE TRANSMISSION LINE.

RESOLUTIONS ON FIRST READING

22-01 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO ENTER INTO A HOUSING REVOLVING LOAN FUND ADMINISTRATION AGREEMENT WITH THE OHIO DEVELOPMENT SERVICES AGENCY

22-02 Exp APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

22-03 West Main Street Bridge over State Route 79 - Replace superstructure (Box beams with new box beams), composite deck, replace sidewalks, expansion joints, clean and seal backwalls and beam seats. Consider transverse post-tensioning box beams. Replace fence on bridge. Consider using half-width construction.

22-04 Resurfacing and related work. Mill / Fill on LIC State Route 16 and State Route 79 including all associated ramps. Mill under all overhead bridges to maintain the vertical clearance.

COMMENTS FROM CITIZENS

MISCELLANEOUS

ADJOURNMENT

ORDINANCE NO. 20-16-C

BY: _____

AN ORDINANCE SETTING COMPENSATION AND STATING POLICY WITH RESPECT TO CERTAIN POSITIONS WITHIN THE OFFICE OF THE CLERK OF THE LICKING COUNTY MUNICIPAL COURT OF THE CITY OF NEWARK, OHIO AND REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT

WHEREAS, by virtue of Newark City Charter Article 3.07 the Newark City Council has the authority by ordinance or resolution to determine and fix the salaries and compensation of municipal employees and elected officials; and,

WHEREAS, the Clerk of the Municipal Court has conducted a review of salaries for certain positions in the Office of the Clerk in other jurisdictions and has determined it is necessary to revise the annual compensation structure for such employees within the office in order to provide for appropriate compensation for services performed and to stem the tide of turnover in critical positions as a result thereof; and,

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

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

SECTION ONE: This legislation affects those individuals and positions as listed in Exhibit A only and shall include any replacements for those individuals listed, including any new hires.

SECTION TWO: There is hereby created within the Office of the Clerk of the Municipal Court the position of Deputy Clerk/Information Technology Coordinator with a strength authorization of one (1) which shall be in the unclassified service and entitled to the compensation set forth in the attached Exhibit A and shall be entitled to ALL the rights and benefits as well as the group medical, dental, vision, and other insurance coverage set forth in the statement of policy for Hourly, Non-Bargaining Unit employees.

SECTION THREE: With respect to the positions of Deputy Clerk, Senior Deputy Clerk, Information Technology Coordinator, Deputy Clerk/Information Technology Coordinator and Office Manager, the annual salary table as set forth on the attached Exhibit A shall apply as of the effective date of this legislation unless otherwise noted

SECTION FOUR: The positions of Deputy Clerk, Senior Deputy Clerk, AND OFFICE MANAGER shall be entitled to ALL the rights and benefits as well as the group medical, dental, vision, and other insurance coverage as currently in effect under the same conditions as

now or hereafter stated in the applicable Employee Policy Statement previously adopted by this Counsel, which coverage shall be available to any appointee or replacement for the current person(s) occupying such position(s). THE CURRENT OCCUPANT OF THE INFORMATION TECHNOLOGY COORDINATOR POSITION SHALL CONTINUE TO BE ENTITLED TO ALL THE RIGHTS AND BENEFITS AS WELL AS THE GROUP MEDICAL, DENTAL, VISION, AND OTHER INSURANCE COVERAGE AS SET FORTH IN THE STATEMENT OF POLICY FOR HOURLY, NON-BARGAINING UNIT EMPLOYEES BUT, PURSUANT TO ORDINANCE 08-31 WILL ACCRUE VACATION AT THE RATE APPROVED IN THE 2007-2009 AMINISTRATIVE TECHNICAL EMPLOYEE STATE OF POLICY. IF THE POSITION IS VACATED BY THE CURRENT OCCUPANT, ANY NEW PERSON HIRED INTO THIS POSITION SHALL BE ENTITLED TO ALL THE RIGHTS AND BENEFITS AS WELL AS THE GROUP MEDICAL, DENTAL, VISION, AND OTHER INSURANCE COVERAGE AS SET FORTH IN THE STATEMENT OF POLICY FOR HOURLY, NON-BARGAINING UNIT EMPLOYEES, INCLUDING VACATION ACCRUAL.

SECTION FIVE: This ordinance shall become effective at the earliest time permitted pursuant to Article 4.07 of the Charter of the City of Newark, Ohio.

ADOPTED this _____ day _____, 2020.

President of Council

ATTEST: _____
Clerk of Council

Date filed with Mayor: _____

Date approved by Mayor: _____

Mayor

Approved as to form: _____

Douglas E. Sassen
Director of Law

EXHIBIT "A"
WAGE SCHEDULE

<u>POSITION #</u>	<u>Title</u>	<u>Strength Authorization</u>	<u>Pay Range</u>	
			<u>Current</u>	<u>Proposed</u>
4.107.672.01	Office Manager	1	35	42
4.107.671.01 -4.107.671.03	Senior Deputy Clerk	3	28	32
4.107.670.01 - 4.107.671.14	Deputy Clerk	14	27	31
4.107.677.01	Information Technology Coordinator	1	43	45
	Deputy Clerk/ Information Technology Coordinator	1	n/a	43

BY _____

AN ORDINANCE REPEALING AND AMENDING CHAPTER 440, SECTION 440.01, SUBSECTION (g) BRIDGES, OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO

WHEREAS, Chapter 440, Section 440.01, Subsection (g) Bridges established a reduced legal load limit for bridges in the City of Newark; and,

WHEREAS, the condition of various bridge structures has changed since the passage of the above titled section of the Code; and,

WHEREAS, the bridge on East Main Street over the North Fork of the Licking River (SFN 4560175) was rehabilitated and currently requires no load limit reduction; and,

WHEREAS, the condition of the bridge on Cherry Valley Road over Raccoon Creek (SFN4560108) has deteriorated since the passage of the above titled section of the Code and requires a load limit reduction based on engineering judgement; and,

WHEREAS, this matter was considered by the Service Committee of Council at a regularly scheduled meeting thereof and was passed on to full Council.

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

SECTION ONE: Chapter 440, Section 440.01 (g) Bridges, of The Codified Ordinances of the City of Newark, Ohio, as reprinted, herein, is hereby repealed:

“(g) Bridges:

1. The legal load limits as established in Ohio R.C. 5577.04 are reduced by twenty percent for the following bridges: East Main Street over the North Fork of the Licking River (SFN 4560175).
2. The Service Director is hereby directed to erect or cause to be erected and to maintain appropriate signs and warning devices at each entrance of such bridge, advising the public of the provisions of this subsection.

SECTION TWO: Chapter 440, Section 440.01 (g) Bridges, of The Codified Ordinances of the City of Newark, Ohio, is hereby enacted to read as follows:

“(g) Bridges:

- 1. The legal load limits as established in Ohio R.C. 5577.04 are reduced to twenty (20) tons for the following bridges: Cherry Valley Road over Raccoon Creek (SFN 4560108).**

- 2. The Service Director is hereby directed to erect or cause to be erected and to maintain appropriate signs and warning devices at each entrance of such bridge, advising the public of the provisions of this subsection.**

SECTION THREE: That this Ordinance shall take effect and be in full force and effect from and after the earliest period allowed by law.

Passed this _____ day of _____, 2022.

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

DATE FILED WITH MAYOR: _____

DATE APPROVED BY MAYOR: _____

MAYOR

APPROVED AS TO FORM: _____
DIRECTOR OF LAW

Prepared by the Division of Engineering.

ORDINANCE NO: 22-01

BY: _____

AN ORDINANCE VACATING A PORTION OF A SIXTEEN (16) FOOT WIDE ALLEY AS SHOWN ON THE PLAT OF CHARLES G. PENNEY'S 1ST ADDITION, AS RECORDED IN PLAT BOOK 2, PAGE 454 OF THE LICKING COUNTY PLAT RECORDS, AND ON THE PLAT OF CHARLES G. PENNEY'S 2ND ADDITION, AS RECORDED IN PLAT BOOK 3, PAGE 263 OF THE LICKING COUNTY PLAT RECORDS; SAID ALLEY IS LOCATED EAST OF NORTH CEDAR STREET, BETWEEN EAST MAIN STREET AND TUSCARAWAS STREET.

WHEREAS, Newark City Council received a petition from owners of real estate in the City of Newark praying for the herein described alley vacation; and,

WHEREAS, the Street Committee of the City of Newark met on January 3, 2022, and considered the procedure as outlined in Section 723.06 of The Ohio Revised Code whereby notice of the intention to vacate is not required, and approved the preparation and submittal of this legislation for Council consideration, in accordance with Section 723.06 of The Ohio Revised Code; and,

WHEREAS, this Council finds there is good cause for such vacation and that such vacation will not be detrimental to the general interest.

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

Section 1: The following described alley is hereby vacated, reserving, however, unto the City of Newark, Ohio, its successors and assigns, easements for construction, maintenance, and operation of various utilities, publicly owned and otherwise, to wit:

Being in the State of Ohio, County of Licking, City of Newark, and being a portion of a sixteen (16') foot wide alley lying between East Main Street and Tuscarawas Street as shown on the Plat of Charles G. Penney's 1st Addition as recorded in Plat Book 2 at Page 454, and the Plat of Charles G. Penney's 2nd Addition as recorded in Plat Book 3 at Page 263 of the Licking County Plat Records, and being more particularly described as follows:

Beginning for a point of reference at the northwest corner of Lot 5385 of said Penney's 2nd Addition, said point being on the south line of Tuscarawas Street and the east line of the subject alley;

Thence, south along the west line of Lot 5385 a distance of 38.0 feet to a point marking the True Place of Beginning of the alley to be vacated;

Thence from the True Place of Beginning, south along the west line of Lot 5385 to the southwest corner of said Lot 5385;

Thence south along the extension of the west line of Lot 5385 to the north line of Lot 2787 of Penney's 2nd Addition, said point being on the south line of the subject alley;

Thence, west along the north lines of Lots 2787, 2786, 2785 and 2784 to the northwest corner of Lot 2784, said point being on the east line of North Cedar Street and the south line of the subject alley;

Thence, north crossing said alley, to the southwest corner of Lot 5384 of said Penney's 2nd Addition;

Thence, east along the south line of Lot 5384 to the southeast corner of Lot 5384;

Thence, north along the east lines of Lots 5384, 5383 and 5382 to a point, said point being at the northeast corner of Auditor's Parcel 054-186392-00.000 currently owned by the Diocese of Columbus;

Thence, east crossing the subject alley, to The Place of Beginning.

This description was written based on information provided in existing plat and tax records, without the benefit of a field survey.

Section 2: The Division of Engineering of the City of Newark is hereby instructed to prepare a vacation plat of said vacated alley and the Clerk of Council is instructed to endorse upon such plat the action of this Council, and to cause such plat to be recorded in the Office of the Recorder of Licking County, Ohio.

Section 3: This Ordinance shall become effective at the earliest time permitted by law after passage by Council and signature of the Mayor.

Adopted this _____ day of _____, 2022.

President of Council

Attest: _____

Date Filed with Mayor: _____

Date Approved by Mayor: _____

Mayor

Form Approved by: _____
Law Director

Prepared by the Division of Engineering.

BY: _____

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 404 RIDGE AVENUE, LOT NUMBER 3975 (PARCEL #054-195288.00-000), CITY OF NEWARK, LICKING COUNTY, OHIO, FROM THAT OF SINGLE FAMILY RESIDENCE – RH – HIGH DENSITY DISTRICT TO MFR – MULTI-FAMILY RESIDENCE DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

WHEREAS, an application for zoning classification has been filed with Council; and

WHEREAS, pursuant to Article 4.12 of the Charter of the City of Newark, Ohio, this ordinance shall be referred to the Planning Commission immediately after its first reading; and

WHEREAS, the Planning Commission shall hold a public hearing upon such application and the Clerk of Council shall cause notice of such hearing to be publicized one time at least seven (7) days prior to the date of such public hearing; and

WHEREAS, upon the return of the ordinance to Council by the Planning Commission, council shall cause a second reading to be made of this ordinance and shall take such action as is appropriate pursuant to Article 4.12 of the Charter of the City of Newark, Ohio.

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

Section 1: The zoning map as established by Ordinance 08-33 (A) is hereby revised by changing the zoning classification for the following described property from SINGLE FAMILY RESIDENCE – RH – HIGH DENSITY DISTRICT TO MFR – MULTI-FAMILY RESIDENCE DISTRICT, Zoning Code of the City of Newark.

SEE EXHIBIT "A" FOR LEGAL DESCRIPTION

Section 2: Pursuant to Article 4.12(C) of the Charter of the City of Newark, Ohio, a vote of at least six (6) members shall be necessary to adopt or defeat the ordinance in the event the Planning Commission has recommended approval or has made no recommendation. An affirmative vote of at least seven (7) Council members shall be necessary to adopt a zoning ordinance that the Planning Commission has recommended against approval.

Section 3: The Newark Planning Commission is hereby authorized and directed to make the change described herein on the aforementioned zoning map.

Section 4: This ordinance shall become effective at the earliest time permitted by Section 4.07 of the Charter of the City of Newark, Ohio.

Passed this _____ day of _____, 20__.

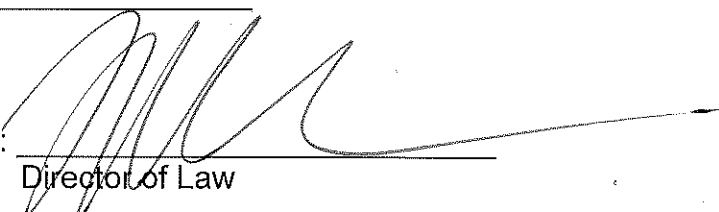
PRESIDENT OF COUNCIL

ATTEST: _____
Clerk of Council

DATE FILED WITH MAYOR: _____

DATE APPROVED BY MAYOR: _____

MAYOR

FORM APPROVED: 

Director of Law

DESCRIPTION APPROVED: _____
Brian Morehead, Engineer

Prepared by the Office of the Director of Law

NOTICE OF HEARING

Notice is hereby given that the Newark City Council shall at a later date to be determined and announced hereafter, take action upon Ordinance No. _____. Said Ordinance accepts a proposed amendment to the Zoning Map attached to Ordinance 08-33 (A) which would allow the change of zoning classification of certain real property, generally described as 404 Ridge Avenue, Lot Number 3975 (Parcel #054-195288.00-000), City of Newark, Licking County, Ohio. The amendment would change the zoning of the property from Single Family Residence – RH – High Density District to MFR – Multi-Family Residence District, Zoning Code of the City of Newark, Ohio.

The text or a copy of the text of such Ordinance, together with a copy of Ordinance 08-33 (A) and the Zoning Map attached thereto, and the maps, plans, and reports submitted by the Newark Planning Commission relative to said zoning are on file, for public examination, in the office of the Clerk of Newark City Council, 40 West Main Street, Newark, Ohio.

Notice is further given that a public hearing on said Ordinance shall be held before the Newark City Council during the meeting of Council which begins at 7:00 p.m. on _____, at which time and place any interested person may be heard.

BY ORDER OF THE CITY COUNCIL OF NEWARK, OHIO.

JANINE PAUL
Clerk of Council

TO THE ADVOCATE

Please publish the foregoing Notice of Hearing one day only, to wit: on _____.

JANINE PAUL
Clerk of Council

ORDINANCE NO. 22-03

BY: _____

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 404 RIDGE AVENUE, LOT NUMBER 3976 (PARCEL #054-195282.00-000), CITY OF NEWARK, LICKING COUNTY, OHIO, FROM THAT OF SINGLE FAMILY RESIDENCE – RH – HIGH DENSITY DISTRICT TO MFR – MULTI-FAMILY RESIDENCE DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

WHEREAS, an application for zoning classification has been filed with Council; and

WHEREAS, pursuant to Article 4.12 of the Charter of the City of Newark, Ohio, this ordinance shall be referred to the Planning Commission immediately after its first reading; and

WHEREAS, the Planning Commission shall hold a public hearing upon such application and the Clerk of Council shall cause notice of such hearing to be publicized one time at least seven (7) days prior to the date of such public hearing; and

WHEREAS, upon the return of the ordinance to Council by the Planning Commission, council shall cause a second reading to be made of this ordinance and shall take such action as is appropriate pursuant to Article 4.12 of the Charter of the City of Newark, Ohio.

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

Section 1: The zoning map as established by Ordinance 08-33 (A) is hereby revised by changing the zoning classification for the following described property from SINGLE FAMILY RESIDENCE – RH – HIGH DENSITY DISTRICT TO MFR – MULTI-FAMILY RESIDENCE DISTRICT, Zoning Code of the City of Newark.

SEE EXHIBIT "A" FOR LEGAL DESCRIPTION

Section 2: Pursuant to Article 4.12(C) of the Charter of the City of Newark, Ohio, a vote of at least six (6) members shall be necessary to adopt or defeat the ordinance in the event the Planning Commission has recommended approval or has made no recommendation. An affirmative vote of at least seven (7) Council members shall be necessary to adopt a zoning ordinance that the Planning Commission has recommended against approval.

Section 3: The Newark Planning Commission is hereby authorized and directed to make the change described herein on the aforementioned zoning map.

Section 4: This ordinance shall become effective at the earliest time permitted by Section 4.07 of the Charter of the City of Newark, Ohio.

Passed 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

DESCRIPTION APPROVED: _____
Brian Morehead, Engineer

Prepared by the Office of the Director of Law

NOTICE OF HEARING

Notice is hereby given that the Newark City Council shall at a later date to be determined and announced hereafter, take action upon Ordinance No. _____. Said Ordinance accepts a proposed amendment to the Zoning Map attached to Ordinance 08-33 (A) which would allow the change of zoning classification of certain real property, generally described as 404 Ridge Avenue, Lot Number 3976 (Parcel #054-195282.00-000), City of Newark, Licking County, Ohio. The amendment would change the zoning of the property from Single Family Residence – RH – High Density District to MFR – Multi-Family Residence District, Zoning Code of the City of Newark, Ohio.

The text or a copy of the text of such Ordinance, together with a copy of Ordinance 08-33 (A) and the Zoning Map attached thereto, and the maps, plans, and reports submitted by the Newark Planning Commission relative to said zoning are on file, for public examination, in the office of the Clerk of Newark City Council, 40 West Main Street, Newark, Ohio.

Notice is further given that a public hearing on said Ordinance shall be held before the Newark City Council during the meeting of Council which begins at 7:00 p.m. on _____, at which time and place any interested person may be heard.

BY ORDER OF THE CITY COUNCIL OF NEWARK, OHIO.

JANINE PAUL
Clerk of Council

TO THE ADVOCATE

Please publish the foregoing Notice of Hearing one day only, to wit: on _____.

JANINE PAUL
Clerk of Council

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 REPLACEMENT OF LEAD SERVICE LINES WITHIN THE WATER DISTRIBUTION SYSTEM.

WHEREAS, the City of Newark operates a water distribution system that has old service line connections made of various materials; and,

WHEREAS, replacement of these old service lines is a requirement of Ohio EPA in order to eliminate lead material in the system and to maintain efficient and cost effective operation of the system; 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, there are up to 4,000 service lines that need the material identified and the line replaced and the City does not have sufficient personnel to get this task completed in a timely manner; and,

WHEREAS, money from the ARPA funding has been appropriated for this project and he Service Committee of the Newark City Council met on the 20th day of December, 2021 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 replacement of lead service lines in the water distribution system.

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 _____ 2021.

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

DATE FILED WITH MAYOR: _____

DATE APPROVED BY MAYOR: _____

MAYOR

FORM APPROVED: _____
DIRECTOR OF LAW

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 NEW FAYE DRIVE BOOSTER PUMP STATION AND UPGRADING OF THORNWOOD DRIVE BOOSTER STATION AND SURROUNDING WATERLINES.

WHEREAS, the City of Newark operates a water distribution system that includes the Southwest Pressure Zone; and,

WHEREAS, this pressure zone is supplied with a booster located on Thornwood Drive and is nearly 25 years old and has some reoccurring maintenance issues with the station as well as the surrounding piping; 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, due to the current proposed expansion in the zone there is a need for a secondary station and for upgrading the current station to ensure reliable service and surrounding waterlines; and,

WHEREAS, money from the recent Revenue Bond issuance is available to fund this project; and,

WHEREAS, the Service Committee of the Newark City Council met on the 20th day of December, 2021 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 _____ 2021.

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

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 THE EASTSIDE TRANSMISSION LINE.

WHEREAS, the City of Newark operates a water distribution system that periodically gets expanded; and,

WHEREAS, currently there is a need to extend the system on the east side of the City from New Haven Road to Dayton Road in order to supply more water to that portion of the system and to assist in better circulating the system for better chlorine protection; and,

WHEREAS, this line will also be part of the connection to the proposed Licking Valley Water District; 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 for this project will be paid for by a grant from the Ohio Department of Development; and,

WHEREAS, the Service Committee of the Newark City Council met on the 20th day of December, 2021 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 the Eastside Transmission Line.

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 _____ 2021.

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

DATE FILED WITH MAYOR: _____

DATE APPROVED BY MAYOR: _____

MAYOR

FORM APPROVED: _____
DIRECTOR OF LAW

RESOLUTION NO. 22-01

BY _____

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO ENTER INTO A HOUSING REVOLVING LOAN FUND ADMINISTRATION AGREEMENT WITH THE OHIO DEVELOPMENT SERVICES AGENCY

WHEREAS, the Ohio Development Services Agency administers the federal HOME Investment Partnerships (HOME) Program for the State of Ohio; and,

WHEREAS, the City of Newark is an eligible recipient of HOME funds and has been awarded HOME funds through the Community Housing Impact and Preservation (CHIP) Program for use to finance eligible activities that may generate Program Income; and,

WHEREAS, the State of Ohio has permitted the establishment of Housing Revolving Loan Funds with local political subdivision to meet the primary development goals of: 1) improving the affordable housing stock; and 2) providing for the affordable housing needs of low and moderate income person in designated areas of the Housing Revolving Loan Fund; and,

WHEREAS, the State of Ohio desires to have the City of Newark Department of Development to administer a Housing Revolving Loan Fund using the HOME Program Income for the purposes stated above.

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 enter into a Housing Revolving Loan Fund Administration Agreement beginning January 1, 2022-December 31, 2026, and to make in connection therewith, all certifications, understandings, and assurances contained therein.

Section 2: That the Mayor be and hereby is designated as the authorizing official to enter into an agreement with the State of Ohio and its agencies to administer the Housing Revolving Loan Fund Administration Agreement.

Section 3: This resolution shall become effective at the earliest time permitted by Article 4.07 of the Charter of the City of Newark, Ohio.

ADOPTED 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

Resolution No. 22-02 Expedite

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 153 Comp Abs Fund, in the amount of \$31,500.00 (Payout for Retiring Firefighters Jeremiah Weekly and John Clouse)

153.205.5143	Termination Sick	22,500.00
153.205.5144	Termination Vacation	7,000.00
153.205.5145	Termination Comp	2,000.00

Section 2. There is hereby an appropriation of the unappropriated balance of the 333 Infrastructure Note Fund, in the amount of \$3,500,000.00 (Appropriate Note Funds that were received in late 2021,, for projects starting in 2022)

333.122.5502.106	Land Imp – 4 th & Main Roundabout	850,000.00
333.122.5502.107	Land Imp – ODOT Projects	500,000.00
333.122.5502.108	Land Imp – Granville Rd Bridge	350,000.00
333.122.5502.109	Land Imp – Baker Blvd Extension	350,000.00
333.122.5502.110	Land Imp – Horns Hill Rd	350,000.00
333.122.5511.101	Building Imp – Ice Rink Roof Replace	800,000.00
333.122.5539	Utility Burial	300,000.00

Section 3. There is hereby an appropriation of the unappropriated balance of the 623 Water Projects Fund, in the amount of \$3,500,000.00 (ESTL Grant Funding)

623.706.5521	Water Lines	3,250,000.00
623.706.5238	Services Contracts	250,000.00

Section 4. There is hereby an appropriation of the unappropriated balance of the 100 General Fund, in the amount of \$15,000.00 (Money from LC Veteran Commission for 2022 Veteran Section Improvements)

100.432.5271	Bldg & Maint Grounds	15,000.00
--------------	-------------------------	-----------

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 _____, 2021.

President of Council _____

Attest Clerk of Council _____

Date filed with Mayor _____

Date approved by Mayor _____

Mayor _____

Approved as to form Director of Law _____

BY:

PRELIMINARY LEGISLATION

Consent

Rev. 6/26/00

Resolution # : 22-03

PID No. : 98279

County/Route/Section : LIC-SR79-13.30

The following is a Resolution enacted by the City of Newark of Licking County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project.

SECTION I – Project Description

WHEREAS, the (LPA) has determined the need for the described project:

West Main Street Bridge over State Route 79 - Replace superstructure (Box beams with new box beams), composite deck, replace sidewalks, expansion joints, clean and seal backwalls and beam seats. Consider transverse post-tensioning box beams. Replace fence on bridge. Consider using half-width construction.

NOW THEREFORE, be it ordained by the City of Newark of Licking County, Ohio: (LPA)

SECTION II – Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

SECTION III – Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the development and construction of the above described project as follows:

1. The LPA gives consent for the above improvement, and
2. The LPA further agrees to pay 100% of the cost for those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

SECTION IV – Utilities and Right-of-Way Statement

If City owned utilities, within a corporation limit or in a private easement outside corporation limits, need to be relocated due to this ODOT project, the City will be reimbursed for any relocation work; ODOT will perform the coordination, relocation, and reimbursement which shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

If other public and private utilities need to be relocated due to this ODOT project, they will not be reimbursed for relocation; with exceptions due to an easement, etc.

SECTION V – Maintenance

Upon completion of the Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the Project in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the project; (3) maintain right-of-way, keeping it free of obstructions ,and (4) hold said right-of-way inviolate for public highway purposes.

SECTION VI - Authority to Sign

David Rhodes, Service Director of said City of Newark, Ohio is hereby empowered on behalf of the City of Newark to enter into agreements with the Director of Transportation necessary to complete the above described project.

SECTION VII – Emergency Measure

If required, is hereby declared to be an emergency measure to expedite the highway project and to promote highway safety. Following appropriate legislative action, **as an emergency measure**, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2022.
(Date)

President of Council: _____

Attested: _____
(Clerk of Council)

Date filed with Mayor: _____

Date Approved by Mayor: _____

Mayor: _____

Approved as to form – Director of Law: _____

Contracting Agent – Service Director: _____

**CERTIFICATE OF COPY
STATE OF OHIO**

City of Newark of Licking County, Ohio

I, _____, as Clerk of Council of the City of Newark of Licking County, Ohio,
do hereby certify that the foregoing is a true and correct copy of

_____ adopted by the legislative Authority of the said
(Resolution)
City of Newark on the _____ day of _____, 2_____.

That the publication of such _____ has been made and certified of record according to
(Resolution)
law; that no proceedings looking to a referendum upon such _____ have been taken;
(Resolution)
and that such _____ and certificate of publication thereof are of record in _____,
(Resolution) (Resolution)

Page _____.
(Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable,
this _____ day of _____ 2022.

(Clerk)

(CITY SEAL)

City of Newark of Licking County, Ohio

The foregoing is accepted as a basis for proceeding with the project herein described.
For the City of Newark of Licking County, Ohio.

Attested: _____ Date _____
(Contractual Agent)



For the State of Ohio

Attested: _____ Date _____
(Director, Ohio Department of Transportation)

BY:

PRELIMINARY LEGISLATION

Consent

Rev. 6/26/00

Resolution # : 22-04

PID No. : 110414

County/Route/Section : LIC-SR16/79-20.27/12.46

The following is a Resolution enacted by the City of Newark of Licking County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project.

SECTION I – Project Description

WHEREAS, the (LPA) has determined the need for the described project:

Resurfacing and related work. Mill / Fill on LIC State Route 16 and State Route 79 including all associated ramps. Mill under all overhead bridges to maintain the vertical clearance.

NOW THEREFORE, be it ordained by the City of Newark of Licking County, Ohio: (LPA)

SECTION II – Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

SECTION III – Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the development and construction of the above described project as follows:

1. The LPA gives consent for the above improvement, and
2. The LPA further agrees to pay 100% of the cost for those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

SECTION IV – Utilities and Right-of-Way Statement

If City owned utilities, within a corporation limit or in a private easement outside corporation limits, need to be relocated due to this ODOT project, the City will be reimbursed for any relocation work; ODOT will perform the coordination, relocation, and reimbursement which shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

If other public and private utilities need to be relocated due to this ODOT project, they will not be reimbursed for relocation; with exceptions due to an easement, etc.

SECTION V – Maintenance

Upon completion of the Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the Project in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the project; (3) maintain right-of-way, keeping it free of obstructions ,and (4) hold said right-of-way inviolate for public highway purposes.

SECTION VI - Authority to Sign

David Rhodes, Service Director of said City of Newark, Ohio is hereby empowered on behalf of the City of Newark to enter into agreements with the Director of Transportation necessary to complete the above described project.

SECTION VII – Emergency Measure

If required, is hereby declared to be an emergency measure to expedite the highway project and to promote highway safety. Following appropriate legislative action, **as an emergency measure**, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2022.
(Date)

President of Council: _____

Attested: _____
(Clerk of Council)

Date filed with Mayor: _____

Date Approved by Mayor: _____

Mayor: _____

Approved as to form – Director of Law: _____

Contracting Agent – Service Director: _____

**CERTIFICATE OF COPY
STATE OF OHIO**

City of Newark of Licking County, Ohio

I, _____, as Clerk of Council of the City of Newark of Licking County, Ohio,
do hereby certify that the foregoing is a true and correct copy of

_____ adopted by the legislative Authority of the said
(Resolution)
City of Newark on the _____ day of _____, 2_____.

That the publication of such _____ has been made and certified of record according to
(Resolution)
law; that no proceedings looking to a referendum upon such _____ have been taken;
(Resolution)
and that such _____ and certificate of publication thereof are of record in _____,
(Resolution) (Resolution)

Page _____.
(Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable,
this _____ day of _____ 2022.

(Clerk)

(CITY SEAL)

City of Newark of Licking County, Ohio

The foregoing is accepted as a basis for proceeding with the project herein described.
For the City of Newark of Licking County, Ohio.

Attested: _____ Date _____
(Contractual Agent)



For the State of Ohio

Attested: _____ Date _____
(Director, Ohio Department of Transportation)