

## COUNCIL AGENDA

March 4, 2024

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

Council Chambers

7:00 P.M.

### ROLL CALL

INVOCATION – Mr. Houser

PLEDGE OF ALLEGIANCE - Bianca Vogelsang, 4<sup>th</sup> grade, Ben Franklin Elementary

### CAUCUS

MINUTES of February 20, 2024

### APPOINTMENTS

There are none this meeting

### REPORTS OF STANDING COMMITTEES

Finance

Service

### REPORTS FROM CITY OFFICIALS

There are none this meeting

**Certificate of Recognition** - Mayor Hall for Kylie Gibson, Senior, Newark Catholic High School

### COMMUNICATIONS

**Ohio Division of liquor Control** - New Liquor application LDY2 INC, dba Vape Palace, 730 W. Church St., Newark, Ohio 43055

### COMMENTS FROM CITIZENS

### ORDINANCES ON SECOND READING

**24-02 AN ORDINANCE AMENDING THE POSITION CLASSIFICATION, PAY RANGE AND DEPARTMENT AUTHORIZATION TABLES OF THE CITY OF NEWARK, DEPARTMENT OF \_\_\_\_\_ Safety \_\_\_\_\_, DIVISION OF \_\_\_\_\_ Police \_\_\_\_\_ BY CREATING THE CLASSIFICATION OF \_\_\_\_\_ Body Worn Camera Administrator \_\_\_\_\_, AND SETTING THE COMPENSATION THEREFORE**

**24-08** AN ORDINANCE AMENDING THE POSITION CLASSIFICATION, PAY RANGE AND DEPARTMENT AUTHORIZATION TABLES OF THE CITY OF NEWARK, DEPARTMENT OF PUBLIC SERVICE, DIVISION OF CEMETERY AND PARKS BY ABOLISHING THE CLASSIFICATION OF EQUIPMENT OPERATOR AND CREATING THE CLASSIFICATION OF GROUNDS MAINTENANCE WORKER, AND SETTING THE COMPENSATION THEREFOR

**ORDINANCES ON FIRST READING**

**24-09** AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 15 MESSIMER DRIVE AND 55 SCHAFFNER DRIVE, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-216684-00.000 AND PARCEL TAX ID #054-216684-00.003 FROM THAT OF GO- GENERAL OFFICE AND MFH- MULTI-FAMILY HIGH RISE ZONING DISTRICT TO MFR-MULTI-FAMILY RESIDENCE DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO

**24-10** AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 359 THORNWOOD DRIVE, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID#054-216606-00.000 FROM THAT OF SINGLE FAMILY RESIDENCE - RL - LOW DENSITY DISTRICT TO AD-AGRIGULTURAL DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO

**RESOLUTIONS ON SECOND READING**

**24-08** APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$1,670.94 -amount rec'd as cash forfeiture from the Court, Court order states a check must be sent to Trumble County for back child support

**24-13** A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE AND ENTER INTO CONTRACT WITHOUT COMPETITIVE BIDDING FOR THE PURCHASE AND INSTALLATION OF A NEW SECONDARY BOILER FOR THE NEWARK POLICE DEPARTMENT

**24-15 CI** APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$91,000.00 -NFD Hollander Fire Station Roof, STR Sign Maker)

**24-16** A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NEWARK, OHIO, TO ENTER INTO A PURCHASE AGREEMENT FOR PROPERTY LOCATED AT 261 AND 263 MOUNT VERNON ROAD, NEWARK, OHIO.

**RESOLUTIONS ON FIRST READING**

**24-17** APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$2,886.04 -To put funds back into the Fire Safety Supply account from sale/transfer of Scott Smith turnout to Grandview Heights Fire Dept.)( \$62,884.00 -Funding of

newly created Body Worn Camera Admin. Position in the Div. of Police. AFSCME position created by Ord. No. 24-02 and funded by Ohio Body-Worn Camera Grant Program for the 1<sup>st</sup> year. Grant will not cover Worker's Comp. Pay Range 35, Step 1 used for calculations@75% of the year)

**24-18 EXP** APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$400,000.00 -2023 Note Principal Pymt for Streambank Protection Project, unexpectedly left out of the budget. Will be reimbursed from the renewal of the note in March 2024)

**24-19** A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR VARIOUS CONSTRUCTION PROJECTS.

**COMMENTS FROM CITIZENS**

**MISCELLANEOUS**

**ADJOURNMENT**

ORDINANCE NO: 24-02

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

AN ORDINANCE AMENDING THE POSITION CLASSIFICATION, PAY RANGE AND DEPARTMENT AUTHORIZATION TABLES OF THE CITY OF NEWARK, DEPARTMENT OF Safety, DIVISION OF Police BY CREATING THE CLASSIFICATION OF Body Worn Camera Administrator, AND SETTING THE COMPENSATION THEREFORE

**WHEREAS**, the Division of Police has had a cause to review their staffing needs and has determined that alteration is warranted in the organization or structure due to changing workplace needs;

and,

**WHEREAS**, it is necessary to amend the position authorization and classification/pay range tables to accomplish the foregoing objective;

and,

**WHEREAS**, the overall position authorization for the division will increase by 1;

and,

**WHEREAS**, the Personnel Committee considered this matter on 2.5.24, and recommended that it be considered by full council.

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

**SECTION 1:** The position of Body Worn Camera Administrator is hereby created within the Department of Safety Division of Police

**SECTION 2:** The position classification/pay range table for the hereby amended as follows: Pay Range 35

**SECTION 3:** The position of Body Worn Camera Administrator shall receive compensation and benefits as set forth in the current AFSCME L2963 Collective Bargaining Agreement. This position is in the classified service of the City of Newark.

SECTION 4: The authorization table of the Newark Police Non-Uniform Division is amended to reflect the following changes:

*\*Strength authorization table*

Active	Position #	Description	Department	Benefit Group
Yes	3.155.623.01	Impound Clerk	203 - Police Non-Uniform	AFSCME-FT
Yes	3.203.600.01	Account Clerk	203 - Police Non-Uniform	AFSCME-FT
Yes	3.203.631.01	Evidence Custodian	203 - Police Non-Uniform	AFSCME-FT
Yes	3.203.634.01	Public Safety Officer	203 - Police Non-Uniform	AFSCME-FT
Yes	3.203.634.02	Public Safety Officer	203 - Police Non-Uniform	AFSCME-FT
Yes	3.203.634.03	Public Safety Officer	203 - Police Non-Uniform	AFSCME-FT
Yes	3.203.634.04	Public Safety Officer	203 - Police Non-Uniform	AFSCME-FT
Yes	3.203.635.01	Detective Bureau Clerk/Analyst	203 - Police Non-Uniform	AFSCME-FT
Yes	3.203.679.01	Information System Coordinator	203 - Police Non-Uniform	AFSCME-FT
Yes	3.203.811.01	Vehicle Maintenance Worker	203 - Police Non-Uniform	AFSCME-FT
Yes	4.203.678.01	Information Tech Specialist	203 - Police Non-Uniform	NON-BARG FT
Yes	4.203.699.01	Criminalist Body Worn Camera	203 - Police Non-Uniform	NON-BARG FT
<i>Proposed</i>	3.203.677.01	<i>Administrator</i>	<i>203 - Police Non-Uniform</i>	<i>AFSCME-FT</i>
Totals			Current	12
			<i>Proposed</i>	<u>13</u>

SECTION 5: This ordinance 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 \_\_\_\_\_, \_\_\_\_\_

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

ATTEST

\_\_\_\_\_  
Clerk of Council

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

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

\_\_\_\_\_  
MAYOR

APPROVED AS TO FORM

\_\_\_\_\_  
Director of Law

# CITY OF NEWARK, OH POSITION DESCRIPTION

*An equal opportunity employer*

**POSITION TITLE**

Body Worn Camera Administrator

**DEPARTMENT/DIVISION**

Public Safety/Police

**APPOINTING AUTHORITY**

Safety Director

**REPORTS TO**

Records Unit Sergeant

**FLSA STATUS**

Exempt

**PART-TIME/FULL-TIME**

Full Time

**AFFILIATION**

AFSCME L2963

**PAY RANGE/SALARY RANGE**

35

**SUPERVISORY RESPONSIBILITIES**

No

**POSITION DESCRIPTION APPROVAL**

Wm. Spurgeon, HR Director

**PURPOSE**

The employee holding this position performs professional work by providing non-enforcement, administrative, and technical support services to the Newark Division of Polices' Body Worn Camera (BWC) Program.

**ESSENTIAL DUTIES AND RESPONSIBILITIES**

- Review recordings to ensure Newark Division of Police policies and State and Federal laws are followed before releasing BWC recordings.
  - Examples include sensitive footage of victims, juveniles, and suspects and making necessary modifications to protect privacy and safety.
- Assists prosecutors by sending BWC footage through current software programs for felony and misdemeanor cases while ensuring all discovery requests are honored.
- Operate a computer to enter, retrieve, review, and modify data; verifies accuracy of entered data and makes corrections, as needed.
- Perform miscellaneous clerical tasks, such as answering telephone, emails, in-person requests, data entry and etc.
- Provide support for Impound and Payroll Clerks, Information Systems Coordinator and officers with various tasks as needed.

The requirements listed are representative of the knowledge, skill and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. This Position Description is intended to identify and illustrate the kinds of duties that may be assigned to the position. It should not be interpreted as describing all of the duties that may ever be required of such an employee, or be used to limit the nature and extent of assignments such individuals may be given. Maintains an awareness of worker safety guidelines and procedures and applies these in performing daily activities and tasks.

- Complete court-ordered sealed records.
- Send accident reports to Carfax for Police and LexisNexis.
- Complete domestic violence statistics for the Ohio Attorney General & enter them into the OHLEG portal.
- Update offense notification to law enforcement by sending court-ordered changes, dismissals, or the addition of new charge(s) to BCI.
- Maintain Newark Division of Police Records Retention Schedule.
- Perform daily deposit of monetary funds from fees, including fingerprinting, bicycle license, and impounds.
- Other duties as needed.

## POSITION REQUIREMENTS

### *Minimum:*

- Valid Ohio Driver's license.
- High School Diploma or GED.
- Above average computer skills including M/S Office Suite, Web-based Applications and various other software applications.
- Demonstrated ability to write and speak effectively.
- Above average public relation/customer service skills.
- Demonstrated ability to prioritize tasks and assignments.
- Ability to successfully complete LEADS certification and Notary Public Commissioning.
- Successfully complete public records law classes.
- Pass a law enforcement background check, including a truth certification examination.

### *Preferred:*

- Two-year degree in – Business Administration, Computer Science, or closely related field.
- Excellent computer skills including M/S Office Suite, video/audio redaction software, and various other software applications.
- Exemplary public relation/customer service skills.
- Certifications - Current Leads certification and Notary Public Commission.
- Experience with handling court orders such as sealing, expunging, and redacting criminal records.
- Experience with public records management systems.

*\*Documented success and work experience may be an accepted substitute for some position requirements.*

The requirements listed are representative of the knowledge, skill and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. This Position Description is intended to identify and illustrate the kinds of duties that may be assigned to the position. It should not be interpreted as describing all of the duties that may ever be required of such an employee, or be used to limit the nature and extent of assignments such individuals may be given. Maintains an awareness of worker safety guidelines and procedures and applies these in performing daily activities and tasks.



ORDINANCE NO: 24-08

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

AN ORDINANCE AMENDING THE POSITION CLASSIFICATION, PAY RANGE AND DEPARTMENT AUTHORIZATION TABLES OF THE CITY OF NEWARK, DEPARTMENT OF Public Service, DIVISION OF Cemetery and Parks BY ABOLISING THE CLASSIFICATION of Equipment Operator and CREATING THE CLASSIFICATION OF Grounds Maintenance Worker, AND SETTING THE COMPENSATION THEREFORE

**WHEREAS**, the Division of Cemetery and Parks has had a cause to review their staffing needs and has determined that alteration is warranted in the organization or structure due to changing workplace needs;

and,

**WHEREAS**, it is necessary to amend the position authorization and classification/pay range tables to accomplish the foregoing objective;

and,

**WHEREAS**, the overall position authorization for the division will increase by 0;

and,

**WHEREAS**, the Personnel Committee considered this matter on \_\_\_\_\_, and recommended that it be considered by full council.

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

**SECTION 1:** The position of Grounds Maintenance Worker is hereby created within the Department of Public Service Division of Cemetery and Parks

**SECTION 2:** The position classification/pay range table for the hereby is amended as follows.

**SECTION 3:** The position of Grounds Maintenance Worker shall receive compensation and benefits as set forth in the current Pay Range 32 - AFSCME L2963 Collective Bargaining Agreement. This position is in the Classified Civil Service of the City of Newark.

SECTION 4: This ordinance 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 \_\_\_\_\_, \_\_\_\_\_

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

ATTEST

\_\_\_\_\_  
Clerk of Council

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

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

\_\_\_\_\_  
MAYOR

APPROVED AS TO FORM

\_\_\_\_\_  
Director of Law

*\*Strength authorization table*

<b>Active</b>	<b>Position Number</b>	<b>Description</b>	<b>Department</b>	<b>Benefit Group</b>	<b>Position Status</b>
Yes	2.432.210.01	Superintendent	Cemetery & Parks	Management & Supervisory Exempt	Single
Yes	2.432.211.01	Assistant Superintendent	Cemetery & Parks	Management & Supervisory Exempt	Vacant
Yes	2.432.230.01	Operations Manager	Cemetery & Parks	Management & Supervisory Exempt	Single
Yes	3.432.830.01	Equipment Operator	Cemetery & Parks	AFSCME - Full Time	Single
Yes	3.432.830.02	Equipment Operator	Cemetery & Parks	AFSCME - Full Time	Single
<del>Yes</del>	<del>3.432.830.03</del>	<del>Equipment Operator</del>	<del>Cemetery &amp; Parks</del>	<del>AFSCME - Full Time</del>	<del>Abolish</del>
Yes	3.432.831.01	Grounds Maintenance Worker	Cemetery & Parks	AFSCME - Full Time	Single
Yes	3.432.831.02	Grounds Maintenance Worker	Cemetery & Parks	AFSCME - Full Time	Single
Yes	3.432.831.03	Grounds Maintenance Worker	Cemetery & Parks	AFSCME - Full Time	Single
Yes	4.432.666.01	Office Manager/Account Clerk	Cemetery & Parks	Non-Bargaining Full Time	Single
<i>*New</i>	<i>3.432.831.04</i>	<i>Grounds Maintenance Worker</i>	<i>Cemetery &amp; Parks</i>	<i>AFSCME - Full Time</i>	<i>*Create</i>
				<i>Totals</i>	
				<i>Current</i>	<u><i>10</i></u>
				<i>Proposed</i>	<u><u><i>10</i></u></u>

ORDINANCE NO. 24-09

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

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 15 MESSIMER DRIVE AND 55 SCHAFFNER DRIVE, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-216684-00.000 AND PARCEL TAX ID #054-216684-00.003 FROM THAT OF GO – GENERAL OFFICE AND MFH – MULTI-FAMILY HIGH RISE ZONING 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 GO – GENERAL OFFICE AND MFH – MULTI-FAMILY HIGH RISE ZONING 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\_\_.

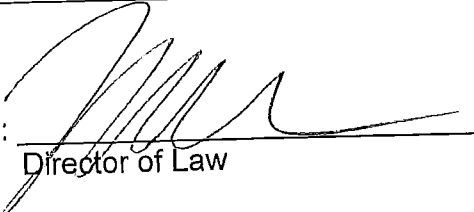
\_\_\_\_\_  
PRESIDENT OF COUNCIL

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

DESCRIPTION  
**APPROVED** For Zoning Purposes  
By Kevin T. Blaine 2/15/2024  
Div. of Engineering  
City of Newark, Ohio

**DESCRIPTION FOR A 1.498 ACRE TRACT**

Situated in the State of Ohio, County of Licking, City of Newark, Third Quarter of Township 2, Range 12, United States Military Lands and being 0.625 acre tract (Parcel Number 054-216684-01.000) of a 4.01 acre tract conveyed to Licking Memorial Hospital Instrument Number 199004120005803 and being 0.873 acres of a 2.322 acre tract (Parcel Number 054-216684-00.003) as conveyed to Licking Memorial Health Systems as in Instrument Number 200711280030483; all references being to those of record in the Recorder's Office, Licking County, Ohio, said 1.498 acre tract more particularly bounded and described as follows:

Beginning at a 5/8" rebar found at the southeastern corner of said 4.01 acre tract, the southwestern corner of the Schaffner Drive as recorded in Plat Book 13, Page 117, northwest corner of a 1.449 acre tract as conveyed to Licking Memorial Health Systems in Instrument Number 200711280030483;

Thence across said 2.322 acre tract Instrument Number 200711280030483 the following (3) courses and distances;

- South 3°21'20" West, 158.54 feet to an iron pin set;
- South 10°32'42" West, 31.85 feet to an iron pin set;
- North 86°35'02" West, 196.32 feet to an iron pin set;

Thence, North 3°21'20" East, 369.76 feet along the easterly line of a 4.726 acre tract as conveyed to MIMG XVII McMillen Woods LLC in Instrument Number 201104120007038 to an iron pin set, passing an iron pin set at 190.15 feet;

Thence, South 63°03'43" East, 218.56 feet with what represents a new line along said 4.01 acre tract to an iron pin set, in the westerly Right-of-Way line of Schaffner Drive;

Thence, South 3°21'20" West, 92.38 feet along the westerly Right-of-Way line of said Schaffner Drive to the Point of Beginning and containing 1.498 acres more or less according to a survey made by Verdantas in October of 2023;

The bearings in the above description are based on the Ohio State Plane Coordinates System, North Zone, NAD83.

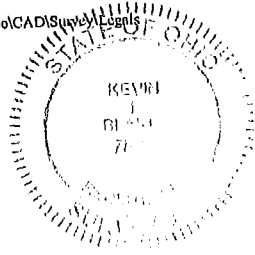
All iron pins set are 5/8-inch diameter rebar by 30-inch length with red identification caps marked "VERDANTAS, 7830".

Subject to all valid and existing easements, restrictions and conditions of record.

Kevin T. Blaine  
Kevin T. Blaine, P.S.  
Surveyor No. 7830

October 10, 2023

Z:\Project Files\KA-LZ\Licking Dist\18921 - LCBDD Lot Split Combo\CAD\Survey\Legends



ORDINANCE NO. 24-10

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

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 359 THORNWOOD DRIVE, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-216606-00.000 FROM THAT OF SINGLE-FAMILY RESIDENCE – RL – LOW DENSITY DISTRICT TO AD – AGRICULTURAL 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 – RL – LOW DENSITY DISTRICT TO AD - AGRICULTURAL 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\_\_\_\_.

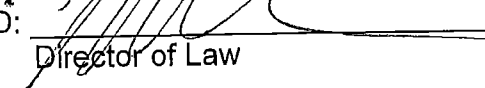
\_\_\_\_\_  
PRESIDENT OF COUNCIL

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



DESCRIPTION APPROVED  
JARED N. KNERR  
LICKING COUNTY ENGINEER

Approved By BS Feb 08, 2023

0213NK00500000041000

TRANSFERRED

Feb 08, 2023  
Michael L. Smith  
LICKING COUNTY AUDITOR  
SEC 319.902 COMPLIED WITH  
MICHAEL L. SMITH  
By: SLM 1740.00

InstrID:202302080002347	2/8/2023
Pages:3	F: \$42.00
Bryan A. Long	T20230003179
Licking County Recorder	

## GENERAL WARRANTY DEED (Survivorship)

Virginia J. Stone nka Virginia J. Hallenbeck, married (Grantor), of Licking County, Ohio, for valuable consideration paid, grants, with general warranty covenants to **Ryan Binning and Jessica L. Binning, husband and wife, for their joint lives, remainder to the survivor of them (Grantees)**, whose tax mailing address is: Ruoff Mortgage, 1700 Magnavox Way, Suite 220, Ft. Wayne, IN 46804, the following real property:

Situated in the State of Ohio, County of Licking, City of Newark and being part of Lot No. 1, 4th Quarter, Township 2, Range 13, USML and bounded and described as follows:

Beginning at a point which is the northwest corner of Lot No. 1;

Thence South 3° 08' 52" West, along the west line of said Lot No. 1, and passing an iron pin at 25.00 feet, 1044.00 feet to a point marked by an iron pin,

Thence South 86° 02' 05" East 231.28 feet to a point marked by an iron pin, said point being the true place of beginning;

Thence North 3° 08' 52" East 548.83 feet to a point marked by an iron pin;

Thence South 86° 02' 40" East, and passing iron pins at 396.32 feet, 620.94 feet, 715.35 feet to a point marked by an iron pin;

Thence South 03° 02' 57" West 200.13 feet to a point marked by an iron pin;

Thence South 86° 01' 20" East, and passing an iron pin at 248.93 feet, 276.01 feet to a point in the centerline of Thornwood Drive;

Thence South 2° 49' 07" West 348.82 feet, along said centerline of Thornwood Drive, to a point;

Thence North 86° 02' 05" West, and passing an iron pin at 25.00 feet, 993.72 feet to the true place of beginning, containing 11.235 acres, more or less.

This description prepared by Richard E. Kohn, Registered Surveyor No. 4626.

Subject to all legal highways, easements, restrictions and right of ways of record.

More commonly known as: 359 Thornwood Drive SW., Newark, OH 43056

Permanent parcel ID #054-216606-00.000

Subject, however, to: (a) taxes and assessments which are not yet due and payable, (b) restrictions and easements, if any, contained of record for said premises, and (c) dedicated streets and highways, (d) zoning ordinances, and (e) all coal, oil, gas and other mineral rights and interest previously transferred or reserved of record, subject to all of which this conveyance is made.

Prior Instrument Reference: Instrument Number 200003030006818, Licking County, Ohio.

David Hallenbeck, spouse of the Grantor, Virginia J. Stone nka Virginia J. Hallenbeck, releases all dower rights therein.

*DESCRIPTION*  
**APPROVED** *FOR ZONING PURPOSES*  
By *Paul R. Miller* *2/15/24*  
Div. of Engineering  
City of Newark, Ohio

Resolution No.24-08

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 100 General Fund, in the amount of \$1,670.94 (amount rec'd as cash forfeiture from the Court, Court order states a check must be sent to Trumble County for back child support)

100.203.5319	Misc.	1,670.94
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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 \_\_\_\_\_

**RESOLUTION NO: 24-13**

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

**A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF  
PUBLIC SERVICE TO NEGOTIATE AND ENTER INTO CONTRACT  
WITHOUT COMPETITIVE BIDDING FOR THE PURCHASE AND  
INSTALLATION OF A NEW SECONDARY BOILER FOR THE NEWARK  
POLICE DEPARTMENT**

**WHEREAS**, the Newark Police Department has an ongoing service agreement with Johnson Controls for the maintenance of their boiler system which consists of a primary boiler and back-up or secondary boiler; and,

**WHEREAS**, it has been determined that the secondary boiler, due to age, condition, and reoccurring issues, needs to be replaced; and,

**WHEREAS**, due to the current service agreement with Johnson Controls as well their knowledge and familiarity with the current boiler system, it is requested that competitive bidding be waived and that the City, through the Director of Public Service, be permitted to negotiate and enter into contract with Johnson Controls for the purchase and installation of a new secondary boiler; and,

**WHEREAS**, this matter was considered in regular session by the Service Committee who voted to refer the same to full Council for 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 to negotiate and enter in contract with Johnson Controls for the purchase and installation of a new secondary boiler for the Newark Police Department, subject to the appropriation of funds.

**Section 2:** It is in the best interest of the City and its residents that competitive bidding not be required and the same is hereby waived pursuant to Article 10.02 of the Charter of the City of Newark, Ohio. The Director of Public Service is hereby authorized and directed to negotiate and enter directly into contract with Johnson Controls for the purchase and installation of a new secondary boiler for the Newark Police Department.

**Section 3:** This Ordinance shall become effective upon the earliest date permitted by Article 4.07 of the Charter of the City of Newark, Ohio

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2024

\_\_\_\_\_  
President of Council

Attest: \_\_\_\_\_  
Clerk of Council

Date Filed with Mayor: \_\_\_\_\_

Date Approved by Mayor: \_\_\_\_\_

\_\_\_\_\_  
Mayor

Form Approved: \_\_\_\_\_  
Director of Law

Resolution No.24-15 CI

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 335 Capital Improvement Fund, in the amount of \$91,000.00 (NFD Hollander Fire Station Roof, STR Sign Maker)

335.204.5511	Building Improvement	43,000.00
335.302.5533	Machinery & Equipment	48,000.00

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 \_\_\_\_\_, 2023.

President of Council \_\_\_\_\_

Attest Clerk of Council \_\_\_\_\_

Date filed with Mayor \_\_\_\_\_

Date approved by Mayor \_\_\_\_\_

Mayor \_\_\_\_\_

Approved as to form Director of Law \_\_\_\_\_

RESOLUTION NO. 24-16

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

A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NEWARK, OHIO, TO ENTER INTO A PURCHASE AGREEMENT FOR PROPERTY LOCATED AT 261 AND 263 MOUNT VERNON ROAD, NEWARK, OHIO.

WHEREAS, the owner of the property located at 261 and 263 Mount Vernon Road, Newark, Ohio has agreed to enter into a purchase agreement with the City of Newark for the sale of said property; and,

WHEREAS, the property located at 261 and 263 Mount Vernon Road is now occupied by the remnants of a duplex which is in a state of disrepair due to fire damage and presents a significant risk to the community health, safety, and welfare of the City of Newark; and,

WHEREAS, the purchase will also provide the City access to and use of said property for the completion of future water projects; and,

WHEREAS, funds are available for the acquisition of the property should Council authorize the Director of Public Service to enter into the purchase agreement; and,

WHEREAS, the Service Committee of the Newark City Council met on February 5, 2024, and voted to forward the matter to the 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 ONE:** The Director of Public Service is hereby authorized to enter into a purchase agreement with the owner of the property located at 261 and 263 Mount Vernon Road, Newark, Ohio, for the purchase of said property subject to the appropriation of funds, if any.

**SECTION TWO:** 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 \_\_\_\_\_, 2024.

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

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

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

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

\_\_\_\_\_  
MAYOR

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

Prepared by the Office of the Director of Law



Resolution No.24-17

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 100 General Fund, in the amount of \$2,886.04 (To put funds back into the Fire Safety Supply account from sale/transfer of Scott Smith turnout to Grandview Heights Fire Dept.)

100.204.5311	Fire Safety Supplies	2,886.04
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Section 2. There is hereby an appropriation of the unappropriated balance of the 230 OCJS Fund, in the amount of \$62,884.00 (Funding of newly created Body Worn Camera Admin. Position in the Div. of Police. AFSCME position created by Ord. No. 24-02 and funded by Ohio Body-Worn Camera Grant Program for the 1<sup>st</sup> year. Grant will not cover Worker's Comp. Pay Range 35, Step 1 used for calculations@75% of the year)

230.230.5111	Salaries & Wages	37,875.00
230.230.5122	PERS	5,300.00
230.230.5122.100	PERS Pickup	1,892.00
230.230.5124	Health Insurance	16,600.00
230.230.5124.100	Health Insurance- AFSCME	569.00
230.230.5124.400	Life Insurance	99.00
230.230.5126	Medicare	549.00
230.230.5127	Workers Compensation	-----

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 \_\_\_\_\_

Resolution No.24-18 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 673 Buckeye Corridor Storm Sewer Fund, in the amount of \$400,000.00 (2023 Note Principal Pymt for Streambank Protection Project, unexpectedly left out of the budget. Will be reimbursed from the renewal of the note in March 2024)

673.169.5411.104	Principal Streambank Protection	Notes 400,000.00
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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 \_\_\_\_\_

RESOLUTION NO: 24-19

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

**A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR VARIOUS CONSTRUCTION PROJECTS.**

**WHEREAS**, it is necessary to perform various construction projects in the City of Newark to enhance the convenience, safety, and general well being of the citizens of the City; and,

**WHEREAS**, the Service Committee of Council considered and authorized the submittal of this legislation during its February 20, 2024, meeting; and,

**WHEREAS**, the Newark City Engineer is preparing specifications and estimates for cost for the proposed projects and will file the same with the Director of Public Service.

**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 contracts, subject to the appropriation of funds, for the following projects in accordance with the specifications and cost estimates for same to be filed in the Public Service Director's office.

1. 2024 Annual Street Maintenance Projects
2. 2023-24 Annual Concrete Maintenance – Concrete ADA Curb Ramp and Sidewalk Projects
3. Waterworks Road – Horns Hill Road Roundabout
4. Waterworks Dam Spillway Project
5. Waterworks Road Bridge Repairs over North Fork Licking River
6. Stormwater Utility – Small Drainage Projects
7. Riverside Drive Bridge Replacement

**Section 2:** This Resolution shall take effect and be in force from and after the earliest period allowed by law.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
President of Council

Attest: \_\_\_\_\_  
Clerk of Council

Date Filed with Mayor: \_\_\_\_\_

Date Approved by Mayor: \_\_\_\_\_

\_\_\_\_\_  
Mayor

Form Approved By: \_\_\_\_\_  
Law Director

Prepared by the Division of Engineering.