

Service Committee Minutes

Honorable Council
City of Newark, Ohio
November 2, 2020

The Service Committee met in Council Chambers on Monday, November 2, 2020 with these members in attendance:

Jeff Rath - Chair
Jeff Harris – Vice Chair
Ryan Bubb
Spencer Barker
Jeremy Blake

We wish to report:

1. Consider **Ordinance No. 20-37** AN ORDINANCE AMENDING ARTICLE 135: DISPLAY SIGNS AND OUTDOOR ADVERTISING (N.C.O. CHAPTER 594) OF THE ZONING CODE OF THE CITY OF NEWARK, OHIO

Mr. Jonathan Lang – Earlier this year there were a number of signs put up in the community and I received a number of complaints regarding the size. At the time our Law Director told me that our current Ordinance would not be enforceable because it discriminated based on the signs. So, I asked our Law Director to draft a more defensible temporary sign legislation and 20-37 is what he came up with, the idea being that the proposed legislation would no longer discriminate between the type of signs. So, all temporary signs would be regulated the same.

Mr. Rath – So all of the specific legislation related to the specific type of temporary sign has been stricken. We now have one rule over temporary signs regardless of what they are for.

Mr. Lang – That is correct.

Mr. Harris – Can you explain what you mean by temporary signs?

Mr. Lang – It would be any type of temporary signs, including campaign signs, it would include Realtor signs, think of yard signs, that's essentially what we're talking about.

Mr. Rath – Would it also include contractor signs, promotional signs, real estate signs.

Mr. Marmie – I guess sometimes it's easier to define a temporary sign by what's not a temporary sign. A non-temporary sign is one that requires a permit in order to get the sign and has to be approved by the city.

Mr. Barker – Will current development or real estate signs that are following the current code, will they be grandfathered in or will they immediately have to adjust to this new code?

Law Director Sassen – The sign ordinance is complex, but I think by the fact that it is a temporary sign, by definition it's only going to be there for a limited period of time, I think that takes out of the conversation grandfathering signs. I think it will be flushed out more when it goes to a Public Hearing with the Planning Commission and then we'll have another Public Hearing when it comes back from the Planning Commission. I don't know that there is a yes or no answer, although my argument would be that grandfathering does not apply.

Mr. Barker – Who would be managing this ordinance, is that Property Maintenance?

Director Sassen – Zoning

Mr. Lang – There is no intent to change our current process for managing signs, which is a complaint based process, where if we receive a complaint then we respond to it. We certainly don't have the personnel to be proactively policing.

Motion to send to full council by Mr. Bubb, second by Mr. Barker

Mr. Blake – Just to clarify this, it will go to Planning Commission, is that correct?

Mr. Rath - That's correct, it will go to Planning Commission for a Public Hearing, then come back to us for a second Public Hearing and then we'll vote. This says it went through Economic Development Committee.

Director Sassen – That doesn't require a motion to correct, it's a typographical error that I can correct myself.

Motion Passed 5- 0

2. Consider **Resolution No. 20-86** A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITHOUT COMPETITIVE BIDDING FOR NECESSARY EMERGENCY REPAIRS AT NEWARK FIRE STATION #3 AND DECLARING AN EMERGENCY.

Service Director – David Rhodes – I have asked the majority and minority leaders if they would be so kind as to bring this up using Rule 11 tonight. We had an automobile hit Station #3 and getting repairs made in a timely manner will become easier by you voting and allowing me to waive competitive bidding. In the city we have a couple levels we must adhere to, \$35,000 and below are not required to go to bid above \$35,000 to \$70,000 I go to the Board of Control and anything over that I have to come to council and ask for a waiver. We do not have all the numbers in on the Fire Station and what it's going to cost yet. We do have insurance either through the city or the driver of the automobile which our insurance company is handling, but what this process does is it expedites the process of repairing the station. An example, let's say the bidding is below \$70,000, because you have acted tonight, now I don't have to go to a Board of Control meeting. It just expedites everything. If it happens to be over that amount then I can still go into contract. We're going to use Ball Construction, they've been on site since the accident and we're going to use Houston Plumbing who have been on site, they are our two main contractors. I don't have the total bid yet. There is insurance but your action tonight will help expedite the repair process.

Mr. Rath – We don't know if this will be over or under \$70,000?

Director Rhodes – No, I don't. My hunch is it will be real close when you add everything together. As you look at the pictures that I sent to each of you, not only was there a hole punched through the wall, where you have to replace studs and foundation work, you have to go up into the brick veneer a bit further and remove that, there's more brick work and interior work that will need done. Also, what you saw there were temporary gas lines so we could have heat in the building and that was done by Houston.

Law Director Sassen – There is no action required here other than discussion since both the minority and majority leaders have agreed to invoke Rule 11 later tonight.,

Director Rhodes – I'd just like to say that the firefighters that were there on the scene were terrific, the fire chief has been intimately involved in this process, so everyone has worked real well together to move this forward and thanks for your help.

3. Other items at the discretion of the chair