

Service Committee Minutes

Honorable Council
City of Newark, Ohio
November 14, 2017

The Service Committee met in Council Chambers on Monday November 13, 2017 following the Safety Committee with these members in attendance:

Jeff Rath
Bill Cost Jr
Mark Fraizer
Carol Floyd
Ryan Bubb

We wish to report:

1. **Resolution No. 17-84** authorizing the Director of Public Service to execute a contract for reimbursement of legal representation of indigent persons for calendar year 2018 with the Licking County Board of Commissioners for the City of Newark, Licking County, Ohio and declaring an emergency was considered.

Law Director- this is a standard resolution that we do once a year to allow the State public defender's office to reimburse the County Commissioners for funds expended for court appointed attorneys of the Municipal Court. It used to be that this was a standing agreement it is now required to be done every year. It is listed as an emergency because it has to be passed and be in effect by December 31, 2017 for those funds to be reimbursed within the calendar year in 2018.

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

Mr. Rath- my own personal opinion about emergency clauses is if this is a standard thing that we do every year perhaps next year we can do this in October.

Law Director- call the State Public Defenders Office and have them send the forms over in a more timely fashion and we will absolutely do that.

Mr. Fraizer- do we know what the total was that was spent for this?

Law Director- I couldn't even guess, the Commissioners could tell you fairly easily but I don't know.

Motion passed by a vote of 5-0.

2. **Resolution No. 17-85** appropriating the real estate known as parcels # 6 T and 6 WD, Newark Licking County, Ohio; authorizing the Director of Law to proceed with a

complaint for appropriation in the Licking County Court of Common Pleas and declaring an emergency was considered.

Brian Morehead- we were before you back at the end of September and explained that we had five parcels on the Ohio Street and Manning Street Bridge reconstruction projects that we needed to move forward with our appropriation case on. These next five items are those cases again. The resolution of intent was what you passed back in October now these are the resolutions to actually appropriate the land. This one in particular is on Ohio Street. Items 2, 3, 4 and 5 are on Ohio Street and item number 6 is on Manning Street.

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

Mr. Fraizer- we already passed this in October to acquire it now this is to appropriate it?

Brian Morehead- you passed a resolution of intent which allowed us to do the public notices that are required now this is the actual appropriating of the property.

Motion passed by a vote of 5-0.

3. **Resolution No. 17-86** appropriating the real estate known as parcels # 054-212748-00.000, Newark Licking County, Ohio; authorizing the Director of Law to proceed with a complaint for appropriation in the Licking County Court of Common Pleas and declaring an emergency was considered.

Brian Morehead- same comments as before, if there are any questions I would be glad to answer them.

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

Motion passed by a vote of 5-0.

4. **Resolution No. 17-87** appropriating the real estate known as parcels # 2 A and 2B WD, Newark Licking County, Ohio; authorizing the Director of Law to proceed with a complaint for appropriation in the Licking County Court of Common Pleas and declaring an emergency was considered.

Brian Morehead- the only difference on this one is one of those parcels will actually allow us to install the bike path along the south side of Ohio Street also.

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

Motion passed by a vote of 5-0.

5. **Resolution No. 17-88** appropriating the real estate known as parcels # 7 T and 7 WD, Newark Licking County, Ohio; authorizing the Director of Law to proceed with a

complaint for appropriation in the Licking County Court of Common Pleas and declaring an emergency was considered.

Brian Morehead- same issue as the others, I should have mentioned the fair market value on items 2, 3, and 4 is \$300.00. Item number 5 is \$369.00.

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

Motion passed by a vote of 5-0.

6. **Resolution No. 17-89** appropriating the real estate known as parcels # 054-271110-00.001, Newark Licking County, Ohio; authorizing the Director of Law to proceed with a complaint for appropriation in the Licking County Court of Common Pleas and declaring an emergency was considered.

Brian Morehead- this is the parcel that is on the Manning Street Bridge project. It is owned by Owens Corning and is on the northeast corner adjacent to their landfill property.

Mr. Rath- the value?

Brian Morehead- I believe that it is \$300.00 also.

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

Mr. Fraizer- have we already paid this or do we pay it after this resolution?

Brian Morehead- those dollar amounts will get deposited through the court when they file the appropriation case and the money will remain on deposit at the court until any owners or heirs would come about they can draw that out.

Mr. Rath- isn't it the case that most of these owners are deceased or unidentifiable?

Brian Morehead- that is correct except this one with Owens Corning. The issue for Owens Corning is for \$300.00 they can't pay their staff so little to go through the closing and documents that would need to be done so we move forward on our end.

Motion passed by a vote of 5-0.

7. **Resolution No. 17- 90** proposing the creation of a special Improvement district (Downtown Newark Special Improvement District, Inc.) Along with the required petitions, the initial articles of incorporation, and the proposed plan for services for the Special Improvement District was considered.

Law Director- this is a piece of legislation that essentially mimics the previous resolution that was passed by this Council which created the Newark Special Improvement District for Downtown. That piece of legislation that you approved in October had been reviewed by the County Prosecutor and by the County Auditor who

approved the language and the form of that legislation before it was presented to Council. Council then adopted and created that Special Improvement District and established that assessment on the property owners in that district. Once this piece of legislation made its way on to the desk of the people that actually do the work in the County Auditors they recognized that the date according to their requirements needed to change to have an effective assessment date of January 1, 2017 so those assessments could then be billed in the first quarter of 2018 and be collected in the middle of 2018. This is essentially correcting the effective date to make it back to January 1, 2017 instead of June 1, 2017 because their requirements of their office and their assessment processes require that annually and not biannually. It is correcting effectiveness of the assessment. It's not changing anything about the Special Improvement District or the amount of the assessment it is making it conducive to the proceedings.

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

Mr. Fraizer- section 3 says January 1st here is that what it is supposed to be?

Law Director- yes

Mr. Fraizer- and before it was January 21st?

Law Director- June 1st. These special assessments have to be done on a manual basis and that is why they wanted it in January instead of June.

Motion passed by a vote of 5-0.

Jeff Rath, Chair