

## COUNCIL AGENDA

October 17, 2022

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

Council Chambers  
7:00 P.M.

### ROLL CALL

**INVOCATION** – Michael Houser

**PLEDGE OF ALLEGIANCE** - Jacqueline Kiger, 1<sup>st</sup> Grade, Par Excellence Academy

### CAUCUS

**MINUTES of October 3, 2022**

### APPOINTMENTS

There are none this meeting

### REPORTS OF STANDING COMMITTEES

Finance  
Safety  
Capital Improvements  
Personnel

### REPORTS FROM CITY OFFICIALS

**City Auditor, Ryan T. Bubb** – Operating report for period ending September 30, 2022

**Brenda Cooper, Tax Administrator's Office** – Income Tax Revenue Reports for period ending September 30, 2022

### COMMUNICATIONS

**Licking County Commissioners** – Notification of conforming boundaries of Village of Hebron and Union Twp., creating "Hebron Twp."

**Ohio Division of Liquor Control** – Transfer application from Newark gateway South Inc. dba Mill Wheel Tavern 150 National Drive, to Newark Gateway South Inc. dba Mill Wheel Tavern, 495 Wherle Avenue, Newark, Ohio 43055

### COMMENTS FROM CITIZENS

### ORDINANCES ON SECOND READING

**22-39** AN ORDINANCE ACCEPTING THE DEDICATION TO PUBLIC USE OF THE STREETS IN CONOR'S PASS SUBDIVISION, PHASE 2.

**ORDINANCES ON FIRST READING**

**22-40-A** AN ORDINANCE AMENDING THE DEPARTMENT AUTHORIZATION TABLES OF THE CITY OF NEWARK DEPARTMENT OF HUMAN RESOURCES AND CREATING THE POSITION OF *RISK CONTROL AND EDUCATION SPECIALIST* AND SETTING THE COMPENSATION THEREFORE

**22-41-A** AN ORDINANCE AMENDING THE DEPARTMENT AUTHORIZATION TABLES OF THE CITY OF NEWARK DEPARTMENT OF SERVICE, DIVISION OF CEMETERY & PARKS AND CREATING THE POSITION OF *ASSISTANT SUPERINTENDENT* AND SETTING THE COMPENSATION THEREFORE

**RESOLUTIONS ON SECOND READING**

**22-89** A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUMIT TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) A ONE YEAR USE OF FUNDS/ACTION PLAN ALONG WITH AN APPLICATION FOR FY 2023 FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (CDBG), AS REQUIRED BY 24 CFR PART 91.220, FOR VARIOUS PROGRAMS RELATED TO HOUSING AND COMMUNITY DEVELOPMENT.

**22-90** A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$20,000.00 -monies from renter in Chase Building)( \$400,000.00 -Building maintenance/Grounds Improvements)

**22-91 CI** A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$100,000.00 -Building Improvements and Main. Bldg. Grounds Chase Bldg.)

**22-92** A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NEWARK, OHIO, TO ENTER INTO A LEASE AGREEMENT WITH PARK NATIONAL BANK FOR THE LEASE-PURCHASE OF ONE (1) MEDIC UNIT FOR THE DIVISION OF FIRE

**RESOLUTIONS ON FIRST READING**

**22-93 Exp.** A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$47,500.00 -Payouts for retiring Officers Trent Stanford & Kevin Wells) (\$95,125.57 -Monies needed for cost of issuance for sale of note) (\$13,716.68 -monies needed for cost of issuance for sale of note)

**22-94 CI** A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$34,337.92 -replacement of aging mowers)

**COMMENTS FROM CITIZENS**

**MISCELLANEOUS**

**ADJOURNMENT**

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

**AN ORDINANCE ACCEPTING THE DEDICATION TO PUBLIC USE OF THE STREETS IN CONOR'S PASS SUBDIVISION, PHASE 2.**

**WHEREAS**, Newark City Planning Commission met in regular session on September 13, 2022, and approved and accepted the final plat for the Conor's Pass Subdivision, Phase 2; and,

**WHEREAS**, on September 27, 2022, Newark City Planning Commission, acting through its Planning Director, recommended to Newark City Council that it accept the dedication of the streets in Conor's Pass Subdivision, Phase 2.

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

**Section 1:** All or parts of the roads, streets, avenues, and easements, as shown on the Plat of the Conor's Pass Subdivision, Phase 2, and not heretofore dedicated are hereby accepted as dedicated to public use.

**Section 2:** That this Ordinance shall take effect and be in force 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 Signed by Mayor: \_\_\_\_\_

\_\_\_\_\_  
Mayor

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

Prepared by the Division of Engineering

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

**AN ORDINANCE AMENDING THE DEPARTMENT AUTHORIZATION TABLES  
OF THE CITY OF NEWARK DEPARTMENT OF HUMAN RESOURCES AND  
CREATING THE POSITION OF *RISK CONTROL AND EDUCATION SPECIALIST* AND  
SETTING THE COMPENSATION THEREFORE**

WHEREAS, the Human Resources Director has reviewed their staffing needs and have determined that modifications are warranted due to changing workplace demands; and

WHEREAS, the Human Resources Director desire to create the position of *Risk Control and Education Specialist* to assist in meeting the current workplace demands; and

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

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

Section 1. The full-time position of Risk Control and Education Specialist is hereby created within the Department of Human Resources.

Section 2. The position of Risk Control and Education Specialist shall receive compensation and benefits as set forth in the current AFSCME Collective Bargaining Agreement – Pay Range 44 - \$52,852.80 yearly/\$25.41 hourly. This position is in the classified/non-exempt service of the City of Newark.

Section 3. The position classification/pay range table for the Human Resources Department is hereby amended as follows:

Department	Position Number	Title	Benefit Group
114 - Human Resources			
	2.114.220.01	Asst Director H.R.	MGMT EXEMPT
	1.114.114.01	H.R. Director	MGMT EXEMPT
	4.114.667.02	H.R. Assistant	Non- Barg FT
<i>NEW</i>	<i>3.114.612.01</i>	<i>Risk Control and Education Specialist</i>	<i>AFSCME- FT</i>

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

Passed this \_\_\_\_\_ day \_\_\_\_\_, 2022

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

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

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

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

\_\_\_\_\_  
MAYOR

FORM APPROVED: \_\_\_\_\_  
TRICIA M. MOORE, DIRECTOR OF LAW

Prepared by the Office of the Department of Human Resources



Risk Control and  
Education Specialist

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

**AN ORDINANCE AMENDING THE DEPARTMENT AUTHORIZATION TABLES OF THE CITY OF NEWARK DEPARTMENT OF SERVICE, DIVISION OF CEMETERY & PARKS ABOLISHING THE UNFUNDED POSITION OF CREWLEADER/ PROJECT ASSISTANT AND CREATING THE POSITION OF ASSISTANT SUPERINTENDENT AND SETTING THE COMPENSATION THEREFORE**

WHEREAS, the Service Director and the Cemetery & Parks Superintendent have reviewed their staffing needs and have determined that modifications are warranted due to changing workplace demands; and

WHEREAS, the Service Director and the Cemetery & Parks Superintendent desire to abolish the unfunded position 3.432.651.01 Crew Leader/Project Assistant and create the position of *Assistant Superintendent* to assist in meeting the current workplace demands; and

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

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

Section 1: The unfunded position 3.432.651 Crew Leader/Project Assistant in the Department of Service, Division of Cemetery & Parks is hereby abolished.

Section 2. The full-time position of Assistant Superintendent is hereby created within the Department of Service, Division of Cemetery & Parks.

Section 3. The position of Assistant Superintendent shall receive compensation and benefits as set forth in the current Management and Supervisory Exempt Personnel Statement of Policy- \$64,542.40 yearly/\$31.03 hourly. This position is in the classified/exempt service of the City of Newark.

Section 4. The position classification/pay range table for the Service Department, Division of Cemetery & Parks is hereby amended as follows:

	<b>Position Number</b>	<b>Title</b>	<b>Benefit Group</b>
	3.432.830.02	Equipment Operator	AFSCME - FT
	2.432.210.01	Superintendent	MGMT EXEMPT
	4.432.666.01	Office Manager/Account Clerk	NON-BARG - FT
	3.432.830.01	Equipment Operator 3	AFSCME - FT
	2.432.230.01	Operations Manager	MGMT EXEMPT
	3.432.831.02	Grounds Maintenance Worker	AFSCME - FT
	3.432.831.01	Grounds Maintenance Worker	AFSCME - FT
	3.432.830.03	Equipment Operator 3	AFSCME - FT
Abolish	<del>3.432.651.01</del>	<del>Crew Leader/Project Assistant</del>	<del>AFSCME-FT</del>

NEW	2.432.211.01	Assistant Superintendent	MGMT EXEMPT
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Section 5. This legislation shall become effective at the earliest time permitted by Article 4.07 of the Charter of the City of Newark, Ohio.

Passed this \_\_\_\_\_ day \_\_\_\_\_, 2022

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

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

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

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

\_\_\_\_\_  
MAYOR

FORM APPROVED: \_\_\_\_\_  
TRICIA M. MOORE, DIRECTOR OF LAW

Prepared by the Office of the Department of Human Resources



Position  
Description - Assista



BY \_\_\_\_\_

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUMIT TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) A ONE YEAR USE OF FUNDS/ACTION PLAN ALONG WITH AN APPLICATION FOR FY 2023 FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (CDBG), AS REQUIRED BY 24 CFR PART 91.220, FOR VARIOUS PROGRAMS RELATED TO HOUSING AND COMMUNITY DEVELOPMENT.

WHEREAS, it is necessary to prepare and submit to the United States Department of Housing and Urban Development (HUD) a one year use of funds/action plan for Federal Fiscal Year 2023 in order to ensure that Newark may participate in housing and related community development funding opportunities.

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 prepare and submit to HUD a One Year Use of Funds/Action Plan for FY 2023 CDBG, and to make in connection therewith, all certifications, understandings, and assurances, contained therein, including, but not limited to, assurances that the City: will a further fair housing opportunities; follow a residential anti-displacement and relocation assistance plan in connection with CDBG or HOME assisted activities; maintain a drug free workplace as required by 24 CFR Part 24, Subpart F; comply with anti-lobbying restrictions as required by 24 CFR Part 87; will follow the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended (42U.S.C. 4601); will comply with Section 3 of the HUD Act of 1968 (12 & U.S.C. 1701 u); that it is in full compliance with a citizen participation plan that satisfies the requirements of 24 CFR 91.105; that it has developed and is following a community development plan which has been developed in accordance with the primary objective of the statute authorizing the CDBG program, as described in 24 CFR Part 570; that it is following a current Consolidated Plan that has been approved by HUD; that its One Year Use of Funds/Action Plan has been developed so as to give the maximum feasible priority to activities that will benefit low and moderate income families or aid in the prevention or elimination of slums and blight; that at least 70% of the aggregate use of its CDBG funds shall be expended for activities that benefit low to moderate income persons; that it has adopted and is enforcing a policy prohibiting the excessive use of force by law enforcement agencies within its jurisdiction against individuals engaged in non-violent civil rights demonstrations; that has adopted and is enforcing laws against physically barring entrance to or exits from facilities or locations that are subject to non-violent civil rights demonstrations; that its grant will be conducted in conformity with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 200 d) and the Fair Housing Act (42 U.S.C. 3601 et seq.); that it will comply with the lead based paint procedures specified in 24 CFR Part 35; and that it will comply with other applicable laws, including 2 CFR part 200.

Section 2: This Council does hereby authorize the Mayor, and his representative to prepare the above mentioned grant application and to make, in connection therewith, all certifications, understandings, and assurances contained therein, so as to ensure the City of Newark will not be disqualified to receive available funding opportunities for Federal FY 2023.

Section 3: In furtherance of the directives established herein, the Mayor is authorized to take whatever action is legally available to attain all necessary certifications and approval of the furtherance of the best interest of the City and its participation in available housing and development funding programs.

Section 4: That the Mayor be and hereby is designated as the authorizing official to enter into an agreement with HUD to administer the CDBG program.

Section 5: The Mayor, at his discretion, may amend the final One Year Use of Funds during the course of the HUD fiscal year in accordance with the laws, regulations, and directives of HUD.

Section 6: This Resolution shall become effective upon the earliest date 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 THE MAYOR \_\_\_\_\_

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

\_\_\_\_\_  
MAYOR

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

Resolution No.22-90

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 \$20,000.00 (monies from renter in Chase Building)

100.121.5238	Services General	20,000.00
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Section 2. There is hereby an appropriation of the unappropriated balance of the 220 COVID-19 ARP Fund, in the amount of \$400,000.00 (Building maintenance/Grounds Improvements)

220.103.5271	Maint. Bldg. Grounds	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 \_\_\_\_\_, 2022.

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.22-91 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 Improvements Fund, in the amount of \$100,000.00 (Building Improvements and Main. Bldg. Grounds Chase Bldg.)

335.121.5271.601	Maintenance Bldg./Grnds. Chase Bldg	100,000.00
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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 \_\_\_\_\_, 2022.

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

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

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

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

Mayor \_\_\_\_\_

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

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

A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NEWARK, OHIO, TO ENTER INTO A LEASE AGREEMENT WITH PARK NATIONAL BANK FOR THE LEASE-PURCHASE OF ONE (1) MEDIC UNIT FOR THE DIVISION OF FIRE

WHEREAS, the Newark Division of Fire within the Department of Public Safety is responsible for providing fire protection and emergency medical services to the citizens of the City of Newark; and

WHEREAS, the Division of Fire requires specialized equipment to provide such fire protection and emergency medical services; and

WHEREAS, a medic unit is one such piece of specialized equipment; and

WHEREAS, the Newark Fire Division is requesting that one (1) medic units be purchased utilizing the State of Ohio Cooperative Purchasing Program (State Term) as allowed under Resolution Number 87-22; and

WHEREAS, under such program bidding is waived as the State of Ohio, Department of Administrative Services has entered into contract for the benefit of the state and local municipalities under ORC 125.04; and

WHEREAS, Park National Bank has been identified as a source of funding for lease-purchase of the medic unit; and

WHEREAS, the source of funding has been identified as available through Capital Improvement for purchase via lease-purchase agreement with Park National Bank.

**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 and directed to enter into a lease agreement with Park National Bank for lease-purchase of one (1) new medic unit utilizing the Ohio Cooperative Purchasing Program as allowed under Resolution Number 87-22 thereby waiving any competitive bidding requirement.

**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 \_\_\_\_\_, 2022.

\_\_\_\_\_  
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.22-93 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 153 Comp Abs Fund, in the amount of \$47,500.00 ( Payouts for retiring Officers Trent Stanford & Kevin Wells)

153.202.5143	Termination Sick	30,000.00
153.202.5144	Termination Vacation	13,000.00
153.202.5145	Termination Comp	4,500.00

Section 2. There is hereby an appropriation of the unappropriated balance of the 422 Debt Service Fund, in the amount of \$95,125.57 (Monies needed for cost of issuance for sale of note)

422.925.5421200	Interest/Fees	61,601.13
422.929.5421762	Interest/Fees	33,524.44

Section 3. There is hereby an appropriation of the unappropriated balance of the 333 Infrastructure Fund, in the amount of \$13,716.68 (monies needed for cost of issuance for sale of note)

333.122.5421	Interest/Fees	13.716.68
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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 \_\_\_\_\_, 2022.

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.22-94 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 Improvements Fund, in the amount of \$34,337.92 (replacement of aging mowers)

335.432.5331	Machinery Equip. 61" mower(2) Ferris	34,337.92
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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 \_\_\_\_\_, 2022.

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

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

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

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

Mayor \_\_\_\_\_

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