

## COUNCIL AGENDA

April 3, 2023

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

Council Chambers  
7:00 P.M.

### ROLL CALL

**INVOCATION** – Mr. Harris

**PLEDGE OF ALLEGIANCE** - Shelby Aeby-Hopkins, Middle School, Newark Digital Academy

### CAUCUS

#### Invoke Rule 11

**23-09** AN ORDINANCE CONSENTING TO THE ANNEXATION OF CERTAIN TERRITORY, GENERALLY DESCRIBED AS BEING APPROXIMATELY 0.871 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP, TO THE CITY OF NEWARK, OHIO, AND DECLARING AN EMERGENCY

**23-10** AN ORDINANCE OBJECTING TO THE ANNEXATION OF CERTAIN TERRITORY, GENERALLY DESCRIBED AS BEING 0.871 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP, TO THE CITY OF NEWARK, OHIO, AND DECLARING AN EMERGENCY.

**23-35** A RESOLUTION ADOPTING A STATEMENT INDICATING WHAT SERVICES, IF ANY, THE CITY OF NEWARK, OHIO, WILL PROVIDE FOR APPROXIMATELY 0.871 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP, A TERRITORY PROPOSED FOR EXPEDITED II ANNEXATION, AND DECLARING AN EMERGENCY

**23-36** A RESOLUTION REGARDING A BUFFER ZONE FOR THE ANNEXATION OF APPROXIMATELY 0.871 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP; AND DECLARING AN EMERGENCY

**23-11** AN ORDINANCE CONSENTING TO THE ANNEXATION OF CERTAIN TERRITORY, GENERALLY DESCRIBED AS BEING APPROXIMATELY 2.035 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP, TO THE CITY OF NEWARK, OHIO, AND DECLARING AN EMERGENCY

**23-12** AN ORDINANCE OBJECTING TO THE ANNEXATION OF CERTAIN TERRITORY, GENERALLY DESCRIBED AS BEING 2.035 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP, TO THE CITY OF NEWARK, OHIO, AND DECLARING AN EMERGENCY

**23-37** A RESOLUTION ADOPTING A STATEMENT INDICATING WHAT SERVICES, IF ANY, THE CITY OF NEWARK, OHIO, WILL PROVIDE FOR APPROXIMATELY 2.035 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP, A TERRITORY PROPOSED FOR EXPEDITED II ANNEXATION, AND DECLARING AN EMERGENCY

**23-38** A RESOLUTION REGARDING A BUFFER ZONE FOR THE ANNEXATION OF APPROXIMATELY 2.035 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP; AND DECLARING AN EMERGENCY

### **MINUTES of March 20, 2023**

#### **APPOINTMENTS**

There are none this meeting

#### **REPORTS OF STANDING COMMITTEES**

Finance  
Service

#### **REPORTS FROM CITY OFFICIALS**

#### **COMMUNICATIONS**

#### **COMMENTS FROM CITIZENS**

#### **ORDINANCES ON SECOND READING**

There are none this meeting

#### **ORDINANCES ON FIRST READING**

**23-07** AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 882 WEIANT AVENUE, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID#054-226500-00.000 FROM THAT OF SINGLE-FAMILY RESIDENCE - RH - HIGH DENSITY DISTRICT TO MFR - MULTI-FAMILY RESIDENCE DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO

**23-08** AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 281 ELMWOOD AVENUE, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-278850-00.000 FROM THAT OF SINGLE-FAMILY RESIDENCE - RH - HIGH DENSITY DISTRICT TO TFR-TWO-FAMILY RESIDENCE DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO

## **RESOLUTIONS ON SECOND READING**

**23-22** A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE OFF-SITE DISPOSAL AND BENEFICIAL REUSE OF BIOSOLIDS FROM NEWARK'S WASTEWATER TREATMENT PLANT.

**23-23** APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$7,088.28 -Appropriate funds from Gov Deals sales into the computer hardware/software account to upgrade/replace station computers)

**23-25** A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR REPLACEMENT OF LEAD SERVICE LINES WITHIN THE WATER DISTRIBUTION SYSTEM FOR PROJECT YEARS 2023-2027

## **RESOLUTIONS ON FIRST READING**

**23-27** APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION )\$57,468.16-(Funding of recently created Criminalist position in the Division of Police) (\$219,336.70 -Four unfilled officer positions were erroneously converted to unfunded positions in the 2023 budget. Amounts requested are for April thru December 2023 for those four positions)

**23-28** Cooperating with the Ohio Department of Transportation (ODOT) for the replacement of two deficient bridges on Moull Street and Jefferson Road over Log Pond Run, and declaring an emergency.

**23-29 Exp** APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$395,000.00 -47-49 W Main St approx. \$360,000 and Corner of E Main and Cedar approx.. \$35,000 and all costs involved with the purchase of the two properties) (\$140,000.00 -Amendment to Riverbank Filtration Project for Capacity Study)

**23-30** - A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO TO PARTICIPATE IN THE SOURCEWELL COOPERATIVE PURCHASING PROGRAM

**23-31** A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NEWARK, OHIO, TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE LICKING COUNTY SOIL AND WATER CONSERVATION DISTRICT

**23-32** A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NEWARK, OHIO, TO ENTER INTO A COOPERATIVE AGREEMENT WITH NEWARK DEVELOPMENT PARTNERS AND OTHER AFFECTED PROPERTY OWNERS FOR REPLACEMENT OF A SEWER LINE

**COMMENTS FROM CITIZENS**

**MISCELLANEOUS**

**ADJOURNMENT**

ORDINANCE NO. 23-09

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

AN ORDINANCE CONSENTING TO THE ANNEXATION OF CERTAIN TERRITORY, GENERALLY DESCRIBED AS BEING APPROXIMATELY 0.871 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP, TO THE CITY OF NEWARK, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, a petition for annexation of certain territory in Newark Township and generally described as being 0.871 acres, more or less, in Newark Township, Licking County, Ohio, adjacent and contiguous to the City of Newark, (**Exhibit "A" attached hereto**) was duly filed with the Board of County Commissioners and approved for annexation to the City of Newark; and

WHEREAS, not more than twenty-five (25) days from the date of filing of said petition with the Clerk of the Board of County Commissioners have elapsed; the application may now be considered by this Council; and must be considered prior to the expiration of twenty-five (25) days from the date of filing of said petition.

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

**SECTION 1:** The Council of the City of Newark, Ohio, hereby consents to the annexation of that real property as applied for in the petition of Connie J. Klema, Attorney at Law, P.O. Box 991, Pataskala, Ohio 43062, as agent for the owners, Plaza Financial Group, Ltd., 1573 Lemae Avenue, Newark, Ohio 43055, and Gary Lee Moffitt, Sr., and Mary Moffitt, 1572 Lemae Avenue, Newark, Ohio 43055, of the real estate sought to be annexed and hereby described as follows:

**See Exhibit "A" for legal description**

**SECTION 2:** An emergency is declared to exist for the reason that action must be taken immediately to meet notification requirements to the Licking County Commissioners pursuant to the Ohio Revised Code. Therefore, this Ordinance shall be immediately effective as provided in the City of Newark Charter, Article 4.07.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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

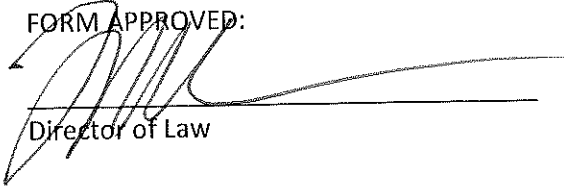
ATTEST: \_\_\_\_\_  
Clerk of Council

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

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

\_\_\_\_\_  
MAYOR

FORM APPROVED:

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right, positioned above a horizontal line.

Director of Law

DESCRIPTION APPROVED:

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Newark City Engineer

Prepared by the Office of the Director of Law

A



DESCRIPTION OF 0.871 ACRE  
FOR ANNEXATION FROM THE TOWNSHIP OF NEWARK  
INTO THE CITY OF NEWARK  
02/22/2023  
Page 1 of 2

Situated in the State of Ohio, County of Licking, Township of Newark, Quarter Township 2, Township 2, Range 12, United State Military Lands, and in Sines Addition as recorded in Plat Book 6, Page 170, being all of Lot 4, of said subdivision, conveyed to Plaza Financial Group Ltd. by Instrument Number 201103150005062 (Auditor's Parcel No. 058-288534-00.000), all of Lot 5, of said subdivision, conveyed to Gary Lee, Sr. and Mary Moffitt by Instrument Number 201507080014012 (Auditor's Parcel No. 058-288666-00.000), and part of Lemae Avenue (30' Wide) of said subdivision, references being of the Licking County Recorder's Office, and described as follows:

Beginning at the northwest corner of said Lot 4, the same being the southwest corner of Parma Allotment as recorded in Plat Book 4, Page 155, in the east line of Lot 7945 of Lyndenwald Acres Subdivision as recorded in Plat Book 5, Page 73 and in an existing corporation for the City of Newark as recorded in Instrument Number 195509109000001 (Ord. #65-103);

Thence, along the north line of said Lots 4 and 5, the same being the south line of said Parma Allotment, South 85 degrees 00 minutes 00 seconds East, 246.10 feet to the northeast corner of said Lot 5, the same being the northwest corner of Lot 11 of Buchman Addition as recorded in Plat Book 6, Page 139, in the south line of Lot 19 of said Parma Allotment;

Thence, along the east line of said Lot 5, the same being the west line of said Buchman Addition, South 05 degrees 00 minutes 00 seconds West, 123.00 feet to the southeast corner of said Lot 5, the same being the northeast corner of Lot 6 of said Sines Addition, in the west line of Lot 10 of said Buchman Addition;

Thence, along the south line of said Lot 5, the same being the north line of said Lot 6, North 85 degrees 00 minutes 00 seconds West, 128.05 feet to a common corner thereof, in the east right-of-way line for Lemae Avenue of said Sines Addition;

Thence, along said east right-of-way line, South 05 degrees 00 minutes 00 seconds West, 177.00 feet to the existing City of Newark corporation line as recorded in Instrument Number 198806239007787 (Ord. #88-27), in the west line of Lot 7 of said Sines Addition;

Thence, along said existing corporation line and across said Lemae Avenue, North 85 degrees 00 minutes 00 seconds West, 30.00 feet to the southeast corner of Lot 3 of said Sines Addition, in the west right-of-way line for said Lemae Avenue;

Thence, along an existing City of Newark corporation line as recorded in Instrument Number 200502240005393 (Ord. #91-7) and said west right-of-way line, North 05 degrees 00 minutes 00 seconds East, 150.00 feet to the southeast corner of said Lot 4, the same being the northeast corner of said Lot 3;

Thence, along said existing corporation line and the south line of said Lot 4, the same being the north line of said Lot 3, North 85 degrees 00 minutes 00 seconds West, 88.05 feet to a common corner thereof, in the east line of Lot 7943 of said Lyndenwald Acres Subdivision;

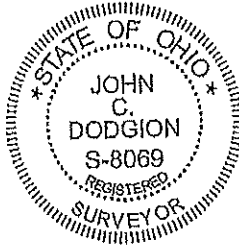
DESCRIPTION OF 0.871 ACRE  
FOR ANNEXATION FROM THE TOWNSHIP OF NEWARK  
INTO THE CITY OF NEWARK

02/22/2023

Page 2 of 2

Thence, along said existing corporation line (Ord. #88-27) and the west line of said Lot 4, the same being the east line of said Lyndenwald Acres Subdivision, **North 05 degrees 00 minutes 00 seconds East, 150.00 feet to the Point of Beginning**, containing 0.871 acre, more or less.

Subject to all, legal, easements, right-of-ways, conditions and restrictions. This description is based on existing Auditor's and Recorder's, Licking County, Ohio, record information and is to be used for annexation purposes only.



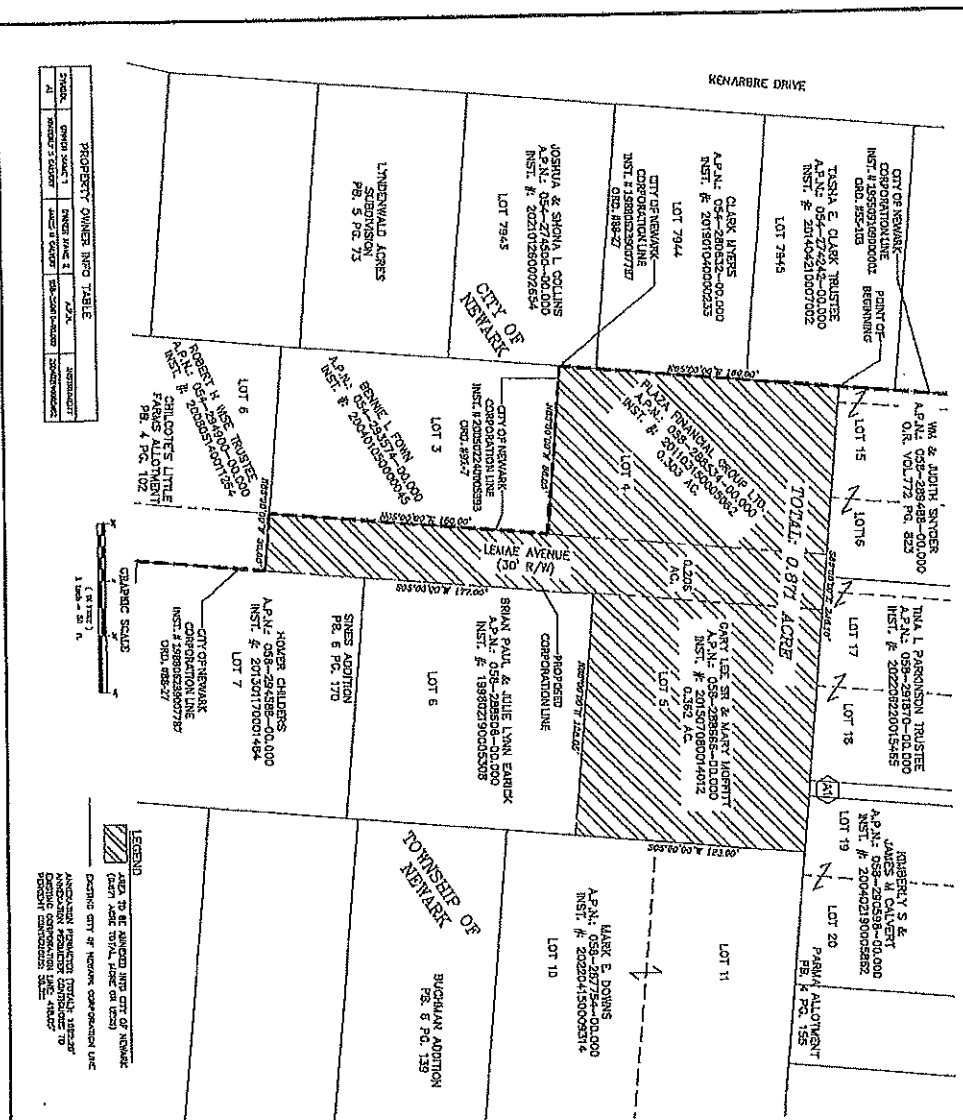
*John C. Dodgion*

John C. Dodgion, P.S. 8069



PLAT OF TERRITORY TO BE ANNEXED FROM THE TOWNSHIP OF NEWARK TO THE CITY OF NEWARK  
EXHIBIT "A"

B



PROPERTY OWNER MAP TABLE

TRACT	OWNER	TRACER	DATE	REVISION
AT	NEWARK	10/1/2010	10/1/2010	10/1/2010

GRAPHIC SCALE  
1 inch = 50 ft.

LEGEND  
 Hatched area: TO BE ANNEXED INTO CITY OF NEWARK  
 Dotted area: EXISTING CITY OF NEWARK JURISDICTION LINE  
 Solid line: ANNEXATION PLANNED TERRITORY JURISDICTION LINE  
 Dashed line: ANNEXATION PROPOSED JURISDICTION LINE  
 Solid line with dots: EXISTING TOWNSHIP OF NEWARK JURISDICTION LINE

APPROVED FOR THE CITY OF NEWARK

*John Dodgson*  
John Dodgson, Mayor

DATE	10/22/2010
BY	JOHN DODGSON

APPROVED FOR THE TOWNSHIP OF NEWARK

DATE	10/22/2010
BY	JOHN DODGSON

APPROVED FOR THE STATE OF NEW JERSEY

*John Dodgson*  
John Dodgson, Mayor

APPROVED FOR THE COUNTY OF HUNTERDON

*John Dodgson*  
John Dodgson, Mayor



CERTIFICATION  
 I, the undersigned, being a duly qualified and licensed surveyor, do hereby certify that the foregoing is a true and correct copy of the original plat on file in my office.

APPROVED FOR THE CITY OF NEWARK  
 JOHN DODGSON, Mayor

APPROVED FOR THE TOWNSHIP OF NEWARK  
 JOHN DODGSON, Mayor

APPROVED FOR THE STATE OF NEW JERSEY  
 JOHN DODGSON, Mayor

APPROVED FOR THE COUNTY OF HUNTERDON  
 JOHN DODGSON, Mayor

APPROVED FOR THE COUNTY OF HUNTERDON  
 JOHN DODGSON, Mayor

APPROVED FOR THE COUNTY OF MORRIS  
 JOHN DODGSON, Mayor

APPROVED FOR THE COUNTY OF WARREN  
 JOHN DODGSON, Mayor

APPROVED FOR THE COUNTY OF UNION  
 JOHN DODGSON, Mayor

APPROVED FOR THE COUNTY OF BERGEN  
 JOHN DODGSON, Mayor

APPROVED FOR THE COUNTY OF ESSEX  
 JOHN DODGSON, Mayor

APPROVED FOR THE COUNTY OF GARDNER  
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 JOHN DODGSON, Mayor

APPROVED FOR THE COUNTY OF BERGEN  
 JOHN DODGSON, Mayor

APPROVED FOR THE COUNTY OF ESSEX  
 JOHN DODGSON, Mayor

APPROVED FOR THE COUNTY OF GARDNER  
 JOHN DODGSON, Mayor

ORDINANCE NO. 23-10

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

AN ORDINANCE OBJECTING TO THE ANNEXATION OF CERTAIN TERRITORY, GENERALLY DESCRIBED AS BEING 0.871 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP, TO THE CITY OF NEWARK, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, a petition for annexation of certain territory in Newark Township and generally described as being 0.871 acres, more or less, in Newark Township, Licking County, Ohio, adjacent and contiguous to the City of Newark, was duly filed with the Board of County Commissioners and approved for annexation to the City of Newark; and

WHEREAS, not more than twenty-five (25) days from the date of filing of said petition with the Clerk of the Board of County Commissioners have elapsed; the application may now be considered by this Council; and must be considered prior to the expiration of twenty-five (25) days from the date of filing of said petition.

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

**SECTION 1:** The Council of the City of Newark, Ohio, hereby objects to the annexation of that real property as applied for in the petition of Connie J. Klema, Attorney at Law, P.O. Box 991, Pataskala, Ohio 43062, as agent for the owners, Plaza Financial Group, Ltd., 1573 Lemae Avenue, Newark, Ohio 43055, and Gary Lee Moffitt, Sr., and Mary Moffitt, 1572 Lemae Avenue, Newark, Ohio 43055, of the real estate sought to be annexed and hereby described as follows:

**See Exhibit "A" for legal description**

**SECTION 2:** An emergency is declared to exist for the reason that action must be taken immediately to meet notification requirements to the Licking County Commissioners pursuant to the Ohio Revised Code. Therefore, this Ordinance shall be immediately effective as provided in the City of Newark Charter, Article 4.07.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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

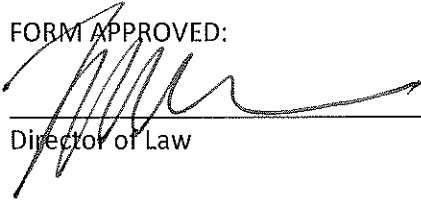
ATTEST: \_\_\_\_\_  
Clerk of Council

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

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

\_\_\_\_\_  
MAYOR

FORM APPROVED:



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Director of Law

DESCRIPTION APPROVED:

---

Newark City Engineer

Prepared by the Office of the Director of Law

A



DESCRIPTION OF 0.871 ACRE  
FOR ANNEXATION FROM THE TOWNSHIP OF NEWARK  
INTO THE CITY OF NEWARK

02/22/2023

Page 1 of 2

Situated in the State of Ohio, County of Licking, Township of Newark, Quarter Township 2, Township 2, Range 12, United State Military Lands, and in Sines Addition as recorded in Plat Book 6, Page 170, being all of Lot 4, of said subdivision, conveyed to Plaza Financial Group Ltd. by Instrument Number 201103150005062 (Auditor's Parcel No. 058-288534-00,000), all of Lot 5, of said subdivision, conveyed to Gary Lee, Sr. and Mary Moffitt by Instrument Number 201507080014012 (Auditor's Parcel No. 058-288666-00,000), and part of Lemae Avenue (30' Wide) of said subdivision, references being of the Licking County Recorder's Office, and described as follows:

Beginning at the northwest corner of said Lot 4, the same being the southwest corner of Parma Allotment as recorded in Plat Book 4, Page 155, in the east line of Lot 7945 of Lyndenwald Acres Subdivision as recorded in Plat Book 5, Page 73 and in an existing corporation for the City of Newark as recorded in Instrument Number 195509109000001 (Ord. #55-103);

Thence, along the north line of said Lots 4 and 5, the same being the south line of said Parma Allotment, South 85 degrees 00 minutes 00 seconds East, 246.10 feet to the northeast corner of said Lot 5, the same being the northwest corner of Lot 11 of Buchman Addition as recorded in Plat Book 6, Page 139, in the south line of Lot 19 of said Parma Allotment;

Thence, along the east line of said Lot 5, the same being the west line of said Buchman Addition, South 05 degrees 00 minutes 00 seconds West, 123.00 feet to the southeast corner of said Lot 5, the same being the northeast corner of Lot 6 of said Sines Addition, in the west line of Lot 10 of said Buchman Addition;

Thence, along the south line of said Lot 5, the same being the north line of said Lot 6, North 85 degrees 00 minutes 00 seconds West, 128.05 feet to a common corner thereof, in the east right-of-way line for Lemae Avenue of said Sines Addition;

Thence, along said east right-of-way line, South 05 degrees 00 minutes 00 seconds West, 177.00 feet to the existing City of Newark corporation line as recorded in Instrument Number 198806239007787 (Ord. #88-27), in the west line of Lot 7 of said Sines Addition;

Thence, along said existing corporation line and across said Lemae Avenue, North 85 degrees 00 minutes 00 seconds West, 30.00 feet to the southeast corner of Lot 3 of said Sines Addition, in the west right-of-way line for said Lemae Avenue;

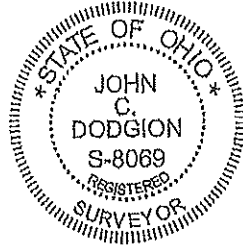
Thence, along an existing City of Newark corporation line as recorded in Instrument Number 200502240005393 (Ord. #91-7) and said west right-of-way line, North 05 degrees 00 minutes 00 seconds East, 150.00 feet to the southeast corner of said Lot 4, the same being the northeast corner of said Lot 3;

Thence, along said existing corporation line and the south line of said Lot 4, the same being the north line of said Lot 3, North 85 degrees 00 minutes 00 seconds West, 88.05 feet to a common corner thereof, in the east line of Lot 7943 of said Lyndenwald Acres Subdivision;

DESCRIPTION OF 0.871 ACRE  
FOR ANNEXATION FROM THE TOWNSHIP OF NEWARK  
INTO THE CITY OF NEWARK  
02/22/2023  
Page 2 of 2

Thence, along said existing corporation line (Ord. #88-27) and the west line of said Lot 4, the same being the east line of said Lyndenwald Acres Subdivision, North 05 degrees 00 minutes 00 seconds East, 150.00 feet to the Point of Beginning, containing 0.871 acre, more or less.

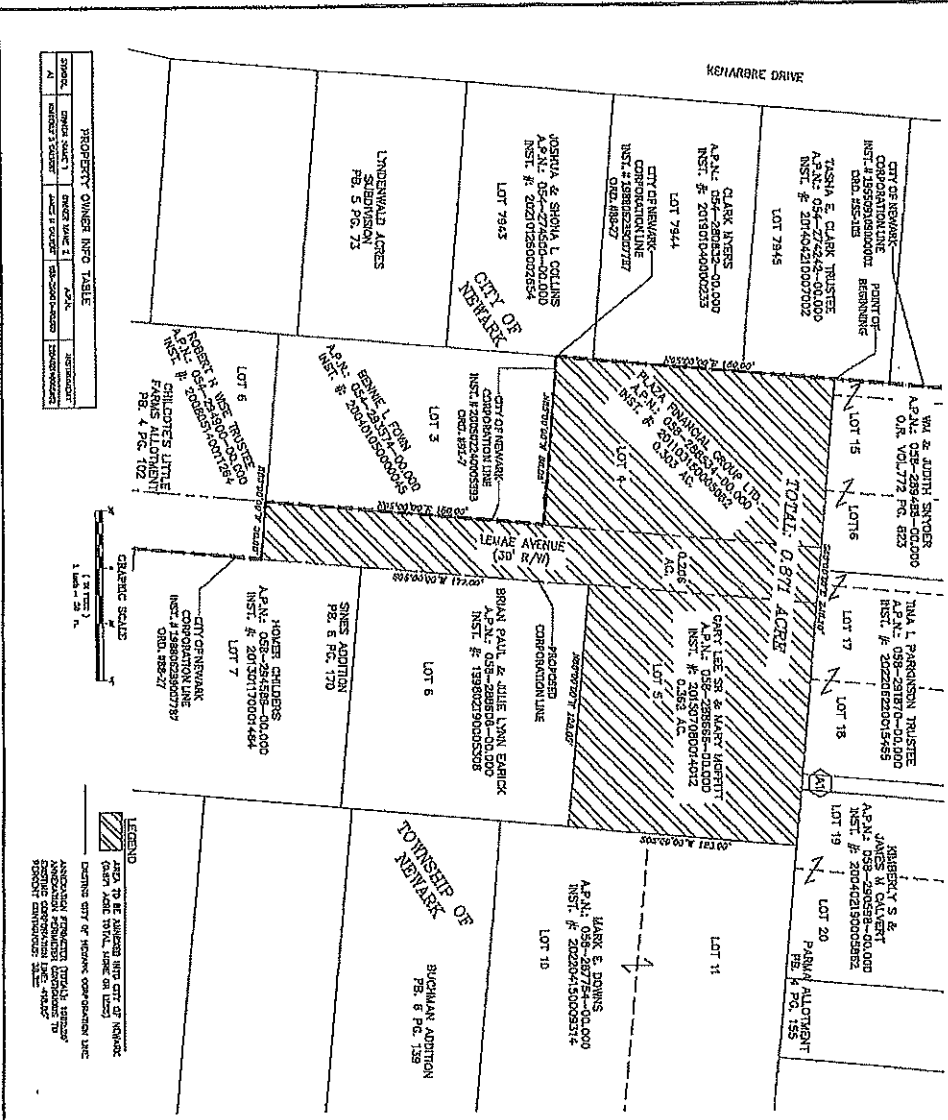
Subject to all, legal, easements, right-of-ways, conditions and restrictions. This description is based on existing Auditor's and Recorder's, Licking County, Ohio, record information and is to be used for annexation purposes only.



*John C. Dodgion*  
John C. Dodgion, P.S. 8069

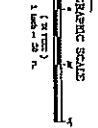
PLAT OF TERRITORY TO BE ANNEXED FROM THE TOWNSHIP OF NEWARK  
TO THE CITY OF NEWARK  
EXHIBIT "A"

B



PROPERTY OWNER INFO TABLE

OWNER	ADDRESS	APPLICANT	DATE
Clark Ingers	1000 1st St	City of Newark	10/20/2015
Tasha E. Clark Trustee	2014 Kenmare Dr	City of Newark	10/20/2015
City of Newark	City of Newark	City of Newark	10/20/2015



LEGEND  
AREA TO BE ANNEXED INTO CITY OF NEWARK  
(SHOWN WITH DIAGONAL LINES)  
EXISTING CITY OF NEWARK CORPORATION LINE  
ANNEXATION TERRITORY (TOTAL TERRITORY)  
ANNEXATION TERRITORY (TOTAL TERRITORY)  
ANNEXATION TERRITORY (TOTAL TERRITORY)

DATE OF RECORD: FEB 20 2015 10:03 AM

*John A. Dodson*

NO.	DATE	DESCRIPTION
1	02/22/2015	RECORDED
2	03/07/2015	RECORDED
3	03/11/2015	RECORDED



**CERTIFICATION.**  
I, JOHN A. DODSON, Notary Public, do hereby certify that the foregoing plat was duly recorded in the Office of the County Clerk of Essex County, New Jersey, on this 22nd day of February, 2015, and that the same is a true and correct copy of the original as the same appears in the records of said County Clerk.

**DEED CERTIFICATE.**  
I, JOHN A. DODSON, Notary Public, do hereby certify that the foregoing plat was duly recorded in the Office of the County Clerk of Essex County, New Jersey, on this 22nd day of February, 2015, and that the same is a true and correct copy of the original as the same appears in the records of said County Clerk.

**NOTARIAL CERTIFICATE.**  
I, JOHN A. DODSON, Notary Public, do hereby certify that the foregoing plat was duly recorded in the Office of the County Clerk of Essex County, New Jersey, on this 22nd day of February, 2015, and that the same is a true and correct copy of the original as the same appears in the records of said County Clerk.

**STATE OF NEW JERSEY.**  
I, JOHN A. DODSON, Notary Public, do hereby certify that the foregoing plat was duly recorded in the Office of the County Clerk of Essex County, New Jersey, on this 22nd day of February, 2015, and that the same is a true and correct copy of the original as the same appears in the records of said County Clerk.

**PLAT OF TERRITORY TO BE ANNEXED FROM THE TOWNSHIP OF NEWARK TO THE CITY OF NEWARK EXHIBIT "A"**

RESOLUTION NO. 23-35

BY \_\_\_\_\_

**A RESOLUTION ADOPTING A STATEMENT INDICATING WHAT SERVICES, IF ANY, THE CITY OF NEWARK, OHIO, WILL PROVIDE FOR APPROXIMATELY 0.871 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP, A TERRITORY PROPOSED FOR EXPEDITED II ANNEXATION, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Newark has received notice of a Petition for Expedited Type II Annexation filed with the Licking County Commissioners by Connie J. Klema, Attorney at Law, P.O. Box 991, Pataskala, Ohio 43062, Agent for Petitioner, Plaza Financial Group, Ltd., 1573 Lemae Avenue, Newark, Ohio 43055, and Gary Lee Moffitt, Sr., and Mary Moffitt, 1572 Lemae Avenue, Newark, Ohio 43055, indicating the substance of a petition for an expedited II annexation to the City of Newark; and,

**WHEREAS**, Section 709.023 (C) R.C. requires that upon receiving this notice, the legislative authority shall by ordinance or resolution adopt a statement indicating what services, if any, the municipal corporation will provide for the territory proposed for annexation upon an expedited II annexation; and,

**WHEREAS**, an emergency exists due to statutory deadlines imposed upon the City in this annexation case. Therefore, it is necessary for this Resolution to be effective immediately to preserve the health, safety and welfare of the citizens of the City of Newark.

**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 hereby indicates by the adoption of legislation the services the City of Newark will provide to the territory proposed to be annexed upon the acceptance of such expedited II annexation to the City.

**A. POLICE PROTECTION**

The Department of Public Safety, Division of Police provides the City and its residents with adequately staffed and equipped 24-hour police protection. The City is contractually served by an emergency mutual aid pact with surrounding law enforcement agencies in the event that additional police services are needed. The proposed area for annexation would be primarily served by patrol units with an average emergency response time of 3 minutes. The City of Newark is a member of the Licking County 911 Emergency Service, which provides a direct link for emergency information to police dispatchers. This system provides a quick response to emergency situations.

This service will be immediately available upon the legal enactment of the annexation legislation.

#### **B. FIRE**

Fire protection is provided by the City of Newark Fire Department. The Department operates twenty-four (24) hours per day, seven (7) days a week, and three hundred & sixty-five (365) days a year. Response is from Station No. 2 (1140 Hollander Street), Station No. 1 (75 S. 4<sup>th</sup> Street), Station No. 3 (1800 West Main Street) or from Station No. 5 (950 Sharon Valley Road)

This service will be available immediately upon annexation to the City of Newark.

#### **C. EMERGENCY MEDICAL PROTECTION**

Emergency medical protection is provided by the City of Newark Fire Department. The Department has multiple firefighters trained as emergency medical technicians and paramedics. The Newark Fire Department operates twenty-four (24) hours per day, seven (7) days per week and three hundred & sixty-five (365) days per year.

This service will be available immediately upon annexation to the City of Newark.

#### **D. SANITARY SEWER**

Sanitary sewer is not available to this property at this time.

#### **E. WATER**

Water service is available to this property at this time.

#### **F. STREET MAINTENANCE**

Street maintenance includes repair, reconstruction and widening, if necessary, and snow plowing. These services would be provided by the City of Newark Street Department.

This service will be available immediately upon annexation to the City of Newark.

#### **G. HIGHWAY RESPONSIBILITY ORDINANCE**

The territory to be annexed herein is described by the attached **Exhibit "A"**.

This annexation does not create a segmented roadway and would not require a Highway Maintenance Ordinance.



**H. STREET LIGHTING**

Street lighting would not be installed within the property to be annexed.

**I. ANIMAL CONTROL**

Animal control for the property sought to be annexed will be provided by the City of Newark through the Newark Police Department.

This service will be available immediately upon annexation to the City of Newark.

**SECTION 2:** An emergency is hereby declared to exist for the reason that action must be taken immediately so as to meet notification requirements to the Licking County Commissioners before any meeting which may be set regarding the above request for expedited II annexation; therefore, this Resolution shall become effective immediately in accordance with Article 4.07 of the Charter of the City of Newark, Ohio.

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

\_\_\_\_\_  
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

A



DESCRIPTION OF 0.871 ACRE  
FOR ANNEXATION FROM THE TOWNSHIP OF NEWARK  
INTO THE CITY OF NEWARK

02/22/2023

Page 1 of 2

Situated in the State of Ohio, County of Licking, Township of Newark, Quarter Township 2, Township 2, Range 12, United State Military Lands, and in Sines Addition as recorded in Plat Book 6, Page 170, being all of Lot 4, of said subdivision, conveyed to Plaza Financial Group Ltd. by Instrument Number 201103150005062 (Auditor's Parcel No. 058-288534-00.000), all of Lot 5, of said subdivision, conveyed to Gary Lee, Sr. and Mary Moffitt by Instrument Number 201507080014012 (Auditor's Parcel No. 058-288666-00.000), and part of Lemae Avenue (30' Wide) of said subdivision, references being of the Licking County Recorder's Office, and described as follows:

Beginning at the northwest corner of said Lot 4, the same being the southwest corner of Parma Allotment as recorded in Plat Book 4, Page 155, in the east line of Lot 7945 of Lyndenwald Acres Subdivision as recorded in Plat Book 5, Page 73 and in an existing corporation for the City of Newark as recorded in Instrument Number 195509109000001 (Ord. #85-103);

Thence, along the north line of said Lots 4 and 5, the same being the south line of said Parma Allotment, **South 85 degrees 00 minutes 00 seconds East, 246.10 feet** to the northeast corner of said Lot 5, the same being the northwest corner of Lot 11 of Buchman Addition as recorded in Plat Book 6, Page 139, in the south line of Lot 19 of said Parma Allotment;

Thence, along the east line of said Lot 5, the same being the west line of said Buchman Addition, **South 05 degrees 00 minutes 00 seconds West, 123.00 feet** to the southeast corner of said Lot 5, the same being the northeast corner of Lot 6 of said Sines Addition, in the west line of Lot 10 of said Buchman Addition;

Thence, along the south line of said Lot 5, the same being the north line of said Lot 6, **North 85 degrees 00 minutes 00 seconds West, 128.05 feet** to a common corner thereof, in the east right-of-way line for Lemae Avenue of said Sines Addition;

Thence, along said east right-of-way line, **South 05 degrees 00 minutes 00 seconds West, 177.00 feet** to the existing City of Newark corporation line as recorded in Instrument Number 198806239007787 (Ord. #88-27), in the west line of Lot 7 of said Sines Addition;

Thence, along said existing corporation line and across said Lemae Avenue, **North 85 degrees 00 minutes 00 seconds West, 30.00 feet** to the southeast corner of Lot 3 of said Sines Addition, in the west right-of-way line for said Lemae Avenue;

Thence, along an existing City of Newark corporation line as recorded in Instrument Number 200502240005393 (Ord. #91-7) and said west right-of-way line, **North 05 degrees 00 minutes 00 seconds East, 150.00 feet** to the southeast corner of said Lot 4, the same being the northeast corner of said Lot 3;

Thence, along said existing corporation line and the south line of said Lot 4, the same being the north line of said Lot 3, **North 85 degrees 00 minutes 00 seconds West, 88.05 feet** to a common corner thereof, in the east line of Lot 7943 of said Lyndenwald Acres Subdivision;

DESCRIPTION OF 0.871 ACRE  
FOR ANNEXATION FROM THE TOWNSHIP OF NEWARK  
INTO THE CITY OF NEWARK  
02/22/2023  
Page 2 of 2

Thence, along said existing corporation line (Ord. #88-27) and the west line of said Lot 4, the same being the east line of said Lyndenwald Acres Subdivision, North 05 degrees 00 minutes 00 seconds East, 150.00 feet to the Point of Beginning, containing 0.871 acre, more or less.

Subject to all, legal, easements, right-of-ways, conditions and restrictions. This description is based on existing Auditor's and Recorder's, Licking County, Ohio, record information and is to be used for annexation purposes only.

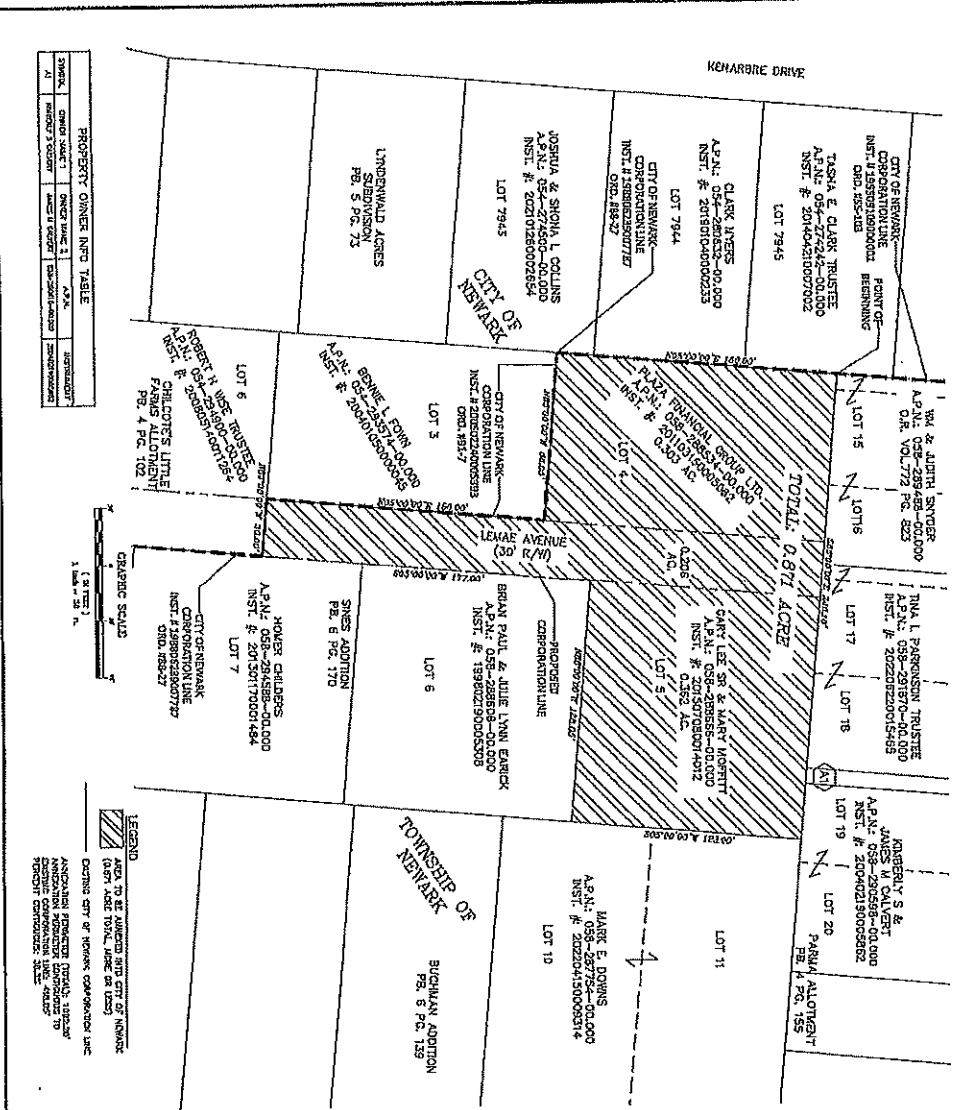
*John C. Dodgion*

John C. Dodgion, P.S. 8069



PLAT OF TERRITORY TO BE ANNEXED FROM THE TOWNSHIP OF NEWARK  
TO THE CITY OF NEWARK  
EXHIBIT "A"

B



PROPERTY OWNER INFO TABLE

OWNER	OWNER TYPE	OWNER NAME	ADDRESS	CITY	STATE	ZIP
1	INDIVIDUAL	CLARK IVERS	20190104000233	NEWARK	NJ	07102
2	INDIVIDUAL	JOSHUA & SHONIA L COLLINS	20210280002854	NEWARK	NJ	07102
3	INDIVIDUAL	BRAN PAUL & JULIE LYNN ENRICH	139802190005308	NEWARK	NJ	07102
4	INDIVIDUAL	MARK E. DOWNS	202204150005814	NEWARK	NJ	07102
5	INDIVIDUAL	MARK E. DOWNS	202204150005814	NEWARK	NJ	07102
6	INDIVIDUAL	MARK E. DOWNS	202204150005814	NEWARK	NJ	07102
7	INDIVIDUAL	MARK E. DOWNS	202204150005814	NEWARK	NJ	07102
8	INDIVIDUAL	MARK E. DOWNS	202204150005814	NEWARK	NJ	07102
9	INDIVIDUAL	MARK E. DOWNS	202204150005814	NEWARK	NJ	07102
10	INDIVIDUAL	MARK E. DOWNS	202204150005814	NEWARK	NJ	07102
11	INDIVIDUAL	MARK E. DOWNS	202204150005814	NEWARK	NJ	07102
12	INDIVIDUAL	MARK E. DOWNS	202204150005814	NEWARK	NJ	07102
13	INDIVIDUAL	MARK E. DOWNS	202204150005814	NEWARK	NJ	07102
14	INDIVIDUAL	MARK E. DOWNS	202204150005814	NEWARK	NJ	07102
15	INDIVIDUAL	MARK E. DOWNS	202204150005814	NEWARK	NJ	07102
16	INDIVIDUAL	MARK E. DOWNS	202204150005814	NEWARK	NJ	07102
17	INDIVIDUAL	MARK E. DOWNS	202204150005814	NEWARK	NJ	07102
18	INDIVIDUAL	MARK E. DOWNS	202204150005814	NEWARK	NJ	07102
19	INDIVIDUAL	MARK E. DOWNS	202204150005814	NEWARK	NJ	07102

GRAPHIC SCALE  
1" = 50' (1:50)

LEGEND  
AREA TO BE ANNEXED INTO CITY OF NEWARK  
(FROM ADJ. TOWN LINE ON EAST)

APPLICANT	JOHN C. BARON	DATE	02/22/2023
ADDRESS	1000 SUNSHINE HILL ROAD	CITY	NEWARK, NJ
STATE	NJ	ZIP	07102
PHONE	973-526-1111	FAX	973-526-1111
EMAIL	john@johnbaron.com		



CERTIFICATION  
THIS PLAT IS MADE IN ACCORDANCE WITH THE PROVISIONS OF THE PLAT ACT, N.J.A.C. 17:27, AND THE PLAT ACT REGULATIONS, N.J.A.C. 17:27.1, AND IS FOR ANNEXATION PURPOSES ONLY. THE CITY OF NEWARK HAS REVIEWED THIS PLAT AND HAS DETERMINED THAT IT COMPLIES WITH ALL APPLICABLE LAWS AND REGULATIONS.

APPROVED AND FORWARDED:  
JOHN C. BARON, Mayor  
CITY OF NEWARK

APPROVED AND FORWARDED:  
[Signature]  
CITY ENGINEER

APPROVED AND FORWARDED:  
[Signature]  
CITY CLERK

APPROVED AND FORWARDED:  
[Signature]  
CITY COMMISSIONER

APPROVED AND FORWARDED:  
[Signature]  
CITY MANAGER

APPROVED AND FORWARDED:  
[Signature]  
CITY ATTORNEY

APPROVED AND FORWARDED:  
[Signature]  
CITY PLANNING DIRECTOR

RESOLUTION NO. 23-36

BY \_\_\_\_\_

**A RESOLUTION REGARDING A BUFFER ZONE FOR THE ANNEXATION OF APPROXIMATELY 0.871 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP; AND DECLARING AN EMERGENCY.**

**WHEREAS**, an application for annexation of approximately 0.871 acres, more or less, located in Newark Township, has been filed with the Licking County Commissioners; and

**WHEREAS**, the City of Newark has determined that the zoning established by the City for the area to be annexed may be incompatible with the zoning regulations in effect for the land adjacent thereto; and

**WHEREAS**, due to such incompatibility, the property to be annexed may require establishment of a buffer zone as defined in Ohio Revised Code Section 709.023.

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

**SECTION 1:** The City of Newark hereby resolves that in the event the City of Newark determines that the zoning established for this annexation is incompatible with the zoning regulations in effect for the land adjacent to the annexation, it will require buffering as defined in Ohio Revised Code Section 709.023.

**SECTION 2:** An emergency is hereby declared to exist for the reason that action must be taken immediately to meet notification requirements to the Licking County Commissioners pursuant to the Ohio Revised Code. Therefore, this resolution shall become effective immediately in accordance with Article 4.07 of the Charter of the City of Newark, Ohio.

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

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

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

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

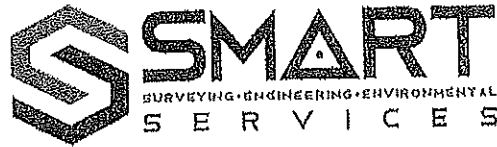
DATE APPROVED BY MAYOR: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

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

Prepared by the Office of the Director of Law

A



DESCRIPTION OF 0.871 ACRE  
FOR ANNEXATION FROM THE TOWNSHIP OF NEWARK  
INTO THE CITY OF NEWARK

02/22/2023  
Page 1 of 2

Situated in the State of Ohio, County of Licking, Township of Newark, Quarter Township 2, Township 2, Range 12, United State Military Lands, and in Sines Addition as recorded in Plat Book 6, Page 170, being all of Lot 4, of said subdivision, conveyed to Plaza Financial Group Ltd. by Instrument Number 201103150005062 (Auditor's Parcel No. 058-288534-00,000), all of Lot 5, of said subdivision, conveyed to Gary Lee, Sr. and Mary Moffitt by Instrument Number 201507080014012 (Auditor's Parcel No. 058-288666-00,000), and part of Lemae Avenue (30' Wide) of said subdivision, references being of the Licking County Recorder's Office, and described as follows:

Beginning at the northwest corner of said Lot 4, the same being the southwest corner of Parma Allotment as recorded in Plat Book 4, Page 155, in the east line of Lot 7945 of Lyndenwald Acres Subdivision as recorded in Plat Book 5, Page 73 and in an existing corporation for the City of Newark as recorded in Instrument Number 195509109000001 (Ord. #55-103);

Thence, along the north line of said Lots 4 and 5, the same being the south line of said Parma Allotment, South 85 degrees 00 minutes 00 seconds East, 246.10 feet to the northeast corner of said Lot 5, the same being the northwest corner of Lot 11 of Buchman Addition as recorded in Plat Book 6, Page 139, in the south line of Lot 19 of said Parma Allotment;

Thence, along the east line of said Lot 5, the same being the west line of said Buchman Addition, South 05 degrees 00 minutes 00 seconds West, 123.00 feet to the southeast corner of said Lot 5, the same being the northeast corner of Lot 6 of said Sines Addition, in the west line of Lot 10 of said Buchman Addition;

Thence, along the south line of said Lot 5, the same being the north line of said Lot 6, North 85 degrees 00 minutes 00 seconds West, 128.05 feet to a common corner thereof, in the east right-of-way line for Lemae Avenue of said Sines Addition;

Thence, along said east right-of-way line, South 05 degrees 00 minutes 00 seconds West, 177.00 feet to the existing City of Newark corporation line as recorded in Instrument Number 198806239007787 (Ord. #88-27), in the west line of Lot 7 of said Sines Addition;

Thence, along said existing corporation line and across said Lemae Avenue, North 85 degrees 00 minutes 00 seconds West, 30.00 feet to the southeast corner of Lot 3 of said Sines Addition, in the west right-of-way line for said Lemae Avenue;

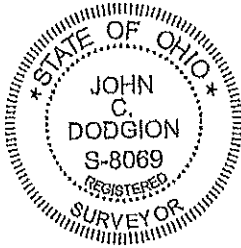
Thence, along an existing City of Newark corporation line as recorded in Instrument Number 200502240005393 (Ord. #91-7) and said west right-of-way line, North 05 degrees 00 minutes 00 seconds East, 150.00 feet to the southeast corner of said Lot 4, the same being the northeast corner of said Lot 3;

Thence, along said existing corporation line and the south line of said Lot 4, the same being the north line of said Lot 3, North 85 degrees 00 minutes 00 seconds West, 88.05 feet to a common corner thereof, in the east line of Lot 7943 of said Lyndenwald Acres Subdivision;

DESCRIPTION OF 0.871 ACRE  
FOR ANNEXATION FROM THE TOWNSHIP OF NEWARK  
INTO THE CITY OF NEWARK  
02/22/2023  
Page 2 of 2

Thence, along said existing corporation line (Ord. #88-27) and the west line of said Lot 4, the same being the east line of said Lyndenwald Acres Subdivision, **North 05 degrees 00 minutes 00 seconds East, 150.00 feet to the Point of Beginning**, containing 0.871 acre, more or less.

Subject to all, legal, easements, right-of-ways, conditions and restrictions. This description is based on existing Auditor's and Recorder's, Licking County, Ohio, record information and is to be used for annexation purposes only.

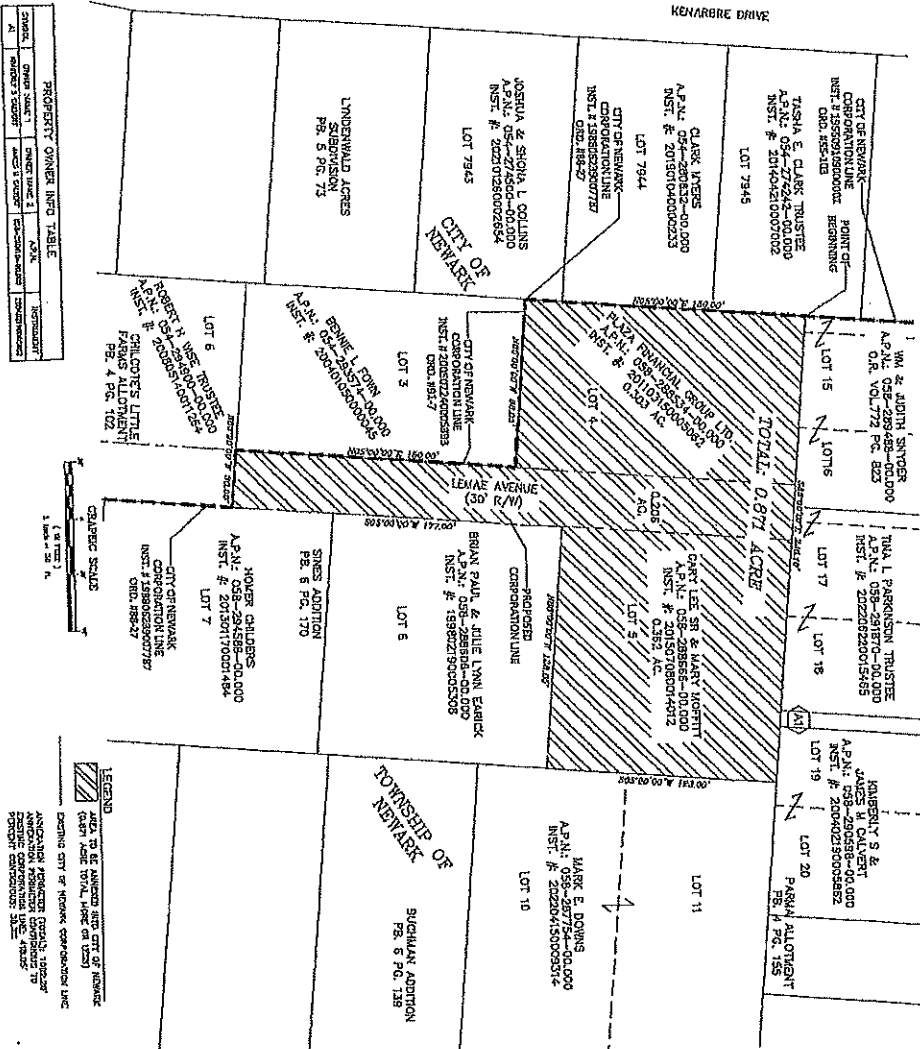


*John C. Dodgion*

John C. Dodgion, P.S. 8069



PLAT OF TERRITORY TO BE ANNEXED FROM THE TOWNSHIP OF NEWARK  
TO THE CITY OF NEWARK  
EXHIBIT "A"



**LEGEND**

AREA TO BE ANNEXED INTO CITY OF NEWARK (SHOWN AS Hatched Area on this Plat)

BOUNDARIES OF THE CITY OF NEWARK (SHOWN AS Dotted Line on this Plat)

BOUNDARIES OF THE TOWNSHIP OF NEWARK (SHOWN AS Solid Line on this Plat)

BOUNDARIES OF THE COUNTY OF HUNTERDON (SHOWN AS Dashed Line on this Plat)

BOUNDARIES OF THE STATE OF NEW JERSEY (SHOWN AS Solid Line on this Plat)

**PROPERTY OWNER INFO TABLE**

Lot No.	Owner Name	Address	City/Township	County	State
1	City of Newark	Point of Beginning	Newark	Hunterdon	N.J.
2	Tasha E. Clark Trustee	201404210007002	Newark	Hunterdon	N.J.
3	City of Newark	20191014000223	Newark	Hunterdon	N.J.
4	City of Newark	20191014000223	Newark	Hunterdon	N.J.
5	City of Newark	20191014000223	Newark	Hunterdon	N.J.
6	City of Newark	20191014000223	Newark	Hunterdon	N.J.
7	City of Newark	20191014000223	Newark	Hunterdon	N.J.
8	City of Newark	20191014000223	Newark	Hunterdon	N.J.
9	City of Newark	20191014000223	Newark	Hunterdon	N.J.
10	Mark E. Downs	20220115000341	Newark	Hunterdon	N.J.
11	City of Newark	20191014000223	Newark	Hunterdon	N.J.
12	City of Newark	20191014000223	Newark	Hunterdon	N.J.
13	City of Newark	20191014000223	Newark	Hunterdon	N.J.
14	City of Newark	20191014000223	Newark	Hunterdon	N.J.
15	City of Newark	20191014000223	Newark	Hunterdon	N.J.
16	City of Newark	20191014000223	Newark	Hunterdon	N.J.
17	City of Newark	20191014000223	Newark	Hunterdon	N.J.
18	City of Newark	20191014000223	Newark	Hunterdon	N.J.
19	City of Newark	20191014000223	Newark	Hunterdon	N.J.
20	City of Newark	20191014000223	Newark	Hunterdon	N.J.

B

**CERTIFICATION**

I, the undersigned, being a duly qualified and authorized officer of the City of Newark, do hereby certify that the foregoing is a true and correct copy of the original plat on file in the office of the City Clerk of Newark, New Jersey, and that the same has been duly recorded in the Office of the County Clerk of Hunterdon County, New Jersey, in accordance with the provisions of the Act of the Legislature of the State of New Jersey, approved March 22, 1907, and amended, and that the same is a true and correct copy of the original plat on file in the office of the City Clerk of Newark, New Jersey, and that the same has been duly recorded in the Office of the County Clerk of Hunterdon County, New Jersey, in accordance with the provisions of the Act of the Legislature of the State of New Jersey, approved March 22, 1907, and amended.

**NOTICE TO PROPERTY OWNERS**

THE BOARD OF SUPERVISORS OF THE CITY OF NEWARK, NEW JERSEY, HAS HEREBY ORDERED THAT THE PLAT OF TERRITORY TO BE ANNEXED FROM THE TOWNSHIP OF NEWARK TO THE CITY OF NEWARK, NEW JERSEY, BE RECORDED IN THE OFFICE OF THE COUNTY CLERK OF HUNTERDON COUNTY, NEW JERSEY, IN ACCORDANCE WITH THE PROVISIONS OF THE ACT OF THE LEGISLATURE OF THE STATE OF NEW JERSEY, APPROVED MARCH 22, 1907, AND AMENDED.

**APPROVED AND ORDERED:**

City of Newark, New Jersey

*John C. Dodson*  
City Clerk

**APPROVED AND ORDERED:**

County of Hunterdon, New Jersey

*John C. Dodson*  
County Clerk

**APPROVED AND ORDERED:**

State of New Jersey

*John C. Dodson*  
Governor

**APPROVED AND ORDERED:**

City of Newark, New Jersey

*John C. Dodson*  
City Clerk

**APPROVED AND ORDERED:**

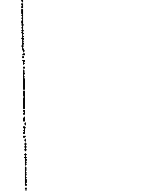
County of Hunterdon, New Jersey

*John C. Dodson*  
County Clerk

**APPROVED AND ORDERED:**

State of New Jersey

*John C. Dodson*  
Governor



**APPROVED AND ORDERED:**

City of Newark, New Jersey

*John C. Dodson*  
City Clerk

**APPROVED AND ORDERED:**

County of Hunterdon, New Jersey

*John C. Dodson*  
County Clerk

**APPROVED AND ORDERED:**

State of New Jersey

*John C. Dodson*  
Governor

**APPROVED AND ORDERED:**

City of Newark, New Jersey

*John C. Dodson*  
City Clerk

**APPROVED AND ORDERED:**

County of Hunterdon, New Jersey

*John C. Dodson*  
County Clerk

**APPROVED AND ORDERED:**

State of New Jersey

*John C. Dodson*  
Governor

ORDINANCE NO. 23-11

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

AN ORDINANCE CONSENTING TO THE ANNEXATION OF CERTAIN TERRITORY, GENERALLY DESCRIBED AS BEING APPROXIMATELY 2.035 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP, TO THE CITY OF NEWARK, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, a petition for annexation of certain territory in Newark Township and generally described as being 2.035 acres, more or less, in Newark Township, Licking County, Ohio, adjacent and contiguous to the City of Newark, (**Exhibit "A" attached hereto**) was duly filed with the Board of County Commissioners and approved for annexation to the City of Newark; and

WHEREAS, not more than twenty-five (25) days from the date of filing of said petition with the Clerk of the Board of County Commissioners have elapsed; the application may now be considered by this Council; and must be considered prior to the expiration of twenty-five (25) days from the date of filing of said petition.

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

**SECTION 1:** The Council of the City of Newark, Ohio, hereby consents to the annexation of that real property as applied for in the petition of Jeremy R. Abrams, Attorney at Law, Kidwell & Cunningham, Ltd., 112 North Main Street, Mount Vernon, Ohio 43050, as agent for the owners, Cardinal Electric Newark, LLC, 1725 Mount Vernon Road, Newark, Ohio 43055, of the real estate sought to be annexed and hereby described as follows:

**See Exhibit "A" for legal description**

**SECTION 2:** An emergency is declared to exist for the reason that action must be taken immediately to meet notification requirements to the Licking County Commissioners pursuant to the Ohio Revised Code. Therefore, this Ordinance shall be immediately effective as provided in the City of Newark Charter, Article 4.07.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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

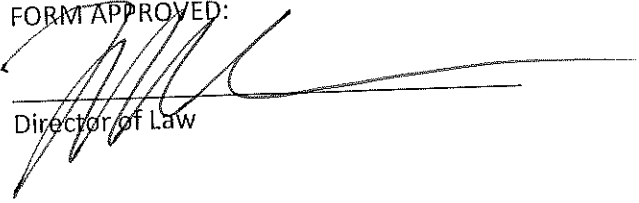
ATTEST: \_\_\_\_\_  
Clerk of Council

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

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

\_\_\_\_\_  
MAYOR

FORM APPROVED:



---

Director of Law

DESCRIPTION APPROVED:

---

Newark City Engineer

Prepared by the Office of the Director of Law

**PETITION FOR ANNEXATION  
TO THE CITY OF NEWARK, OHIO  
WITH THE CONSENT OF ALL PARTIES  
R.C. 709.02, R.C. 709.021, and R.C. 709.22**

Total of 2.035 Acres, Newark Township

**To: Board of County Commissioners of Licking County, Ohio**

The undersigned petitioners hereby petition for annexation, and respectfully represent unto the Licking County, Ohio Board of Commissioners as follows:

1. That the petitioner, Cardinal Electric Newark, LLC, is the owner in fee simple title to the territory legally described herein as Parcels One and Two.
2. The territory described herein is located in the County of Licking in the State of Ohio, and is not now within the corporate limits of any other municipality, and is contiguous and adjacent to the corporate limits of the City of Newark.
3. The undersigned, being a duly authorized representative of the petitioners, hereby petitions for annexation of the following territory to the City of Newark, Licking County, Ohio:

Situated in the State of Ohio, County of Licking, Township of Newark and bounded and described as follows:

Being a part of the 1<sup>st</sup> and 2<sup>nd</sup> Quarters of Township 2, Range 12, United States Military Lands and situated in Newark Township, Licking County, Ohio and described as follows:

Parcel One:

Commencing at a point marked by an iron pin in the Southeast corner of Gregory Park Addition as the same is recorded in Vol. 8,, pages 74, 75 and 76 of the Plat Records of Licking County, Ohio; thence South 85 degrees 21' East, along said Gregory Park Addition South line a distance of 32.00 feet to a point in the centerline of State Route 13; thence South 15 degrees 38' 30" East, along the centerline of State Route 13 a distance of 213.22 feet to a point, which point is the true place of beginning of the tract of land described herein; thence South 15 degrees 38' 30" East, along the centerline of State Route 13 a distance of 106.61 feet to a point; thence North 85 degrees 21' West, parallel with said Gregory Park Addition South line a distance of 319.66 feet to a point marked by an iron pin, passing an iron pin at 32.00 feet; thence North 4 degrees 39' East, a distance of 100.00 feet to a point marked by an iron pin; thence South 85 degrees 21' East, a distance of 282.68 feet, passing an iron pin at 250.68 feet, to the place of beginning, containing 0.655 acres, more or less.

Parcel Two:

Commencing at a point marked by an iron pin in the Southeast corner of Gregory Park Addition as the same is recorded in Vol. 8, pages 74, 75 and 76 of the Plat Records of Licking County, Ohio; thence North 85 degrees 21' West, along said Gregory Park South

line a distance of 476.49 feet to a point in said Gregory Park South line marked by an iron pin; thence South 4 degrees 39' West, a distance of 100.00 feet to a point marked by an iron pin, which point is the true place of beginning of the tract of land described herein; thence South 85 degrees 21' East, a distance of 299.77 feet to a point marked by an iron pin; thence South 4 degrees 39' West, a distance of 200.00 feet to a point marked by an iron pin, passing an iron pin at 100.00 feet; thence North 85 degrees 21' West, a distance of 299.77 feet to a point; thence North 4 degrees 39' East, a distance of 200.00 feet, to the place of beginning, containing 1.38 acres, more or less.

Parcel Numbers: 058-286554-03.000 & 058-286716-00.000

Prior Instrument of Record: Instrument Number 202201040000169, Licking County, Ohio, Official Records.

Address: 1725 Mount Vernon Road, Newark, Ohio 43055

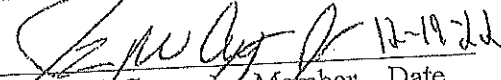
Jeremy R. Abrams, Attorney at Law, Kidwell & Cunningham, Ltd., 112 North Main Street, Mount Vernon, Ohio 43050, is appointed agent for the petitioner as required by R.C. 709.02, with full power to amend, increase or decrease the area, to do any and all things essential thereto, and to take any action necessary for obtaining the granting of this petition, without further expressed consent of the petitioners.

Please take notice that, simultaneously with the filing of this petition, our agent, Jeremy R. Abrams, Attorney at Law, is also filing a list of all tracts, lots, or parcels in the territory proposed for annexation, and all tracts, lots, or parcels located adjacent to that territory, as required by R.C. 709.02.

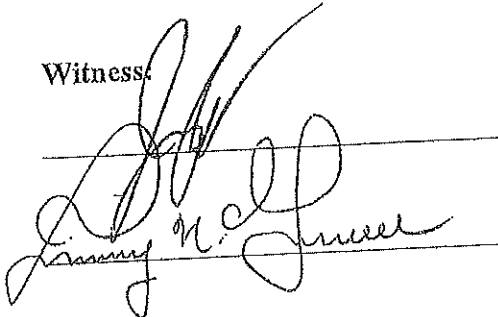
**NOTICE: WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL ANY ACTION ON THE PETITION TAKEN BY THE BOARD OF COUNTY COMMISSIONERS. THERE ALSO IS NO APPEAL FROM THE BOARD'S DECISION IN THIS MATTER IN LAW OR IN EQUITY.**

In Witness Whereof, the undersigned property owners hereby affix their signature on the date so indicated.

Petitioner: Cardinal Electric Newark, LLC

By:  12-19-22  
Joseph M. Curry, Jr., Member Date

Witness:

  
\_\_\_\_\_  
Jeremy R. Abrams

ORDINANCE NO. 23-12

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

AN ORDINANCE OBJECTING TO THE ANNEXATION OF CERTAIN TERRITORY, GENERALLY DESCRIBED AS BEING 2.035 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP, TO THE CITY OF NEWARK, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, a petition for annexation of certain territory in Newark Township and generally described as being 2.035 acres, more or less, in Newark Township, Licking County, Ohio, adjacent and contiguous to the City of Newark, was duly filed with the Board of County Commissioners and approved for annexation to the City of Newark; and

WHEREAS, not more than twenty-five (25) days from the date of filing of said petition with the Clerk of the Board of County Commissioners have elapsed; the application may now be considered by this Council; and must be considered prior to the expiration of twenty-five (25) days from the date of filing of said petition.

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

**SECTION 1:** The Council of the City of Newark, Ohio, hereby objects to the annexation of that real property as applied for in the petition of Jeremy R. Abrams, Attorney at Law, Kidwell & Cunningham, Ltd., 112 North Main Street, Mount Vernon, Ohio 43050, as agent for the owners, Cardinal Electric Newark, LLC, 1725 Mount Vernon Road, Newark, Ohio 43055, of the real estate sought to be annexed and hereby described as follows:

**See Exhibit "A" for legal description**

**SECTION 2:** An emergency is declared to exist for the reason that action must be taken immediately to meet notification requirements to the Licking County Commissioners pursuant to the Ohio Revised Code. Therefore, this Ordinance shall be immediately effective as provided in the City of Newark Charter, Article 4.07.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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

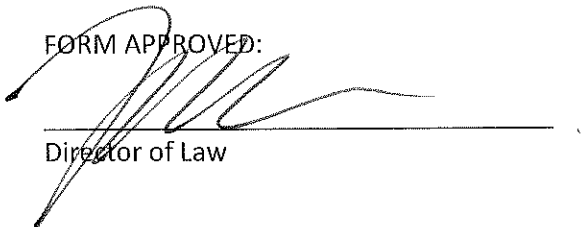
ATTEST: \_\_\_\_\_  
Clerk of Council

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

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

\_\_\_\_\_  
MAYOR

FORM APPROVED:

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned above a horizontal line.

Director of Law

DESCRIPTION APPROVED:

---

Newark City Engineer

Prepared by the Office of the Director of Law

**PETITION FOR ANNEXATION  
TO THE CITY OF NEWARK, OHIO  
WITH THE CONSENT OF ALL PARTIES  
R.C. 709.02, R.C. 709.021, and R.C. 709.22**

Total of 2.035 Acres, Newark Township

**To: Board of County Commissioners of Licking County, Ohio**

The undersigned petitioners hereby petition for annexation, and respectfully represent unto the Licking County, Ohio Board of Commissioners as follows:

1. That the petitioner, Cardinal Electric Newark, LLC, is the owner in fee simple title to the territory legally described herein as Parcels One and Two.
2. The territory described herein is located in the County of Licking in the State of Ohio, and is not now within the corporate limits of any other municipality, and is contiguous and adjacent to the corporate limits of the City of Newark.
3. The undersigned, being a duly authorized representative of the petitioners, hereby petitions for annexation of the following territory to the City of Newark, Licking County, Ohio:

Situated in the State of Ohio, County of Licking, Township of Newark and bounded and described as follows:

Being a part of the 1<sup>st</sup> and 2<sup>nd</sup> Quarters of Township 2, Range 12, United States Military Lands and situated in Newark Township, Licking County, Ohio and described as follows:

Parcel One:

Commencing at a point marked by an iron pin in the Southeast corner of Gregory Park Addition as the same is recorded in Vol. 8,, pages 74, 75 and 76 of the Plat Records of Licking County, Ohio; thence South 85 degrees 21' East, along said Gregory Park Addition South line a distance of 32.00 feet to a point in the centerline of State Route 13; thence South 15 degrees 38' 30" East, along the centerline of State Route 13 a distance of 213.22 feet to a point, which point is the true place of beginning of the tract of land described herein; thence South 15 degrees 38' 30" East, along the centerline of State Route 13 a distance of 106.61 feet to a point; thence North 85 degrees 21' West, parallel with said Gregory Park Addition South line a distance of 319.66 feet to a point marked by an iron pin, passing an iron pin at 32.00 feet; thence North 4 degrees 39' East, a distance of 100.00 feet to a point marked by an iron pin; thence South 85 degrees 21' East, a distance of 282.68 feet, passing an iron pin at 250.68 feet, to the place of beginning, containing 0.655 acres, more or less.

Parcel Two:

Commencing at a point marked by an iron pin in the Southeast corner of Gregory Park Addition as the same is recorded in Vol. 8, pages 74, 75 and 76 of the Plat Records of Licking County, Ohio; thence North 85 degrees 21' West, along said Gregory Park South



line a distance of 476.49 feet to a point in said Gregory Park South line marked by an iron pin; thence South 4 degrees 39' West, a distance of 100.00 feet to a point marked by an iron pin, which point is the true place of beginning of the tract of land described herein; thence South 85 degrees 21' East, a distance of 299.77 feet to a point marked by an iron pin; thence South 4 degrees 39' West, a distance of 200.00 feet to a point marked by an iron pin, passing an iron pin at 100.00 feet; thence North 85 degrees 21' West, a distance of 299.77 feet to a point; thence North 4 degrees 39' East, a distance of 200.00 feet, to the place of beginning, containing 1.38 acres, more or less.

Parcel Numbers: 058-286554-03.000 & 058-286716-00.000

Prior Instrument of Record: Instrument Number 202201040000169, Licking County, Ohio, Official Records.

Address: 1725 Mount Vernon Road, Newark, Ohio 43055

Jeremy R. Abrams, Attorney at Law, Kidwell & Cunningham, Ltd., 112 North Main Street, Mount Vernon, Ohio 43050, is appointed agent for the petitioner as required by R.C. 709.02, with full power to amend, increase or decrease the area, to do any and all things essential thereto, and to take any action necessary for obtaining the granting of this petition, without further expressed consent of the petitioners.

Please take notice that, simultaneously with the filing of this petition, our agent, Jeremy R. Abrams, Attorney at Law, is also filing a list of all tracts, lots, or parcels in the territory proposed for annexation, and all tracts, lots, or parcels located adjacent to that territory, as required by R.C. 709.02.

**NOTICE: WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL ANY ACTION ON THE PETITION TAKEN BY THE BOARD OF COUNTY COMMISSIONERS. THERE ALSO IS NO APPEAL FROM THE BOARD'S DECISION IN THIS MATTER IN LAW OR IN EQUITY.**

In Witness Whereof, the undersigned property owners hereby affix their signature on the date so indicated.

Petitioner: Cardinal Electric Newark, LLC

By: 

Joseph M. Curry, Jr., Member Date 12-19-22

Witness: 

RESOLUTION NO. 28-37

BY \_\_\_\_\_

**A RESOLUTION ADOPTING A STATEMENT INDICATING WHAT SERVICES, IF ANY, THE CITY OF NEWARK, OHIO, WILL PROVIDE FOR APPROXIMATELY 2.035 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP, A TERRITORY PROPOSED FOR EXPEDITED II ANNEXATION, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Newark has received notice of a Petition for Expedited Type II Annexation filed with the Licking County Commissioners by Jeremy R. Abrams, Attorney at Law, Kidwell & Cunningham, Ltd., 112 North Main Street, Mount Vernon, Ohio 43050, Agent for Petitioner, Cardinal Electric Newark, LLC, 1725 Mount Vernon Road, Newark, Ohio 43055, indicating the substance of a petition for an expedited II annexation to the City of Newark; and,

**WHEREAS**, Section 709.023 (C) R.C. requires that upon receiving this notice, the legislative authority shall by ordinance or resolution adopt a statement indicating what services, if any, the municipal corporation will provide for the territory proposed for annexation upon an expedited II annexation; and,

**WHEREAS**, an emergency exists due to statutory deadlines imposed upon the City in this annexation case. Therefore, it is necessary for this Resolution to be effective immediately to preserve the health, safety and welfare of the citizens of the City of Newark.

**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 hereby indicates by the adoption of legislation the services the City of Newark will provide to the territory proposed to be annexed upon the acceptance of such expedited II annexation to the City.

#### **A. POLICE PROTECTION**

The Department of Public Safety, Division of Police provides the City and its residents with adequately staffed and equipped 24-hour police protection. The City is contractually served by an emergency mutual aid pact with surrounding law enforcement agencies in the event that additional police services are needed. The proposed area for annexation would be primarily served by patrol units with an average emergency response time of 3 minutes. The City of Newark is a member of the Licking County 911 Emergency Service, which provides a direct link for emergency information to police dispatchers. This system provides a quick response to emergency situations.

This service will be immediately available upon the legal enactment of the annexation legislation.

#### **B. FIRE**

Fire protection is provided by the City of Newark Fire Department. The Department operates twenty-four (24) hours per day, seven (7) days a week, and three hundred & sixty-five (365) days a year. Response is from Station No. 2 (1140 Hollander Street), Station No. 1 (75 S. 4<sup>th</sup> Street), Station No. 3 (1800 West Main Street) or from Station No. 5 (950 Sharon Valley Road)

This service will be available immediately upon annexation to the City of Newark.

#### **C. EMERGENCY MEDICAL PROTECTION**

Emergency medical protection is provided by the City of Newark Fire Department. The Department has multiple firefighters trained as emergency medical technicians and paramedics. The Newark Fire Department operates twenty-four (24) hours per day, seven (7) days per week and three hundred & sixty-five (365) days per year.

This service will be available immediately upon annexation to the City of Newark.

#### **D. SANITARY SEWER**

Sanitary sewer is available to this property at this time; located approximately 40' of the South property line by connecting to either a 12" or 18" line.

#### **E. WATER**

Water service is available to this property at this time.

#### **F. STREET MAINTENANCE**

Street maintenance includes repair, reconstruction and widening, if necessary, and snow plowing. These services would be provided by the City of Newark Street Department.

This service will be available immediately upon annexation to the City of Newark.

#### **G. HIGHWAY RESPONSIBILITY ORDINANCE**

The territory to be annexed herein is described by the attached **Exhibit "A"**.

This annexation does not create a segmented roadway and would not require a Highway Maintenance Ordinance.

**H. STREET LIGHTING**

Street lighting would not be installed within the property to be annexed.

**I. ANIMAL CONTROL**

Animal control for the property sought to be annexed will be provided by the City of Newark through the Newark Police Department.

This service will be available immediately upon annexation to the City of Newark.

**SECTION 2:** An emergency is hereby declared to exist for the reason that action must be taken immediately so as to meet notification requirements to the Licking County Commissioners before any meeting which may be set regarding the above request for expedited II annexation; therefore, this Resolution shall become effective immediately in accordance with Article 4.07 of the Charter of the City of Newark, Ohio.

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

\_\_\_\_\_  
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

**PETITION FOR ANNEXATION  
TO THE CITY OF NEWARK, OHIO  
WITH THE CONSENT OF ALL PARTIES  
R.C. 709.02, R.C. 709.021, and R.C. 709.22**

Total of 2.035 Acres, Newark Township

**To: Board of County Commissioners of Licking County, Ohio**

The undersigned petitioners hereby petition for annexation, and respectfully represent unto the Licking County, Ohio Board of Commissioners as follows:

1. That the petitioner, Cardinal Electric Newark, LLC, is the owner in fee simple title to the territory legally described herein as Parcels One and Two.
2. The territory described herein is located in the County of Licking in the State of Ohio, and is not now within the corporate limits of any other municipality, and is contiguous and adjacent to the corporate limits of the City of Newark.
3. The undersigned, being a duly authorized representative of the petitioners, hereby petitions for annexation of the following territory to the City of Newark, Licking County, Ohio:

Situated in the State of Ohio, County of Licking, Township of Newark and bounded and described as follows:

Being a part of the 1<sup>st</sup> and 2<sup>nd</sup> Quarters of Township 2, Range 12, United States Military Lands and situated in Newark Township, Licking County, Ohio and described as follows:

Parcel One:

Commencing at a point marked by an iron pin in the Southeast corner of Gregory Park Addition as the same is recorded in Vol. 8,, pages 74, 75 and 76 of the Plat Records of Licking County, Ohio; thence South 85 degrees 21' East, along said Gregory Park Addition South line a distance of 32.00 feet to a point in the centerline of State Route 13; thence South 15 degrees 38' 30" East, along the centerline of State Route 13 a distance of 213.22 feet to a point, which point is the true place of beginning of the tract of land described herein; thence South 15 degrees 38' 30" East, along the centerline of State Route 13 a distance of 106.61 feet to a point; thence North 85 degrees 21' West, parallel with said Gregory Park Addition South line a distance of 319.66 feet to a point marked by an iron pin, passing an iron pin at 32.00 feet; thence North 4 degrees 39' East, a distance of 100.00 feet to a point marked by an iron pin; thence South 85 degrees 21' East, a distance of 282.68 feet, passing an iron pin at 250.68 feet, to the place of beginning, containing 0.655 acres, more or less.

Parcel Two:

Commencing at a point marked by an iron pin in the Southeast corner of Gregory Park Addition as the same is recorded in Vol. 8, pages 74, 75 and 76 of the Plat Records of Licking County, Ohio; thence North 85 degrees 21' West, along said Gregory Park South

line a distance of 476.49 feet to a point in said Gregory Park South line marked by an iron pin; thence South 4 degrees 39' West, a distance of 100.00 feet to a point marked by an iron pin, which point is the true place of beginning of the tract of land described herein; thence South 85 degrees 21' East, a distance of 299.77 feet to a point marked by an iron pin; thence South 4 degrees 39' West, a distance of 200.00 feet to a point marked by an iron pin, passing an iron pin at 100.00 feet; thence North 85 degrees 21' West, a distance of 299.77 feet to a point; thence North 4 degrees 39' East, a distance of 200.00 feet, to the place of beginning, containing 1.38 acres, more or less.

Parcel Numbers: 058-286554-03.000 & 058-286716-00.000

Prior Instrument of Record: Instrument Number 202201040000169, Licking County, Ohio, Official Records.

Address: 1725 Mount Vernon Road, Newark, Ohio 43055

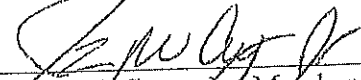
Jeremy R. Abrams, Attorney at Law, Kidwell & Cunningham, Ltd., 112 North Main Street, Mount Vernon, Ohio 43050, is appointed agent for the petitioner as required by R.C. 709.02, with full power to amend, increase or decrease the area, to do any and all things essential thereto, and to take any action necessary for obtaining the granting of this petition, without further expressed consent of the petitioners.

Please take notice that, simultaneously with the filing of this petition, our agent, Jeremy R. Abrams, Attorney at Law, is also filing a list of all tracts, lots, or parcels in the territory proposed for annexation, and all tracts, lots, or parcels located adjacent to that territory, as required by R.C. 709.02.

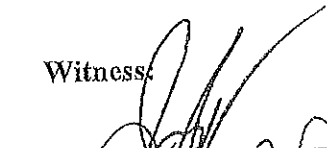
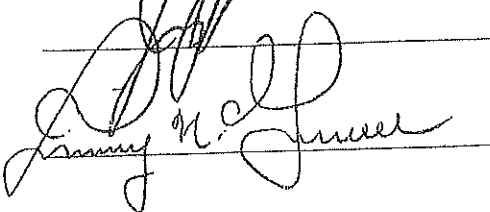
**NOTICE: WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL ANY ACTION ON THE PETITION TAKEN BY THE BOARD OF COUNTY COMMISSIONERS. THERE ALSO IS NO APPEAL FROM THE BOARD'S DECISION IN THIS MATTER IN LAW OR IN EQUITY.**

In Witness Whereof, the undersigned property owners hereby affix their signature on the date so indicated.

Petitioner: Cardinal Electric Newark, LLC

By:  12-19-22  
Joseph M. Curry, Jr., Member Date

Witness:

RESOLUTION NO. 23-38

BY \_\_\_\_\_

**A RESOLUTION REGARDING A BUFFER ZONE FOR THE ANNEXATION OF APPROXIMATELY 2.035 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP; AND DECLARING AN EMERGENCY.**

**WHEREAS**, an application for annexation of approximately 2.035 acres, more or less, located in Newark Township, has been filed with the Licking County Commissioners; and

**WHEREAS**, the City of Newark has determined that the zoning established by the City for the area to be annexed may be incompatible with the zoning regulations in effect for the land adjacent thereto; and

**WHEREAS**, due to such incompatibility, the property to be annexed may require establishment of a buffer zone as defined in Ohio Revised Code Section 709.023.

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

**SECTION 1:** The City of Newark hereby resolves that in the event the City of Newark determines that the zoning established for this annexation is incompatible with the zoning regulations in effect for the land adjacent to the annexation, it will require buffering as defined in Ohio Revised Code Section 709.023.

**SECTION 2:** An emergency is hereby declared to exist for the reason that action must be taken immediately to meet notification requirements to the Licking County Commissioners pursuant to the Ohio Revised Code. Therefore, this resolution shall become effective immediately in accordance with Article 4.07 of the Charter of the City of Newark, Ohio.

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

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

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

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

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

\_\_\_\_\_  
MAYOR

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

A handwritten signature in black ink, appearing to be 'J. M. ...', is written over a horizontal line. The signature is cursive and extends to the right of the line.

Prepared by the Office of the Director of Law



**PETITION FOR ANNEXATION  
TO THE CITY OF NEWARK, OHIO  
WITH THE CONSENT OF ALL PARTIES  
R.C. 709.02, R.C. 709.021, and R.C. 709.22**

Total of 2.035 Acres, Newark Township

**To: Board of County Commissioners of Licking County, Ohio**

The undersigned petitioners hereby petition for annexation, and respectfully represent unto the Licking County, Ohio Board of Commissioners as follows:

1. That the petitioner, Cardinal Electric Newark, LLC, is the owner in fee simple title to the territory legally described herein as Parcels One and Two.
2. The territory described herein is located in the County of Licking in the State of Ohio, and is not now within the corporate limits of any other municipality, and is contiguous and adjacent to the corporate limits of the City of Newark.
3. The undersigned, being a duly authorized representative of the petitioners, hereby petitions for annexation of the following territory to the City of Newark, Licking County, Ohio:

Situated in the State of Ohio, County of Licking, Township of Newark and bounded and described as follows:

Being a part of the 1<sup>st</sup> and 2<sup>nd</sup> Quarters of Township 2, Range 12, United States Military Lands and situated in Newark Township, Licking County, Ohio and described as follows:

Parcel One:

Commencing at a point marked by an iron pin in the Southeast corner of Gregory Park Addition as the same is recorded in Vol. 8., pages 74, 75 and 76 of the Plat Records of Licking County, Ohio; thence South 85 degrees 21' East, along said Gregory Park Addition South line a distance of 32.00 feet to a point in the centerline of State Route 13; thence South 15 degrees 38' 30" East, along the centerline of State Route 13 a distance of 213.22 feet to a point, which point is the true place of beginning of the tract of land described herein; thence South 15 degrees 38' 30" East, along the centerline of State Route 13 a distance of 106.61 feet to a point; thence North 85 degrees 21' West, parallel with said Gregory Park Addition South line a distance of 319.66 feet to a point marked by an iron pin, passing an iron pin at 32.00 feet; thence North 4 degrees 39' East, a distance of 100.00 feet to a point marked by an iron pin; thence South 85 degrees 21' East, a distance of 282.68 feet, passing an iron pin at 250.68 feet, to the place of beginning, containing 0.655 acres, more or less.

Parcel Two:

Commencing at a point marked by an iron pin in the Southeast corner of Gregory Park Addition as the same is recorded in Vol. 8, pages 74, 75 and 76 of the Plat Records of Licking County, Ohio; thence North 85 degrees 21' West, along said Gregory Park South

line a distance of 476.49 feet to a point in said Gregory Park South line marked by an iron pin; thence South 4 degrees 39' West, a distance of 100.00 feet to a point marked by an iron pin, which point is the true place of beginning of the tract of land described herein; thence South 85 degrees 21' East, a distance of 299.77 feet to a point marked by an iron pin; thence South 4 degrees 39' West, a distance of 200.00 feet to a point marked by an iron pin, passing an iron pin at 100.00 feet; thence North 85 degrees 21' West, a distance of 299.77 feet to a point; thence North 4 degrees 39' East, a distance of 200.00 feet, to the place of beginning, containing 1.38 acres, more or less.

Parcel Numbers: 058-286554-03.000 & 058-286716-00.000

Prior Instrument of Record: Instrument Number 202201040000169, Licking County, Ohio, Official Records.

Address: 1725 Mount Vernon Road, Newark, Ohio 43055

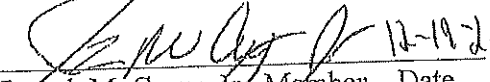
Jeremy R. Abrams, Attorney at Law, Kidwell & Cunningham, Ltd., 112 North Main Street, Mount Vernon, Ohio 43050, is appointed agent for the petitioner as required by R.C. 709.02, with full power to amend, increase or decrease the area, to do any and all things essential thereto, and to take any action necessary for obtaining the granting of this petition, without further expressed consent of the petitioners.

Please take notice that, simultaneously with the filing of this petition, our agent, Jeremy R. Abrams, Attorney at Law, is also filing a list of all tracts, lots, or parcels in the territory proposed for annexation, and all tracts, lots, or parcels located adjacent to that territory, as required by R.C. 709.02.

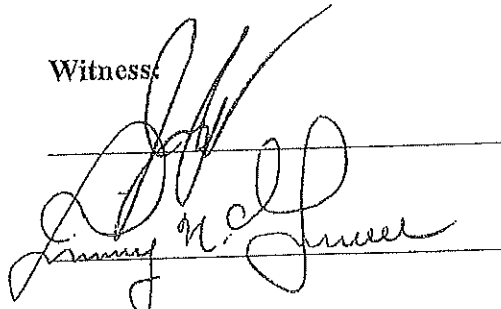
**NOTICE: WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL ANY ACTION ON THE PETITION TAKEN BY THE BOARD OF COUNTY COMMISSIONERS. THERE ALSO IS NO APPEAL FROM THE BOARD'S DECISION IN THIS MATTER IN LAW OR IN EQUITY.**

In Witness Whereof, the undersigned property owners hereby affix their signature on the date so indicated.

Petitioner: Cardinal Electric Newark, LLC

By:  12-19-22  
Joseph M. Curry, Jr., Member Date

Witness:



ORDINANCE NO. 23-07

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

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 882 WEIANT AVENUE, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-226500-00.000 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

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

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 281 ELMWOOD AVENUE, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-278850-00.000 FROM THAT OF SINGLE-FAMILY RESIDENCE – RH – HIGH DENSITY DISTRICT TO TFR – TWO-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 TFR – TWO-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\_\_.

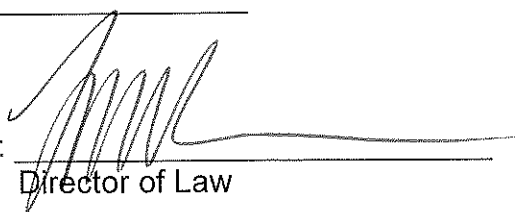
\_\_\_\_\_  
PRESIDENT OF COUNCIL

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

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 FOR THE OFF-SITE DISPOSAL AND BENEFICIAL REUSE OF BIOSOLIDS FROM NEWARK'S WASTEWATER TREATMENT PLANT.**

**WHEREAS**, the City of Newark was advised in 1984 by OEPA that off-site disposal of digested biosolids was necessary in order to preserve the environment at the Wastewater Treatment Plant and adjacent land and waters; and,

**WHEREAS**, the City of Newark in conjunction with the biosolids hauling contractors have since established an environmentally sound off-site disposal program; and,

**WHEREAS**, the existing contract for disposal of Newark's biosolids terminates September 1, 2023; therefore it is necessary to immediately initiate steps for advertising for a new contract in order to preserve the established procedures and protect the environment and the public peace, health, safety and welfare.

**WHEREAS**, the Public Service Committee of the Newark City Council met on March 6, 2023 and unanimously approved submission of this legislation for full council 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 for the off-site disposal and beneficial reuse of biosolids from Newark's Wastewater Treatment Plant.

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

\_\_\_\_\_  
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



Resolution No.23-23

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 \$7,088.28 (Appropriate funds from Gov Deals sales into the computer hardware/software account to upgrade/replace station computers

100.204.5536	Computer hardware/software	7,088.28
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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 \_\_\_\_\_, \_\_\_\_\_

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

**A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR REPLACEMENT OF LEAD SERVICE LINES WITHIN THE WATER DISTRIBUTION SYSTEM FOR PROJECT YEARS 2023-2027**

**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 available for review in or through the Director of Public Service office; and,

**WHEREAS**, there are up to 6,000 service lines that need replaced and the City does not have sufficient personnel to complete this task in a timely manner; and,

**WHEREAS**, principal forgiveness funding is available through Ohio EPA Water Supply Revolving Loan Account through 2027; and,

**WHEREAS**, the Public Service Committee of the Newark City Council met on March 6, 2023 and approved submission of the legislation for full council 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 contracts, subject to the appropriation of funds, for the replacement of lead service lines in the water distribution system for project years 2023-2027.

Section 2: That the dedicated source of repayment will be user charges.

Section 3: 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 \_\_\_\_\_ 2023.

\_\_\_\_\_  
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

Resolution No.23-27

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 \$57,468.16 (Funding of recently created Criminalist position in the Division of Police)

100.203.5111	Salaries & Wages	36,523.20
100.203.5122	PERS	5,113.25
100.203.5122.100	PERS Pickup	1,826.16
100.203.5124	Health Insurance	12,907.51
100.203.5126	Medicare	529.59
100.203.5127	Workers Compensation	568.45

Section 2. There is hereby an appropriation of the unappropriated balance of the 100 General Fund, in the amount of \$219,336.70 (Four unfilled officer positions were erroneously converted to unfunded positions in the 2023 budget. Amounts requested are for April thru December 2023 for those four positions)

100.202.5111	Salaries and Wages	131,598.95
100.202.5121	Police & Fire Pension	16,120.80
100.202.5124	Health Insurance	66,381.12
100.202.5124.110	Non-AFSCME Dental	1,041.84
100.202.5124.400	Life Insurance	237.60
100.202.5126	Medicare	1,908.18
100.202.5127	Workers Comp	2,048.21

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 \_\_\_\_\_, \_\_\_\_\_

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

Resolution No. 23-28

(Resolution No. 20-52 - Preliminary Legislation)

PID No. 111654

**FINAL RESOLUTION**

**Cooperating with the Ohio Department of Transportation (ODOT) for the replacement of two deficient bridges on Moull Street and Jefferson Road over Log Pond Run, and declaring an emergency.**

The following Final Resolution enacted by the City of **Newark**, Ohio, hereinafter referred to as the Legislative Authority/Local Public Agency or "LPA", in the matter of the stated described project.

WHEREAS, on the **17th day of August, 2020**, the LPA enacted legislation proposing cooperation with the Director of Transportation for the described project:

**The project consists of replacing two deficient structures Bridge No. LIC-MOULL-03433 (SFN 4560418) on Moull Street (C.R. 813) over Log Pond Run and Bridge No. LIC-JEFRD-30150 (SFN 4560426) on Jefferson Road (M.R. 491) over Log Pond Run, including construction of sidewalk, lying within the City of Newark; and**

WHEREAS, the LPA shall cooperate with the Director of Transportation in the above described project as follows:

**The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement within the city limits, less the amount of Federal-Aid funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation.**

The share of the cost of the LPA is now estimated in the amount of **Eighty-Seven Thousand Two Hundred Twenty-One and - - - 00/100 Dollars (\$87,221.00)**, but said estimated amount is to be adjusted in order that the LPA's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and

WHEREAS, The Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above-described highway and has transmitted copies of the same to this legislative authority; and

WHEREAS, The LPA desires the Director of Transportation to proceed with the aforesaid highway improvement.

NOW, THEREFORE, be it resolved:

- I. That the estimated sum of **Eighty-Seven Thousand Two Hundred Twenty-One and - - - - 00/100 Dollars (\$87,221.00)** is hereby appropriated for the improvement described above and the fiscal officer is hereby authorized and directed to issue an order on the Treasurer for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. We hereby agree to assume in the first instance, the share of the cost and expense over and above the amount to be paid from **Federal** funds.
- II. That the LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.
- III. That the LPA enter into a contract with the State, and that **Service Director** be, and is hereby authorized to execute said contract, providing for the payment of the LPA the sum of money set forth herein above for improving the described project.
- IV. That the LPA transmit to the Director of Transportation a fully executed copy of this Resolution.
- V. An emergency is declared to exist to meet project deadlines to preserve the health, safety and welfare of the City of Newark inhabitants. Therefore, this Resolution shall be immediately effective upon passage as provided in City of Newark Charter, Article 4.07.

This is to certify that we have compared the foregoing copy of Resolution \_\_\_\_\_ with the original record thereof, found in the record of the proceedings of the LPA, and which Resolution \_\_\_\_\_ was duly passed by the LPA on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and that the same is a true and correct copy of the record of said Resolution and the action of said LPA thereon.

We further certify that said Resolution and the action of said LPA thereon is recorded in the Office of the Clerk of Council of the City of Newark, Ohio, in Volume \_\_\_\_\_, at Page \_\_\_\_\_, and under the date of \_\_\_\_\_, 20\_\_\_\_\_.

Legislative Authority of the  
City of **Newark**, Ohio

\_\_\_\_\_  
**Service Director**

Adopted the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

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

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

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

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

\_\_\_\_\_  
Mayor

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

Prepared by ODOT and the Clerk of Council.

**FISCAL OFFICER'S CERTIFICATE**  
(Chapter 5521 and Section 5705.41, Ohio Revised Code)

I hereby certify to that the money, to wit: **\$87,221.00** required for the payment of the cost other than that thereof assumed by the **Federal** Government, for the improvement of that portion of **C.R. 813/M.R. 491**, lying within the corporate limits of the City of **Newark**, more particularly described as follows:

**The project consists of replacing two deficient structures Bridge No. LIC-MOULL-03433 (SFN 4560418) on Moull Street (C.R. 813) over Log Pond Run and Bridge No. LIC-JEFRD-30150 (SFN 4560426) on Jefferson Road (M.R. 491) over Log Pond Run, including construction of sidewalk, lying within the City of Newark; and**

has been lawfully appropriated for such purpose and is in the treasury to the credit of, or has been levied placed on the duplicate and in process of collection for the appropriate fund, and not appropriated for any other purpose; or is being obtained by sale of bonds issued on account of said improvement, which bonds are sold and in process of delivery.

I further certify that this certificate was made, sealed and filed with the legislative authority of the City of **Newark**, Ohio, after said legislative authority passed the final resolution in connection with the within described project; and that this certificate was forthwith recorded in the record of the proceedings of said legislative authority, namely:

Legislative Authority's Journal, Volume \_\_\_\_\_, at Page \_\_\_\_\_,

IN WITNESS WHEREOF, I have hereunto set my hand and official seal as said fiscal officer, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(Fiscal Officer's Seal)  
(If Applicable)

\_\_\_\_\_  
Fiscal Officer of the City of  
**Newark, Ohio**



**C O N T R A C T**  
(Chapter 5521, Ohio Revised Code)

This contract is made by and between the State of Ohio, Department of Transportation, acting through its director (hereinafter referred to as the "STATE"), 1980 West Broad Street, Columbus, Ohio 43223, and the City of **Newark**, (hereinafter referred to as the legislative authority/Local Public Agency or "LPA").

**WITNESSTH:**

**WHEREAS**, Chapter 5521 of the Ohio Revised Code provides that the legislative authority may cooperate with the STATE in a highway project made by and under the supervision of the Director of Transportation; and

**WHEREAS**, through the enactment of preliminary legislation, the LPA and the STATE have agreed to cooperate in the highway project described below; and

**WHEREAS**, through the enactment of final legislation, the LPA has committed to pay an estimated amount of money as its share of the total estimated cost and expense of the highway project described below; and

**WHEREAS**, the fiscal officer of the LPA has filed with the LPA a certificate stating that sufficient moneys are available, as required by Chapter 5521 and Section 5705.41 of the Ohio Revised Code. A duplicate certificate is attached hereto; and

**WHEREAS**, in accordance with the final legislation, the LPA hereby enters into this contract with the STATE to provide for payment of the agreed portion of the cost of the highway project and any additional obligations for the highway project described below.

**NOW, THEREFORE**, in consideration of the premises and the performances of mutual covenants hereinafter set forth, it is agreed by parties hereto as follows:

**SECTION I:**            **RECITALS**

The foregoing recitals are hereby incorporated as a material part of this contract.

**SECTION II:**        **PURPOSE**

The purpose of this contract is to set forth requirements associated with the highway project described below (hereinafter referred to as the "PROJECT") and to establish the responsibilities for the administration of the PROJECT by the LPA and the STATE.

**SECTION III: LEGAL REFERENCES**

This contract is established pursuant to Chapter 5521 of the Ohio Revised Code.

**SECTION IV: SCOPE OF WORK**

The work to be performed under this contract shall consist of the following:

The project consists of replacing two deficient structures Bridge No. LIC-MOULL-03433 (SFN 4560418) on Moull Street (C.R. 813) over Log Pond Run and Bridge No. LIC-JEFRD-30150 (SFN 4560426) on Jefferson Road (M.R. 491) over Log Pond Run, including construction of sidewalk, lying within the City of Newark.

**SECTION V: FINANCIAL PARTICIPATION**

1. The STATE agrees to provide the necessary funds as enumerated in this section and allowed by law for the financing of this project.
2. The STATE may allocate the money contributed by the LPA in whatever manner it deems necessary in financing the cost of construction, right-of-way, engineering, and incidental expenses, notwithstanding the percentage basis of contribution by the LPA.
3. The total cost and expenses for the project are only an estimate and the total cost and expenses may be adjusted by the STATE. If any adjustments are required, payment of additional funds shall correspond with the percentages of actual costs when said actual costs are determined, and as requested, by the Director of Transportation.
4. The LPA agrees to pay to the STATE its share of the total estimated cost expense for the above highway project in the amount of **Eighty-Seven Thousand Two Hundred Twenty-One and - - - - 00/100 Dollars, (\$87,221.00).**
5. **The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement within the city limits, less the amount of Federal-Aid funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U. S. Department of Transportation.**
6. The LPA agrees to assume and bear One Hundred Percent (100%) of the cost of any construction items required by the LPA on the entire project, which are not necessary for the improvement, as determined by the State and Federal Highway Administration.

7. The LPA agrees that change orders and extra work contracts required fulfilling the construction contracts shall be processed as needed. The STATE shall not approve a change order or extra work contract until it first gives notice, in writing, to the LPA. The LPA shall contribute its share of the cost of these items in accordance with other sections herein.

**SECTION VI: RIGHT-OF-WAY AND UTILITIES**

1. The LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of-way costs include eligible utility costs.
2. The LPA agrees that all utility accommodation, relocation, and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual, including that:
  - A. Arrangements have been or will be made with all utilities where facilities are affected by the described PROJECT, that the utilities have agreed to make all necessary removals and/or relocations to clear any construction called for by the plans of this PROJECT, and that the utilities have agreed to make the necessary removals and/or relocations after notification by the LPA or STATE.
  - B. The LPA shall, at its own expense, make all removals and/or relocations of publicly-owned utilities which do not comply with the reimbursement provisions of the ODOT Utilities Manual. Publicly-owned facilities which do comply with the reimbursement provisions of the ODOT Utilities Manual will be removed and/or relocated at project expense, exclusive of betterments.
  - C. The removals and/or relocation of all utilities shall be done in such a manner as not to interfere with the operation of the contractor constructing the PROJECT and that the utility removals and/or relocations shall be approved by the STATE and performed in accordance with the provisions of the ODOT Construction and Materials Specifications.

**SECTION VII: ADDITIONAL PROJECT OBLIGATIONS**

1. The STATE shall initiate the competitive bid letting process and award the PROJECT in accordance with ODOT's policies and procedures.
2. The LPA agrees:
  - A. To keep said highway open to traffic at all times;
  - B. To maintain the PROJECT in accordance with the provisions of the statutes relating thereto,

- C. To make ample financial and other provisions for such maintenance of the PROJECT after its completion;
- D. To maintain the right-of-way and keep it free of obstructions in a manner satisfactory to the STATE and hold said right-of-way inviolate for public highway purposes;
- E. To place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the project in compliance with the provisions of Section 4511.11 of the Ohio Revised Code;
- F. To regulate parking in accordance with Section 4511.66 of the Ohio Revised Code, unless otherwise controlled by local ordinance or resolution.

**SECTION VIII: DISPUTES**

In the event that any disputes arise between the STATE and LPA concerning interruption of or performance pursuant to this contract, such disputes shall be resolved solely and finally by the Director of Transportation.

**SECTION IX: NOTICE**

Notice under this contract shall be directed as follows:

**City of Newark**  
**40 West Main Street**  
**Newark, Ohio**  
**43055**

Ohio Department of Transportation  
Office of Contract Sales & Estimating  
1980 West Broad Street, MS 4110  
Columbus, Ohio 43223

**SECTION X: FEDERAL REQUIREMENTS**

1. In carrying out this contract, LPA shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, disability, or age. LPA will ensure that applicants are hired and that employees are treated during employment without regard to their race, religion, color, sex, national origin (ancestry), disability, genetic information, or age (40 years or older), sexual orientation, or military status (past, present, future). Such action shall include, but not be limited to, the following: Employment, Upgrading, Demotion, or Transfer; Recruitment or Recruitment Advertising; Layoff or Termination; Rates of Pay or other forms of Compensation; and Selection for Training including Apprenticeship.

2. To the extent necessary under Ohio law, LPA agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause. LPA will, in all solicitations or advertisements for employees placed by or on behalf of LPA, state that all qualified applicants will receive consideration for employment without regard to race, religion, color, sex, national origin (ancestry), disability, genetic information, age (40 years or older), sexual orientation, or military status (past, present, future). If applicable, the LPA shall incorporate the foregoing requirements of this paragraph in all of its contracts for any of the work prescribed herein (other than subcontracts for standard commercial supplies or raw materials) and will require all of its subcontractors for any part of such work to incorporate such requirements in all subcontracts for such work.
3. LPA agrees to fully comply with Title VI of the Civil Rights Act of 1964, 42 USC Sec. 2000. LPA shall not discriminate on the basis of race, color, or national origin in its programs or activities. The Director of Transportation may monitor the Contractor's compliance with Title VI.

**SECTION XI: GENERAL PROVISIONS**

1. This contract constitutes the entire contract between the parties. All prior discussions and understandings between the parties are superseded by this contract.
2. Neither this contract nor any rights, duties or obligations described herein shall be assigned by either party hereto without the prior express written consent of the other party.
3. Any change to the provisions of this contract must be made in a written amendment executed by both parties.
4. This contract and any claims arising out of this contract shall be governed by the laws of the State of Ohio. Any provision of this contract prohibited by the law of Ohio shall be deemed void and of no effect. Any litigation arising out of or relating in any way to this contract or the performance thereunder shall be brought only in the courts of Ohio, and the LPA hereby irrevocably consents to such jurisdiction. To the extent that the STATE is a party to any litigation arising out of or relating in any way to this contract or the performance thereunder, such an action shall be brought only in a court of competent jurisdiction in Franklin County, Ohio.
5. All financial obligations of the State of Ohio, as provided in this contract, are subject to the provisions of Section 126.07 of the Ohio Revised Code. The financial obligations of the State of Ohio shall not be valid and enforceable unless funds are appropriated by the Ohio General Assembly and encumbered by the STATE. Additionally, it is understood that this financial obligation of the LPA shall not be valid and enforceable unless funds are appropriated by the LPA's legislative body.

- 6. This contract shall be deemed to have been substantially performed only when fully performed according to its terms and conditions and any modification thereof.
- 7. LPA agrees that it is currently in compliance and will continue to adhere to the requirements of Ohio Ethics law as provided by Section 102.03 and 102.04 of the Ohio Revised Code.

**SECTION XII: SIGNATURES**

Any person executing this contract in a representative capacity hereby warrants that he/she has been duly authorized by his/her principal to execute this contract on such principal behalf.

Any party hereto may deliver a copy of its counterpart signature page to this Agreement via fax or e-mail. Each party hereto shall be entitled to rely upon a facsimile signature on any other party delivered in such a manner as if such signature were an original.

**IN WITNESS THEREOF**, the parties hereto have caused this contract to be duly executed in duplicate.

**SEAL**  
(If Applicable)

**OHIO DEPARTMENT OF  
TRANSPORTATION**

**LOCAL PUBLIC AGENCY  
City of Newark**

\_\_\_\_\_  
Director of Transportation

\_\_\_\_\_  
**Service Director**

\_\_\_\_\_  
Date

Approved:  
Dave Yost  
Attorney General of Ohio

By: \_\_\_\_\_  
Corinna Efke  
Unit Coordinator, Transportation  
Executive Agencies Section

Resolution No.23-29 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 220 COVID 19- ARP Fund, in the amount of \$395,000.00 (47-49 W Main St approx. \$360,000 and Corner of E Main and Cedar approx.. \$35,000 and all costs involved with the purchase of the two properties)

220.103.5501	Land Purchase	395,000.00
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Section 2. There is hereby an appropriation of the unappropriated balance of the 621 Water Dept. Fund, in the amount of \$140,000.00 (Amendment to Riverbank Filtration Project for Capacity Study)

621.706.5231	Professional Services	140,000.00
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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 \_\_\_\_\_, \_\_\_\_\_

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

**A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO TO PARTICIPATE IN THE SOURCEWELL COOPERATIVE PURCHASING PROGRAM**

**WHEREAS**, Ohio Revised Code Section 9.48 allows political subdivisions to participate in joint purchasing programs operated by and through national or state associations of political subdivisions; and,

**WHEREAS**, Sourcewell is a political subdivision and governmental unit of the state of Minnesota serving as a municipal contracting agency for government and education agencies by providing national cooperative contract purchasing services to its members through joint powers agreements that leverage the aggregate buying power of its members nationwide; and,

**WHEREAS**, membership in Sourcewell is free and there is no obligation for the City to purchase through its service; and,

**WHEREAS**, the City desires to participate in Sourcewell's purchasing program as another cost-effective option for purchasing supplies, services, equipment, and certain other materials.

**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 sign any necessary documents allowing the City of Newark, Ohio to execute a participation agreement and/or contract with Sourcewell.

Section 2: The Director of Public Service is hereby authorized to sign any necessary documents and complete any related steps required to participate in national cooperative purchasing contracts through Sourcewell, for the purchase of supplies, services, equipment, and certain other materials under Ohio Revised Code 9.48.

Section 3: This Resolution shall come into full force and effect at the earliest opportunity allowable by law.

Passed this \_\_\_\_\_ day of \_\_\_\_\_ 2023

\_\_\_\_\_



\_\_\_\_\_  
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. 23-31

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

A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NEWARK, OHIO, TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE LICKING COUNTY SOIL AND WATER CONSERVATION DISTRICT

**WHEREAS**, Licking County Soil and Water Conservation District (“LCSWCD”) is a locally-organized, self-governing body chartered by the State of Ohio with a goal of providing responsible leadership and good stewardship of the county’s soil, water, and natural resources; and,

**WHEREAS**, the Ohio Environmental Protection Agency requires the City to meet a number of regulatory obligations as a component of its issued National Pollution Discharge Elimination System permit; and,

**WHEREAS**, LCSWCD has offered to provide such services to the City to aid in meeting the Ohio Environmental Protection Agency requirements, including but not limited to: providing employee training, public outreach, community education, and pollution prevention; and,

**WHEREAS**, in order to meet these obligations in the most cost-effective way and to benefit from LCSWCD’s expertise, it is in the City’s best interest to contract with LCSWCD for assistance in meeting these Ohio Environmental Protection Agency requirements; and,

**WHEREAS**, in order to memorialize this agreement, the City and LCSWCD desire to enter into the Memorandum of Understanding attached as Exhibit “A.”

**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 memorandum of understanding with the Licking County Soil and Water Conservation District for provide services and training.

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

\_\_\_\_\_  
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. 23-32

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

A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NEWARK, OHIO, TO ENTER INTO A COOPERATIVE AGREEMENT WITH NEWARK DEVELOPMENT PARTNERS AND OTHER AFFECTED PROPERTY OWNERS FOR REPLACEMENT OF A SEWER LINE

WHEREAS, it was recently discovered during the renovation of the property known as the “Arcade”, located at 33 N. 3<sup>rd</sup> Street, in Downtown Newark, that the main sewer line which runs underneath the structure is failing and needs to be replaced, and;

WHEREAS, the failing sewer line serves not only the Arcade but several other businesses located on Church Street in Downtown Newark, and;

WHEREAS, failure to replace the sewer line has the potential to negatively impact businesses as well as affect the health and safety of the citizens of Downtown Newark; and,

WHEREAS, it is the City’s desire, in order to promote the revitalization of downtown, protect historic buildings, and provide for the safety of the community, to assist the affected property owners in funding the cost of replacing the sewer line; and,

WHEREAS, in order to effectuate this project, the City, Newark Development Partners and the other affected business owners desire to enter into a Cooperative Agreement for the replacement of the main sewer line located at 33 N. 3<sup>rd</sup> Street, Downtown Newark; and;

WHEREAS, this matter was considered by the Service Committee of this Council who passed this Resolution on to the 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 ONE:** The Director of Public Service is hereby authorized and directed to enter into a cooperative agreement with Newark Development Partners and other affected property owners for the replacement of the sewer line.

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

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PRESIDENT OF COUNCIL

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

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

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

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MAYOR

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

Prepared by the Office of the Director of Law