

COUNCIL AGENDA

February 20, 2024

Committee and Council Meetings can be viewed by accessing YouTube

Council Chambers
7:00 P.M.

ROLL CALL

INVOCATION – Mr. Labutis

PLEDGE OF ALLEGIANCE

CAUCUS

MINUTES of February 5, 2024

APPOINTMENTS

There are none this meeting

REPORTS OF STANDING COMMITTEES

Finance
Service
Capital Improvements
Personnel

REPORTS FROM CITY OFFICIALS

City Auditor, Ryan T. Bubb – Operating report for period ending January 31, 2024

Brenda Cooper, Tax Administrator's Office – Income Tax Revenue Reports for period ending January 31, 2024

Certificate of Recognition - Mayor Hall and President Harris - for Steele Meister

COMMUNICATIONS

Ohio Auditor of State Keith Faber - Regarding complaint by Mr. Froelich about the City of Newark

Jason W. Given, Coshocton County Prosecuting Attorney - Regarding Fraud allegations by Mr. Froelich against the City of Newark

Dave Froelich - Regarding email to Mayor and City Council President

Alexia Rose, Marketing Manager Licking County Aging Partners - #SaveLunch Ride Along, March 8-12

Ohio Division of liquor Control - Transfer application from J.A. James Inc, dba Newark Save A Lot, 349 E. Main St., to SAL Acquisition One LLC, dba Newark Save A Lot, 349 E. Main St., Newark, Oh 43055

PUBLIC HEARING

24-12 RESOLUTION APPROVING THE RENEWAL APPLICATION FOR PLACEMENT OF FARMLAND IN AN AGRICULTURAL DISTRICT AND DECLARING AN EMERGENCY

COMMENTS FROM CITIZENS

ORDINANCES ON SECOND READING

There are none this meeting

ORDINANCES ON FIRST READING

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

24-03 AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 994 MT. VERNON ROAD, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-274176-00.000 FROM THAT OF SINGLE-FAMILY RESIDENCE - RM - MEDIUM DENSITY DISTRICT TO MFR - MULTI-FAMILY RESIDENCE DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO

24-04 TO PROVIDE FOR THE ISSUANCE OF NOT TO EXCEED \$1,160,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING THE COST OF CHURCH STREET AREA IMPROVEMENTS AND REPAIR, INCLUDING ELECTRICAL, SIDEWALK, STREET AND STREETScape, AND ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

24-05 TO PROVIDE FOR THE ISSUANCE OF \$370,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING A PORTION OF THE CITY'S COST FOR HORNS HILL ROAD SANITARY SEWER PROJECT IMPROVEMENTS, AND DECLARING AN EMERGENCY.

24-06 TO PROVIDE FOR THE ISSUANCE OF \$520,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING THE COST OF CONSTRUCTION OF THE STREAMBANK PROTECTION PROJECT, INCLUDING REPLACEMENT OF THE SHEET PILE DAM ON RACCOON CREEK, SITE PREPARATION AND ALL NECESSARY APPURTENANCES, AND DECLARING AN EMERGENCY.

24-07 AN ORDINANCE CONSOLIDATING THREE BOND ANTICIPATION NOTE ISSUES OF THE CITY OF NEWARK, OHIO AND DECLARING AN EMERGENCY

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

RESOLUTIONS ON SECOND READING

24-01 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUBMIT APPLICATIONS TO THE DEPARTMENT OF HOMELAND SECURITY, FOR FISCAL YEAR 2023 FIRE ACT GRANT PROGRAMS, IN SUPPORT OF TRAINING PROGRAMS, EQUIPMENT PURCHASES, FUNDING FOR PERSONNEL, FIRE PREVENTION, AND FIRE SAFETY PROGRAMS THROUGHOUT THE CITY.

24-02 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO SUBMIT AN APPLICATION TO THE OHIO DEPARTMENT OF PUBLIC SAFETY FOR AN AWARD OF FISCAL YEAR 2024-2025 FUNDING UNDER THE OHIO EMS TRAINING AND EQUIPMENT GRANT PROGRAM.

24-03 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO APPLY FOR FUNDING FROM THE UNITED STATES DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE UNDER THE BULLETPROOF VEST PARTNERSHIP GRANT PROGRAM.

24-05 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$30,000.00 -For Property Maintenance)

24-06 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUBMIT APPLICATIONS TO THE OHIO ENVIRONMENTAL PROTECTION AGENCY (EPA) FOR THE H2 OHIO RIVERS INITIATIVE CHLORIDE REDUCTION GRANT. PROGRAM.

24-07 AN RESOLUTION IMPLEMENTING SECTIONS 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE, ESTABLISHING AND DESCRIBING THE BOUNDARIES OF A COMMUNITY REINVESTMENT AREA IN THE CITY OF NEWARK, OHIO.

RESOLUTIONS ON FIRST READING

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

24-09 EXP APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$3,077.00 -to pay Invoice for legal services)

24-10 A RESOLUTION AUTHORIZING AND DIRECTING THE AUDITOR OF THE CITY OF NEWARK TO PAY BILLS ON BEHALF OF THE CLERK OF COUNCIL PURSUANT TO SECTION 5705.41 (D), THEN AND NOW CERTIFICATION; AND DECLARING AN EMERGENCY.

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

24-14 A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION WITH REGARD TO THE RETENTION OF OUTSIDE LEGAL COUNSEL

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

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

COMMENTS FROM CITIZENS

MISCELLANEOUS

ADJOURNMENT

RESOLUTION NO: 24-12

BY _____

RESOLUTION APPROVING THE RENEWAL APPLICATION FOR PLACEMENT OF FARMLAND IN AN AGRICULTURAL DISTRICT AND DECLARING AN EMERGENCY

WHEREAS, the City of Newark, Ohio is a municipal corporation duly authorized and operating under the Newark City Charter and the laws of the State of Ohio; and,

WHEREAS, MJS Land Development LLC is the owner of real property located at Riggs Road, Newark, Ohio, being known as parcel number 096-286596-00.000, all or a portion of which is situated within the boundaries of the City of Newark, Ohio; and,

WHEREAS, MJS Land Development LLC, has submitted a renewal application with the Licking County Auditor's Office for continued placement of such property in an agricultural district; and,

WHEREAS, Ohio Revised Code § 929.02 requires a legislative body of a municipal corporation to conduct a public hearing on applications for placement of farmland in an agricultural district or renewals of said applications within 30 days of said applications receipt when such land is located within a municipal corporation's boundaries and to take action upon such application within seven (7) days thereafter; and,

WHEREAS, the Clerk of the City of Newark's legislative body, the Newark City Council, has received application for placement of farmland in an agricultural district on January 18, 2024, and a public hearing on such renewal application shall be conducted on February 20, 2024.

WHEREAS, this Resolution is hereby deemed an emergency pursuant to Charter Article 4.06 in that it is necessary for the immediate preservation of the public peace, health, safety, or welfare due to statutorily imposed deadlines for action by this Council.

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

Section One: The Newark City Council has considered MJS Land Development LLC's renewal application for placement of farmland in an agricultural district attached hereto and finds it to be satisfactory and hereby approves the same.

Section Two: The Clerk of the Newark City Council is hereby directed to timely submit notification of this action to all necessary parties as required by Ohio Revised Code § 929.02.

Section Three: This Resolution shall take effect immediately as an emergency for the reasons as stated herein pursuant to Newark City Charter Article 4.07.

Passed this _____ day of _____, 2024.

PRESIDENT


ATTEST: _____
CLERK OF COUNCIL

DATE FILED WITH MAYOR: _____

DATE APPROVED BY MAYOR: _____

MAYOR

Approved as to Form: _____


Director of Law

Prepared by the Law Director's Office

ORDINANCE NO: 24-02

BY: _____

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

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

and,

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

and,

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

and,

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

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

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

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

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

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

**Strength authorization table*

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

SECTION 5: This ordinance shall become effective at the earliest time permitted by Article 4.07 of the Charter of the City of Newark, Ohio.

Passed this _____ day of _____, _____

PRESIDENT OF COUNCIL

ATTEST

Clerk of Council

DATE FILED WITH MAYOR _____

DATE APPROVED BY MAYOR _____

MAYOR

APPROVED AS TO FORM

Director of Law

CITY OF NEWARK, OH POSITION DESCRIPTION

An equal opportunity employer

POSITION TITLE	DEPARTMENT/DIVISION
Body Worn Camera Administrator	Public Safety/Police
APPOINTING AUTHORITY	REPORTS TO
Safety Director	Records Unit Sergeant
FLSA STATUS	PART-TIME/FULL-TIME
Exempt	Full Time
AFFILIATION	PAY RANGE/SALARY RANGE
AFSCME L2963	35
SUPERVISORY RESPONSIBILITIES	POSITION DESCRIPTION APPROVAL
No	Wm. Spurgeon, HR Director

PURPOSE

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

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

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

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

POSITION REQUIREMENTS

Minimum:

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

Preferred:

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

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

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

ORDINANCE NO. 24-03

BY: _____

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 994 MT VERNON ROAD, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-274176-00.000 FROM THAT OF SINGLE-FAMILY RESIDENCE – RM – MEDIUM 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 – RM – MEDIUM 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____.

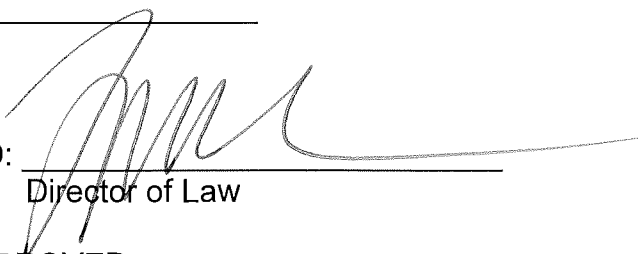
PRESIDENT OF COUNCIL

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

CITY OF NEWARK, OHIO

ORDINANCE NO. 24-04

TO PROVIDE FOR THE ISSUANCE OF NOT TO EXCEED \$1,160,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING THE COST OF CHURCH STREET AREA IMPROVEMENTS AND REPAIR, INCLUDING ELECTRICAL, SIDEWALK, STREET AND STREETScape, AND ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

WHEREAS, the fiscal officer of the City of Newark has heretofore estimated that the life of the project hereinafter described is at least five (5) years, and certified that the maximum maturity of the bonds issued therefor is eighteen (18) years, and of the notes to be issued in anticipation thereof as eighteen (18) years; and

WHEREAS, outstanding notes in the principal amount of \$1,130,000 are about to mature and shall be renewed in an amount not to exceed \$1,160,000.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newark (hereinafter called the "City" or the "Municipality"), Licking County, Ohio:

SECTION 1. That it is necessary to issue bonds in the principal amount of not to exceed \$1,160,000 for the purpose of paying the cost of Church Street Area improvements and repair, including electrical, sidewalk, street and streetscape, and all necessary appurtenances thereto. Said bonds shall be dated approximately March 1, 2025, shall bear interest at the rate now estimated at six per centum (6.00%) per annum and shall mature in substantially equal annual or semiannual installments over a period not exceeding eighteen (18) years after their issuance.

SECTION 2. That it is hereby determined that renewal notes (hereinafter called the "Notes") in the principal amount of not to exceed \$1,160,000 shall be issued in anticipation of the issuance of said bonds.

SECTION 3. That the Notes shall be dated their date of issuance, shall bear interest at a rate of interest not to exceed six per centum (6.00%) per annum, without further action of this Council, to be evidenced by the execution and delivery of the Notes as herein provided, payable at maturity, and until the principal sum is paid, shall mature within one (1) year of their dated date, and shall be of the denominations of \$100,000 and integral multiples thereof, with one Note in the denomination of any amount at or in excess of \$100,000, and shall be sold only to sophisticated investors.

SECTION 4. That for purposes of this ordinance, the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest on the notes may be transferred only through a book entry, and (ii) physical note certificates in fully registered form are issued only to the Depository or its nominee as registered owner, with the notes "immobilized" to the custody of the Depository, and the book entry maintained by others than this Council is the record that identifies the owners of beneficial interests in those notes and that principal and interest.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its Participants or otherwise, a book entry system to record ownership of beneficial interests in notes or principal and interest, and to effect transfers of notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Participant" means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

"Ordinance" means this ordinance.

All or any portion of the notes may be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply to such notes, notwithstanding any other provision of this Ordinance. If and as long as a book entry system is utilized with respect to any of such notes: (i) there shall be a single note of each maturity; (ii) those notes shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners of notes in book entry form shall have no right to receive notes in the form of physical securities or certificates; (iv) ownership of beneficial interests in any notes in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (v) the notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by this Council. Debt service charges on notes in book entry form registered in the name of a Depository or its nominee shall be payable in the manner provided in this Council's agreement with the Depository to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of notes as provided in this Ordinance.

The paying agent and registrar (the "Paying Agent and Registrar") may, with the approval of this Council, enter into an agreement with the beneficial owner or registered owner of any note in the custody of a Depository providing for making all payments to that owner of principal and interest on that note or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided in this Ordinance, without prior presentation or surrender of the note, upon any conditions which shall be satisfactory to the Paying Agent and Registrar and to this Council. That payment in any event shall be made to the person who is the registered owner of that note on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Paying Agent and Registrar shall furnish a copy of each of those agreements, certified to be correct by the Paying Agent and Registrar, to any other paying agents for the notes and to this Council. Any payment of principal or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Ordinance.

The City Auditor is authorized and directed without further action of this Council to execute, acknowledge and deliver, in the name of and on behalf of this Council, a blanket letter agreement between this Council and The Depository Trust Company, as Depository, to be delivered in connection with the issuance of the notes to the Depository for use in a book entry system, and to take all other actions the City Auditor deems appropriate in issuing the notes under a book entry system.

If any Depository determines not to continue to act as Depository for the notes for use in a book entry system, this Council and the Paying Agent and Registrar may attempt to establish a securities depository/book entry relationship with another qualified Depository under this Ordinance. If this Council and the Paying Agent and Registrar do not or are unable to do so, this Council and the Paying Agent and Registrar, after the Paying Agent and Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the notes from the Depository and authenticate and deliver note certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive notes), if the event is not the result of action or inaction by this Council or the Paying Agent and Registrar, of those persons requesting such issuance.

SECTION 5. That the Notes shall be executed by the Mayor and City Auditor, provided that one of such signatures may be a facsimile signature, and may bear the seal of the Municipality. The Notes shall be designated "Church Street Area Improvement Bond Anticipation Notes (Sixth Renewal)" and shall be payable at the office of a financial institution approved by the City Auditor and shall express upon their faces the purpose for which they are issued and that they are issued in pursuance of this Ordinance and the City Charter.

SECTION 6. That the Notes shall be sold by the City Auditor to Northland Securities, Powell, Ohio, such sale to be made at not less than par and accrued interest. The City Auditor is authorized to execute a certificate awarding the notes with terms conforming to the terms of this Ordinance. The proceeds from such sale, except any premium or accrued interest thereon, shall be paid into the proper fund and used for the purpose aforesaid and for no other purpose, and for which purpose said proceeds are hereby appropriated. Any premium and accrued interest received by the City shall be transferred to the bond retirement fund to be applied to the payment of principal and interest of the Notes in the manner provided by law.

SECTION 7. That the Notes shall be the full general obligations of the Municipality, and the full faith, credit and revenue of the Municipality are hereby pledged for the prompt payment of the same. The par value received from the sale of bonds anticipated by the Notes, and any excess fund resulting from the issuance of the Notes, shall to the extent necessary be used only for the retirement of the Notes at maturity, together with interest thereon and is hereby pledged for such purpose.

SECTION 8. That during the period while the Notes run there shall be levied upon all of the taxable property in the Municipality within applicable limitations, in addition to all other taxes, a direct tax annually, not less than that which would have been levied if bonds had been issued without the prior issue of the Notes; said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof.

The funds derived from said tax levy hereby required shall be placed in a separate and distinct fund and, together with interest collected on the same, shall be irrevocably pledged for the payment of the principal and interest of the Notes, or the bonds in anticipation of which they are issued, when and as the same fall due; provided, however, that if bonds or renewal notes are authorized and issued, or available revenues of the City are appropriated and applied to the payment of the Notes (the anticipated repayment revenues), to that extent, said tax need not be levied.

SECTION 9. That this Council, for and on behalf of the City of Newark, hereby covenants that it will restrict the use of the proceeds of the Notes hereby authorized in such manner and to such extent, if any, and take such other action as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute obligations the interest on which is subject to federal income taxation or "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations prescribed thereunder. The City Auditor or any other officer having responsibility with respect to the issuance of the Notes is authorized and directed to give an appropriate certificate on behalf of the Municipality, on the date of delivery of the Notes for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 regulations thereunder.

The Notes are hereby designated or deemed designated as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code.

SECTION 10. That the Clerk of Council is hereby directed to forward a certified copy of this Ordinance to the County Auditor.

SECTION 11. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 12. That this Ordinance is hereby declared to be an emergency measure for the preservation of the public peace, health, safety and welfare of the inhabitants of the City to promptly proceed with renewal of outstanding notes, therefore, this Ordinance shall take effect immediately upon its passage and approval by the Mayor.

PASSED: March 4, 2024

Presiding Officer

ATTEST:

Clerk of Council

Date filed with Mayor: _____

Date approved by Mayor: _____

Mayor

Form Approved: _____
Director of Law

Prepared By: Dinsmore & Shohl LLP

41323853

CERTIFICATE

The undersigned hereby certifies the foregoing to be a true and correct copy of Ordinance
No. _____.

Clerk of Council

CERTIFICATE

I hereby certify that a copy of the foregoing Ordinance was filed with the County
Auditor, County of Licking, Ohio, on March _____, 2024.

Clerk of Council

RECEIPT

The undersigned hereby acknowledges receipt of a copy of the foregoing ordinance.

County Auditor
Licking County, Ohio

Dated: March _____, 2024

41223853

CERTIFICATE OF MEMBERSHIP

The undersigned, City Auditor of the City of Newark, Ohio, hereby certifies that the following were the officers and members of Council during the period proceedings were taken authorizing the issuance of not to exceed \$1,160,000 Church Street Area Improvement Bond Anticipation Notes (Sixth Renewal):

(Please Type Names Here)

Mayor	_____
City Auditor	_____
Treasurer	_____
Director of Safety	_____
Director of Public Service	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Director of Law	_____

City Auditor

TRANSCRIPT CERTIFICATE

The undersigned, Clerk of Council of said municipality, hereby certifies that the following is a true and complete transcript of all proceedings relating to the authorization and issuance of the above-identified obligations.

Clerk of Council

EXTRACT FROM MINUTES OF MEETING

The Council of the City of Newark, Ohio, met in regular session, at _____ p.m., on the 4th day of March, 2024, at _____, Newark, Ohio, with the following members present:

There was presented and read to Council Ordinance No. _____, entitled:

TO PROVIDE FOR THE ISSUANCE OF NOT TO EXCEED \$1,160,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING THE COST OF CHURCH STREET AREA IMPROVEMENTS AND REPAIR, INCLUDING ELECTRICAL, SIDEWALK, STREET AND STREETScape, AND ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

_____ moved to suspend the rule requiring an ordinance or resolution of a general or permanent nature to be read on three different days.

_____ seconded the motion and, the roll being called upon the question, the vote resulted as follows:

AYES:

NAYS:

_____ then moved that Ordinance No. _____ be passed as read.

_____ seconded the motion and, the roll being called upon the question, the vote resulted as follows:

AYES:

NAYS:

The ordinance was declared passed March 4, 2024.

CERTIFICATE

The undersigned, Clerk of Council of said City, hereby certifies that the foregoing is a true and correct extract from the minutes of a meeting of the Council of said City, held on the 4th day of March, 2024, to the extent pertinent to consideration and passage of the above-entitled legislation.

Clerk of Council

RESTATED CERTIFICATE AS TO MAXIMUM MATURITY OF
BONDS AND BOND ANTICIPATION NOTES

The undersigned, being the fiscal officer of the City of Newark, Ohio, within the meaning of Section 133.01 of the Revised Code of Ohio, hereby certifies that the estimated life of the improvements financed with the proceeds of the sale of not to exceed \$1,160,000 of notes, for the purpose of paying the cost of Church Street Area improvements and repair, including electrical, sidewalk, street and streetscape, and all necessary appurtenances thereto; and that the maximum maturity of said bonds in anticipation of which the notes are issued, in accordance with Section 133.20 of the Revised Code of Ohio, is not less than twenty (20) years, which is my estimate of the useful life of the improvements, but reduced to eighteen (18) years pursuant to Section 133.22 (C)(2) of the Revised Code of Ohio, and the maximum maturity of notes issued in anticipation thereof is twenty (20) years, but reduced to eighteen (18) years in order to comply with Section 133.22 of the Revised Code of Ohio.

IN WITNESS WHEREOF, I have hereunto set my hand, this 4th day of March, 2024.

City Auditor

CITY OF NEWARK, OHIO

ORDINANCE NO. 24-05

TO PROVIDE FOR THE ISSUANCE OF \$370,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING A PORTION OF THE CITY'S COST FOR HORNS HILL ROAD SANITARY SEWER PROJECT IMPROVEMENTS, AND DECLARING AN EMERGENCY.

WHEREAS, the Fiscal Officer of the City of Newark has heretofore estimated that the life of the project hereinafter described is at least five (5) years, and certified that the maximum maturity of the bonds issued therefore is twenty (20) years, and of the notes to be issued in anticipation thereof as twenty (20) years.

WHEREAS, outstanding bond anticipation notes in the principal amount of \$455,000 are about to mature and shall be renewed in a reduced amount.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newark (hereinafter called the "City"), Licking County, Ohio:

SECTION 1. That it is necessary to issue bonds of the City in the principal amount of not to exceed \$370,000 for the purpose of paying a portion of the City's cost, and a portion of the property owners' cost in anticipation of the levy and collection of special assessments for Horns Hill Road Sanitary Sewer Project improvements. Said bonds shall be dated approximately March 1, 2025, shall bear interest at the rate now estimated at six per centum (6%) per annum and shall mature in substantially equal annual or semiannual installments over a period not exceeding twenty (20) years after their issuance.

SECTION 2. That it is hereby determined that notes (hereinafter called the "Notes") in the principal amount of not to exceed \$370,000 shall be issued in anticipation of the issuance of said bonds.

SECTION 3. That the Notes shall be dated their date of issuance, shall bear interest at a rate of interest not to exceed six per centum (6.00%) per annum, without further action of this Council, to be evidenced by the execution and delivery of the Notes as herein provided, payable at maturity, and until the principal sum is paid, shall mature within one year of their dated date, and shall be of the such number and denomination as may be requested by the purchaser, provided all Notes shall be issued in minimum denominations of at least \$100,000 or integral multiples thereof, with one note in the denomination of any amount at or in excess of \$100,000, and shall be sold only to sophisticated investors.

SECTION 4. That the Notes shall be executed by the Mayor and the City Auditor, provided that such signatures may be facsimile signatures, and may bear the seal of the City. The Notes shall be designated "Horns Hill Road Sanitary Sewer Project Improvement Bond Anticipation Notes (Fourth Year Renewal)" and shall be payable at the office of a financial institution approved by the City Auditor and shall express upon their faces the purpose for which they are issued and that they are issued in pursuance of this ordinance and the City Charter. The Notes may be issued under a book entry only system. That for purposes of this ordinance, the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest on the Notes may be transferred only through a book entry, and (ii) physical note certificates in fully registered form are issued only to the Depository or its nominee as registered owner, with the Notes "immobilized" to the custody of the Depository, and the book entry maintained by others than this Council is the record that identifies the owners of beneficial interests in those Notes and that principal and interest.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its Participants or otherwise, a book entry system to record ownership of beneficial interests in Notes or principal and interest, and to effect transfers

of Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Participant" means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

"Ordinance" means this ordinance.

All or any portion of the Notes may be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply to such Notes, notwithstanding any other provision of this Ordinance. If and as long as a book entry system is utilized with respect to any of such Notes: (i) there shall be a single Note of each maturity; (ii) those Notes shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners of Notes in book entry form shall have no right to receive Notes in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Notes in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (v) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by this Council. Debt service charges on Notes in book entry form registered in the name of a Depository or its nominee shall be payable in the manner provided in this Council's agreement with the Depository to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of Notes as provided in this Ordinance.

The paying agent and registrar (the "Paying Agent and Registrar") may, with the approval of this Council, enter into an agreement with the beneficial owner or registered owner of any Note in the custody of a Depository providing for making all payments to that owner of principal and interest on that Note or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided in this Ordinance, without prior presentation or surrender of the Note, upon any conditions which shall be satisfactory to the Paying Agent and Registrar and to this Council. That payment in any event shall be made to the person who is the registered owner of that Note on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Paying Agent and Registrar shall furnish a copy of each of those agreements, certified to be correct by the Paying Agent and Registrar, to any other paying agents for the Notes and to this Council. Any payment of principal or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Ordinance.

The City Auditor is authorized and directed without further action of this Council to execute, acknowledge and deliver, in the name of and on behalf of this Council, a blanket letter agreement between this Council and The Depository Trust Company, as Depository, to be delivered in connection with the issuance of the Notes to the Depository for use in a book entry system, and to take all other actions the City Auditor deems appropriate in issuing the Notes under a book entry system.

If any Depository determines not to continue to act as Depository for the Notes for use in a book entry system, this Council and the Paying Agent and Registrar may attempt to establish a securities depository/book entry relationship with another qualified Depository under this Ordinance. If this Council and the Paying Agent and Registrar do not or are unable to do so, this Council and the Paying Agent and Registrar, after the Paying Agent and Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Notes from the Depository and authenticate and deliver Note certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Notes), if the event is not the result of action or inaction by this Council or the Paying Agent and Registrar, of those persons requesting such issuance.

SECTION 5. That the Notes shall be executed by the Mayor and City Auditor, provided that one of such signatures may be a facsimile signature, and may bear the seal of the City. The Notes shall be designated "Horns Hill Road Sanitary Sewer Project Improvement Bond Anticipation Notes" and shall be payable at the office of a financial institution approved by the City Auditor and shall express upon their faces the purpose for which they are issued and that they are issued in pursuance of this Ordinance and the City Charter.

SECTION 6. That the Notes shall be sold by the City Auditor to the original purchaser as evidenced by the execution of a Certificate of Award (the "Certificate of Award") which the City Auditor is hereby authorized to sign on behalf of the City, such sale to be made at not less than par and accrued interest. The Certificate of Award shall state the interest rate and the dated date for the Notes. The proceeds from such sale, except any premium or accrued interest thereon, shall be paid into the proper fund and used for the purpose aforesaid and for no other purpose, and for which purpose said proceeds are hereby appropriated. Any premium and accrued interest received by the City shall be transferred to the bond retirement fund to be applied to the payment of principal and interest of the Notes in the manner provided by law.

SECTION 7. That the Notes shall be the full general obligations of the City, and the full faith, credit and revenue of the City are hereby pledged for the prompt payment of the same. The par value received from the sale of bonds anticipated by the Notes, and any excess fund resulting from the issuance of the Notes, shall to the extent necessary be used only for the retirement of the Notes at maturity, together with interest thereon and is hereby pledged for such purpose.

SECTION 8. That during the period while the Notes run there shall be levied upon all of the taxable property in the City within applicable limitations, in addition to all other taxes, a direct tax annually, not less than that which would have been levied if bonds had been issued without the prior issue of the Notes; said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof.

The funds derived from said tax levy hereby required shall be placed in a separate and distinct fund and, together with interest collected on the same, shall be irrevocably pledged for the payment of the principal and interest of the Notes, or the bonds in anticipation of which they are issued, when and as the same fall due; provided, however, that if bonds or renewal Notes are authorized and issued, or surplus City revenues are appropriated and applied to the payment of the Notes (the anticipated repayment revenues), to that extent, said tax need not be levied.

SECTION 9. That this Council, for and on behalf of the City of Newark, hereby covenants that it will restrict the use of the proceeds of the Notes hereby authorized in such manner and to such extent, if any, and take such other action as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute obligations the interest on which is subject to federal income taxation or "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations prescribed thereunder. The City Auditor or any other officer having responsibility with respect to the issuance of the Notes is authorized and directed to give an appropriate certificate on behalf of the City, on the date of delivery of the Notes for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 regulations thereunder.

The Notes are hereby designated or deemed designated as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code.

SECTION 10. That the Clerk of Council is hereby directed to forward a certified copy of this Ordinance to the County Auditor.

SECTION 11. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 12. That this Ordinance is hereby declared to be an emergency measure for the preservation of the public peace, health, safety and welfare of the inhabitants of the City to provide for timely payment of outstanding notes, this Ordinance shall take effect immediately upon its passage and approval by the Mayor.

PASSED: March 4, 2024

Presiding Officer

ATTEST:

Clerk of Council

Date filed with Mayor: _____

Date approved by Mayor: _____

Mayor

Form Approved: _____
Director of Law

41323853

CERTIFICATE

The undersigned hereby certifies the foregoing to be a true and correct copy of Ordinance
No. _____.

Clerk of Council

CERTIFICATE

I hereby certify that a copy of the foregoing Ordinance was filed with the County
Auditor, County of Licking, Ohio, on March _____, 2024.

Clerk of Council

RECEIPT

The undersigned hereby acknowledges receipt of a copy of the foregoing ordinance.

County Auditor
Licking County, Ohio

Dated: March _____, 2024

#1323853

CERTIFICATE OF MEMBERSHIP

The undersigned, City Auditor of the City of Newark, Ohio, hereby certifies that the following were the officers and members of Council during the period proceedings were taken authorizing the issuance of not to exceed \$370,000 Horns Hill Road Sanitary Sewer Project Improvement Bond Anticipation Notes (Fourth Year Renewal):

(Please Type Names Here)

Mayor	_____
City Auditor	_____
Treasurer	_____
Director of Safety	_____
Director of Public Service	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Director of Law	_____

City Auditor

TRANSCRIPT CERTIFICATE

The undersigned, Clerk of Council of said City, hereby certifies that the following is a true and complete transcript of all proceedings relating to the authorization and issuance of the above-identified obligations.

Clerk of Council

EXTRACT FROM MINUTES OF MEETING

The Council of the City of Newark, Ohio, met in regular session, at _____ p.m., on the 4th day of March, 2024, at _____, Newark, Ohio, with the following members present:

There was presented and read to Council Ordinance No. _____, entitled:

TO PROVIDE FOR THE ISSUANCE OF \$370,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING A PORTION OF THE CITY'S COST FOR HORNS HILL ROAD SANITARY SEWER PROJECT IMPROVEMENTS, AND DECLARING AN EMERGENCY.

_____ moved to suspend the rule requiring each ordinance or resolution to be read on three different days. _____ seconded the motion and, the roll being called upon the question, the votes resulted as follows:

AYES:

NAYS:

_____ then moved that Ordinance No. _____ be passed. _____ seconded the motion and, the roll being called upon the question, the vote resulted as follows:

AYES:

NAYS:

The ordinance was declared passed March 4, 2024.

CERTIFICATE

The undersigned, Clerk of Council of said City, hereby certifies that the foregoing is a true and correct extract from the minutes of the meetings of the Council of said City, held on the 4th day of March, 2024, to the extent pertinent to consideration and passage of the above-entitled legislation.

Clerk of Council

RESTATED CERTIFICATE AS TO MAXIMUM MATURITY OF
BONDS AND BOND ANTICIPATION NOTES

The undersigned, being the City Auditor of the City of Newark, Ohio, hereby certifies that the life of the proposed Horns Hill Road Sanitary Sewer Project Improvements is at least five (5) years and that estimated life of the improvements financed with the proceeds of the sale of not to exceed \$370,000 of notes, for the purpose of paying a portion of the City's cost for Horns Hill Road Sanitary Sewer Project improvements, is at least twenty (20) years and that the maximum maturity of bonds issued for said purpose, in accordance with Section 133.20 of the Ohio Revised Code, is twenty (20) years and the maximum maturity of notes issued in anticipation thereof is twenty (20) years.

IN WITNESS THEREOF, I have hereunto set my hand this 4th day of March, 2024.

City Auditor

CITY OF NEWARK, OHIO

ORDINANCE NO. 24-06

TO PROVIDE FOR THE ISSUANCE OF \$520,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING THE COST OF CONSTRUCTION OF THE STREAMBANK PROTECTION PROJECT, INCLUDING REPLACEMENT OF THE SHEET PILE DAM ON RACCOON CREEK, SITE PREPARATION AND ALL NECESSARY APPURTENANCES, AND DECLARING AN EMERGENCY.

WHEREAS, the Fiscal Officer of the City of Newark has heretofore estimated that the life of the project hereinafter described is at least five (5) years, and certified that the maximum maturity of the bonds issued therefore is twenty (20) years, and of the notes to be issued in anticipation thereof as twenty (20) years; and

WHEREAS, outstanding notes in the principal amount of \$505,000 are about to mature and shall be renewed in an amount not to exceed \$520,000.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newark (hereinafter called the "Municipality"), Licking County, Ohio, a majority of the members elected thereto concurring:

SECTION 1. That it is necessary to issue bonds of the Municipality in the principal amount of not to exceed \$520,000 for the purpose of paying the cost of construction of the Streambank Protection Project, including replacement of the sheet pile dam on Raccoon Creek, site preparation and all necessary appurtenances, including costs of issuance. Said bonds shall be dated approximately March 1, 2025, shall bear interest at the rate now estimated at six per centum (6%) per annum and shall mature in substantially equal annual or semiannual installments over a period not exceeding twenty (20) years after their issuance.

SECTION 2. That it is hereby determined that notes (hereinafter called the "Notes") in the principal amount of not to exceed \$520,000 shall be issued in anticipation of the issuance of said bonds.

SECTION 3. That the Notes shall be dated their date of issuance, shall bear interest at a rate of interest not to exceed six per centum (6.00%) per annum, without further action of this Council, to be evidenced by the execution and delivery of the Notes as herein provided, payable at maturity, and until the principal sum is paid, shall mature not more than one year from date of issuance, and shall be of the such number and denomination as may be requested by the purchaser; provided all Notes shall be issued in denominations of \$100,000 or integral multiples thereof, with one note in the denomination of any amount at or in excess of \$100,000, and shall be sold only to sophisticated investors.

SECTION 4. That the Notes shall be executed by the Mayor and the City Auditor, provided that such signatures may be facsimile signatures, and may bear the seal of the Municipality. The Notes shall be designated "Streambank Protection Project Bond Anticipation Notes (Third Renewal)" and shall be payable at the office of a financial institution approved by the City Auditor and shall express upon their faces the purpose for which they are issued and that they are issued in pursuance of this ordinance and the City Charter. The Notes may be issued under a book entry only system. That for purposes of this ordinance, the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest on the Notes may be transferred only through a book entry, and (ii) physical note certificates in fully registered form are issued only to the Depository or its nominee as registered owner, with the Notes "immobilized" to the custody of the Depository, and the book entry maintained by others than this Council is the record that identifies the owners of beneficial interests in those Notes and that principal and interest.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its Participants or otherwise, a book entry system to record ownership of beneficial interests in Notes or principal and interest, and to effect transfers of Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Participant" means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

"Ordinance" means this ordinance.

All or any portion of the Notes may be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply to such Notes, notwithstanding any other provision of this Ordinance. If and as long as a book entry system is utilized with respect to any of such Notes: (i) there shall be a single Note of each maturity; (ii) those Notes shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners of Notes in book entry form shall have no right to receive Notes in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Notes in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (v) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by this Council. Debt service charges on Notes in book entry form registered in the name of a Depository or its nominee shall be payable in the manner provided in this Council's agreement with the Depository to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of Notes as provided in this Ordinance.

The paying agent and registrar (the "Paying Agent and Registrar") may, with the approval of this Council, enter into an agreement with the beneficial owner or registered owner of any Note in the custody of a Depository providing for making all payments to that owner of principal and interest on that Note or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided in this Ordinance, without prior presentation or surrender of the Note, upon any conditions which shall be satisfactory to the Paying Agent and Registrar and to this Council. That payment in any event shall be made to the person who is the registered owner of that Note on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Paying Agent and Registrar shall furnish a copy of each of those agreements, certified to be correct by the Paying Agent and Registrar, to any other paying agents for the Notes and to this Council. Any payment of principal or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Ordinance.

The City Auditor is authorized and directed without further action of this Council to execute, acknowledge and deliver, in the name of and on behalf of this Council, a blanket letter agreement between this Council and The Depository Trust Company, as Depository, to be delivered in connection with the issuance of the Notes to the Depository for use in a book entry system, and to take all other actions the City Auditor deems appropriate in issuing the Notes under a book entry system.

If any Depository determines not to continue to act as Depository for the Notes for use in a book entry system, this Council and the Paying Agent and Registrar may attempt to establish a securities depository/book entry relationship with another qualified Depository under this Ordinance. If this Council and the Paying Agent and Registrar do not or are unable to do so, this Council and the Paying Agent and Registrar, after the Paying Agent and Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Notes from the Depository and authenticate and deliver Note certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Notes), if the event is not the result of action or inaction by this Council or the Paying Agent and Registrar, of those persons requesting such issuance.

SECTION 5. That the Notes shall be executed by the Mayor and City Auditor, provided that one of such signatures may be a facsimile signature, and may bear the seal of the Municipality. The Notes shall be payable at the office of a financial institution approved by the City Auditor and shall express upon their faces the purpose for which they are issued and that they are issued in pursuance of this Ordinance and the City Charter.

SECTION 6. That the Notes shall be sold by the City Auditor to Northland Securities as evidenced by the execution of a Certificate of Award (the "Certificate of Award"), which the City Auditor is hereby authorized to sign on behalf of the City, such sale to be made at not less than par and accrued interest. The Certificate of Award shall state the interest rate and the dated date for the Notes. The proceeds from such sale, except any premium or accrued interest thereon, shall be paid into the proper fund and used for the purpose aforesaid and for no other purpose, and for which purpose said proceeds are hereby appropriated. Any premium and accrued interest received by the City shall be transferred to the bond retirement fund to be applied to the payment of principal and interest of the Notes in the manner provided by law.

SECTION 7. That the Notes shall be the full general obligations of the Municipality, and the full faith, credit and revenue of the Municipality are hereby pledged for the prompt payment of the same. The par value received from the sale of bonds anticipated by the Notes, and any excess funds resulting from the issuance of the Notes, shall to the extent necessary be used only for the retirement of the Notes at maturity, together with interest thereon and is hereby pledged for such purpose.

SECTION 8. That during the period while the Notes run there shall be levied upon all of the taxable property in the Municipality within applicable limitations, in addition to all other taxes, a direct tax annually, not less than that which would have been levied if bonds had been issued without the prior issue of the Notes; said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof.

The funds derived from said tax levy hereby required shall be placed in a separate and distinct fund and, together with interest collected on the same, shall be irrevocably pledged for the payment of the principal and interest of the Notes, or the bonds in anticipation of which they are issued, when and as the same fall due; provided, however, that if bonds or renewal Notes are authorized and issued, or surplus City revenues are appropriated and applied to the payment of the Notes (the anticipated repayment revenues), to that extent, said tax need not be levied.

SECTION 9. That this Council, for and on behalf of the City of Newark, hereby covenants that it will restrict the use of the proceeds of the Notes hereby authorized in such manner and to such extent, if any, and take such other action as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute obligations the interest on which is subject to federal income taxation or "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations prescribed thereunder. The City Auditor or any other officer having responsibility with respect to the issuance of the Notes is authorized and directed to give an appropriate certificate on behalf of the Municipality, on the date of delivery of the Notes for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 regulations thereunder.

The Notes are hereby designated or deemed designated as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code.

SECTION 10. That the Clerk of Council is hereby directed to forward a certified copy of this Ordinance to the County Auditor.

SECTION 11. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 12. That this ordinance is hereby declared to be an emergency measure for the presentation of the public peace, health, safety and welfare of the inhabitants of the City to promptly construct the improvements. Therefore, this Ordinance shall take effect immediately upon its passage and approval by the Mayor.

PASSED: March 4, 2024

Presiding Officer

ATTEST:

Clerk of Council

Date filed with Mayor: _____

Date approved by Mayor: _____

Mayor

Form Approved: _____
Director of Law

41323853

CERTIFICATE

The undersigned hereby certifies the foregoing to be a true and correct copy of Ordinance No. _____.

Clerk of Council

CERTIFICATE

I hereby certify that a copy of the foregoing Ordinance was filed with the County Auditor, County of Licking, Ohio, on March ____, 2024.

Clerk of Council

RECEIPT

The undersigned hereby acknowledges receipt of a copy of the foregoing ordinance.

County Auditor
Licking County, Ohio

Dated: March ____, 2024

41323853

CERTIFICATE OF MEMBERSHIP

The undersigned, City Auditor of the City of Newark, Ohio, hereby certifies that the following were the officers and members of council during the period proceedings were taken authorizing the issuance of not to exceed \$520,000 Streambank Protection Project Bond Anticipation Notes (Third Renewal):

(Please Type Names Here)

Mayor	_____
City Auditor	_____
Treasurer	_____
Director of Safety	_____
Director of Public Service	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Director of Law	_____

City Auditor

TRANSCRIPT CERTIFICATE

The undersigned, Clerk of Council of said municipality, hereby certifies that the following is a true and complete transcript of all proceedings relating to the authorization and issuance of the above-identified obligations.

Clerk of Council

EXTRACT FROM MINUTES OF MEETING

The Council of the City of Newark, Ohio, met in regular session, at _____ p.m., on the 4th day of March, 2024, at _____, Newark, Ohio, with the following members present:

There was presented and read to Council Ordinance No. _____, entitled:

TO PROVIDE FOR THE ISSUANCE OF \$520,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING THE COST OF CONSTRUCTION OF THE STREAMBANK PROTECTION PROJECT, INCLUDING REPLACEMENT OF THE SHEET PILE DAM ON RACCOON CREEK, SITE PREPARATION AND ALL NECESSARY APPURTENANCES, AND DECLARING AN EMERGENCY.

_____ moved to suspend the rule requiring each ordinance or resolution to be read on three different days. _____ seconded the motion and, the roll being called upon the question, the votes resulted as follows:

AYES:

NAYS:

_____ then moved that Ordinance No. _____ be passed. _____ seconded the motion and, the roll being called upon the question, the vote resulted as follows:

AYES:

NAYS:

The ordinance was declared passed March 4, 2024.

CERTIFICATE

The undersigned, Clerk of Council of said City, hereby certifies that the foregoing is a true and correct extract from the minutes of the meetings of the Council of said City, held on the 4th day of March, 2024, to the extent pertinent to consideration and passage of the above-entitled legislation.

Clerk of Council

RESTATED CERTIFICATE AS TO MAXIMUM MATURITY OF
BONDS AND BOND ANTICIPATION NOTES

The undersigned, being the City Auditor of the City of Newark, Ohio, hereby certifies that the life of the proposed project is at least five (5) years and that estimated life of the improvements financed with the proceeds of the sale of not to exceed \$520,000 of notes, for the purpose of paying the cost of construction of the Streambank Protection Project, including replacement of the sheet pile dam on Raccoon Creek, site preparation and all necessary appurtenances, including costs of issuance, is at least twenty (20) years and that the maximum maturity of bonds issued for said purpose, in accordance with Section 133.20 of the Ohio Revised Code, is twenty (20) years and the maximum maturity of notes issued in anticipation thereof is twenty (20) years.

IN WITNESS THEREOF, I have hereunto set my hand this 4th day of March, 2024.

City Auditor

CITY OF NEWARK, OHIO

ORDINANCE NO. 24-07

AN ORDINANCE CONSOLIDATING THREE BOND
ANTICIPATION NOTE ISSUES OF THE CITY OF
NEWARK, OHIO AND DECLARING AN EMERGENCY

WHEREAS, this Council of the City of Newark, Ohio has passed three Ordinances (collectively, the "Note Ordinances"), which authorized three bond anticipation note issues in an aggregate principal amount of not to exceed \$2,050,000 (collectively, the "Notes") as follows: (1) \$1,160,000 Church Street Area Improvement Bond Anticipation Notes; (2) \$370,000 Horns Hill Road Sanitary Sewer Project Improvement Bond Anticipation Notes; and (3) \$520,000 Streambank Protection Project Bond Anticipation Notes; and

WHEREAS, this Council desires to consolidate the three issues of Notes into a single bond anticipation note issue to achieve certain cost savings;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newark (hereinafter called the "City"), County of Licking, Ohio, two-thirds of the members elected thereto concurring:

SECTION 1. That, pursuant to the provisions of Section 133.30 of the Ohio Revised Code (the "Revised Code"), the three separate issues of Notes shall be consolidated into a single issue, which shall be known as "Various Purpose General Obligation Bond Anticipation Notes, Series 2024" (the "2024 Notes").

SECTION 2. That the 2024 Notes shall be issued in said maximum principal sum of \$2,050,000 for the above-described purposes under authority of the general laws of the State of Ohio, particularly the Uniform Public Securities Law of the Revised Code. The provisions of the Note Ordinances are incorporated herein by reference. The 2024 Notes shall be issued in authorized denominations of \$100,000, with one note in the denomination of any amount at or in excess of \$100,000, and shall be sold only to sophisticated investors.

SECTION 3. That the proceeds of the sale of the 2024 Notes shall be apportioned, deposited and credited in accordance with Section 133.32 of the Revised Code, to the respective purposes and funds in accordance with the amounts of each of the issues of Notes authorized by the appropriate Note Ordinance.

SECTION 4. The City covenants that it will not take any action, or fail to take any action, if any such action or failure to take action would adversely affect the exclusion from gross income of the interest on the 2024 Notes under Section 103(a) of the Internal Revenue Code of 1986, as amended (the "Code"). The City will not directly or indirectly use or permit the use of any proceeds of the 2024 Notes or any other funds of the City, or take or omit to take any action that would cause the 2024 Notes to be "arbitrage bonds" within the meaning of Sections 103(b)(2) and 148 of the Code. To that end, the City will comply with all requirements of Sections 103(b)(2) and 148 of the Code to the extent applicable to the 2024 Notes. In the event that at any time the City is of the opinion that for purposes of this Section 4 it is necessary to restrict or limit the yield on the investment of any moneys, the City shall take such action as may be necessary. The Council of the City, or any other officer having responsibility with respect to the issuance of the 2024 Notes, is authorized and directed to give an appropriate certificate on behalf of the City, on the date of delivery of said 2024 Notes for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 and regulations thereunder, and to execute and deliver on behalf of the City an IRS Form 8038-G in connection with the issuance of the 2024 Notes.

The 2024 Notes are hereby designated or deemed designated as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code.

SECTION 5. That the Clerk of Council is hereby directed to forward a copy of this ordinance and the Note Ordinances to the County Auditor.

SECTION 6. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were passed in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 7. That this Ordinance is declared to be an emergency measure for the preservation of the public peace, health, safety and welfare of the inhabitants of the City, in order to timely pay outstanding notes. Therefore, this Ordinance shall take effect immediately upon its passage and approval by the Mayor.

PASSED March 4, 2024

Presiding Officer

ATTEST:

Clerk of Council

Date filed with Mayor: _____

Date approved by Mayor: _____

Mayor

Form Approved: _____
Director of Law

Prepared By: Dinsmore & Shohl LLP

41323853

CERTIFICATE

The undersigned hereby certifies that the foregoing is a true and correct copy of Ordinance No. _____.

Clerk of Council

CERTIFICATE

The undersigned hereby certifies that a copy of the foregoing ordinance was certified this day to the County Auditor.

Clerk of Council

Dated: March _____, 2024

RECEIPT

The undersigned hereby acknowledges receipt of a certified copy of the foregoing ordinance.

County Auditor
Licking County, Ohio

Dated: March _____, 2024

41323853

CERTIFICATE OF MEMBERSHIP

The undersigned, City Auditor of the City of Newark, County of Licking, Ohio, hereby certifies that the following were the officers and members of Council during the period proceedings were taken authorizing the issuance of not to exceed \$2,050,000 Various Purpose General Obligation Bond Anticipation Notes:

(Please Type Names Here)

Mayor	_____
City Auditor	_____
Treasurer	_____
Director of Safety	_____
Director of Public Service	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Director of Law	_____

City Auditor

TRANSCRIPT CERTIFICATE

The undersigned, Clerk of Council of said Municipality, hereby certifies that the following is a true and complete transcript of all proceedings relating to the authorization and issuance of the above-identified Obligation.

Clerk of Council

EXTRACT FROM MINUTES OF MEETING

The Council of the City of Newark, Ohio, met in regular session at _____ p.m. on the 4th day of March, 2024, at _____, Newark, Ohio with the following members present:

There was presented and read to Council Ordinance No. _____, entitled:

AN ORDINANCE CONSOLIDATING THREE BOND
ANTICIPATION NOTE ISSUES OF THE CITY OF
NEWARK, OHIO AND DECLARING AN EMERGENCY

_____ moved to suspend the rule requiring each ordinance or resolution to be read on different days. _____ seconded the motion and, the roll being called on the question, the vote resulted as follows:

AYES:

NAYS:

_____ then moved that Ordinance No. _____ be adopted. _____ seconded the motion and, the roll being called upon the question, the vote resulted as follows:

AYES:

NAYS:

The Ordinance was declared passed March 4, 2024.

CERTIFICATE

The undersigned, Clerk of Council, hereby certifies that the foregoing is a true and correct extract from the minutes of a meeting of the Council of said City, held on the 4th day of March, 2024, to the extent pertinent to consideration and adoption of the above-entitled legislation.

Clerk of Council

ORDINANCE NO: 24-08

BY: _____

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

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

and,

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

and,

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

and,

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

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

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

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

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

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

Passed this _____ day of _____, _____

PRESIDENT OF COUNCIL

ATTEST

Clerk of Council

DATE FILED WITH MAYOR _____

DATE APPROVED BY MAYOR _____

MAYOR

APPROVED AS TO FORM

Director of Law

**Strength authorization table*

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

BY: _____

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUBMIT APPLICATIONS TO THE DEPARTMENT OF HOMELAND SECURITY, FOR FISCAL YEAR 2023 FIRE ACT GRANT PROGRAMS, IN SUPPORT OF TRAINING PROGRAMS, EQUIPMENT PURCHASES, FUNDING FOR PERSONNEL, FIRE PREVENTION, AND FIRE SAFETY PROGRAMS THROUGHOUT THE CITY.

WHEREAS, Congress approved for funding a competitive grant programs for local fire departments that are recognized by the State or other appropriate political entity; and,

WHEREAS, the Firefighter Investment and Response Enhancement (FIRE) Act is administered by the U.S Department of Homeland Security Office of Domestic Preparedness and,

WHEREAS, U.S. Department of Homeland Security and the U.S. Fire Administration prepared Fiscal Year 2023 funding directives which provide that 90% of matching funds are available for fire training programs, equipment purchases, fire prevention, and fire safety programs; and,

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

Section 1: This Council does hereby authorize and direct the Mayor, and his representative, to prepare applications to the U.S. Department of Homeland Security for funding assistance through the FIRE Act Grant Programs for Fiscal Year 2023 and to make in connection therewith, all certifications, understandings, and assurances contained therein.

Section 2: In furtherance of the directives established herein, the Mayor is authorized to take whatever action is legally available to attain such funding in the best interest of the City and its participation in available fire funding programs.

Section 3: That the Mayor be and hereby is designated as the authorizing official to enter into an agreement with U.S. Department of Homeland Security to administer the grant program and accept said funds when they become available.

Section 4: This Resolution shall become effective upon the earliest date permitted by Article 4.07 of the Charter of the City of Newark, Ohio.

DATE FILED WITH MAYOR: _____

ADOPTED THIS _____ DAY OF _____, 2024

_____, PRESIDENT OF COUNCIL _____,

ATTEST, CLERK OF COUNCIL

DATE APPROVED BY MAYOR: _____

APPROVED BY MAYOR _____

APPROVED BY DIRECTOR OF LAW _____

RESOLUTION 24-02

BY _____

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO SUBMIT AN APPLICATION TO THE OHIO DEPARTMENT OF PUBLIC SAFETY FOR AN AWARD OF FISCAL YEAR 2024-2025 FUNDING UNDER THE OHIO EMS TRAINING AND EQUIPMENT GRANT PROGRAM.

WHEREAS, The Ohio Department of Public Safety provides funding for the costs of emergency medical training and equipment; and,

WHEREAS, The City of Newark is eligible to apply for an award of fiscal year 2024-2025 funds; and,

WHEREAS, each unit of local government receiving funds under the Ohio EMS Training and Equipment Grant Program must establish a special revenue fund into which all payments received by the unit of local government under the Ohio EMS Training and Equipment Grant Program are deposited, and it is necessary to establish a special revenue account for that purpose.

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

- Section 1. In furtherance of the directives established herein, the Mayor is authorized to take whatever action is legally available to attain such funding in the best interest of the City and its participation in available emergency medical training programs.
- Section 2. The Mayor is designated as the authorizing official to enter into an agreement with the Ohio Department of Public Safety, to administer the grant program and accept said funds when they become available.
- Section 3. There is hereby established a special revenue fund to be know as the Ohio EMS training and equipment fund. The Auditor is authorized and directed to deposit all receipts from the Ohio Department of Public Safety EMS Training and Equipment Grant Program into this fund. Monies deposited into this fund are to be used solely for the purposes of funding stated in the Ohio EMS Training and Equipment Grant Program.
- Section 4: That the Mayor be and hereby is designated as the authorizing official to enter into an agreement with the Ohio Department of Public Safety and its agencies to administer the grant program and to accept said funds when they become available.

Section 5: This Resolution shall become effective upon the earliest date permitted by Article 4.07 of the Charter of the City of Newark, Ohio.

ADOPTED THE _____ DAY OF _____, 2024

_____, PRESIDENT OF COUNCIL

ATTEST _____, CLERK OF COUNCIL

DATE FILED WITH MAYOR _____

DATE APPROVED BY MAYOR _____

APPROVED BY MAYOR _____

FORM APPROVED: _____,
DIRECTOR OF LAW

RESOLUTION NO. 24-03

BY _____

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO APPLY FOR FUNDING FROM THE UNITED STATES DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE UNDER THE BULLETPROOF VEST PARTNERSHIP GRANT PROGRAM.

WHEREAS, the Bulletproof Vest Partnership Grant Act of 1998 was signed as law (Public Law 105-181). The purpose of the Act is to save the lives of law enforcement officers by helping States and local units of government and tribal governments equip their law enforcement officers with armor vests.

WHEREAS, The City of Newark was informed by the United States Department of Justice, Bureau of Justice Assistance that it is eligible to receive reimbursement for 50% of the total cost for the purchase of bulletproof vests for law enforcement personnel.

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

- Section 1: The Mayor is authorized to take whatever action is legally available to attain funding in the best interest of the City and its participation in available crime reduction and improvement of public safety funding programs
- Section 2: The Mayor is designated as the authorizing official to enter into a reimbursement agreement with the United States Department of Justice, Bureau of Justice Assistance, to administer the Bulletproof Vest Partnership Grant Program and accept said fund
- Section 3: This Resolution shall become effective upon the earliest date permitted by Article 4.07 of the Charter of the City of Newark, Ohio.

ADOPTED THIS _____ DAY OF _____, 2024

PRESIDENT OF COUNCIL

ATTEST, CLERK OF COUNCIL

DATE FILED WITH THE MAYOR

DATE APPROVED BY MAYOR

MAYOR

FORM APPROVED BY DIRECTOR OF LAW

Resolution No.24-05

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 a disappropriation of the appropriated balance of the 100 General Fund, in the amount of \$30,000.00 (From Cemetery & Parks)

100.432.5230	Temp Services	30,000.00
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Section 2. There is hereby an appropriation of the unappropriated balance of the 100 General Fund, in the amount of \$30,000.00 (For Property Maintenance)

100.127.5238	Services General	30,000.00
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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 MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUBMIT APPLICATIONS TO THE OHIO ENVIRONMENTAL PROTECTION AGENCY (EPA) FOR THE H2 OHIO RIVERS INITIATIVE CHLORIDE REDUCTION GRANT PROGRAM.

WHEREAS, the Ohio EPA through the H2 Ohio Rivers Initiative Chloride Reduction Program is offering grants to Ohio municipalities, villages, township, and counties to adopt best management practices that reduce salt and deicers contributing to runoff and promote chloride reduction in Ohio water sources; and,

WHEREAS, funding can support upgrades to road salt application equipment and storage facilities; and,

WHEREAS, the funding will be provided through reimbursement grants for actual equipment purchased and installed or for the cost to improve or construct facilities; and,

WHEREAS, applications are limited to request up to \$75,000. per unit of local government.

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

Section 1: This Council does hereby authorize and direct the Mayor, and his representative, to prepare applications to the Ohio EPA for the H2 Ohio Rivers Initiative Chloride Reduction Program, and to make in connection therewith, all certifications, understandings, and assurances contained therein.

Section 2: In furtherance of the directives established herein, the Mayor is authorized to take whatever action is legally available to attain such funding in the best interest of the City and its participation in available community improvement funding programs.

Section 3: That the Mayor be and hereby is designated as the authorizing official to enter into an agreement with the Ohio EPA to administer the grant program and to accept said funds when they become available.

Section 4: This Resolution shall become effective upon the earliest date permitted by Article 4.07 of the Charter of the City of Newark, Ohio.

ADOPTED THIS _____ DAY OF _____, 2024

_____, PRESIDENT OF COUNCIL

ATTEST _____, CLERK OF COUNCIL

DATE FILED WITH MAYOR _____

DATE APPROVED BY MAYOR _____

_____, MAYOR

FORM APPROVED: _____, DIRECTOR OF LAW

RESOLUTION NO. 24-07

AN RESOLUTION IMPLEMENTING SECTIONS 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE, ESTABLISHING AND DESCRIBING THE BOUNDARIES OF A COMMUNITY REINVESTMENT AREA IN THE CITY OF NEWARK, OHIO.

WHEREAS, the City of Newark, Ohio (“City”) desires to pursue all reasonable and legitimate incentive measures to assist and encourage development in specific areas of the City that have not enjoyed reinvestment from remodeling or new construction; and

WHEREAS, a survey of housing (“Housing Survey”) of the area described and depicted in Exhibit A attached hereto and incorporated herein by this reference (“Area”) has been prepared as required by Ohio Revised Code (“R.C.”) Section 3735.66, a copy of which survey is on file with the City; and

WHEREAS, as noted in the Housing Survey, the Area is one in which housing facilities or structures of historical significance are located and new housing construction and repair of existing facilities or structures are discouraged; and

WHEREAS, the Council for the City (“Council”) has determined that the construction of new structures and the remodeling of existing structures in the Area is a public purpose, and would encourage the creation and retention of employment opportunities and would benefit the overall economic health of the City; and

WHEREAS, the City desires to designate the Area as the “The Flats Community Reinvestment Area No. [6]” (the “CRA”) pursuant to R.C. Sections 3735.65 through 3735.70 (the “Act”) to encourage such development.

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

Section 1. The CRA constitutes an area in which housing facilities or structures of historical significance are located, and in which new construction or repair of existing facilities has been discouraged.

Section 2. This Council hereby establishes the CRA pursuant to the Act, with boundaries as described and depicted in Exhibit A. Only residential, commercial, and/or industrial properties consistent with the applicable zoning regulations within the designated CRA will be eligible for exemptions pursuant to this Resolution.

Section 3. Within the CRA, the percentage of the tax exemption on the increase in the assessed valuation resulting from improvements to commercial and industrial real property and the term of those exemptions shall be negotiated on a case-by-case basis in advance of construction or remodeling occurring pursuant to R.C. Section 3735.67. The results of the negotiation as approved by this Council will be set in writing in a CRA Agreement as outlined in R.C. Section 3735.671. For residential property, a tax exemption on the increase in the assessed value resulting from the improvements as described in R.C. Section 3735.67 shall be granted

upon application by the property owner and certification thereof by the designated Housing Officer (as defined herein) for the following periods:

- a. fifteen (15) years, for the remodeling of every residential dwelling unit upon which the cost of remodeling is at least \$2,500, as described in R.C. Section 3735.67, and with such exemption being one hundred percent (100%) for each of the fifteen (15) years.
- b. Up to, and including, fifteen (15) years, and up to, and including, one hundred percent (100%) for the remodeling of existing commercial and industrial facilities and upon which the cost of remodeling is at least \$5,000, as described in R.C. Section 3735.67, the term and percentage of which shall be negotiated on a case-by-case basis in advance of remodeling occurring.
- c. Up to, and including, fifteen (15) years, and up to, and including, one hundred percent (100%) for the construction of new commercial or industrial facilities, the term and percentage of which shall be negotiated on a case-by-case basis in advance of construction occurring.

For the purposes of the above described CRA, structures exclusively used for residential purposes shall be classified as residential structures.

If remodeling qualifies for an exemption, during the period of the exemption, the exempted percentage of the dollar amount of the increase in market value of the structure shall be exempt from real property taxation. If new construction qualifies for an exemption, during the period of the exemption, the exempted percentage of the structure shall not be considered to be an improvement on the land on which it is located for the purpose of real property taxation.

Section 4. All commercial and industrial projects are required to comply with the state application fee requirements of R.C. Section 3735.672(C) and the local annual monitoring fee of one percent of the amount of taxes exempted under the agreement – a minimum of \$500 up to a maximum of \$2500 annually unless waived.

Section 5. To administer and implement the provisions of this Resolution, the Director of Economic and Community Development (the “Director”) is designated as the Housing Officer as described in the Act.

Section 6. The City’s Community Reinvestment Area Housing Council (“Housing Council”) shall make an annual inspection of the properties within the CRA for which an exemption has been granted under R.C. Section 3735.67. The Housing Council shall also hear appeals related to the CRA under R.C. Section 3735.70.

The City’s Tax Incentive Review Council (“TIRC”) shall review annually the compliance of all agreements involving the granting of exemptions for commercial or industrial real property improvements under R.C. Section 3735.671 and make written recommendations to the Council as to continuing, modifying, or terminating said agreement based upon the performance of the agreement.

Section 7. The Mayor and/or Director are hereby authorized to take any and all actions required by the Act for the establishment of the CRA consistent with the requirements of the Act and this Ordinance.

Section 8. The Council hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Council, that all deliberations of this Council and of its committees, if any, which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements, including R.C. Section 121.22.

Section 9. This Resolution shall become effective at the earliest time permitted by Article 4.07 of the Charter of the City of Newark, Ohio.

Passed this _____ day of _____, 2024.

PRESIDENT OF COUNCIL

ATTEST: _____

CLERK OF COUNCIL

DATE FILED WITH MAYOR: _____

DATE APPROVED BY MAYOR: _____

MAYOR

FORM APPROVED: _____

DIRECTOR OF LAW

EXHIBIT A

DESCRIPTION AND DEPICTION OF THE CRA



City of Newark, Ohio



City of Newark Community Reinvestment Area
Housing Survey

Prepared by:
Taft Stettinius & Hollister LLP
Chris L. Connelly
Legal Counsel
October 2023

I. PURPOSE AND SCOPE

This document aims to evaluate existing area conditions and recommend a Community Reinvestment Area (CRA) as described in Ohio Revised Code Sections 3735.65–70 within the city limits of Newark, Ohio (Appendix A). The circumstances in the defined area will show that “housing facilities or structures of historical significance are located [in the area], and new housing construction and repair of existing facilities or structures are discouraged.” O.R.C. § 3735.65(B). Unless otherwise noted, all statistical information contained here comes from the most recent U.S. Census or American Community Survey data.

II. CITY OF NEWARK AND LICKING COUNTY OVERVIEW

The City of Newark was founded in 1802 and, early on in its existence, enjoyed vibrant economic and population growth thanks to the construction of the Erie Canal and a strong agricultural community. It was home to important freight and passenger stops and produced crucial agricultural goods for the surrounding communities and the Midwest at large. But like many rural towns, growth stagnated in the mid-20th century with the exodus to urban and suburban areas. Despite modest population growth in the last 100 years helped along by the academic institutions present in the City, portions of Newark’s tax base have weakened and caused disinvestment and declining housing supply and quality.

Recently, Newark has experienced revitalization in some areas thanks to investment from local government, academic institutions, and private industry, as well as excitement surrounding impending projects in Licking County. But the housing stock in Newark has not fared so well. Residential properties suffer from disinvestment, dilapidation, tax delinquency, vacancy, and abandonment. These conditions have led to the disinvestment sought to be addressed in the proposed CRA.

Economic hardship and poor housing stock have affected the City more significantly than Licking County as a whole, as reflected by the City having a higher poverty rate, lower median income, lower owner-occupancy rates, and lower home value than the County averages and surrounding municipalities. This information is specifically referenced below and highlights the City’s deficiencies sought to be alleviated by the creation of the CRA.

General City and County Data

This data on the City and County is available from American Fact Finder on Census.gov (also see the census map in Appendix C showing population growth statistics) in the 2020 American Community Survey 5-Year Estimates:

- Population estimates:
 - City – 49,936
 - County – 180,401
- Median age:
 - City – 37.0
 - County – 39.7
- Median household income:
 - City – \$52,570
 - County – \$73,325
- Individuals below the poverty level:
 - City – 16.2%
 - County – 12.2%
- Median home value:
 - City – \$139,900
 - County – \$214,700
- Total housing units:
 - City – 19,800
 - County – 73,010
- Owner-occupied housing rate:
 - City – 55.3%
 - County – 76%

Other Cities within Licking County

In key metrics, other cities in Licking County have fared better than Newark:

- Median household income:
 - Granville – \$135,326
 - Pataskala – \$79,736
 - Johnstown – \$64,744
- Individuals below the poverty level:
 - Granville – 2.2%
 - Pataskala – 6.7%
 - Johnstown – 9.3%
- Median home value:
 - Granville – \$380,700
 - Pataskala – \$208,300
 - Johnstown – \$175,000

The City's negative income and housing statistics compared to the County at large show that the current City housing cannot support the same healthy development that is expected county-wide. In particular, portions of the CRA area contain vacant acreage for redevelopment, as few housing units have been constructed, and the housing that does exist is aging and in need of remediation.

The low owner-occupancy rate in the City coupled with the high poverty rate harm residents' ability to use disposable income to maintain, repair, and improve their property. The proposed CRA would help residents realize savings that can be used to reinvest into their property.

The City desires to facilitate more commercial and industrial development within its boundaries, focusing on those underdeveloped portions within the CRA. This commercial and industrial development will provide much-needed jobs for City and County residents and will lead to future residential development as the area's workforce increases in size.

Newark has underperformed its potential, in most areas, relative to neighboring municipalities. The proposed CRA will be beneficial in bringing the City up to par with the surrounding area and enable it to facilitate future growth consistent with county-wide expectations.

III. PROPOSED COMMUNITY REINVESTMENT AREA

To respond to these development needs, the City is proposing to create a CRA that consists of several parcels within the City which are either vacant or blighted and require tax relief to be redeveloped. The proposed CRA is depicted on the attached map in **Appendix A**.

The proposed CRA includes several parcels of developable and residential land, the natural boundaries of which are Evans Blvd. to the West, Goosepond Road to the North, N. 21st Street to the East, and Jackson Blvd. to the south, along with the southern boundaries of parcels numbered 054-286698-00.000, 054-286470-00.176.

The proposed CRA is within the City limits and does not overlap with a preexisting CRA. It is approximately a [_____] square foot area, including agricultural land, commercial land, and housing units. In addition, the region surrounding the proposed CRA boundaries comprises several amenities like a historic downtown area with restaurants and small businesses, The Works Museum, the Midland Theater, Dawes Arboretum, Nature Preserves, and even the World's Largest Basket. Despite the area's serene location in an east-Columbus suburb, the area immediately surrounding the proposed CRA suffers from poor housing stock, lower economic status, and is generally of lesser quality than surrounding City areas.

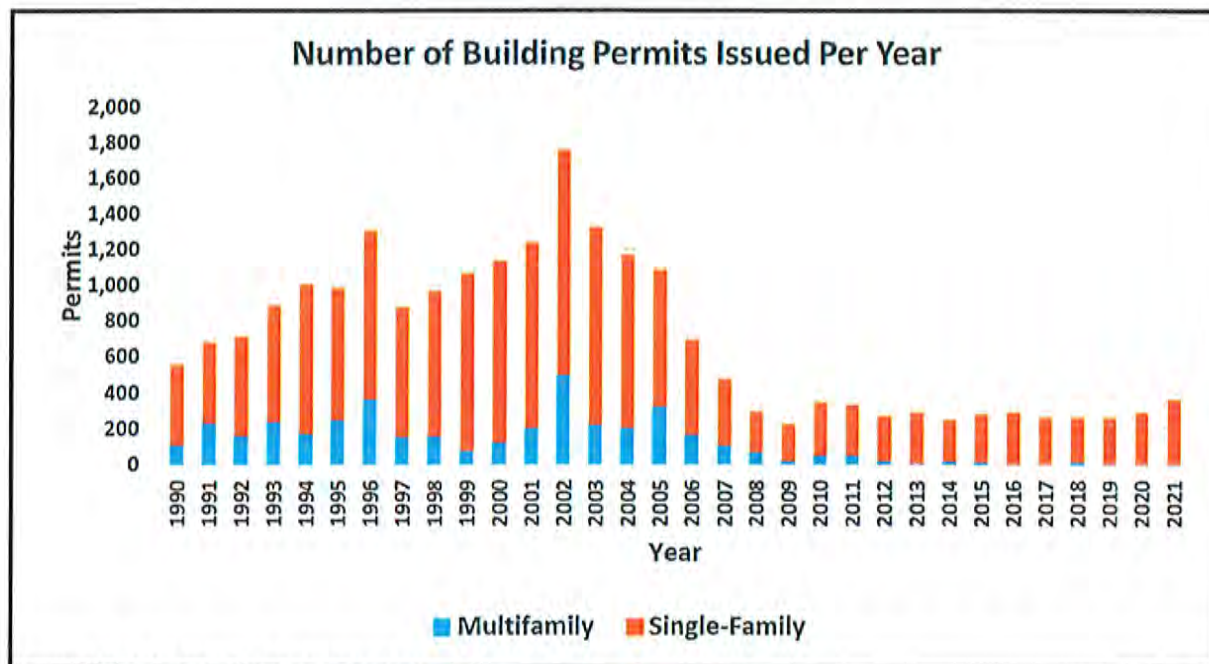
Blighted Structures

There are blighted structures and neighborhoods in a pre-blight phase scattered throughout the City. **Appendices B.1** and **B.2** show examples of blighted homes in and around the proposed CRA boundaries. These properties stand to benefit from the economic enhancement that will come with the proposed CRA.

Lack of New Construction in the Area

Over the last three years for which there is data, Licking County has seen flat change in the housing stock. This stagnation is evidenced by the comparison of demolition permits to new build permits. The County netted between 251-361 new single-family homes permits per year between 2018 and 2021 (2018:251; 2019:257; 2020:289; 2021:361)¹. A rate far below the anticipated need of the area, which has directly and negatively affected Newark’s ability to provide adequate housing options to its residents. On par with the County-wide trend, Newark’s total housing supply has increased only 0.9% since 2010.²

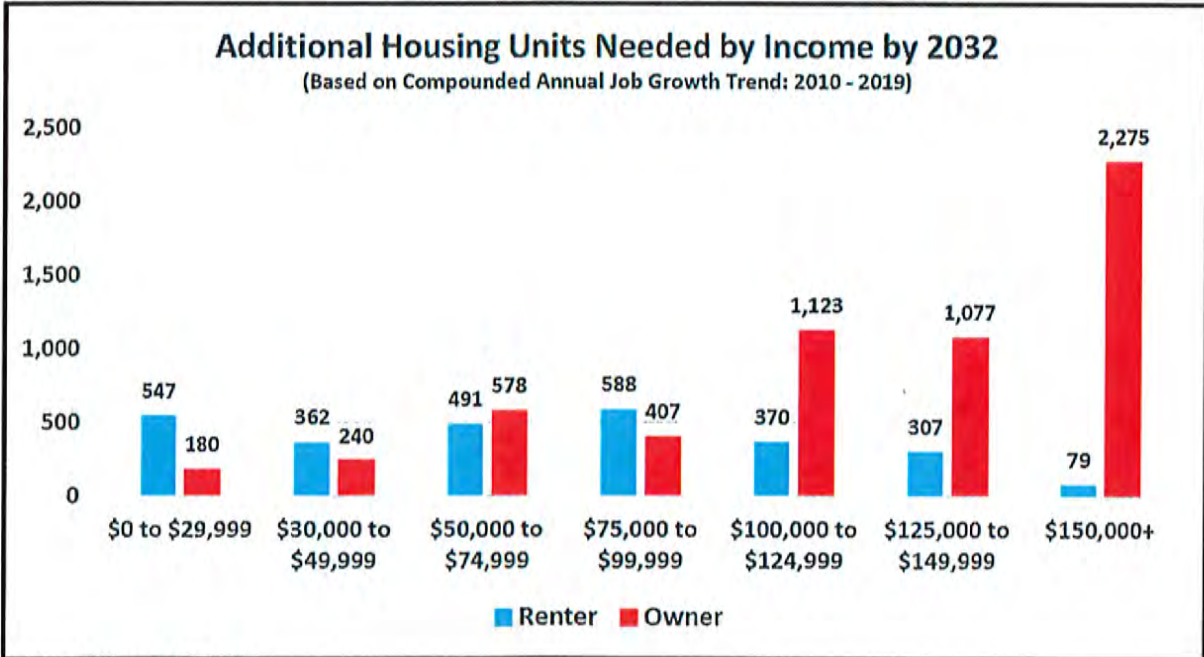
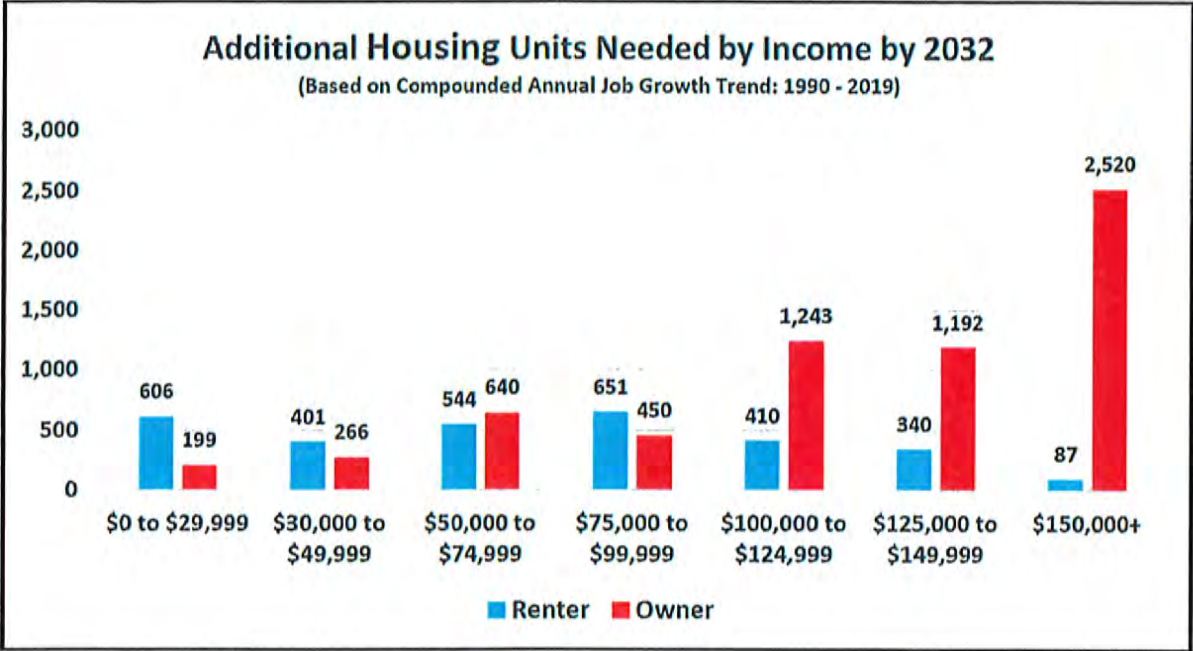
Please reference the charts below from the 2022 BIA of Central Ohio Housing Need Assessment:



Source: State of the Cities Data Systems (SOCDS)

¹ Information found on U.S. Department of Housing and Urban Development website State of the Cities Data Systems Index – <https://socds.huduser.gov/permits/index.html>?

² Information found on Town Charts website at <https://www.towncharts.com/Ohio/Housing/Newark-city-OH-Housing-data.html> (Figure 3).



Source: Vogt Strategic Insights

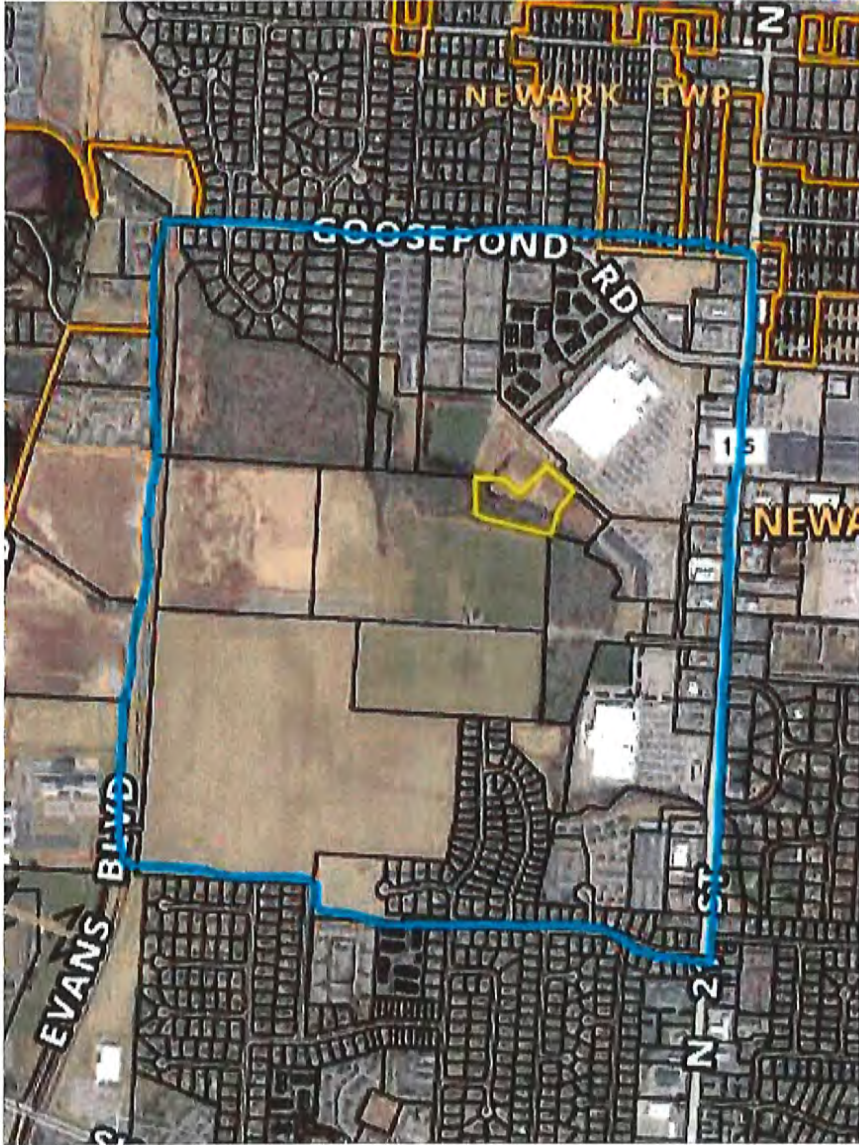
IV. CONCLUSIONS

The evidence for disinvestment and blight in the proposed area is summarized by the following:

- lower housing stock than surrounding areas in the City and County;
- higher number of dilapidated residential structures than the surrounding areas in the City and County; and
- undeveloped, underutilized parcels.

The proposed CRA has suffered from disinvestment and meets the criteria under O.R.C. §§ 3735.65–70. Creating the CRA will mitigate the blight that has set in and prevent blight from spreading to surrounding areas by encouraging reinvestment into properties in the area.

APPENDIX A – CRA Map



**APPENDIX B.1 – Examples of Dilapidated Structures
within the Proposed CRA Boundaries**

Example Property # 1

525 Goosepond Road, Newark, Ohio 43055; Parcel Number: 054-286422-00.004



Example Property # 2

515 Goosepond Road, Newark, Ohio 43055; Parcel Number: 054-286422-00.003



Example Property # 3

1433 Moloviste Avenue, Newark, Ohio 43055; Parcel Number: 054-292932-00.000



Example Property # 4

1442 Moloviste Avenue, Newark, Ohio 43055; Parcel Number: 054-287658-00.000



Example Property # 5

1452 Moloviste Avenue, Newark, Ohio 43055; Parcel Number: 054-294984-00.000



Example Property # 6

1435 Independence Court, Newark, Ohio 43055; Parcel Number: 054-286422-00.012



APPENDIX B.2 – Examples of Dilapidated Structures “Other Area Housing”
(all properties within City limits)

Example Property #1

1529 Kenarbre Drive, Newark, Ohio 43055; Parcel Number: 054-273420-00.000

About 100 yards from CRA boundary.



Example Property # 2

1557 Lemae Ave, Newark, Ohio 43055; Parcel Number: 054-293574-00.000

About 150 yards from CRA boundary.



Example Property # 3

1507 Lemae Avenue, Newark, Ohio 43055; Parcel Number: 054-290214-00.000

About 125 yards from CRA boundary.



Example Property # 4

342 Goosepond Road, Newark, Ohio 43055; Parcel Number: 054-273426-00.000

About 25 yards from CRA boundary.



Example Property # 5

1566 N 21st Street, Newark, Ohio 43055; Parcel Number: 058-293376-00.000

About 150 yards from CRA boundary.



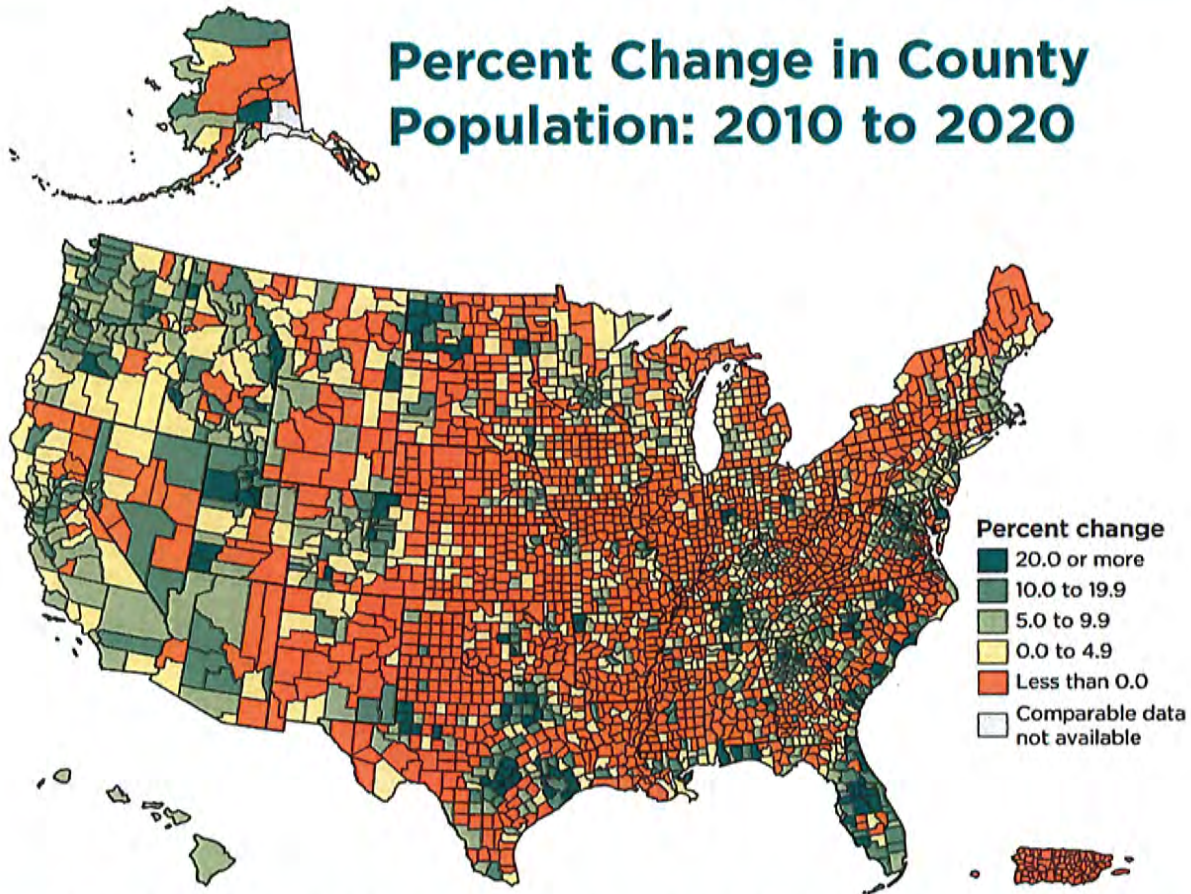
Example Property # 6

221 Greenfield Avenue, Newark, Ohio 43055; Parcel Number: 054-289662-00.000

About 200 yards from CRA boundary.



APPENDIX C – Population Growth Comparison Among Counties



Note: Bedford city, VA, was changed to town status and added to Bedford County, VA, effective July 1, 2013. For purposes of presenting data, Bedford County is treated as if Bedford city were included in it at the time of the 2010 census.

United States
Census
Bureau

U.S. Department of Commerce
U.S. CENSUS BUREAU
census.gov

Source: 2010 Census Redistricting Data (Public Law 94-171) Summary File; 2020 Census Redistricting Data (Public Law 94-171) Summary File

Plat of Survey

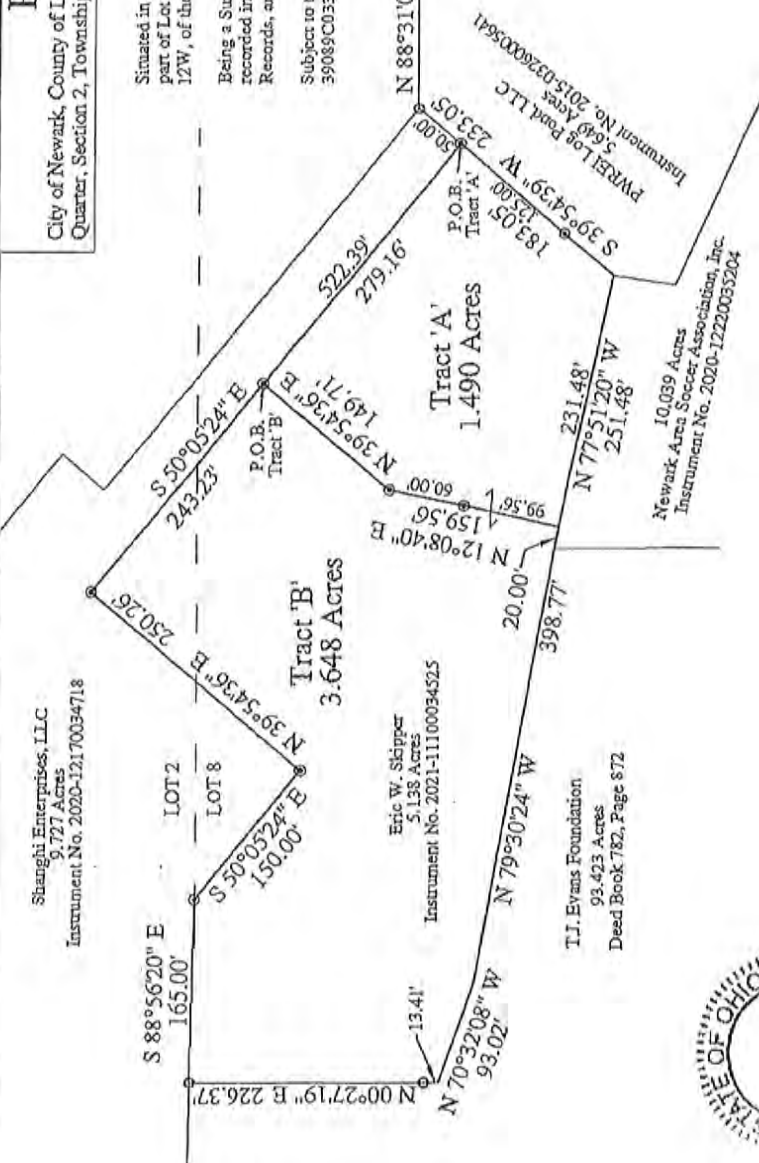
City of Newark, County of Licking, State of Ohio, part Lot 2 & Lot 8 of the Second Quarter, Section 2, Township 2N, Range 12W, of the United States Military Lands.

PROPERTY LOCATION:

Situated in the City of Newark, County of Licking, State of Ohio, and being part of Lot 2 & Lot 8 in the Second Quarter, Section 2, Township 2N, Range 12W, of the United States Military Lands.

Being a Survey of a 5.138 Acre parcel conveyed to Eric W. Skipper, as recorded in Instrument No. 2021-11100034525 the Licking County Deed Records, and being all of Auditor's P.P.N. 054-269904-00.000.

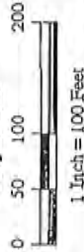
Subject to the Flood Zone 'AE' Plain, as per Community Panel No. 39089C03331, dated March 16, 2015, of the FEMA Maps of this area.



LEGEND

- - 3/4" o.d. Iron Pipe Found
- ⊙ - 5/8" x 30" long reinforcing bars w/ red cap stamped 'S.A. England #S-7452'
- - 5/8" o.d. Iron Pin Found
- △ - Mag Nail Set

Graphic Scale



BASIS OF BEARING

The bearings of this plat are based on the South line of Lot 2, as being N 88°56'20" W, and is an assumed Meridian used to denote angles only.

PREPARED BY:

S.A. ENGLAND SURVEYING
 Professional Land Surveying
 P.O. Box 1770
 Buckeye Lake, Ohio 43008
 PHONE: 740-323-0644
 email: saengland@surveyohio.com

I hereby certify that an actual survey of the premises was made, and that this plat is correct to the best of my knowledge.




2/11/22
 Scott A. England, P.S.
 Ohio Registered Surveyor #S-7452






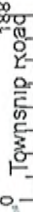



OnTrac Property Map






January 27, 2022

-  Street Number Only
-  Sales - 2022
-  Owner Name & Acres

-  Centerline Labels
-  Interstate/US/State Route
-  County Road

-  188 Feet
-  Township Road
-  Other Road type
-  Driveway

-  Interstates
-  Municipal Corporations
-  Jurisdictional Townships

LICKING COUNTY TAX MAP

Licking County Auditor GIS

Resolution No.24-08

BY: _____

A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

WHEREAS, to properly, efficiently and expeditiously conduct business of the City of Newark in the best interest of its citizens, there is an immediate requirement for a certain financial transaction as indicated.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, STATE OF OHIO.

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

100.203.5319	Misc.	1,670.94
--------------	-------	----------

This resolution is a measure providing for an appropriation for current expenses of the municipal corporation; it shall go into effect pursuant to Section 4.07 of the Charter of the City of Newark, Ohio.

Adopted this _____ day of _____, 2023.

President of Council _____

Attest Clerk of Council _____

Date filed with Mayor _____

Date approved by Mayor _____

Mayor _____

Approved as to form Director of Law _____, _____

Resolution No.24-09 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 100 General Fund, in the amount of \$3,077.00 (to pay Invoice for legal services)

100.102.5238	Services General	3,077.00
--------------	------------------	----------

This resolution is a measure providing for an appropriation for current expenses of the municipal corporation; it shall go into effect pursuant to Section 4.07 of the Charter of the City of Newark, Ohio.

Adopted this _____ day of _____, 2023.

President of Council _____

Attest Clerk of Council _____

Date filed with Mayor _____

Date approved by Mayor _____

Mayor _____

,
Approved as to form Director of Law _____, _____

RESOLUTION NO. 24-10

BY _____

A RESOLUTION AUTHORIZING AND DIRECTING THE AUDITOR OF THE CITY OF NEWARK TO PAY BILLS ON BEHALF OF THE CLERK OF COUNCIL PURSUANT TO SECTION 5705.41 (D), THEN AND NOW CERTIFICATION; AND DECLARING AN EMERGENCY.

WHEREAS, the Council President for the City of Newark did make the necessary inquiries that these billed amounts as indicated are legitimate and proper and did approve payment in the amounts shown; and

WHEREAS, at the time of the making of such contract or order and at the time of the execution of such certificate a sufficient sum appropriated for the purpose of such contract or order was in the treasury or in the process of collection to the credit of an appropriate fund free from any previous encumbrances as indicated by the attached Auditor's certification.

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

SECTION 1: That the Auditor for the City of Newark be, and he herewith is, authorized and directed to pay bills as follows:

1. To, Baker, Dublikar, dated January 15, 2024, in the amount of \$3.077.00, for legal council State ex rel. Marcia J Phelps, Clerk of Courts..

SECTION 2: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public, peace, health and safety, and for the further reason that an emergency exists in the usual daily operation of the various departments of the municipal government, and said Resolution shall, therefore, become effective upon its date of passage and approval by the Mayor, provided that it receives the affirmative vote of two-thirds (2/3) of the members elected to the Council of the City of Newark; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

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

Prepared by the Auditor's Office

RESOLUTION NO: 24-13

BY: _____

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

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

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

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

WHEREAS, this matter was considered in regular session by the Service Committee who voted to refer the same to full Council for consideration.

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

Section 1: The Director of Public Service is hereby authorized to negotiate and enter in contract with Johnson Controls for the purchase and installation of a new secondary boiler for the Newark Police Department, subject to the appropriation of funds.

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

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

Passed this _____ day of _____, 2024

President of Council

Attest: _____
Clerk of Council

Date Filed with Mayor: _____

Date Approved by Mayor: _____

Mayor

Form Approved: _____
Director of Law

RESOLUTION NO. 24-14

BY: _____

**A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF
THE MUNICIPAL CORPORATION WITH REGARD TO THE RETENTION OF
OUTSIDE LEGAL COUNSEL**

WHEREAS, the Mayor and the various Department Directors require specialized legal services from time to time; and,

WHEREAS, the Director of Law does not always have the staff or the expertise required in such highly specialized areas of law; and,

WHEREAS, it has become necessary for the City of Newark to retain specialized legal services associated with the creation of New Community Authorities within the City of Newark, Ohio.

WHEREAS, the Director of Law concurs in the decision to retain outside legal counsel as requested and there is a reasonable basis to believe that the cost of such outside legal counsel will exceed the sum of \$10,000.00.

WHEREAS, this matter was considered by the Finance Committee of this Council at a regularly scheduled meeting thereof and passed on to full Council for consideration;

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

Section 1: There is hereby appropriated from the unappropriated balance of the general fund account the amount of \$25,000.00 to be placed into the Department of Service Account for use by the Mayor and/or the Service Director on behalf of the City in retaining specialized legal services associated with the creation of New Community Authorities within the City of Newark, Ohio.

Section 2: That such appropriation for the retention of specialized legal services is in full compliance with all prior ordinances and resolutions of this Council with regard to the means by which such services are to be engaged.

Section 3: This resolution shall become effective at the earliest time permitted by Article 4.07 of the Charter of the City of Newark, Ohio.

Passed this _____ day of _____, 2024.

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

DATE FILED WITH MAYOR: _____

DATE APPROVED BY MAYOR: _____

MAYOR

Approved as to Form: _____
Director of Law

Resolution No.24-15 CI

BY: _____

A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

WHEREAS, to properly, efficiently and expeditiously conduct business of the City of Newark in the best interest of its citizens, there is an immediate requirement for a certain financial transaction as indicated.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, STATE OF OHIO.

Section 1. There is hereby an appropriation of the unappropriated balance of the 335 Capital Improvement Fund, in the amount of \$91,000.00 (NFD Hollander Fire Station Roof, STR Sign Maker)

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

This resolution is a measure providing for an appropriation for current expenses of the municipal corporation; it shall go into effect pursuant to Section 4.07 of the Charter of the City of Newark, Ohio.

Adopted this _____ day of _____, 2023.

President of Council _____

Attest Clerk of Council _____

Date filed with Mayor _____

Date approved by Mayor _____

Mayor _____

Approved as to form Director of Law _____, _____

RESOLUTION NO. 24-16

BY: _____

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

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

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

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

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

WHEREAS, the Service Committee of the Newark City Council met on February 5, 2024, and voted to forward the matter to the full Council for its further consideration;

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

SECTION ONE: The Director of Public Service is hereby authorized to enter into a purchase agreement with the owner of the property located at 261 and 263 Mount Vernon Road, Newark, Ohio, for the purchase of said property subject to the appropriation of funds, if any.

SECTION TWO: This Resolution shall become effective at the earliest time permitted by Article 4.07 of the Charter of the City of Newark, Ohio.

Passed this _____ day of _____, 2024.

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

DATE FILED WITH MAYOR: _____

DATE APPROVED BY MAYOR: _____

MAYOR

FORM APPROVED: _____
DIRECTOR OF LAW

Prepared by the Office of the Director of Law