COUNCIL AGENDA

July 15, 2024 Committee and Council Meetings can be viewed by accessing YouTube

Council Chambers 7:00 P.M.

ROLL CALL

INVOCATION - Mr. Houser

PLEDGE OF ALLEGIANCE

CAUCUS

MINUTES of July 1, 2024

APPOINTMENTS There are none this meeting.

REPORTS OF STANDING COMMITTEES

Finance Service Personnel

REPORTS FROM CITY OFFICIALS

Ryan Bubb, City Auditor – The Operating Report for the period ending June 30, 2024. **Brandon Fox, Water Administrator** – The Division of Water and Wastewater Annual Report for 2023.

Brenda Cooper, Tax Administrator – Income Tax Revenue Reports for the period ending June 30, 2024.

COMMUNICATIONS

Ohio Division of Liquor Control – New Liquor Permit Application for Archive Newark LLC, 35 N. 3rd St., Unit 14, Newark, OH 43055

COMMENTS FROM CITIZENS

ORDINANCES ON SECOND READING

24-22 AN ORDINANCE VACATING A PORTION OF IRON AVENUE, RUNNING WEST FROM VANVOORHIS STREET; SAID STREET RIGHT-OF-WAY IS LOCATED NORTH OF 383 IRON AVENUE.

ORDINANCES ON FIRST READING

24-24 AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 203 NORTH GAY STREET, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-193776-00.000 FROM THAT OF SINGLE-FAMILY RESIDENCE - RH - HIGH DENSITY DISTRICT TO TFR - TWO-FAMILY RESIDENCE DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO

24-25 AN ORDINANCE CREATING THE POSITION OF <u>Assistant Director</u> IN THE CITY OF NEWARK, DEPARTMENT OF <u>Community/Economic Development</u>, AND AMENDING THE DEPARTMENT AUTHORIZATION TABLES OF AND SETTING THE COMPENSATION THEREFORE

RESOLUTIONS ON SECOND READING

There are none this meeting.

RESOLUTIONS ON FIRST READING

24-62 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO TO NEGOTIATE AND ENTER INTO CONTRACT, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR PROFESSIONAL ENGINEERING SERVICES IN CONNNECTION WITH THE WASTEWATER PLANT AND COLLECTION SYSTEM MASTER PLANNING PROJECT. PURSUANT TO ARTICLE 10.02 (D) OF THE CHARTER OF THE CITY OF NEWARK, THIS CONTRACT FOR PROFESSIONAL SERVICES DOES NOT REQUIRE COMPETITIVE BIDDING.

24-63 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUBMIT APPLICATIONS TO THE OHIO DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2024 EDWARD BYRNE JUSTICE ASSITANCE GRANT (JAG) FUNDING.

24-64 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$350,000.00 Wastewater Master Plan) (\$50,000.00 To replenish some of what was transferred to the health insurance fund.)

COMMENTS FROM CITIZENS

MISCELLANEOUS

ADJOURNMENT

BY:

AN ORDINANCE VACATING A PORTION OF IRON AVENUE, RUNNING WEST FROM VANVOORHIS STREET; SAID STREET RIGHT-OF-WAY IS LOCATED NORTH OF 383 IRON AVENUE.

WHEREAS, Newark City Council received a petition from owners of real estate in the City of Newark praying for the herein described street right-of-way vacation; and,

WHEREAS, the Street Committee of the City of Newark met on June 17, 2024, and considered the procedure as outlined in Section 723.06 of <u>The Ohio Revised Code</u> whereby notice of the intention to vacate is not required, and approved the preparation and submittal of this legislation for Council consideration, in accordance with Section 723.06 of <u>The Ohio Revised Code</u>; and,

WHEREAS, this Council finds there is good cause for such vacation and that such vacation will not be detrimental to the general interest.

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

Section 1: The following described portion of Iron Avenue is hereby vacated, reserving, however, unto the City of Newark, Ohio, its successors and assigns, easements for construction, maintenance, and operation of various utilities, publicly owned and otherwise, to wit:

Being in the State of Ohio, County of Licking, City of Newark, and being a portion of Iron Avenue, lying west of VanVoorhis Street, as shown on the Plat of the Wehrle Addition as recorded in Plat Book 3 at Page 223 of the Licking County Plat Records, and being more particularly described as follows:

Beginning at the northeast corner of Lot 4701 of said Wehrle Addition, said point being on the south line of Iron Avenue and the west line of VanVoorhis Street;

Thence west along the north line of Lot 4701 to the northwest corner of Lot 4701, said point also marking the end of Iron Avenue previously vacated by Ordinance 1669 dated September 11,1905;

Thence north along the vacated Iron Avenue right-of-way to the north right-of-way line of Iron Avenue;

Thence east along the north right-of-way line of Iron Avenue to a point, said point being the northern projection of the west line of VanVoorhis Street;

Thence south, crossing Iron Avenue, to the Place of Beginning.

This description was written based on information provided in existing plat and tax records, without the benefit of a field survey.

- **Section 2:** The Division of Engineering of the City of Newark is hereby instructed to prepare a vacation plat of said vacated street and the Clerk of Council is instructed to endorse upon such plat the action of this Council, and to cause such plat to be recorded in the Office of the Recorder of Licking County, Ohio.
- **Section 3:** This Ordinance shall become effective at the earliest time permitted by law after passage by Council and signature of the Mayor.

Adopted this ______day of ______, 2024.

President of Council

Attest: _____

Date Filed with Mayor: _____

Date Approved by Mayor: _____

Mayor

Form Approved by: _____

Law Director

Prepared by the Division of Engineering.

ORDINANCE NO. 24-24

BY:

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 203 NORTH GAY STREET, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID# 054-193776-00.000, FROM THAT OF SINGLE-FAMILY RESIDENCE RH – HIGH DENSITY DISTRICT TO TFR – TWO-FAMILY RESIDENCE DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

WHEREAS, an application for change of zoning classification has been filed with the Office of the Engineer and with the Clerk of this 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 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, which hearing shall constitute a second reading of this ordinance and shall take such action as is appropriate pursuant to Article 4.12 of the Charter of the City of Newark, Ohio.

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

Section 1: The zoning map as established by Ordinance 08-33 (A) is hereby revised by changing the zoning classification for the following described property from SINGLE-FAMILY RESIDENCE RH – HIGH DENSITY DISTRICT TO TFR – TWO-FAMILY RESIDENCE DISTRICT, Zoning Code of the City of Newark.

SEE EXHIBIT "A" FOR LEGAL DESCRIPTION

Section 2: Pursuant to Article 4.12(C) of the Charter of the City of Newark, Ohio, a vote of at least six (6) members shall be necessary to adopt or defeat the ordinance in the event the Planning Commission has recommended approval or has made no recommendation. An affirmative vote of at least seven (7) Council members shall be necessary to adopt a zoning ordinance that the Planning Commission has recommended against approval.

Section 3: The Newark Planning Commission is hereby authorized and directed to make the change described herein on the aforementioned zoning map.

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

Passed this ______ day of ______, 20____.

PRESIDENT OF COUNCIL

ATTEST: Clerk of Council

DATE FILED WITH MAYOR: _____

DATE APPROVED BY MAYOR: _____

MAYOR
h M M
FORM APPROVED:
Director of Law
DESCRIPTION APPROVED:

Brian Morehead, Engineer

Prepared by the Office of the Director of Law

BY:

AN ORDINANCE CREATING THE POSITION OF <u>Assistant Director</u> IN THE CITY OF NEWARK, DEPARTMENT OF <u>Community/Economic Development</u>, AND AMENDING THE DEPARTMENT AUTHORIZATION TABLES OF AND SETTING THE COMPENSATION THEREFORE

 WHEREAS, the Department of _______
 Community/Economic Development ______

 _______has had cause to review their staffing needs and has determined that the creation of the Position <u>Assistant Director</u> is warranted due to changing workplace needs; and,

WHEREAS, in order to accomplish the foregoing objective, it is necessary to amend the position classification/pay range table for the <u>Department of Community/Economic Development</u>

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:

<u>SECTION 1:</u> The position classification/pay range table for the <u>Management and</u> <u>Supervisory Statement of Policy</u> is hereby amended as follows: <u>addition of</u> <u>Assistant Director, Department of Community/Economic Development</u>

<u>SECTION 2</u>: The position of <u>Assistant Director</u> shall receive compensation and benefits as set forth in the current <u>Management and Supervisory Exempt</u> <u>Statement of Policy</u>. This position is in the <u>Classified Exempt</u> service of the City of Newark

<u>SECTION 3</u>: 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

Yes	1.601.160.01	Director	Comm/Econ Development	Appointed officials	Single
TBD	2.601.126.02	Asst Director	Comm/Econ Development	Management & Supervisory Exempt	Single
Yes	4.601.666.01	Office Manager/ Account Clerk	Comm/Econ Development	Non-Bargaining Full Time	Single
Yes	4.601.693.01	Code Enforcer/Rehab Specialist	Comm/Econ Development	Non-Bargaining Full Time	Single
Yes	8.601.696.01	Grant Writer	Comm/Econ Development	Non-Bargaining Exempt	Single
				Previous Total	4
				Proposed	5

*Revised Management and Supervisory Statement of Policy

APPENDIX A: CITY OF NEWARK MANAGEMENT AND SUPERVISORY CLASSIFICATIONS

ADULT PROBATION DEPARTMENT

Adult Probation Director Senior Probation Officer

AUDITOR'S DEPARTMENT

Accounting Manager

CEMETERY/PARKS DIVISION

Superintendent Asst. Superintendent Operations Manager

COMMUNITY/ECONOMIC DEVELOPMENT

Assistant Director of Community/Economic Development

ENGINEERING DIVISION

City Engineer Development Engineer Senior Engineer Storm Water Coordinator Street and Traffic Engineer

HUMAN RESOURCES DEPARTMENT

Assistant Director of Human Resources

INCOME TAX/TREASURER DEPARTMENT

Income Tax Administrator Tax Office Manager

LAW DIRECTOR DEPARTMENT

Special Services Coordinator

Mayor's Department

Administrative Assistant

SAFETY DEPARTMENT

Property Code Official Property Maintenance Official/Rehab Specialist Supervisor

STREET MAINTENANCE

Superintendent Assistant Superintendent Street Control Operations Manager

WASTEWATER TREATMENT PLANT AND ENVIRONMENTAL LAB DIVISION

Wastewater Facilities Manager Wastewater Facilities Assistant Manager Chemist

WATER TREATMENT PLANT DIVISION

Water Facilities Manager Water Facilities Assistant Manager

WATER DISTRIBUTION/SANITARY SEWER DIVISION

Utilities Maintenance Manager

Utilities Maintenance Assistant Manager Utility Operations Supervisor WATER OFFICE DIVISION

Business Manager

WATER ADMINISTRATION DIVISION

Water Administrator Project Manager Construction Services Manager Utilities Engineer

*Amended Wage Table

DEPARTMENT	JOB TITLE	2023 (7%)	2024 (4%)	2025 (4%)	2023 (7%)	2024 (4%)	2025 (4%)
ADULT PROBATION	Adult Probation Director	35.9333	37.3707	38.8655	74,741.33	77,730.98	80,840.22
	Senior Probation Officer	30.5570			63,558.56	66,100.90	68,744.94
AUDITOR	Accounting Manager	36.1908	37.6385	39.1440	75,276.94	78,288.01	81,419.53
CEMETERY/PARKS	Superintendent	38.8561	40.4104	42.0268	80,820.74	84,053.57	87,415.72
	Assistant Superintendent	33.2021	34.5302	35.9114	69,060.37	71,822.78	74,695.69
	Operations Manager	28.6435	29.7892	30.9808	59,578.42	61,961.56	64,440.02
Community Development	Assistant Director of Community Development		34.8172	36.2099		72,419.80	75,316.59
		04.0500		00.0554	107 110 00	100 510 01	107.010.05
ENGINEER	City Engineer	61.2566	63.7068		127,413.69	132,510.24	137,810.65
	Senior Engineer Street and Traffic Engineer	49.6311 48.3177	51.6164		103,232.76	107,362.07	111,656.55
	Development Engineer	48.3177			100,500.90 100,500.97	104,520.93 104,521.01	108,701.77 108,701.85
		40.5170	30.2000	32.2003	100,000.07	104,021.01	100,701.00
ENVIRONMENTAL LAB	Chemist	38.7244	40.2734	41.8843	80,546.73	83,768.60	87,119.34
HUMAN RESOURCES	Assistant Director of Human Resources	33.4781	34.8172	36.2099	69,634.42	72,419.80	75,316.59
INCOME TAX	Income Tax Administrator	41.6329	43.2982	45.0302	86,596.48	90.060.34	93,662.75
	Tax Office Manager	32.1265			66,823.19	69,496.12	72,275.97
LAW DIRECTOR	Special Service Coordinator	29.7297	30.9189	32.1557	61,837.87	64,311.39	66,883.84
MAYOR	Administrative Assistant	30.5993	31.8233	33.0962	63,646.60	66,192.47	68,840.17
POLICE	Communications Supervisor	33.7788	35.1299	36.5351	70,259.84	73,070.23	75,993.04
SAFETY	Property Code Official	31.9587	33.2371	34.5666	66,474.16	69,133.13	71,898.45
	Propery Maintenance Offical/Rehab Specialist Supervisor	35.1569	36.5632	38.0257	73,126.41	76,051.46	79,093.52
STREET MAINTENANCE	Superintendent	42.2602	43.9506	45.7087	87,901.26	91,417.31	95,074.00
	Assistant Superintendent	39.3177			81,780.85	85,052.08	88,454.17
	Street/Traffic Control Operations Manager	28.5793			59,445.02	61,822.82	64,295.74
STORMWATER	Storm Water Coordinator	42.5408	44.2424	46.0121	88,484.87	92,024.27	95,705.24
WASTEWATER TREATMENT PLANT	Wastew ater Facilities Manager Wastew ater Facilities Assistant Manager	43.6782 39.3177	45.4253 40.8904		90,850.61 81,780.85	94,484.64 85,052.08	98,264.02 88,454.17
	Wastew aler Facilities Assistant Manager	39.3177	40.0904	42.3200	01,700.05	05,052.00	00,404.17
WATER ADMINISTRATION	Water Administrator	56.6389	58.9045	61.2606	117,808.93	122,521.28	127,422.14
	Project Manager	49.6311	51.6164		103,232.74	107,362.05	111,656.53
	Business Manager	39.7106			82,598.02	85,901.94	89,338.02
	Utilities Engineer	54.0145	56.1750		112,350.07	116,844.07	121,517.83
	Construction Services Manager	35.3100	36.7224	38.1913	73,444.80	76,382.59	79,437.90
WATER DISTRIBUTION/SEWER MAINTENANCE	Litilities Maintenance Manager	42.0005	43.6805	45.4278	87,361.06	90,855.51	94,489.73
	Utilities Maintenance Assistant Manager	37.7238			78,465.52	81,604.14	84,868.30
	Utility Operations Supervisor	35.3100			73,444.87	76,382.67	79,437.97
	Mater Facilities Manager	40.0004	44.0070	40.4750	00.075.07	00.050.70	00.000 70
WATER TREATMENT PLANT	Water Facilities Manager Water Facilites Assistant Manager	42.9691 38.6091	44.6878 40.1535		89,375.67 80,306.98	92,950.70 83,519.26	96,668.72 86,860.03
	manager a demote method and manager	00.0001	10.1000	11.1000	30,000.00	00,010.20	00,000.00

BY: ____

A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO TO NEGOTIATE AND ENTER INTO CONTRACT, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR PROFESSIONAL ENGINEERING SERVICES IN CONNNECTION WITH THE WASTEWATER PLANT AND COLLECTION SYSTEM MASTER PLANNING PROJECT. PURSUANT TO ARTICLE 10.02 (D) OF THE CHARTER OF THE CITY OF NEWARK, THIS CONTRACT FOR PROFESSIONAL SERVICES DOES NOT REQUIRE COMPETITIVE BIDDING.

WHEREAS, the City of Newark operates a wastewater treatment plant and collection system that requires certain work to be completed to maintain the system; and,

WHEREAS, an update of the long-term planning model and capital improvement plan is needed in order to ensure adequate treatment capacity of the facility and collection system; and,

WHEREAS, due to the highly specialized and technical nature of the work needed, the Division of Water and Wastewater is requesting that the Service Director be authorized and directed to negotiate and enter into contract, subject to the appropriations of funds, with an engineering firm to provide professional services to the City in order to facilitate the project; and,

WHEREAS, Section 10.02(D) of the City Charter explicitly exempts contracts for professional services from the competitive bidding process; and,

WHEREAS, the Service Committee of the Newark City Council met on the 1st day of July, 2024 and voted to forward this legislation to 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 1: The Director of Public Service is hereby authorized and directed to negotiate and enter into contract, subject to the appropriation of funds, for engineering services relative to the wastewater system Master Planning project.
- Section 2: This resolution shall become effective at the earliest time permitted in accordance with Article 4.07 of the Charter of the City of Newark, Ohio.

Passed this _____ day of _____ 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 Division of Water and Wastewater

RESOLUTION NO. 24-63

BY _____

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUBMIT APPLICATIONS TO THE OHIO DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2024 EDWARD BYRNE JUSTICE ASSITANCE GRANT (JAG) FUNDING.

WHEREAS, the State of Ohio provides financial assistance to state and local law enforcement agencies for activities which, among other purposes, improve the effectiveness of the criminal justice system; and,

WHEREAS, in Ohio, the Edward Byrne Memorial Justice Assistance Grant is administered by the Ohio Department of Public Safety, Office of Criminal Justice Services; and,

WHEREAS, the Ohio Office of Criminal Justice Services prepared funding directives which provides that funds are available for activities to prevent and control crime, and to improve the criminal justice system; and,

WHEREAS, the local match is 25%

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 Department of Public Safety Office of Criminal Justice Services for funding assistance through the Edward Byrne Justice Assistance Grant for Fiscal Year 2024, and to make in connection wherewith, 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 crime prevention funding programs.				
Section 3:	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 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 THI	S DAY OF	, 2024			
		, PRESIDENT OF COUNCIL			
ATTEST		, CLERK OF COUNCIL			
DATE FILED W	/ITH MAYOR				
DATE APPROV	ED BY MAYOR				
		, MAYOR			
FORM APPROV	/ED:	, DIRECTOR OF LAW			

Resolution No.24-64

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 661 Sewer Fund, in the amount of \$350,000.00 (Wastewater Master Plan)

661.715.5231	Professional Services	350,000.00	

Section 2. There is hereby an appropriation of the unappropriated balance of the 100 General Fund, in the amount of \$50,000.00 (To replenish some of what was transferred to the health insurance fund.)

100.111.5901152	OPT Budget Stabilization	50,000.00

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 ______, 2024.

President of Council _____

Attest Clerk of Council ______

Date filed with Mayor _____ Date approved by Mayor _____

Mayor _____

Approved as to form Director of Law _____,