

COUNCIL AGENDA

November 4, 2024

Committee and Council Meetings can be viewed by accessing YouTube

Council Chambers

7:00 P.M.

ROLL CALL

INVOCATION – Ms. Bline

PLEDGE OF ALLEGIANCE -

CAUCUS

MINUTES of October 21, 2024

APPOINTMENTS

There are none this meeting.

REPORTS OF STANDING COMMITTEES

Finance

Safety

Personnel

REPORTS FROM CITY OFFICIALS

There are none this meeting.

COMMUNICATIONS

There are none this meeting.

PUBLIC HEARINGS

24-26 AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 1845 WEST MAIN STREET, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-218160-00.000 FROM THAT OF GB – GENERAL BUSINESS ZONING DISTRICT TO LI – LIMITED INDUSTRIAL ZONING DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO

Upon consideration of the information presented, the following actions are recommended:

- 1. The zoning classification for the parcel at 1845 W. Main St. shall be changed to LI – Limited Industrial District. Ordinance 24-26 is recommended for passage and approval by Council.*

COMMENTS FROM CITIZENS

ORDINANCES ON SECOND READING

24-39 AN ORDINANCE MODIFYING THE PAY RANGE FOR THE POSITION OF Senior Automotive Mechanic/Equipment Operator IN THE CITY OF NEWARK, DEPARTMENT OF Service, DIVISION OF Street Maintenance AND AMENDING THE DEPARTMENT AUTHORIZATION TABLES OF AND SETTING THE COMPENSATION THEREFORE

24-40 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 RECLASSIFYING THE CLASSIFICATIONS (4) OF GROUNDS MAINTENANCE WORKERS, AND ABOLISHING THE CLASSIFICATION (2) OF EQUIPMENT OPERATORS AND ABOLISHING THE CLASSIFICATION OF ASSISTANT SUPERINTENDENT WHILE CREATING TWO ADDITIONAL CLASSIFICATIONS OF GROUNDS MAINTENANCE WORKERS AND SETTING THE COMPENSATION THEREFORE

ORDINANCES ON FIRST READING

There are none this meeting.

RESOLUTIONS ON SECOND READING

24-85 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

24-87 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO TO APPLY FOR, ACCEPT AND ENTER INTO A WATER SUPPLY REVOLVING LOAN ACCOUNT AGREEMENT ON BEHALF OF THE CITY OF NEWARK FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF LEAD SERVICE LINE REPLACEMENT PROJECT #6 AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN.

24-89 Major rehabilitation of pavement; replacement of composite pavement and construction of additional general use lanes. Bridge and culvert maintenance work to be completed within project area.

24-90 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A NEW MANAGEMENT AGREEMENT WITH THE LICKING COUNTY FAMILY YMCA TO OPEN AND OPERATE THE HOLLANDER POOL

RESOLUTIONS ON FIRST READING

24-91 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

24-92 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SAFETY FOR THE CITY OF NEWARK, OHIO, TO RELEASE THE LIEN PREVIOUSLY PLACED AGAINST THE PROPERTY

LOCATED AT AND KNOWN AS 492 JEFFERSON ROAD, NEWARK, OHIO AND DECLARING AN EMERGENCY

24-93 A resolution repealing Resolution 20-55 and consenting to an enterprise zone abatement agreement between the Board of County Commissioners of Licking County, Ohio and Packaging Corporation of America and authorizing the director of public service to execute such agreement on behalf of the city of Newark

COMMENTS FROM CITIZENS

MISCELLANEOUS

ADJOURNMENT

ORDINANCE NO. 24-26

BY: _____

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 1845 WEST MAIN STREET, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-218160-00.000 FROM THAT OF GB – GENERAL BUSINESS ZONING DISTRICT TO LI – LIMITED INDUSTRIAL ZONING 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 GB – GENERAL BUSINESS ZONING DISTRICT TO LI – LIMITED INDUSTRIAL ZONING 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

ORDINANCE NO: 24-39

BY: _____

AN ORDINANCE MODIFYING THE PAY RANGE FOR THE POSITION OF Senior Automotive Mechanic/Equipment Operator IN THE CITY OF NEWARK, DEPARTMENT OF Service, DIVISION OF Street Maintenance AND AMENDING THE DEPARTMENT AUTHORIZATION TABLES OF AND SETTING THE COMPENSATION THEREFORE

WHEREAS, the Division of Street Maintenance has had cause to review their staffing needs and has determined that an alteration to the current position of Senior Automotive Mechanic/Equipment Operator 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 Department of Service - Division of Street Maintenance; and,

WHEREAS, the Personnel Committee considered this matter on October 7, 2024, 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 classification/pay range table for the *Street/Traffic Control Operations Manager* is hereby amended as follows: Pay Range 42 and Class 2 License Pay as per Collective Bargaining Agreement AFSCME 2963

SECTION 3: The position of *Senior Automotive Mechanic/Equipment Operator* shall receive compensation and benefits as set forth in the current Pay Range 42 and Class 2 License Pay as per Collective Bargaining Agreement AFSCME 2963. This position is in the classified non-exempt 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	2.302.211.01	Assistant Superintendent	Street Maint.	MGMT EXEMPT	Single
Yes	2.302.212.01	Street/Traffic Control Ops Mgr	Street Maint.	MGMT EXEMPT	Single
Yes	2.302.222.01	Superintendent	Street Maint.	MGMT EXEMPT	Single
Yes	3.302.319.01	Data Technician/Sign Fabricator	Street Maint.	AFSCME	Single
Yes	3.302.320.01	Equipment Operator	Street Maint.	AFSCME	Single
Yes	3.302.320.02	Equipment Operator	Street Maint.	AFSCME	Single
Yes	3.302.320.03	Equipment Operator	Street Maint.	AFSCME	Single
Yes	3.302.320.04	Equipment Operator	Street Maint.	AFSCME	Single
Yes	3.302.321.01	Equipment Operator	Street Maint.	AFSCME	Single
Yes	3.302.321.02	Equipment Operator	Street Maint.	AFSCME	Vacant
Yes	3.302.623.01	Sign Fabricator/Impound Clerk	Street Maint.	AFSCME	Vacant
Yes	3.302.812.01	Senior Auto Mechanic/Equip Op	Street Maint.	AFSCME	Single
Yes	3.302.813.02	Auto Mechanic/Equipment Operator	Street Maint.	AFSCME	Single
Yes	3.302.813.03	Auto Mechanic/Equipment Operator	Street Maint.	AFSCME	Vacant
Yes	3.302.830.01	Equipment Operator	Street Maint.	AFSCME	Vacant
Yes	3.302.830.02	Equipment Operator	Street Maint.	AFSCME	Single
Yes	3.302.830.03	Equipment Operator	Street Maint.	AFSCME	Single
Yes	3.302.830.04	Equipment Operator	Street Maint.	AFSCME	Single
Yes	3.302.830.05	Equipment Operator	Street Maint.	AFSCME	Single
Yes	3.302.830.06	Equipment Operator	Street Maint.	AFSCME	Single
Yes	3.302.830.07	Equipment Operator	Street Maint.	AFSCME	Vacant
Yes	3.302.830.08	Equipment Operator	Street Maint.	AFSCME	Single
Yes	3.302.830.09	Equipment Operator	Street Maint.	AFSCME	Single
Yes	3.302.830.10	Equipment Operator	Street Maint.	AFSCME	Vacant
Yes	3.302.830.11	Equipment Operator	Street Maint.	AFSCME	Single
Yes	3.302.830.12	Equipment Operator	Street Maint.	AFSCME	Single
Yes	3.302.830.13	Equipment Operator	Street Maint.	AFSCME	Single
Yes	3.302.830.14	Equipment Operator	Street Maint.	AFSCME	Vacant
Yes	3.302.830.15	Equipment Operator	Street Maint.	AFSCME	Vacant
Yes	3.302.830.16	Equipment Operator	Street Maint.	AFSCME	Vacant
Yes	3.302.864.01	Crew Leader	Street Maint.	AFSCME	Single
Yes	3.302.865.01	Crew Leader	Street Maint.	AFSCME	Vacant
Yes	3.302.865.02	Crew Leader	Street Maint.	AFSCME	Vacant
Yes	4.302.662.01	Secretary 1	Street Maint.	NON-BARG	Single

ORDINANCE NO: 24-40

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 RECLASSIFYING THE CLASSIFICATIONS (4) OF Grounds Maintenance Workers, AND ABOLISHING THE CLASSIFICATION (2) OF EQUIPMENT OPERATORS and ABOLISHING THE CLASSIFICATION OF ASSISTANT SUPERINTENDENT while CREATING TWO ADDITIONAL CLASSIFICATIONS OF GROUNDS MAINTENANCE WORKERS 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 decrease by 1;

and,

WHEREAS, the Personnel Committee considered this matter on 10.7.24, 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 Grounds Maintenance Worker is hereby reclassified 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 34 - AFSCME L2963 Collective Bargaining Agreement. This position is in the classified service of the City of Newark.

SECTION 4: The two positions of Equipment Operator are *abolished*.

SECTION 5: The position of Assistant Superintendent is *abolished*.

SECTION 6: Two positions of Grounds Maintenance Workers are hereby created within the Department of Public Service Division of Cemetery and Parks.

SECTION 7: 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	432 - Cemetery & Parks	MGMT EXEMPT	Single
Yes	2.432.211.01	Assistant Superintendent	432 - Cemetery & Parks	MGMT EXEMPT	Vacant
Yes	2.432.230.01	Operations Manager	432 - Cemetery & Parks	MGMT EXEMPT	Single
Yes	3.432.830.01	Equipment Operator	432 - Cemetery & Parks	AFSCME FT	Vacant
Yes	3.432.830.02	Equipment Operator	432 - Cemetery & Parks	AFSCME FT	Single
Yes	3.432.831.01	Grounds Maintenance Worker	432 - Cemetery & Parks	AFSCME-FT	Single
Yes	3.432.831.02	Grounds Maintenance Worker	432 - Cemetery & Parks	AFSCME-FT	Single
Yes	3.432.831.03	Grounds Maintenance Worker	432 - Cemetery & Parks	AFSCME-FT	Single
Yes	3.432.831.04	Grounds Maintenance Worker	432 - Cemetery & Parks	AFSCME-FT	Vacant
Create	3.432.831.05	Grounds Maintenance Worker	432 - Cemetery & Parks	AFSCME-FT	Pending
Create	3.432.831.06	Grounds Maintenance Worker	432 - Cemetery & Parks	AFSCME-FT	Pending
Yes	4.432.666.01	Office Manager/Account Clerk	432 - Cemetery & Parks	NON-BARG FT	Single

Resolution No.24-85

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 621 Water Fund and the 669 Storm Fund, in the amount of \$105,522.89 (2024 Bond Fees)

621.706.5416440	Principal Payment Water Project Bond	64,662.38
669.169.5416430	Principal Payment Moull St Bond	40,860.51

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 _____

RESOLUTION NO. 24-87

BY: _____

A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO TO APPLY FOR, ACCEPT AND ENTER INTO A WATER SUPPLY REVOLVING LOAN ACCOUNT AGREEMENT ON BEHALF OF THE CITY OF NEWARK FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF LEAD SERVICE LINE REPLACEMENT PROJECT #6 AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN.

WHEREAS, the City of Newark operates a Water Distribution System throughout the City; and,

WHEREAS, the distribution system has approximately 5,000 lead and/or galvanized water service lines; and,

WHEREAS, replacement of lead and galvanized service lines is a requirement of Ohio EPA in order to eliminate lead material and to maintain efficient and cost-effective operations of the system; and,

WHEREAS, the Ohio Water Supply Loan Fund requires the government authority to pass legislation for application of a loan and the execution of an agreement as well as designating a dedicated repayment source; and,

WHEREAS, the Public Service Committee of the Newark City Council met on October 7, 2024 and approved submission of the legislation for full council consideration.

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

Section 1: The Director of Public Service is hereby authorized and directed to apply for a WSRLA loan, sign all documents for and enter into a Water Supply Revolving Loan Account Agreement with the Ohio Environmental Protection Agency and the Ohio Water Development Authority for planning, design and/or construction of water facilities on behalf of the City of Newark, Ohio.

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

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

Passed this _____ day of _____ 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

BY: _____

PRELIMINARY LEGISLATION

Consent

Rev. 6/26/00

Resolution #: 24-89

County/Route/Section: LIC SR 16/37/ 14.24/15.72

The following is a/an Resolution enacted by the City of Newark of Licking County, Ohio hereinafter referred to as the Local Public Agency (LPA).

SECTION I – Project Description

WHEREAS, the Ohio Department of Transportation (ODOT) has determined the need for the described project:

Major rehabilitation of pavement; replacement of composite pavement and construction of additional general use lanes. Bridge and culvert maintenance work to be completed within project area.

NOW THEREFORE, be it ordained by the City of Newark of Licking County, Ohio.

SECTION II – Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

SECTION II – Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the development and construction of the above described project as follows:

1. The LPA gives consent for the above improvement, and
2. The LPA further agrees to pay 100% of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

SECTION IV – Utilities and Right-of-Way Statement

If city owned utilities, within a corporation limit or in a private easement outside corporation limits, need to be relocated due to this ODOT project, the city will be reimbursed for any relocation work; ODOT will perform the coordination, relocation, and reimbursement which shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

If other public and private utilities need to be relocated due to this ODOT project they will not be reimbursed for relocation; with exceptions due to an easement, etc.

SECTION V – Maintenance

Upon completion of the Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the Project in accordance with all applicable State and Federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Project; (3) maintain

the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

SECTION VI Authority to Sign

The LPA hereby authorizes, David Rhodes, Director of Public Service, of the City of Newark is hereby empowered on behalf of the City of Newark to enter into agreements with the Director of Transportation which are necessary to complete the above described project.

SECTION VII-Emergency measure

If required, Resolution is hereby declared to be an emergency measure to expedite the highway project and to promote highway safety. Following appropriate legislative action, **as an emergency measure**, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 20____.
(Date)

President of Council: _____

Attested: _____
(Clerk of Council)

Date filed with Mayor: _____

Date Approved by Mayor: _____

Mayor: _____

Approved as to form – Director of Law: _____

Contracting Agent – Service Director: _____

**CERTIFICATE OF COPY
STATE OF OHIO**

City of Newark of Licking County, Ohio

I, _____, as Clerk of the City of Newark of Licking County, Ohio do hereby certify that the foregoing is a true and correct copy of Resolution _____ adopted by the legislative Authority of the said City of Newark on the _____ day of _____, _____.

That the publication of such Resolution has been made and certified of record according to Law; that no proceedings looking to a referendum upon such Resolution have been taken; and that such Resolution and certificate of publication thereof are of record in _____, Page _____.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this _____ day of _____ 2_____.

(SEAL)

(Clerk)
City of Newark of Licking County, Ohio

The foregoing is accepted as a basis for proceeding with the project herein described.
For the City of Newark of Licking County, Ohio.

Attested: _____ Date _____



For the State of Ohio

Attested: _____ Date _____
(Director, Ohio Department of Transportation)

RESOLUTION NO. 24-90

BY: _____

A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A NEW MANAGEMENT AGREEMENT WITH THE LICKING COUNTY FAMILY YMCA TO OPEN AND OPERATE THE HOLLANDER POOL

WHEREAS, the City of Newark and the Licking County Family YMCA have been parties to an operating agreement for the management and operation of the Hollander Pool owned by the City; and,

WHEREAS, the Facility has not been in operation or open to the public for the past few years; and,

WHEREAS, the City has made certain repairs and improvements to the facility in an effort to re-open the facility for public recreation purposes and both the City and the YMCA wish to enter into a new management and operation agreement to facilitate the opening and proper operation of the facility for the benefit of all residents; and,

WHEREAS, this matter was addressed in the Service Committee on October 7, 2024, which recommended consideration of the same by full Council.

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

SECTION ONE: The Director of Public Service is hereby authorized and directed to enter into the attached management agreement, subject to the appropriation of funds, with the Licking County Family YMCA for the maintenance and operation of the Hollander Pool, subject to amendment, modification, and extension from time to time.

SECTION TWO: This Ordinance shall be effective at the first date permitted as provided in Article 4.07 of the Charter of the City of Newark.

Adopted this _____ day of _____, _____.

PRESIDENT OF COUNCIL

Attest: _____
Clerk of Council

Date Filed with Mayor: _____

Date Approved by Mayor: _____

Mayor

Form Approved: _____
Director of Law

Resolution Prepared by The Office of The Director of Law

Resolution No.24-91

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 \$426,980.00 (Anticipated overcollection of EMS dollars)

100.111.5901912	OPT – EMS Property and Fire Stations	213,490.00
100.111.5901913	OPT – EMS Cap Imp Assoc w/ Transports	51,930.00
100.111.5901915	OPT – EMS Capital Improvements	115,400.00
100.111.5901911	OPT – EMS Budget Stabilization	46,160.00

Section 2. There is hereby an appropriation of the unappropriated balance of the 100 General Fund in the amount of \$38,601.00 (To cover fund expenses until grant reimburses the City for expenditures)

100.111.5992230	Advance	38,601.00
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Section 3. There is hereby an appropriation of the unappropriated balance of the 297 Fire EMS Grant Fund in the amount of \$3,126.45 (To return advance for EMS Grant)

297.296.5992100	Return Advance EMS Grant	3,126.45
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Section 4. There is hereby an appropriation of the unappropriated balance of the 621 Water Fund in the amount of \$245,000.00 (Electricity fees for remainder of 2024, Lime sludge hauling fees for remainder of 2024)

621.709.5201	Electric	45,000.00
621.709.5241	Sludge Program	200,000.00

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 _____

RESOLUTION NO. 24-92

BY: _____

A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SAFETY FOR THE CITY OF NEWARK, OHIO, TO RELEASE THE LIEN PREVIOUSLY PLACED AGAINST THE PROPERTY LOCATED AT AND KNOWN AS 492 JEFFERSON ROAD, NEWARK, OHIO AND DECLARING AN EMERGENCY

WHEREAS, this Council authorized by Ordinance 23-54-A, the placement of a lien against the property located at and known as 492 Jefferson Road, Newark, Ohio (“Property”) in the amount of \$3,811.00 as and for costs incurred by the Property Maintenance Department with respect to certain property maintenance violations at such property; and,

WHEREAS, prior to the passage of Ordinance 23-54-A, U.S. Bank Trust National Association filed a foreclosure action in the Licking County Common Pleas Court concerning the Property wherein the City of Newark, Ohio was named a party; and,

WHEREAS, prior to the passage of Ordinance 23-54-A, U.S. Bank Trust National Association was granted judgment in foreclosure by the Common Pleas Court, the Property sold at a public Sheriff’s auction to a third party, and proceeds distributed to the parties, including the City of Newark, pursuant to law; and,

WHEREAS, the release of the lien underlying the property in question will appropriately reflect the impact of foreclosure proceedings on the Property of which the City of Newark was party, allowing the successful bidder to assume ownership and to make the necessary improvements thereto and thereby alleviating the underlying property maintenance violations; and

WHEREAS, an emergency exists in that the property in question continues to present a risk to the health, safety and welfare of the City and the lien must be released in light of the aforementioned foreclosure proceedings.

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 Safety is hereby authorized and directed to release the lien previously authorized by the Council at Ordinance 23-54-A as against the property located at and known as 492 Jefferson Road, Newark, Ohio and to prepare, execute, and record any and all necessary documents to facilitate the release thereof.

SECTION TWO: This Resolution shall become immediate upon approval as an emergency for the reasons as stated herein pursuant to 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

RESOLUTION NO. 24-93

BY: _____

A RESOLUTION REPEALING RESOLUTION 20-55 AND CONSENTING TO AN ENTERPRISE ZONE ABATEMENT AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF LICKING COUNTY, OHIO AND PACKAGING CORPORATION OF AMERICA AND AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO EXECUTE SUCH AGREEMENT ON BEHALF OF THE CITY OF NEWARK

WHEREAS, the State of Ohio, by and through the Director of Development has determined that effective August 16, 1988 the City of Newark exhibits the characteristics set for in ORC section 5709.61 to qualify as an Enterprise Zone and did certify the City of Newark as an Enterprise Zone under ORC Section 5709.63; and,

WHEREAS, Enterprise Zone Abatement Agreements are negotiated between the applicant and the Board of County Commissioners though the agreement must be approved by this Council before the agreement can be approved by the Board of County Commissioners; and,

WHEREAS, Packaging Corporation of America has submitted **an updated Project Intake form, dated September 17, 2024 (Exhibit "A")**, to be used to amend the existing Enterprise Zone Abatement Agreement data, in the manner prescribed by the Director of Development of the State of Ohio setting forth a plan to establish and occupy a facility in the City of Newark Enterprise Zone and to preserve employment opportunities for existing employees within such Zone and has requested that it be granted one or more of the tax abatement incentives set forth in ORC section 5709.62 in exchange for implementation of the proposed plan; and,

WHEREAS, the amended Project Intake form, submitted by Packaging Corporation of America includes the intention to **retain all existing 131 full-time permanent hourly and salaried employees and to retain an existing payroll base of \$9,150,000.00**; and,

WHEREAS, the amended Project Intake form-submitted by Packaging Corporation of America includes a plan to establish, expand, renovate, and/or occupy a facility with **total New Project Investment of approximately \$229,000,000.00** for the acquisition of buildings and land, additional and new construction, machinery, fixture, equipment, and furniture along with improvements to existing buildings and land; and,

WHEREAS, the investment intended to be made by Packaging Corporation of America pursuant to the amended Proposed Enterprise Zone Abatement Agreement represents a significant and eligible investment within the City of Newark, Ohio pursuant to ORC section 5709.63: and,

WHEREAS, Packaging Corporation of America had previously submitted a Proposed Enterprise Zone Abatement Agreement which was consented to by this Council on **August 18, 2020**, with the adoption of **Resolution 20-55 which is to be repealed and replaced** by the instant Resolution for the reasons as stated herein; and,

WHEREAS, **economic circumstances have improved** since the CoVid-19 pandemic and quarantine and have now become favorable, which has caused Packaging Corporation of America to re-consider the scope of the intended project and to submit an updated Project Intake form, to be used to amend the existing Enterprise Zone Abatement Agreement in light of such changed circumstances; and,

WHEREAS, Packaging Corporation of America appears to be qualified by financial responsibility and business experience to create and preserve employment opportunities within the Enterprise Zone and to improve the economic climate within the City of Newark, Ohio; and,

WHEREAS, the project site as proposed herein is located within the Newark City and C-TEC School Districts and the Board of Education for both districts has been notified of and provided a copy of the proposed agreement pursuant to ORC section 5709.83; and,

WHEREAS, the Resolution was addressed in a regular session of the Finance Committee of this Council which voted to forward the same on to full Council for consideration and adoption.

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

SECTION ONE: Resolution 20-55, previously adopted by this Council on August 18, 2020, is hereby repealed and declared null and void based upon the newly submitted updated Project Intake form, submitted by Packaging Corporation of America and said Resolution is hereby replaced by the terms of the within Resolution.

SECTION TWO: This Council does consent to the proposed updated Project Intake Form, to be used to amend the existing Enterprise Zone Abatement Agreement and hereby authorizes the Mayor and the Director of Public Service to execute such agreement to be negotiated between Packaging Corporation of America and the Board of County Commissioner of Licking County, Ohio based upon the terms and conditions as set forth in the amended Proposed Enterprise Zone Abatement Agreement.

SECTION THREE: The Clerk of Council is hereby directed to transmit a certified copy of this Resolution along with the updated Project Intake Form attached and hereto marked Exhibit "A". to the Board of County Commissioners of Licking County, Ohio.

SECTION FOUR: This Resolution shall take effect the earliest date permitted pursuant to Charter Article 4.07.

Passed this _____ day of _____, _____.

PRESIDENT OF COUNCIL

ATTEST: _____
Clerk of Council

DATE FILED WITH THE MAYOR: _____

DATE APPROVED BY THE MAYOR: _____

MAYOR: _____

Approved as to form: _____
Tricia Moore
Director of Law

Prepared by the Office of the Director of Law