

LANCASTER CITY COUNCIL  
LANCASTER, OHIO

February 24, 2025

REGULAR MEETING CONVENES  
PRAYER  
CALL TO ORDER  
PLEDGE OF ALLEGIANCE  
ROLL CALL  
READING AND DISPOSING OF THE JOURNAL  
REPORTS OF CITY OFFICIALS  
COMMUNICATIONS  
SPECIAL PRESENTATION AND AWARDS  
PETITIONS AND MEMORIALS  
PERMISSION OF VOTERS AND TAXPAYERS TO ADDRESS COUNCIL  
REPORTS OF STANDING COMMITTEES  
REPORTS OF SPECIAL COMMITTEES  
PUBLIC HEARINGS  
READING OF RESOLUTIONS

**THIRD READING**

- |                        |   |
|------------------------|---|
| <b>Temp Res #11-25</b> | A RESOLUTION TO APPROPRIATE FROM THE UNENCUMBERED BALANCE AND AMEND THE CERTIFICATE OF APPROPRIATIONS WITH THE COUNTY AUDITOR IN THE POLICE & FIRE LEVY FUND (2047)<br><b>Safety Committee (Bizjak/Sollie) (3 Readings)</b>   |
| <b>Temp Res #12-25</b> | A RESOLUTION TO AUTHORIZE THE SERVICE-SAFETY DIRECTOR TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION TO PURCHASE ROCK SALT FOR THE 2025-2026 WINTER SEASON<br><b>Public Works Committee (Tener/Crites) (3 Readings)</b>                        |
| <b>Temp Res #13-25</b> | A RESOLUTION TO AUTHORIZE THE SERVICE-SAFETY DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS FOR THE PURCHASE OF CHEMICALS FOR USE BY THE DIVISION OF WATER<br><b>Water/WPC Committee (Wing/Ailes) (3 Readings)</b>   |
| <b>Temp Res #14-25</b> | A RESOLUTION TO AUTHORIZE THE SERVICE-SAFETY DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS FOR THE PURCHASE OF PIPES AND FITTINGS FOR USE BY THE DIVISION OF WATER<br><b>Water/WPC Committee (Wing/Tener) (3 Readings)</b>                                  |
| <b>Temp Res #16-25</b> | A RESOLUTION TO MOVE EXISTING BUDGET BETWEEN ACCOUNTS, APPROPRIATE FROM THE UNENCUMBERED BALANCE, AND AMEND THE CERTIFICATE OF APPROPRIATIONS WITH THE COUNTY AUDITOR IN THE STORM WATER SEWER FUND (6006)<br><b>Finance Committee (Wolfinger/Ailes) (3 Readings)</b> |

**SECOND READING**

- Temp Res #17-25** A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE CONSTRUCTION OF A MAINTENANCE AND STORAGE FACILITY FOR USE BY THE LANCASTER FIRE DEPARTMENT AND TO DECLARE AN EMERGENCY  
**Safety Committee (Bizjak/Sollie) (3 Readings)**

**FIRST READING**

- Temp Res #18-25** A RESOLUTION TO AUTHORIZE THE SERVICE-SAFETY DIRECTOR TO DISPENSE WITH COMPETITIVE BIDDING FOR THE PURCHASE OF CARBYNE APEX 911 SOFTWARE FOR THE LANCASTER POLICE DEPARTMENT DUE TO A SOLE SOURCE PROVIDER  
**Safety Committee (Bizjak/Tener) (1 Reading)**
- Temp Res #19-25** A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO DISPENSE WITH COMPETITIVE BIDDING AND ENTER INTO A CONTRACT WITH AXON FROM THE SOURCEWELL COOPERATIVE PURCHASING PROGRAM AND TO DECLARE AN EMERGENCY  
**Safety Committee (Bizjak/Sollie) (1 Reading)**
- Temp Res #20-25** A RESOLUTION TO AUTHORIZE THE SERVICE-SAFETY DIRECTOR TO DISPENSE WITH COMPETITIVE BIDDING AND ENTER INTO A CONTRACT WITH MONTROSE FORD FOR THE PURCHASE OF FOUR POLICE VEHICLES FOR USE BY THE LANCASTER POLICE DEPARTMENT  
**Safety Committee (Bizjak/Tener) (3 Reading)**
- Temp Res #21-25** A RESOLUTION TO APPROPRIATE FROM THE UNENCUMBERED BALANCE AND AMEND THE CERTIFICATE WITH THE COUNTY AUDITOR IN THE GENERAL FUND (1001)  
**Safety Committee (Bizjak/Sollie) (3 Reading)**
- Temp Res #22-25** A RESOLUTION TO APPROVE THEN AND NOW CERTIFICATES FOR PAYMENT OF BILLS IN THE GENERAL FUND (1001) AND THE POLICE & FIRE LEVY FUND (2047)  
**Safety Committee (Bizjak/Tener) (3 Reading)**
- Temp Res #23-25** A RESOLUTION TO APPROPRIATE FROM THE UNENCUMBERED BALANCE IN THE CEMETERY PERPETUAL CARE FUND (8034), COMPLETE A FUND TRANSFER, INCREASE RECIEPTS AND APPROPRIATIONS IN THE CEMETERY FUND (2007) AND AMEND THE CERTIFICATE OF OTHER SOURCES AND APPROPRIATIONS WITH THE COUNTY AUDITOR  
**Public Works Committee (Tener/Luchtenberg) (3 Readings)**

- Temp Res #24-25**      **A RESOLUTION TO AUTHORIZE THE SERVICE-SAFETY DIRECTOR TO DISPENSE WITH COMPETITIVE BIDDING FOR A SOLE SOURCE PROVIDER FOR CORROSION INHIBITORS**  
**Water/WPC Committee (Wing/Tener) (3 Readings)**
- Temp Res #25-25**      **A RESOLUTION TO AUTHORIZE THE SERVICE-SAFETY DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE CITY HALL RENOVATION PROJECT**  
**Finance Committee (Wolfinger/Sollie) (3 Readings)**

## READING OF ORDINANCES

### THIRD READING

- Temp Ord #7-25**      AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A SCHOOL COMPENSATION AGREEMENT FOR INCOME TAX SHARING BETWEEN LANCASTER CITY SCHOOL DISTRICT AND THE CITY OF LANCASTER AND TO DECLARE AN EMERGENCY  
**Finance Committee (Wolfinger/Sollie) (3 Readings)**
- Temp Ord #8-25**      Withdrawn
- Temp Ord #8-25\***      AN ORDINANCE TO AMEND PERMANENT ORDINANCE 51-24, THE MANAGEMENT PAY ORDINANCE, AND TO DECLARE AN EMERGENCY  
**Administrative Services Committee (Luchtenberg/Wolfinger) (3 Readings)**

### SECOND READING

- Temp Ord #9-25**      AN ORDINANCE TO REPEAL AND REPLACE LANCASTER CODIFIED ORDINANCE PART NINE – STREETS, UTILITIES AND PUBLIC SERVICES CODE, CHAPTER 937 – WASTE REMOVAL  
**Service Committee (Ailes/Hoop) (3 Readings)**
- Temp Ord #12-25**      Withdrawn
- Temp Ord #12-25\***      AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN COOPERATIVE AGREEMENT AMONG THE LANCASTER PORT AUTHORITY, THE CITY OF LANCASTER, OHIO, LANCASTER DEVELOPMENT COMPANY, LLC, AND THE HUNTINGTON NATIONAL BANK; AND AUTHORIZING THE APPROPRIATION OF TAX INCREMENT FINANCING FUNDS FOR PAYMENT OF DEBT SERVICE WITH RESPECT TO A MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$6,000,000 OF PORT AUTHORITY REVENUE BONDS TO BE ISSUED TO PAY COSTS OF PUBLIC INFRASTRUCTURE IMPROVEMENTS; AUTHORIZING THE EXECUTION AND DELIVERY OF A TIF ADMINISTRATION AGREEMENT BETWEEN ARGUS GROWTH CONSULTANTS, LTD. AND THE CITY;

AUTHORIZING AND APPROVING RELATED MATTERS;  
AND DECLARING AN EMERGENCY

**Economic Development Committee (Hoop/Crites) (3 Readings)**

**FIRST READINGS**

**Temp Ord #13-25**

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A PETITION TO ESTABLISH THE LANCASTER NEW COMMUNITY AUTHORITY DISTRICT UNDER OHIO REVISED CODE CHAPTER 349

**Law Committee (Crites/Bizjak) (2 Reading)**

**TABLED LEGISLATION**

**Temp Ord #52-24**

AN ORDINANCE TO GRANT TO SOUTH CENTRAL POWER COMPANY, ITS SUCCESSORS AND ASSIGNS, A FRANCHISE FOR THE RIGHT TO ACQUIRE, CONSTRUCT, MAINTAIN AND OPERATE IN THE STREETS, THOROUGHFARES, ALLEYS, BRIDGES AND PUBLIC PLACES OF THE CITY OF LANCASTER, OHIO AND ITS SUCCESSORS, LINES FOR THE TRANSMISSION AND DISTRIBUTION OF ELECTRIC ENERGY TO THE CITY OF LANCASTER, AND THE INHABITANTS THEREOF FOR LIGHT, HEAT, POWER, AND OTHER PURPOSES, AND FOR THE TRANSMISSION OF THE SAME WITHIN, THROUGH,OR ACROSS SAID CITY OF LANCASTER AND TO DECLARE AN EMERGENCY

**Law Committee (Crites/Wolfinger) (2 Readings)**

**UNFINISHED BUSINESS**

**NEW BUSINESS**

**ANNOUNCEMENT OF SCHEDULED MEETINGS**

**REGULARLY SCHEDULED CITY COUNCIL MEETINGS**

1. March 10<sup>th</sup> 2025 at 6:30 p.m. – Council Chambers
2. March 24<sup>th</sup> 2025 at 6:30 p.m. – Council Chambers

**SPECIAL SCHEDULED MEETINGS**

None

**REGULARLY SCHEDULED COMMITTEE MEETINGS**

1. Service Committee – **March 7<sup>th</sup>** at 8:00 a.m. - City Hall 1897 Conference Room
2. Finance Committee – **March 10<sup>th</sup>** at 6:00 pm – Council Chambers
3. Public Works Committee – **March 14<sup>th</sup>** at 7:30 a.m. – City Hall 1897 Conference Room
4. Water / Water Pollution Control Service Committee – **March 17<sup>th</sup>** at 7:30 a.m. - City Hall 1897 Conference Room

**READING OF BILLS**

MNCO – \$119.18

**EXECUTIVE SESSION (if needed)**  
**ADJOURNMENT**

TEMPORARY RESOLUTION NO. 18-25

PERMANENT RESOLUTION NO. \_\_\_\_\_

A RESOLUTION TO AUTHORIZE THE SERVICE-SAFETY DIRECTOR TO DISPENSE WITH COMPETITIVE BIDDING FOR THE PURCHASE OF CARBYNE APEX 911 SOFTWARE FOR THE LANCASTER POLICE DEPARTMENT DUE TO A SOLE SOURCE PROVIDER

WHEREAS, the Lancaster Police Department (LPD) intends to enter into a contract for the implementation of the Carbyne Apex 911 software; and

WHEREAS, this software is required for the operation of LPD's 911 call center, as the current vendor, Central Square, will no longer support the currently used Zuercher product; and

WHEREAS, Carbyne, Inc. is the only supplier of its cloud-based emergency communication platform which is a judicially recognized exception to Ohio's competitive bidding requirements known as the "sole source doctrine"; and

WHEREAS, the Carbyne, Inc. contract implementation price for one (1) year is One Hundred Forty-One Thousand Nine Hundred Fifty-Nine Dollars and Sixty-Eight Cents (\$141,959.68) and was included in LPD's budget for 2025; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO:

SECTION 1. That the Service-Safety Director is hereby authorized to dispense with competitive bidding as Carbyne, Inc. is the sole source provider of the cloud-based emergency communication platform needed for operation of the Lancaster Police Department's 911 call center.

SECTION 2. That this resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: \_\_\_\_\_ after \_\_\_\_\_ reading. Vote: Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Date Approved: \_\_\_\_\_

Clerk: \_\_\_\_\_

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

\_\_\_\_\_  
Mayor

Offered by: \_\_\_\_\_

Second by: \_\_\_\_\_

Requested by Safety Committee

TEMPORARY RESOLUTION NO. 19-25

PERMANENT RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO DISPENSE WITH COMPETITIVE BIDDING AND ENTER INTO A CONTRACT WITH AXON FROM THE SOURCEWELL COOPERATIVE PURCHASING PROGRAM AND TO DECLARE AN EMERGENCY

WHEREAS, Lancaster Police Department (LPD) currently contracts with AXON for officer body worn cameras and tasers; and

WHEREAS, LPD would like to add AXON Fleet Vehicle to the existing AXON contract which will equip LPD patrol vehicles with in-vehicle cameras to provide video of traffic stops and officer interactions; and

WHEREAS, this equipment is available through the Sourcewell Cooperative Purchasing Program, which is a statutorily recognized exception to Ohio's competitive bidding requirements and authorized by Lancaster City Council Permanent Resolution 7-24; and

WHEREAS, the five (5) year contract shall be paid out of 1001.3250.52034 as follows:

- Year (1) 2025 contract price: \$48,014.94
- Year (2) 2026 contract price: \$49,858.16
- Year (3) 2027 contract price: \$51, 852.48
- Year (4) 2028 contract price: \$53,926.58
- Year (5) 2029 contract price: \$56,083.64

WHEREAS, the appropriation for this purchase agreement is included in LPD's 2025 budget and will be budgeted for in each subsequent year as well; now, therefore,

BE IT RESOLVED BY COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO:

SECTION 1. That the Service-Safety Director is hereby authorized to dispense with competitive bidding and to enter into a contract with AXON for the purchase of AXON Fleet Vehicle through the cooperative purchasing program Sourcewell, which was previously authorized by Lancaster City Council in Permanent Resolution 7-24.

SECTION 2. That this resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the City and for the further reason that LPD needs to enter into a contract immediately due to the price quote expiring and four month lead time required for installation; wherefore, this resolution shall take effect and be in force immediately upon its adoption and approval by the Mayor.

Passed: \_\_\_\_\_ after \_\_\_\_\_ reading. Vote: Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Date Approved: \_\_\_\_\_

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

Clerk: \_\_\_\_\_

\_\_\_\_\_  
Mayor

Offered by: \_\_\_\_\_

Second by: \_\_\_\_\_

Requested by Safety Committee

TEMPORARY RESOLUTION NO. 20-25

PERMANENT RESOLUTION NO. \_\_\_\_\_

A RESOLUTION TO AUTHORIZE THE SERVICE-SAFETY DIRECTOR TO DISPENSE WITH COMPETITIVE BIDDING AND ENTER INTO A CONTRACT WITH MONTROSE FORD FOR THE PURCHASE OF FOUR POLICE VEHICLES FOR USE BY THE LANCASTER POLICE DEPARTMENT

WHEREAS, the State of Ohio Department of Administrative Services has negotiated a State Contract with Ford Motor Company and Montrose Ford for the provision of police vehicles to state and local political subdivisions in Ohio; and

WHEREAS, Ford Motor Company has not officially opened their ordering window, this is a proactive measure to have authorization immediately at the time the orders open; and

WHEREAS, this resolution is necessary for the Lancaster Police Department to execute the planned and budgeted purchase of four (4) police vehicles from Montrose Ford for the State Contract purchase price, which is a statutory exception to Ohio's competitive bidding requirements; and

WHEREAS, the total cost of the four (4) vehicles is expected to be no more than Two Hundred Thousand Dollars (\$200,000.00) and was budgeted for as part of the fleet allowance in the 2025 budget in expense account 2047.3250.56050; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO:

SECTION 1. That the Service-Safety Director is hereby authorized to dispense with competitive bidding and enter into a contract with Montrose Ford for the purchase of four (4) new police vehicles at the State Contract price which shall not exceed Two Hundred Thousand Dollars (\$200,000.00).

SECTION 2. That this resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: \_\_\_\_\_ after \_\_\_\_\_ reading. Vote: Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Date Approved: \_\_\_\_\_

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

Clerk: \_\_\_\_\_

\_\_\_\_\_  
Mayor

Offered by: \_\_\_\_\_

Second by: \_\_\_\_\_

Requested by Safety Committee

TEMPORARY RESOLUTION NO. 21-25

PERMANENT RESOLUTION NO. \_\_\_\_\_

A RESOLUTION TO APPROPRIATE FROM THE UNENCUMBERED BALANCE AND AMEND THE CERTIFICATE WITH THE COUNTY AUDITOR IN THE GENERAL FUND (1001) FOR THE LANCASTER POLICE DEPARTMENT HVAC PROJECT

WHEREAS, the Lancaster Police Department (LPD) is currently budgeted and funded for One Million Dollars (\$1,000,000.00) in expense account 1001.3250.56090 (Improvements) in 2025 to complete an HVAC construction project; and

WHEREAS, this budget was predicated on the ability to spend down One Million Dollars (\$1,000,000.00) in budget year 2024 for this project; and

WHEREAS, due to scheduling delays, only Eight Hundred Thousand Dollars (\$800,000.00) was able to be spent on this project in 2024; and

WHEREAS, this leaves a necessary budget of One Million Two Hundred Thousand Dollars (\$1,200,000.00) in order to complete the project in 2025; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO:

SECTION 1. That the City of Lancaster Auditor shall amend the Appropriations with the County Auditor in the amount of Two Hundred Thousand Dollars (\$200,000.00) in the General Fund (1001).

SECTION 2. That the City of Lancaster Auditor shall appropriate from the unencumbered balance in expense account 1001.3250.56090 (Improvements) in the amount of Two Hundred Thousand Dollars (\$200,000.00).

SECTION 3. That this resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: \_\_\_\_\_ after \_\_\_\_\_ reading. Vote: Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Date Approved: \_\_\_\_\_

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

Clerk: \_\_\_\_\_

\_\_\_\_\_  
Mayor

Offered by: \_\_\_\_\_

Second by: \_\_\_\_\_

Requested by Safety Committee

TEMPORARY RESOLUTION NO. 22-25

PERMANENT RESOLUTION NO. \_\_\_\_\_

A RESOLUTION TO APPROVE THEN AND NOW CERTIFICATES FOR PAYMENT OF BILLS IN THE GENERAL FUND (1001) AND THE POLICE & FIRE LEVY FUND (2047)

WHEREAS, the Lancaster Fire Department (LFD) received a January 2025 invoice from Bound Tree for medical supplies in the amount of Eight Thousand and Eleven Dollars and Eighty-Two Cents (\$8,011.82); and

WHEREAS, LFD also received a January 2025 invoice for their annual service contract with Stryker in the amount of Ten Thousand Five Hundred Twenty-Nine Dollars and Forty-Six Cents (\$10,529.46); and

WHEREAS, these invoices were received prior to purchase orders being opened in 2025, so Then and Now authorization from Council is necessary before payments can be processed; now, therefore,

BE IT RESOLVED BY COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO:

SECTION 1. That Lancaster City Council hereby approves a Then and Now Certificate in the amount of Eight Thousand and Eleven Dollars and Eighty-Two Cents (\$8,011.82) to pay Bound Tree for the January 2025 invoice.

SECTION 2. That Lancaster City Council hereby approves a Then and Now Certificate in the amount of Ten Thousand Five Hundred Twenty-Nine Dollars and Forty-Six Cents (\$10,529.46) to pay Stryker for the January 2025 invoice.

SECTION 3. That this resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: \_\_\_\_\_ after \_\_\_\_\_ reading. Vote: Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Date Approved: \_\_\_\_\_

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

Clerk: \_\_\_\_\_

\_\_\_\_\_  
Mayor

Offered by: \_\_\_\_\_

Second by: \_\_\_\_\_

Requested by Safety Committee

TEMPORARY RESOLUTION NO. 23-25

PERMANENT RESOLUTION NO. \_\_\_\_\_

A RESOLUTION TO APPROPRIATE FROM THE UNENCUMBERED BALANCE IN THE CEMETERY PERPETUAL CARE FUND (8034), COMPLETE A FUND TRANSFER, INCREASE RECIEPTS AND APPROPRIATIONS IN THE CEMETERY FUND (2007) AND AMEND THE CERTIFICATE OF OTHER SOURCES AND APPROPRIATIONS WITH THE COUNTY AUDITOR

WHEREAS, the Cemetery Department is requesting the transfer of One Hundred Thirty Thousand Dollars (\$130,000.00) from the Cemetery Perpetual Care Fund (8034) pursuant to the requirements of Lancaster Codified Ordinance 933.04(c) to the Cemetery Fund (2007) for Capital Improvement Projects as outlined by Permanent Ordinance 22-12; and

WHEREAS, the City Investment Committee has discussed and approved the Capital Improvement Projects of the Cemetery Department for submission to City Council for approval pursuant to Lancaster Codified Ordinance 933.04(c); and

WHEREAS, the Cemetery Department's Capital Improvement Projects include: Replacement of Mausoleum Roof at Forest Rose Cemetery (\$52,000.00); Paving the New Access Road at Maple Grove Cemetery (\$30,000.00); and constructing an Additional Storage Building at Maple Grove Cemetery (\$48,000.00); now, therefore,

BE IT RESOLVED BY COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO:

SECTION 1. That the City of Lancaster Auditor shall amend the Certificate of Appropriations with the County Auditor in the amount of One Hundred Thirty Thousand Dollars (\$130,000.00) in the Cemetery Perpetual Care Fund (8034).

SECTION 2. That the City of Lancaster Auditor shall appropriate from the unencumbered balance in expense account 8034.4250.59004 (Transfer/Cemetery Fund) in the amount of One Hundred Thirty Thousand Dollars (\$130,000.00).

SECTION 3. That the City of Lancaster Auditor shall complete a Fund-to-Fund Transfer for One Hundred Thirty Thousand Dollars (\$130,000.00) from the Cemetery Perpetual Care Fund (8034) expense account 8034.4250.59004 (Transfer/Cemetery Fund) to the Cemetery Fund (2007) revenue account 2007.0000.49085 (Transfer/Cemetery Perpetual Care).

SECTION 4. That the City of Lancaster Auditor shall amend the Certificate of Other Sources and Appropriations with the County Auditor in the amount of One Hundred Thirty Thousand Dollars (\$130,000.00) in the Cemetery Fund (2007).

SECTION 5. That the City of Lancaster Auditor shall increase estimated revenue in account 2007.0000.49085 (Transfer/Cemetery Perpetual Care) in the amount of One Hundred Thirty Thousand Dollars (\$130,000.00).

SECTION 6. That the City of Lancaster Auditor shall appropriate from the unencumbered balance in the following expense accounts:

2007.4200.56010	Building	\$100,000.00
2007.4200.56020	Improvements	<u>\$ 30,000.00</u>
	Total	\$130,000.00

SECTION 7. That this resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: \_\_\_\_\_ after \_\_\_\_\_ reading. Vote: Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Date Approved: \_\_\_\_\_

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

Clerk: \_\_\_\_\_

\_\_\_\_\_  
Mayor

Offered by: \_\_\_\_\_

Second by: \_\_\_\_\_

Requested by Public Works Committee

TEMPORARY RESOLUTION NO. 24-25

PERMANENT RESOLUTION NO. \_\_\_\_\_

A RESOLUTION TO AUTHORIZE THE SERVICE-SAFETY DIRECTOR TO DISPENSE WITH COMPETITIVE BIDDING FOR A SOLE SOURCE PROVIDER FOR CORROSION INHIBITORS

WHEREAS, the Division of Water needs to purchase corrosion inhibitors for the City's water distribution system; and

WHEREAS, Carus Corporation supplies a proprietary blend of phosphate that has been used to provide corrosion control in the City's water distribution system for nearly thirty (30) years; and

WHEREAS, the introduction of new or different corrosion inhibitors could result in compatibility issues or decreased corrosion protection, such that the Environmental Protection Agency requires prior notification for any changes in these chemicals; and

WHEREAS, Carus Corporation is the only bidder of bulk supply for these inhibitors, making them a sole source provider, which is a judicially recognized exception to competitive bidding requirements, known as the "sole source doctrine"; now, therefore,

BE IT RESOLVED BY COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO:

SECTION 1. That the Service-Safety Director is hereby authorized to dispense with competitive bidding as Carus Corporation is the sole source provider for its proprietary blend of corrosion inhibitors used by the Division of Water.

SECTION 2. That this resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: \_\_\_\_\_ after \_\_\_\_\_ reading. Vote: Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Date Approved: \_\_\_\_\_

Clerk: \_\_\_\_\_

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

\_\_\_\_\_  
Mayor

Offered by: \_\_\_\_\_

Second by: \_\_\_\_\_

Requested by Water/Water Pollution Control Committee

TEMPORARY RESOLUTION NO. 25-25

PERMANENT RESOLUTION NO. \_\_\_\_\_

A RESOLUTION TO AUTHORIZE THE SERVICE-SAFETY DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE CITY HALL RENOVATION PROJECT

WHEREAS, the design professionals at Schooley Caldwell have provided a detailed scope of work and estimate for the planned exterior restoration of Lancaster's City Hall, known as the City Hall Renovation Project, which is on the National Register of Historic Places; and

WHEREAS, City administration is working with the City Auditor and Finance Committee to secure financing that will allow renovations to begin later this year; and

WHEREAS, this project will not be bid, nor will a contract be executed, until those funds are in hand; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO:

SECTION 1. That the Service-Safety Director is hereby authorized to advertise for bids and enter into a contract for the City Hall Renovation Project in an amount not to exceed Six Million Six Hundred Thirty-Six Thousand Four Hundred Thirty-Eight Dollars and Thirty-Nine Cents (\$6,636,438.39) once financing for the project is secured and those funds are received by the City.

SECTION 2. That this resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: \_\_\_\_\_ after \_\_\_\_\_ reading. Vote: Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Date Approved: \_\_\_\_\_

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

Clerk: \_\_\_\_\_

\_\_\_\_\_  
Mayor

Offered by: \_\_\_\_\_

Second by: \_\_\_\_\_

Requested by Finance Committee

TEMPORARY ORDINANCE NO. 8-25\*

PERMANENT ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND PERMANENT ORDINANCE 51-24, THE MANAGEMENT PAY ORDINANCE, AND TO DECLARE AN EMERGENCY

WHEREAS, Permanent Ordinance 51-24 established the benefits, titles, and compensation for management and professional personnel employed by the City of Lancaster, Ohio for the year 2025; and

WHEREAS, the position of Department Superintendent in the Utilities Department was originally approved and established at salary range 24, but changes in personnel now permit a reduction to range 22 for that position; and

WHEREAS, the position and salary of Department Superintendent in the Water Pollution Control ("WPC") Department was previously authorized pursuant to Section 2. of the City's Management Pay Ordinance PO 51-24, but with the anticipated retirement of the City's current WPC Superintendent, one (1) Department Superintendent Position will now have to be authorized under Section 1.; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO:

SECTION 1. That City Council hereby amends Permanent Ordinance 51-24, pursuant to Exhibit A attached hereto, to change the Department Superintendent position in the Utilities Department from a salary range 24 to salary range 22.

SECTION 2. That City Council hereby amends Permanent Ordinance 51-24, pursuant to Exhibit A attached hereto, to change the authorized number of WPC Department Superintendents to one (1), at the same pay range – Range 28, in Section 1. and remove Section 2. Water Pollution Control Superintendent in its entirety as of February 28, 2025.

SECTION 23. That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that this Ordinance is necessary to accurately reflect the appropriate title and pay range for the positions; wherefore this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed: \_\_\_\_\_ after \_\_\_\_\_ reading. Vote: Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Approved: \_\_\_\_\_

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

Clerk: \_\_\_\_\_

\_\_\_\_\_  
Mayor

Offered by: \_\_\_\_\_

Second by: \_\_\_\_\_

Requested by Administrative Services Committee

I, Anitra Scott, Clerk of Council do hereby certify that on \_\_\_\_\_, 2025 the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

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

**EXHIBIT A**

TEMPORARY ORDINANCE NO. 48-24\*

PERMANENT ORDINANCE NO. 51-24

AN ORDINANCE TO ESTABLISH THE BENEFITS, TITLES, AND COMPENSATION FOR MANAGEMENT AND PROFESSIONAL PERSONNEL EMPLOYED BY THE CITY OF LANCASTER, OHIO FOR THE YEAR 2025, AND TO DECLARE AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO:

SECTION 1. MANAGEMENT AND PROFESSIONAL PERSONNEL.

The following management and professional positions are approved and established, effective Payroll 1, 2025, in accordance with the department, job title, salary range, and number of employees listed below:

<u>DEPARTMENT</u>	<u>JOB TITLE</u>	<u>RANGE</u>	<u>EMPLOYEES</u>
Auditor	Assistant Auditor	23	1
Cemetery	Maintenance Supervisor	18	1
Code Enforcement	Code Enforcement Director	21	1
Community Development	City Planner	21	1
	Certified Building Manager	23	1
	Grant Manager	18	1
	Zoning Administrator	18	1
Engineering	City Engineer	32	1
	Assistant City Engineer	27	1
Environmental Engineering	Environmental Engineer	30	1
Gas	General Manager	31	1
	Operations Manager	27	1
	Construction Supervisor	19	2
	Compliance/Supply Manager	20	1
Income Tax	Tax Commissioner	24	1
	Asst. Tax Commissioner	19	1
IT/Telecom	IT Director	26	1
	Assistant IT Director	22	1
	GIS Manager	22	1
Law Director	Assistant Law Director	27	1
	Senior Attorney	23	1
	Assistant Prosecutor	21	3
Police Department	Comm Tech Supervisor	13	1

Sanitation	Department Superintendent	25	1
	Assistant Superintendent	19	1
Service-Safety	Service-Safety Director	31	1
	HR Coordinator	16	1
	Facilities Manager	14	1
Storm Water Utility	Storm Water Manager	27	1
	Storm Water Engineer II	23	1
Transportation	Department Superintendent	27	1
	Operations Manager	21	1
	Operations Manager	21	1
	Traffic Control Supervisor	18	1
	Maintenance Supervisor	18	1
Utilities	Department Superintendent	<del>2422</del>	1
	Assistant Superintendent	19	1
Water	Department Superintendent	28	1
	Plant Manager	21	2
	Construction Supervisor	18	1
	Distribution Manager	21	1
	Compliance Manager	18	1
Water Pollution Control	Department Superintendent	28	<del>0</del> 1
	Assistant Superintendent	21	1
	Chemist	19	1

~~SECTION 2. WATER POLLUTION CONTROL SUPERINTENDENT. REMOVED 2/28/25~~  
~~The annual compensation for the Water Pollution Control Superintendent effective Payroll 1, 2025, shall be as follows:~~

<del>Superintendent</del>	<del>Hourly</del>	<del>\$ 59.706</del>	<del>REMOVED</del>
	<del>Bi-weekly</del>	<del>\$ 4,776.512</del>	<del>AS OF 2/28/25</del>
	<del>Annual</del>	<del>\$ 124,188.48</del>	

SECTION 3. POLICE CHIEF AND DEPUTY POLICE CHIEF.

The annual compensation for the Police Chief, Deputy Police Chief, effective Payroll 1, 2025, shall be as follows:

Police Chief	Hourly	\$ 69.134
	Bi-weekly	\$ 5,530.72
	Annual	\$ 143,798.72
Deputy Police Chief	Hourly	\$ 65.721
	Bi-weekly	\$ 5,257.68
	Annual	\$ 136,699.68

SECTION 4. FIRE CHIEF AND ASSISTANT FIRE CHIEF.

The annual compensation for the Fire Chief and one Assistant Fire Chief, effective Payroll 1, 2025, shall be as follows:

Fire Chief	Hourly	\$ 66.706
	Bi-weekly	\$ 5,336.48
	Annual	\$ 138,748.48
Assistant Fire Chief	Hourly	\$ 63.461
	Bi-weekly	\$ 5,076.88
	Annual	\$ 131,998.88

SECTION 5. RETIREMENT PICK-UP.

Employees covered by this Ordinance do not receive retirement pension pick-up.

SECTION 6. LONGEVITY PAY.

Employees covered by this Ordinance, who were hired on or after January 1, 2006, are not eligible to receive this benefit.

Full-time employees covered by this Ordinance, who were hired on or before December 31, 2005, shall, after five (5) years of continuous service with the City, receive a \$3.25 bi-weekly payment for each year of service. An employee shall be paid longevity commencing January 1st of the year in which the anniversary of employment with the City occurs.

SECTION 7. HOLIDAY PAY.

Employees will follow the City's holiday schedule. Employees who are scheduled to, and do work on the holidays, shall be compensated for working such holidays at the rate of one and one-half times such employee's normal rate of pay.

SECTION 8. MEDICAL INSURANCE.

Employees must work an average of 30 hours or more per week over the past twelve (12) months to be eligible for medical insurance. Employees covered by this Ordinance shall pay an amount equal to 15% of the monthly premium for both family and single coverage. These deductions will be made pursuant to the City's 125 plan.

The employee and members of his or her family shall be included under the Employee Insurance Coverage, but only one plan of Employee Insurance Coverage will apply per family even if more than one member of an employee's immediate family is employed by the City.

The insurance benefits provided in this Ordinance shall be substantially equal to those currently provided during the life of this Agreement. The City shall choose the insurance provider and plan, and the benefits provided herein are subject to the rules and regulations of the insurance provider.

SECTION 9. LIFE INSURANCE.

The City shall provide to all full-time employees covered by this Ordinance a term life insurance program as follows:

Coverage Amount  
\$ 50,000.00 per employee  
\$ 2,000.00 per employee spouse  
Up to \$2,000.00 per employee child (to age 26)

An employee will be eligible for insurance under this provision during the term of his or her employment with the City. An employee on leave without pay is not eligible for this program.

#### SECTION 10. PAY SCALE.

The Pay Scale for employees referenced in Section 1 of this Ordinance above, is set forth in the attached Exhibit A. These Pay Scales are effective Payroll 1, 2025.

#### SECTION 11. VACATION LEAVE.

The vacation leave schedule for employees referenced in this Ordinance is hereby established as follows:

Continuous Service	Vacation Hours
Upon completion of 6 months	40 hours
Upon completion of 1 Year	40 hours
Upon completion of 2 Years	80 hours
Upon completion of 5 years	120 hours
Upon completion of 14 years	160 hours
Upon completion of 20 years	200 hours

As used in this section, “year” means any 12-month period following the first date of employment with the City during which the employee is continuously employed with the City and works at least 1,600 hours.

Employees shall earn and be provided the first week of vacation leave during the pay period in which they attain six (6) months of service. Employees shall earn and be provided an additional one (1) week of vacation leave during the pay period in which they attain one year of service. Thereafter, vacation leave shall be earned as set forth in the paragraph below.

Entitlement to accrued vacation leave becomes effective on January 1st if the anniversary date of employment falls within the same calendar year. Employees who separate from the City with less than one year of employment shall not be entitled to a payout of vacation leave.

Employees covered by this Ordinance may carry-over no more than 40 hours of vacation leave into the subsequent calendar year, except as otherwise authorized by the Service-Safety Director and/or elected official responsible for supervision of the department.

#### SECTION 12. PERSONAL TIME.

Employees covered by this Ordinance shall receive 40 hours of personal time each year. Personal time must be used in the year in which it was accrued and will not accumulate. Part-time employees are exempt from this benefit.

Newly hired employees shall be entitled to personal leave on a pro-rated basis in their first calendar year of employment. Employees hired between January 1 and March 31 shall be entitled to forty (40) hours of personal leave in that year. Employees hired between April 1 and June 30 shall be entitled to thirty (30) hours of personal leave in that year. Employees hired between July 1 and September 30 shall be entitled to twenty

(20) hours of personal leave in that year. Employees hired between October 1 and December 31 shall be entitled to ten (10) hours of personal leave in that year.

On January 1st of the calendar year following initial employment, the employee shall receive forty (40) hours of personal leave. Hours not used at the time of separation are not paid out.

#### SECTION 13. FUNERAL LEAVE.

Employees covered by this Ordinance shall be granted funeral leave with pay for the death of a family member as follows:

For a death within the employee's immediate family (e.g., spouse, parent, parent of spouse, child, stepchild, stepparent, or sibling), an employee shall be granted five days of leave within seven days of the death of the family member.

For a death not within the employee's immediate family (e.g., brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent, grandchild, appointed legal guardian, aunt, uncle, or grandparent of spouse), an employee shall be granted three days of leave within seven days of the death of the family member.

An employee may elect to take up to two (2) additional bereavement days as other paid leave.

#### SECTION 14. SICK LEAVE PAYOUT.

A. An employee covered by this Ordinance who maintains a sick leave "bank" of more than 960 hours may elect to "cash in" up to \$500.00 of accrued but unused sick leave annually; provided, however, that an employee may "cash in" only accrued but unused sick leave in excess of 960 hours. In addition, employees with a sick leave "bank" of more than nine hundred sixty (960) hours may cash in two (2) hours of sick leave for one (1) hour of pay up to an additional five-hundred-dollar (\$500) payout provided the employee maintains a sick leave "bank" of at least nine hundred sixty (960) hours. The value of the sick time per hour is an employee's regular hourly rate.

B. An employee covered by this Ordinance who has a bank of more than nine hundred sixty (960) hours can exchange a minimum of eight (8) hours, or one day, for an additional vacation day, not to exceed forty (40) hours.

C. Full-time employees covered by this Ordinance and hired on or before December 31, 2010, shall be granted the following:

If, upon retirement, an employee has a "bank" of at least 960 hours of accrued but unused sick leave, that employee will be paid 100% of the value of the employee's accrued but unused sick leave up to 960 hours, and 25% of the value of that employee's accrued but unused sick leave in excess of 960 hours.

If, upon retirement, an employee does not have a "bank" of 960 hours of accrued but unused sick leave, that employee will be paid the value of 32 hours of the employee's accrued but unused sick leave for each year of the employee's continuous employment with the City, but in no case shall an employee be paid out more than the value of 960 hours of accrued but unused sick leave pursuant to this provision.

D. Full-time employees covered by this Ordinance, who were hired on or after January 1, 2011, and who have at least ten years of continuous service with the City, shall be granted the following:

Upon retirement, an employee may elect to be paid 25% of the value of the employee's accrued but unused sick leave. Regardless of the amount of the payment, a payout under this provision shall eliminate all of that employee's accrued but unused sick leave. An employee may elect to receive one or more payments, but the aggregate value of all payouts under this provision shall not exceed the value of 240 hours of accrued but unused sick leave.

For purposes of this section, the value of one hour of sick leave is equivalent to the employee's current regular hourly rate.

#### SECTION 15. SICK LEAVE EXCHANGE.

Employees covered by this Ordinance who maintain a sick leave "bank" of at least 960 hours may cash in sick leave for personal leave, at a ratio of two days of sick leave for one day of personal leave, for up to three personal days annually.

Employees who maintain a sick leave "bank" of at least 640 hours may cash in sick leave for personal leave, at a ratio of three days of sick leave for one day of personal leave, for up to three personal days annually

#### SECTION 16. SUPERVISOR DISCRETION.

The Service-Safety Director or elected official responsible for supervision of a City department may, in the exercise of his or her sound discretion, adjust the pay step and/or benefits (e.g., vacation leave, personal time, and compensatory time) of an employee covered by this Ordinance in light of that employee's experience, education, performance, or other extenuating circumstances. Any adjustment under this provision must be in writing and, upon delivery to the City Auditor, the adjustment shall be made as soon as practicable.

#### SECTION 17. FORCE AND EFFECT.

This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for continued and uninterrupted services by the City of Lancaster. Wherefore this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

**SEE ORIGINAL PERMANENT ORDINANCE 51-24 FOR SIGNATURES**

TEMPORARY ORDINANCE NO. 12-25\*

PERMANENT ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN COOPERATIVE AGREEMENT AMONG THE LANCASTER PORT AUTHORITY, THE CITY OF LANCASTER, OHIO, LANCASTER DEVELOPMENT COMPANY, LLC, AND THE HUNTINGTON NATIONAL BANK; AND AUTHORIZING THE APPROPRIATION OF TAX INCREMENT FINANCING FUNDS FOR PAYMENT OF DEBT SERVICE WITH RESPECT TO A MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$6,000,000 OF PORT AUTHORITY REVENUE BONDS TO BE ISSUED TO PAY COSTS OF PUBLIC INFRASTRUCTURE IMPROVEMENTS; AUTHORIZING THE EXECUTION AND DELIVERY OF A TIF ADMINISTRATION AGREEMENT BETWEEN ARGUS GROWTH CONSULTANTS, LTD. AND THE CITY; AUTHORIZING AND APPROVING RELATED MATTERS; AND DECLARING AN EMERGENCY

WHEREAS, pursuant to Sections 5709.40, 5709.42, and 5709.43 of the Ohio Revised Code (“R.C.”), the City of Lancaster, Ohio (the “City”) adopted Ordinance No. 19-21 on June 24, 2021, as amended by Ordinance No. 24-21 on August 9, 2021 (as so amended and restated, the “TIF Ordinance”), which, in relevant part, declared that one hundred percent (100%) of the increase in the assessed value of each parcel comprising certain real property located within the City (the “TIF Area”) subsequent to the effective date of the TIF Ordinance (such increase, as further defined in the R.C. Section 5709.40, an “Improvement”) is a public purpose and thereby exempt from taxation for up to thirty (30) years (the “TIF Exemption”); and

WHEREAS, the City determined it to be necessary and appropriate and in the best interest of the City to require the current owners of the parcels comprising the TIF Area and any future owners of such parcels to make annual service payments in lieu of taxes with respect to any Improvement allocable thereto (Service Payments”); and

WHEREAS, pursuant to that certain Revenue Sharing Agreement, dated effective ~~May 21~~ **August 27**, 2021, between the City and the Lancaster City School District (the “School Compensation Agreement”), the City agreed to provide compensation to the School District for a portion of the real property taxes to be exempted under the TIF Ordinance (such compensation, the “School Compensation”), which School Compensation is paid from Service Payments; and

WHEREAS, the Service Payments, less the amounts payable from the Service Payments to the School District pursuant to the School Compensation Agreement and the TIF Ordinance are referred to in this Ordinance as the “Net Service Payments”; and

WHEREAS, the Lancaster Development Company, LLC, an Ohio limited liability company (the “Company”), is the master developer of the Timbertop Mixed-Use Development Project (the “Project”) to be located at 2137 North Columbus Street in the City on approximately 78 acres (the “Project Site”); and

WHEREAS, the Project Site is situated within the TIF Area; and

WHEREAS, the Project is to contain two phases of private development generally described as follows: (i) an approximately 15-acre development including a 195-luxury apartment unit project; and (ii) an approximately 63-acre development including an 81-unit senior residential care facility, **32 senior for-rent villas** and a 150-luxury apartment unit project; and

WHEREAS, pursuant to that certain Tax Increment Financing Agreement, dated effective May 9, 2023, by and between the Company and the City (the "TIF Agreement"), the City has agreed to reimburse the Company for certain Reimbursable Amounts (as defined in the TIF Agreement) incurred in connection with the Public Infrastructure Improvements (as also defined in the TIF Agreement) that the Company has incurred or will incur in the course of completing the Project (the "Original Reimbursement Obligation"); and

WHEREAS, Section 2(e) of the TIF Agreement contemplated that each owner of a parcel in the TIF Area would record a TIF declaration obligating the owner and future owners to make minimum service payments ("Minimum Service Payments"), which Minimum Service Payments have been effectuated pursuant to the following: that certain Declaration of Covenants and Conditions Relative to Service Payments in Lieu of Taxes and Imposition of Continuing Priority Lien, dated November 8, 2024, and recorded against parcel no. 0532328500 on November 12, 2024, in the records of the Fairfield County Recorder's Office as document number 202400018122 (the "Parcel 0532328500 TIF Declaration"), the Declaration of Covenants and Conditions Relative to Service Payments in Lieu of Taxes and Imposition of Continuing Priority Lien, dated September 8, 2021, and recorded against parcel no. 0532327800 on September 22, 2021, in the records of the Fairfield County Recorder's Office as document number 202100025041 (the "**Original Parcel 0532327800 TIF Declaration**"), **as amended and restated by the First Amended and Restated Declaration of Covenants and Conditions Relative to Service Payments in Lieu of Taxes and Imposition and Continuing Priority Lien, dated October 22, 2024, and recorded against parcel no. 0532327800 on October 25, 2024, in the records of the Fairfield County Recorder's Office as document number 202400017038 (such amendment to the Original Parcel 0532327800 TIF Declaration, together with the Original Parcel 0532327800 TIF Declaration, the "Parcel 0532328300 TIF Declaration")**, the Declaration of Covenants and Conditions Relative to Service Payments in Lieu of Taxes and Imposition of Continuing Priority Lien, dated February 9, 2024, and recorded against parcel no. 0532328300 on February 14, 2024, in the records of the Fairfield County Recorder's Office as document number 202400002152 (the "Original Parcel 0532328300 TIF Declaration), as amended and restated by the First Amended and Restated Declaration of Covenants and Conditions Relative to Service Payments in Lieu of Taxes and Imposition of Continuing Priority Lien, dated November 22, 2024, and recorded against parcel no. 0532328300 on December 18, 2024, in the records of the Fairfield County Recorder's Office as document number 202400020326 (such amendment to the Original Parcel 0532328300 TIF Declaration, together with the Original Parcel 0532328300 TIF Declaration, the "Parcel 0532328300 TIF Declaration"), and the Declaration of Covenants and Conditions Relative to Service Payments in Lieu of Taxes and Imposition of Continuing Priority Lien, to be recorded against parcel nos. 0532328200 and 0532328400 in the records of the Fairfield County Recorder's Office (the "Parcels 0532328200 and 0532328400 TIF Declaration", collectively with the Parcel 0532328500 TIF Declaration, the Parcel 0532327800 TIF Declaration and the Parcel 0532328300 TIF Declaration, the "TIF Declarations"); and

WHEREAS, the City has requested the assistance of the Lancaster Port Authority (the "Port Authority") in financing the Project; and

WHEREAS, the Port Authority will issue revenue Bonds (the "Bonds"), the proceeds of which Bonds will be made available to the Company for the payment of costs of the Project or for reimbursement of the costs of the Project previously incurred by the Company, as further described in the Cooperative Agreement to be entered into by and among the Port Authority, the City, the Company, and The Huntington National Bank, as trustee, (the "Cooperative Agreement"); and

WHEREAS, the Cooperative Agreement will provide for, among other things: (i) the use of the proceeds of the Bonds for the payment of the Original Reimbursement Obligation, the payment of other costs of the Project, and the financing of certain other public infrastructure improvements associated with the Project; (ii) the termination and replacement of the TIF Agreement by the Cooperative Agreement, (iii) the pledge of the Net Service Payments to secure the payment of the Bonds, (iv) the assignment of all Minimum Service Payments owed under the TIF Agreement and TIF Declarations to the Port Authority for the payment of the Bonds, and (v) the administration of the allocation of the Net Service Payments and the Minimum Service Payments towards the payment of debt service on the Bonds; and

WHEREAS, City Council has determined to authorize the execution, delivery, and performance of the Cooperative Agreement by and among the Port Authority, the Company, the City, and The Huntington National Bank, as trustee all in connection with the Project; and

WHEREAS, City Council has determined to retain Argus Growth Consultants, Ltd. (the "TIF Administrator"), in order to obtain services related to the administration of the TIF Exemption, the collection and application of Service Payments, Net Service Payments, and Minimum Service Payments, the proper calculation and payment of School Compensation Payments, and other services related to the TIF Exemption; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO:

SECTION 1. Definitions. In addition to the words and terms defined in the Cooperative Agreement, the following words and terms shall have the following meanings unless the context or use clearly indicates another or different meaning or intent:

"Administrative Expenses" includes the fees and expenses of the Port Authority as issuer of the Bonds and amounts required to enforce any provisions of the Cooperative Agreement, including but not limited to amounts necessary to fund one or more reserve funds, to pay cost of issuance, if necessary, to pay the fees and expenses of any Trustee for the Bonds, and to pay premiums on one or more surety policies, if necessary.

"TIF Administration Agreement" shall mean the agreement for TIF administration services between the City and Argus Growth Consultants, Ltd., related to the administration of the TIF Exemption.

SECTION 2. Determinations by Council. City Council finds and determines as follows:

(a) Public Purpose. The Project serves a proper public municipal purpose under Article XVIII, Section 4, of the Ohio Constitution.

(b) Cooperation with Port Authority. It is necessary, proper and in the best interest of the City to request the Port Authority to issue the Bonds and for the Port Authority to make the proceeds from the issuance of the Bonds available to the Company pursuant to the Cooperative Agreement for use in the Project or the financing or refinancing thereof. Cooperation with the Port Authority is authorized by this Ordinance and by Ohio Revised Code Sections 4582.25, 4582.43, and 4582.431.

(c) Cooperative Agreement. It is necessary, proper and in the best interest of the City to authorize the Cooperative Agreement to provide for, among other things, the issuance of the Bonds by the Port Authority.

City Council finds and determines that the issuance of the Bonds and the execution, delivery, and performance of the Cooperative Agreement in connection with such issuance for the purpose provided in this Ordinance serves a proper, public, municipal purpose and is authorized by this Ordinance and by Ohio Revised Code Sections 4582.25, 4582.43, and 4582.431.

SECTION 3. Bond Terms; Application of Proceeds.

(a) Principal Amount. The principal amount of the Bonds shall not exceed Six Million Dollars (\$6,000,000.00).

(b) Maturity. The final maturity of the Bonds shall be December 1, 2056. The Bonds shall be subject to redemption as provided in the Bond legislation approved by the Port Authority.

(c) Interest. The interest rate on the Bonds shall be fixed at 8.00%.

(d) Application of Proceeds. The proceeds from the sale of the Bonds shall be deposited and applied as provided in the Cooperative Agreement and for the purposes stated in this Ordinance.

(e) Administrative Expenses. The Administrative Expenses of the Port Authority may be paid for with the proceeds from the sale of the Bonds. The Administrative Expenses of the Port Authority may be paid with Service Payments as part of the debt service on the Bonds or otherwise.

It is determined that the terms of the Bonds as so determined within the limitations set forth in this Ordinance and as so specified and set forth in the Cooperative Agreement will be in the best interest of the City and consistent with all legal requirements.

SECTION 4. Authorization of Cooperative Agreement; Authorization of TIF Administration Agreement; Additional Documents. In connection with the issuance of the Bonds, the Mayor, the Director of Economic Development, and the City Law Director are each authorized, in the name and on behalf of the City, to sign and deliver the Cooperative Agreement and the TIF Administration Agreement in such forms as are determined by the Mayor, the Director of Economic Development, and the City Law Director as acceptable, in the best interest of the City, and consistent with this Ordinance.

The Mayor, the Director of Economic Development, and the City Law Director are each authorized to sign and deliver and accept delivery of such instruments, certificates and documents as are necessary or appropriate to consummate the transactions authorized by this Ordinance, the Cooperative Agreement, and the TIF Administration Agreement, including all agreements, contracts, and documents necessary or appropriate, in such officer's discretion, to facilitate procurement of municipal bond insurance to enhance the credit of the Bonds if determined to be advisable in connection with the pricing and sale of the Bonds.

The Mayor, the City Auditor, the Director of Economic Development, and the City Law Director are each further authorized to provide certain information related to the City (the "City Information") for inclusion in an official statement or other offering document of the Port Authority, in preliminary and final form, in connection with the original issuance of the Bonds. If the Mayor, City Auditor, Director of Economic Development, or City Law Director so determines, then the Mayor, City Auditor, Director of Economic Development, or the City Law Director are hereby authorized and directed to prepare, on behalf of the City and in their official capacities, the City Information and any supplements thereto, and such certificates related to the accuracy of the City Information as may, in their judgment, be necessary or appropriate.

The Mayor, the Director of Economic Development, and the City Law Director are each authorized to make the necessary arrangements on behalf of the City and cooperate with the Port Authority to establish the date, location, procedure and conditions for the delivery of the Bonds to the original purchaser of the Bonds identified by the Port Authority and to take all actions necessary to effect due signing, authentication and delivery of the Bonds by the Port Authority consistent with the terms of this Ordinance, the Cooperative Agreement, and the TIF Administration Agreement. The Clerk of Council or other appropriate official of the City shall, upon request, furnish the original purchaser of the Bonds identified by the Port Authority with a true transcript of proceedings certified by the Clerk or other official, of all proceedings had with reference to the authorization of the Cooperative Agreement.

SECTION 5. Interpretation. Any provisions of the Codified Ordinances of the City which are inconsistent with the provisions of this Ordinance shall not apply to the Bonds or matters authorized herein. Nothing in this Ordinance is intended to, and no provision hereof shall be applied in any manner as would, impair the obligation of contract of the City with respect to any outstanding bonds, certificates of indebtedness, other obligations, indentures, or other agreements or contracts made or entered into by the City.

SECTION 6. Validity. It is found and determined, and is hereby represented and recited, that all applicable rules of this Council have been fully complied with, and this Ordinance was passed in conformity therewith.

SECTION 7. Severability. Each section of this Ordinance and each subdivision or paragraph of any section is hereby declared to be independent, and the finding or holding of any section or any subdivision or paragraph of any section to be invalid or void shall not be deemed or held to affect the validity of any other section, subdivision or paragraph of this Ordinance.

SECTION 8. Compliance with Open Meeting Law. This Council finds and determines that all formal actions of this Council were taken in an open meeting of this Council, and that all deliberations of this Council were in meetings open to the public, all in compliance with the law, including Ohio Revised Code Section 121.22.

SECTION 9. Emergency Measure. This ordinance is declared to be an emergency measure necessary for the immediate preservation of public health, safety and general welfare, to wit: to allow the agreement to be effective immediately to facilitate the development of the Project and shall take effect and be in force from and after its adoption.

Passed: \_\_\_\_\_ after \_\_\_\_\_ reading. Vote: Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Approved: \_\_\_\_\_

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

Clerk: \_\_\_\_\_

\_\_\_\_\_  
Mayor

Offered by: \_\_\_\_\_

Second by: \_\_\_\_\_

Requested by Economic Development Committee

I, Anitra Scott, Clerk of Council do hereby certify that on \_\_\_\_\_, 2025 the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

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

TEMPORARY ORDINANCE NO. 13-25

PERMANENT ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A PETITION TO ESTABLISH THE LANCASTER NEW COMMUNITY AUTHORITY DISTRICT UNDER OHIO REVISED CODE CHAPTER 349

WHEREAS, the City of Lancaster, Ohio (the "City"), as owner of certain real property located in the territory of the City and thereby a "developer" with respect to said property within the meaning of Ohio Revised Code Section 349.01(E), plans to establish a new community development program for the purposes of encouraging and supporting well-balanced and diversified land use patterns within the territory of the City, including facilities for the conduct of industrial, commercial, residential, cultural, educational, and recreational activities, all as described in Ohio Revised Code Chapter 349; and

WHEREAS, in support of such efforts, City staff and legal counsel have prepared a Petition for Establishment of the Lancaster New Community Authority under Chapter 349 of the Ohio Revised Code (the "Petition"), attached hereto as EXHIBIT A, and a copy of which is on file with the Clerk of Council, and which Petition proposes the establishment of a new community district and new community authority as authorized by Ohio Revised Code Chapter 349; and

WHEREAS, the District, as described in the Petition, is located entirely within the municipal corporate boundaries of the City, a municipal corporation, and this Council, as the legislative authority of the City, is therefore the organizational board of commissioners for purposes of this Petition; and

WHEREAS, this Council has reviewed the Petition as prepared by City staff and legal counsel, and by this Ordinance desires to legislatively authorize the execution of the Petition by the Mayor and the Director of Law and the delivery of the same to this Council in its capacity as "organizational board of commissioners" as defined in Ohio Revised Code Section 349.01(F); now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO:

SECTION 1. Mayor to Represent Developer. This Council hereby authorizes the Mayor to serve as the representative of the City in its capacity as a "developer" for the purposes of filing the Petition with this Council.

SECTION 2. Execution and Delivery of Petition. This Council hereby authorizes and directs the Mayor and the Director of Law to execute and deliver the Petition to establish the Lancaster New Community Authority under Ohio Revised Code Chapter 349. Upon such execution and delivery, the Mayor and the Director of Law, or such other City staff as they may determine, shall file the Petition with this Council, in its capacity as "organizational board of commissioners" as defined in Ohio Revised Code Section 349.01(F).

SECTION 3. Open Meetings. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this

Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Ohio Revised Code Section 121.22.

SECTION 4. This Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed: \_\_\_\_\_ after \_\_\_\_\_ reading. Vote: Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Approved: \_\_\_\_\_

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

Clerk: \_\_\_\_\_

\_\_\_\_\_  
Mayor

Offered by: \_\_\_\_\_

Second by: \_\_\_\_\_

Requested by Law Committee

I, Anitra Scott, Clerk of Council do hereby certify that on \_\_\_\_\_, 2025 the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

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



BEFORE THE CITY COUNCIL OF THE CITY OF LANCASTER, OHIO

PETITION FOR ESTABLISHMENT OF THE  
LANCASTER NEW COMMUNITY  
AUTHORITY AS A NEW COMMUNITY  
AUTHORITY UNDER OHIO REVISED CODE  
CHAPTER 349

Submitted by:

CITY OF LANCASTER, OHIO

As the developer pursuant to  
Ohio Revised Code Section 349.01(E)

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FINANCIAL PLAN ..... EXHIBIT F

DEVELOPER’S MANAGEMENT CAPABILITY..... EXHIBIT G

DISTRICT PROPERTIES..... EXHIBIT H

**BEFORE THE CITY COUNCIL OF THE CITY OF LANCASTER, OHIO**

**PETITION FOR ESTABLISHMENT OF  
THE LANCASTER NEW COMMUNITY AUTHORITY  
AS A NEW COMMUNITY AUTHORITY UNDER  
OHIO REVISED CODE CHAPTER 349**

Pursuant to Ohio Revised Code Chapter 349 (the “Act”), the City of Lancaster, Ohio (the “City”), in its capacity as a “developer” as defined in Section 349.01(E) of the Ohio Revised Code, hereby makes and files this petition (the “Petition”) with the City Council (the “City Council”) of the City of Lancaster, Ohio (the “City”), as the organizational board of commissioners under Section 349.01(F) of the Ohio Revised Code, in order to initiate proceedings for the establishment of a new community authority (the “Authority”) and for the new community district described in Section 3 below (the “District”).

The City further states as follows:

Section 1. Name of the Proposed Authority

The Authority shall be named the “Lancaster New Community Authority.”

Section 2. Principal Office of the Proposed Authority

The principal office of the Authority shall be located at 104 E Main Street, Lancaster, Ohio 43130 until such time as the board of trustees of the Authority determines another location for the principal office of the Authority.

Section 3. Map; Full and Accurate Description of the Proposed District

A full and accurate description of the initial boundaries of the District is attached hereto in the form of a map as Exhibit A (the “Initial Property”), and the descriptions for the parcel comprising the District are attached hereto as Exhibit B. As indicated in the map, all of the real property comprising the Initial Property is developable as one functionally interrelated community or may serve as future parkland or community open space within the District. All of the real property comprising the Initial Property is owned by the City. The territory of the District is wholly located within the municipal boundaries of the City.

This Petition seeks the establishment of the Authority and the District with respect to the Initial Property. Pursuant to Ohio Revised Code Section 349.03(B), the City intends that the District will from time to time add additional territory (collectively, the “Additional Properties”) to further the purposes of the Authority as set forth in this Petition.

Section 4. Zoning for the Proposed District

The current plans for the development of the proposed District comply with the applicable zoning regulations, including the zoning map of the City, a copy of which is attached hereto as Exhibit C. The District is currently zoned Residential Medium Density (R-MD) pursuant to the City's codified Planning and Zoning Code, as adopted by City Ordinance 15-23 on August 14, 2023, and as the same may be amended from time to time. The City may pursue from time to time to the addition of Additional Properties to the District, subject to Council approval, so long as such Additional Properties are consistent with the development standards and other requirements established by the City with respect to the District, including the terms hereof.

Section 5. Current Plans for the Development of the Proposed District

The current plans for the development of the proposed District, indicating the proposed "new community development program," as defined in the Act, are provided below and in certain Exhibits attached to this Petition (collectively, the "Development Program").

The Development Program outlines the general program for the development of the District, and includes (a) the land acquisition and land development activities to be undertaken within the area including the District, (b) the acquisition, construction, operation, and maintenance of community facilities and other public infrastructure improvements for the District (the "Community Facilities"), (c) the provision of District services to be undertaken by, or on behalf of, the Authority, which services may be provided in cooperation with one or more other governmental entities or agencies, (d) the proposed method of financing such Community Facilities and District services, (e) the projected total employment within the District, and (f) the projected total population of the District.

Projected development of the District, including the Additional Properties, is set forth in Exhibit E attached hereto. Development will be required to complement the City's signature characteristics, including its historic downtown, abundant natural features, and walkable, interconnected neighborhoods. Additionally, projected development within the District will be utilized to enhance the quality of roadways, infrastructure, and other City-provided amenities for the benefit of all residents and users of real property within the District.

- a. Development Program, Including Land Acquisition and Land Development. The Development Program contemplates that the Authority may undertake plans for the acquisition of real property and interests in real property and the direct development of the District in accordance with the Development Program, including, without limitation (i) the acquisition of fee interests, easements, rights-of-way, licenses, leases and similar property interests necessary to complete the Community Facilities, including such interests which may be provided to the City or other governmental entities or agencies in support of the Development Program; and (ii) the acquisition of real property and interests in real property to be provided to the City or other governmental entities or agencies in support of the Development Program.

- b. Plan for Community Facilities. The Community Development Charge, as defined in this Petition and as may be further defined in subsequent amendments to this Petition, will be used to pay costs of acquiring, constructing, and improving Community Facilities, pay costs of land acquisition, and pay costs of land development, all in order to support the anticipated rapid growth of the District, including the Additional Properties. The Community Facilities shall include all real property, buildings, structures, or other facilities, including related fixtures, equipment, and furnishings, to be owned, operated, financed, constructed, and maintained under the Act. As provided in the Act, the Community Facilities consist generally of (i) any real property, buildings, structures, or other facilities, including related fixtures, equipment, and furnishings, to be owned, operated, financed, constructed, and maintained, including public, community, City, neighborhood, or town buildings, centers and plazas, auditoriums, day care centers, recreation halls, educational facilities, health care facilities including hospital facilities as defined in the Act, telecommunications facilities, including all facilities necessary to provide telecommunications service as defined in the Act, recreational facilities, natural resource facilities, including parks and other open space land, lakes and streams, cultural facilities, community streets and off-street parking facilities, pathway and bikeway systems, pedestrian underpasses and overpasses, lighting facilities, design amenities, or other community facilities, and buildings needed in connection with water supply or sewage disposal installations, or energy facilities including those for renewable or sustainable energy sources, and steam, gas, or electric lines or installation; and (ii) any community facilities that are owned, operated, financed, constructed, or maintained for, relating to, or in furtherance of community activities.

Specifically, it is presently anticipated that the Community Facilities will include the facilities described in Exhibit D attached hereto. The City anticipates that all Community Facilities will be owned by the City, the Authority, or another governmental entity.

- c. Provision of District Services. Pursuant to the Act, the Authority and the City are authorized to provide services within the District, including, but not limited to, landscaping, street and sidewalk cleaning and maintenance, maintenance of parking facilities, and any other community improvement services. The Authority may determine from time to time to allocate a portion of its budget to the costs of such services. The Authority may cooperate with other governmental entities and agencies as provided in the Act for the provision of District services or otherwise. It is anticipated, however, that all such services will be provided by the City.
- d. Method of Financing. The City proposes to finance the construction of certain of the Community Facilities, the costs of land acquisition, and the costs of land development through the issuance of one or more series of bonds, notes issued in anticipation of the issuance of bonds, or bonds issued to refund such bonds or notes (the "Bonds"), either by the Authority, by the City, by an Ohio port authority, or by one or more governmental entities or agencies in cooperation with the Authority,

the City or an Ohio port authority. The Bonds will be secured through the levy and collection by the Authority of a “community development charge,” as defined in the Act (the “Community Development Charge”), that the Authority expects to levy on certain parcel within the District or expects to collect with respect to certain properties or certain activities within the District. The Community Development Charge may be used by the Authority as a source of security for the payment of the annual debt service charges on the Bonds including, but not limited to, administrative expenses and required reserves (“Bond Debt Service”). Notwithstanding the foregoing, the City reserves the right, to the extent feasible from time to time, to cause the Authority to pay costs of Community Facilities, land acquisition, land development or District services on a current expense or operating expense basis with user fees, governmental contributions, or other revenue available to the Authority.

- e. Projected Total Employment within the District. The Initial Property does not currently include any employers.
- f. Projected Total Population of the District. The Initial Property is not expected to include any residents, however, the development plan specifically intends to cause residential development of all types to be developed within the City.

The 2020 U.S. Bureau of the Census Report estimated a City population of 40,552. The City intends to seek the addition of new developments within the City to the District.

#### Section 6. Board of Trustees of the Proposed Authority

The City recommends that the members of the board of trustees of the Authority (the “Board”) be comprised of seven members selected as provided in Section 349.04 of the Ohio Revised Code and as described below:

- a. Appointment of Members of the Board. Initially, the City will appoint all Members of the Board, as follows.
  - i. The City Council, as the organizational board of commissioners under Section 349.01(F) of the Ohio Revised Code, shall appoint three citizen members of the Board to represent the interests of present and future residents and employers within the District.
  - ii. The City Council, as the organizational board of commissioners under Section 349.01(F) of the Ohio Revised Code, shall appoint one member of the Board to serve as a representative of local government.
  - iii. The City Manager, in his or her capacity as representative of the City as developer of the District within the meaning of Section 349.01(E) of the Ohio Revised Code, shall appoint three members to serve on the Board to represent the City, in its capacity as developer.

- b. Replacement of Members of the Board. The City in its capacity as developer recommends that the City Council establish an alternative Board replacement process, pursuant to Ohio Revised Code Section 349.04, to continue the selection by appointment of Board members, as described in Section 6(a) hereof, until such time as City Council shall determine that the development of the District, including any Additional Properties, is substantially complete.

Section 7. Preliminary Economic Feasibility Analysis for the Proposed Authority

The preliminary economic feasibility analysis is provided below and in certain Exhibits attached to this Petition. The preliminary economic feasibility analysis examines (a) development patterns and demand factors of the area including the District, (b) the location and size for the proposed District, (c) the present and future socio-economic conditions of the area including the District, (d) a description of the public services to be provided with respect to the area including the District, (e) a financial plan with respect to the area including the District, and (f) a description of the City's management capability.

- a. Development Patterns and Demand Factors of District. The current land use of the area within the District is exempt property owned by the City. At this time, the City anticipates development of the Initial Property and/or Additional Properties to be added to the Initial Property as opportunities to combine City-owned property with additional development sites occur. In addition, the City expects rapid development of the Additional Properties during the next decade, including for residential, commercial, and mixed-use purposes.
- b. Location and Size of Proposed District. The District is located in the City as more fully shown in Exhibit A and described in Exhibit B. The size of the proposed District is approximately 58.35 acres.
- c. Public Services Provision. With respect to the Initial Property: (i) all law enforcement services within the District shall be provided by the Lancaster Police Department; (ii) all fire and emergency medical services shall be provided by the Lancaster Fire Department; (iii) roadways and utilities will be provided by the applicable public or utility entities; and (iv) public education services shall be provided by the Lancaster City School District or the Eastland-Fairfield Career & Technical Schools.
- d. Preliminary Economic Feasibility Analysis. A preliminary economic feasibility analysis for development of the District, including the area development pattern and demand, and present and future socio-economic conditions of the area including the District is attached hereto as Exhibit E.
- e. Financial Plan. A preliminary financial plan for the development and the District is attached hereto as Exhibit F.

- f. Developer's Management Capability. A description of the management capability of the City, in the form of the most recent audit of the City, is attached hereto as Exhibit G.

Section 8. Environmental Statement

The Authority and the City shall comply with all applicable environmental laws and regulations with respect to the District. To the knowledge of the City, the District does not include any conditions qualifying as a recognized environmental condition and no evidence of actual or potential releases of hazardous substances or petroleum products in conjunction with the District.

Section 9. Provisions Regarding This Petition

For the purposes of the establishment of the Authority, the City is the only municipal corporation that can be defined as a "proximate city" with respect to the Authority as that term is defined in Section 349.01(M) of the Ohio Revised Code.

Exhibits A, B, C, D, E, F, G, and H attached hereto, are hereby incorporated as part of this Petition.

Words and terms not defined herein shall have the meanings given in Section 349.01 of the Ohio Revised Code unless the context requires a different meaning.

The City, as statutory developer under Section 349.01(E) of the Ohio Revised Code, hereby requests the City Council, as the organizational board of commissioners under Section 349.01(F) of the Ohio Revised Code, to determine that this Petition complies as to form and substance with the requirements of Section 349.03 of the Ohio Revised Code and further requests that the members of the City Council fix the time and place of a hearing on this Petition for the establishment of the Authority. Pursuant to Section 349.03(A) of the Ohio Revised Code, and because the Petition has been executed by the sole "proximate city" within the meaning of that section, such hearing must be held not less than thirty nor more than forty-five days after the filing of this Petition with the Clerk of the City Council.

[Signature Page Follows on Next Page]

This Petition is filed with the Clerk of the City Council of the City of Lancaster, Ohio on this \_\_\_\_ day of \_\_\_\_\_, 2025.

Respectfully submitted,

**CITY OF LANCASTER, OHIO**

By: \_\_\_\_\_

Name: Don McDaniel

Title: Mayor

Approved as to form and correctness:

\_\_\_\_\_  
Stephanie L. Hall, Law Director

**EXHIBIT A**

**PARCELS AND MAP OF DISTRICT**

The District appears as the parcel in the City of Lancaster outlined in the map below in **blue**, identified by the Fairfield County Auditor as parcel number 0532003601 for tax year 2023, including as the parcel may be split or combined from time to time:



**EXHIBIT B**

**DESCRIPTION OF REAL PROPERTY COMPRISING DISTRICT**

The District shall include the following parcel in the City of Lancaster identified by the Fairfield County Auditor for tax year 2023, including as the parcel may be split or combined from time to time:

0532003601

Total Acreage: 12 acres

**EXHIBIT C**  
**ZONING FOR DISTRICT**

I hereby certify that the following presents the applicable zoning regulations with respect to the Initial Property, as set forth in the City of Lancaster Planning and Zoning Code, adopted as Ordinance 15-23 on August 14, 2023.

(See attached).

\_\_\_\_\_  
Clerk of Council  
City of Lancaster, Ohio

## EXHIBIT D

### PROPOSED COMMUNITY FACILITIES

The proposed Community Facilities, as defined in Ohio Revised Code Section 349.01(I), may include the following improvements and costs:

- Roadway construction and improvements necessary to support the District (including associated bike paths and pedestrian paths);
- Pedestrian underpasses and overpasses;
- Park and recreational improvement costs;
- Construction of sanitary sewer, storm sewer, and water improvements;
- Water, storm water, and sewer improvement costs;
- Biking and hiking trails and sidewalks designed to make the entire City easily accessible by foot or bike;
- Excavation and grading;
- Landscaping of public or community property;
- Streetscaping of public or community streets;
- Street lighting;
- Common area gathering park benches;
- Design amenities and public art installations;
- Public, community, village, neighborhood, or town buildings, centers and plazas, auditoriums, amphitheaters, stadiums, arenas, sports facilities, child care centers;
- Municipal facilities;
- Educational facilities;
- Cultural facilities;
- Recreation halls;
- Recreational facilities, natural resource facilities, including parks and other open space land, lakes and streams;
- Health care facilities;
- Parking-related assets and off-street parking facilities, including structured parking facilities;
- Telecommunications facilities;
- Energy facilities including those for renewable or sustainable energy sources, and steam, gas, or electric lines or installation;
- Land acquisition within the meaning of Ohio Revised Code Section 349.01(G);
- Land development within the meaning of Ohio Revised Code Section 349.01(H);
- Expenses of applicable public or private entities in connection with the management of implementing any master plan for development created by the City;
- Other costs of the new community development program within the meaning of Ohio Revised Code Section 349.01(J), , as the same may be amended, from time to time, including inspection costs, testing, water, storm water, and waste water connection fees, contractor fees, general contractor fees, legal fees, property taxes, appraisals and market studies, civil engineering and staking fees, development fee, environmental engineering, geotechnical engineering, and permitting; and costs of issuance of, debt service reserve

funding of, and capitalized interest relating to any bonds, notes or other obligations issued pursuant to Ohio Revised Code Section 349.08, and any necessary contingency amounts; and

- Costs of permanent improvements within the meaning of Ohio Revised Code Section 133.15(B) related to the Community Facilities.

## EXHIBIT E

### PRELIMINARY ECONOMIC FEASIBILITY ANALYSIS

#### **A. Area Development Pattern and Demand**

The primary uses of land in and near the District are industrial, residential and commercial. Currently announced housing projects are projected to add [ ] new residents to the City over the next [five to seven] years.

#### **B. Location and Proposed District Size**

The new community district of the Lancaster New Community Authority (the “District”) is located entirely within the City of Lancaster (the “City”) and Fairfield County, Ohio, as shown on the map attached as Exhibit A. The District is approximately 58.35 acres in size.

#### **C. Present and Future Socio-Economic Conditions**

- (a) Employers. Major employers in the City include nationally known companies such as Diamond Power Specialty Company, Anchor Hocking Glass, and Cyril-Scott Company.
- (b) Workforce. The City pulls from a regional workforce of nearly one million, including a student base of approximately 80,000 from the main campuses of The Ohio State University and Ohio University.
- (c) Education. The school district provides complete educational services to over 6,300 students in preschool through 12th grade. While the district’s high school is nationally recognized, schools at all levels in the district have been recognized by state agencies. The City has multiple avenues for high school students to pursue vocational training, including the Eastland-Fairfield Career & Technical Schools and Career & Technical Education offered at Lancaster High School. At the level of higher education, Ohio University offers traditional and non-traditional educational opportunities through its Lancaster Campus to more than 1,700 students, tailoring course offerings to meet the changing needs of local employers.
- (d) Economic Patterns. [INSERT SUMMARY OF A PLAN OR DEVELOPMENT OVERVIEW OR AN ECONOMIC DEVELOPMENT OVERVIEW (SHOULD ADDRESS BOTH HOUSING AND JOBS).]

#### **D. Public Services Provision**

The City will provide the District with fire and EMS, police, refuse, water, sanitary sewer and storm sewer services. The Authority is not expected to directly provide any public services or utilities. The District is served by the Lancaster City School District.

#### **E. Financial Plan**

The City intends to utilize debt and equity to fund the construction of the District. The Authority will not provide financing for the private improvements within the District. The City expects that revenues from the operations of the District will be sufficient to repay any debt borrowed to fund its developments and provide an adequate return to attract equity investment for its development.

**F. Developer's Management Capability**

The City, the Authority, an Ohio port authority, or a private developer might construct District improvements. The management capability of the City is described on Exhibit G hereto.

**EXHIBIT F**  
**FINANCIAL PLAN**

The City seeks to create the Authority to promote and coordinate the financing and construction of Community Facilities that are necessary from time to time to support development in the District. Initial plans for these Community Facilities are detailed in Exhibit D. The City may pay costs of Community Facilities directly or may consider financing the Community Facilities through the issuance, whether directly or on a conduit basis, of bonds secured by the Community Development Charge.

**Determination of Community Development Charges**

The Authority will impose one or more Community Development Charges on portions of the Initial Property or on Additional Properties (together, the “District Properties”) determined as generally described in this Exhibit F, and specifically upon the filing of a declaration of covenants and restrictions filed on real property within the District, as the same may be amended, modified, or supplemented from time to time (the “Declaration”). Although the City does not contemplate the establishment of Community Development Charges with respect to the Initial Property within the District because that property is currently exempt real property, the City and the Authority reserve the right to cause the establishment of Community Development Charges with respect to this real property in the future.

The Community Development Charges applicable to the District Properties are anticipated to equal the following, provided that the District Properties are not otherwise exempt real property because of their use:

- (1) a Community Development Charge amount equal to five (5) mills on real property used for purposes that would cause the Tax Commissioner to classify the parcel as residential property in accordance with rules adopted by the Commissioner under Ohio Revised Code Section 5713.041 (the “Minimum Residential Charge”); and
- (2) an additional Community Development Charge on real property used for purposes that would cause the Tax Commissioner to classify the parcel as residential property in accordance with rules adopted by the Commissioner under Ohio Revised Code Section 5713.041 in an amount to exceed the Minimum Residential Charge (the “Additional Residential Charge”), but in no event shall the Additional Residential Charge exceed ten (10) mills; provided, that the Additional Residential Charge shall be determined upon approval of the City and shall be implemented by filing a declaration or supplemental declaration applicable to such property; and
- (3) Such other Community Development Charges as may be requested by the Developer or a property owner, to be further determined upon approval of the City and implemented by filing a declaration or supplemental declaration applicable to the affected property.

### **Allocation of Community Development Charges**

The Community Development Charges shall be allocated and applied as follows:

- (1) Payment of Authority administrative costs, including costs of the City in support of the Authority, in an amount not to exceed \$5,000 annually that are invoiced by the City to the Authority;
- (2) The balance, after deduction of Authority administrative costs, to the City to pay costs of Community Facilities selected by the City; and

In addition, District Properties may be subject to additional or increased Community Development Charges upon request of the affected property and approval of the City with respect to the same.

### **Timing and Collection of the Community Development Charges**

The Community Development Charge will be imposed on the District Properties upon approval thereby of the Board.

As permitted by Section 349.07 of the Ohio Revised Code, the Authority may certify the Community Development Charges to the Fairfield County Auditor, who will enter the Community Development Charges on the tax list and duplicate of real property and certify the Community Development Charge to the Fairfield County Treasurer for collection with the tax bills.

### **Illustrative Example of Impact of Community Development Charge for Tax Year 2025**

The below table demonstrates the evaluation of each mill for different property classifications and at different assessed valuations using tax year 2025 effective rates. The below chart is for illustration purposes only and actual Community Development Charges for each of the District Properties shall be subject to official certification by the Authority:

(See attached.)

**Illustrative Example of Impact of Community Development Charge  
For Tax Year 2025**

<b>NCA Charge Analysis (Full Year)</b>			
<b>Appraised Property Value</b>	<b>Taxable Property Value (35%)</b>	<b>NCA Millage Amount</b>	<b>NCA Charge Amount</b>
\$100,000	\$35,000	5.00	\$175
\$200,000	\$70,000	5.00	\$350
\$300,000	\$105,000	5.00	\$525
\$400,000	\$140,000	5.00	\$700
\$500,000	\$175,000	5.00	\$875
\$600,000	\$210,000	5.00	\$1,050
\$700,000	\$245,000	5.00	\$1,225

<b>Total Tax Bill Analysis (Full Year)</b>						
<b>Appraised Property Value</b>	<b>Taxable Property Value (35%)</b>	<b>[1] Effective Res/Ag Tax Rate</b>	<b>[2] Real Property Tax Amount</b>	<b>NCA Millage Amount</b>	<b>NCA Charge Amount</b>	<b>Total Tax Charge Amount</b>
\$100,000	\$35,000	44.323597	\$1,401	5.00	\$175	\$1,576
\$200,000	\$70,000	44.323597	\$2,801	5.00	\$350	\$3,151
\$300,000	\$105,000	44.323597	\$4,202	5.00	\$525	\$4,727
\$400,000	\$140,000	44.323597	\$5,602	5.00	\$700	\$6,302
\$500,000	\$175,000	44.323597	\$7,003	5.00	\$875	\$7,878
\$600,000	\$210,000	44.323597	\$8,404	5.00	\$1,050	\$9,454
\$700,000	\$245,000	44.323597	\$9,804	5.00	\$1,225	\$11,029

Notes:

[1] Tax Year 2025 Effective Res/Ag Tax Rate for PLEASANT TWP / LANCASTER CSD

[2] Real Property Tax Amount Assuming 9.7% Reduction in Tax for Owner-Occupancy and Non-Business Credit

**EXHIBIT G**

**THE CITY'S MANAGEMENT CAPABILITY**

[The City's 2023 audit follows.]

**EXHIBIT H**

**ADDITIONAL PROPERTIES**

The Additional Properties are expected to include certain new developments within the boundaries of the City.