

LANCASTER CITY COUNCIL
LANCASTER, OHIO

March 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

- | | |
|------------------------|--|
| 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 #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) |

SECOND READING

- Temp Res #26-25 A RESOLUTION AUTHORIZING THE LANCASTER TREE COMMISSION TO APPLY FOR THE OHIO DEPARTMENT OF NATURAL RESOURCES URBAN FORESTRY GRANT AND TO DECLARE AN EMERGENCY
Service Committee (Ailes/Wing) (2 Readings)
- Temp Res #27-25 A RESOLUTION AUTHORIZING THE CITY LAW DIRECTOR'S OFFICE TO APPLY FOR THE VIOLENCE AGAINST WOMEN ACT GRANT
Law Committee (Crites/Bizjak) (3 Readings)

FIRST READING

- Temp Res #28-25 A RESOLUTION TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH THE FAIRFIELD COUNTY GENERAL HEALTH DISTRICT FOR PUBLIC HEALTH SERVICES
Administrative Services Committee (Lutchenberg/Wolfinger) (3 Readings)
- Temp Res #29-25 A RESOLUTION TO APPROPRIATE FROM THE UNENCUMBERED BALANCE AND AMEND THE CERTIFICATE OF APPROPRIATIONS WITH THE COUNTY AUDITOR IN THE TIMBERTOP TIF FUND (3060)
Finance Committee (Wolfinger/Ailes) (3 Readings)
- Temp Res #30-25 A RESOLUTION OF THE CITY OF LANCASTER TO APPROVE THE FAIRFIELD COUNTY E9-1-1 FINAL PLAN
Safety Committee (Bizjak/Tener) (3 Readings)

READING OF ORDINANCES**THIRD READING**

None

SECOND READING

- Temp Ord #15-25** AN ORDINANCE TO AMEND PERMANENT ORDINANCE 55-24, ALSO KNOWN AS THE PARKS AND RECREATION PAY ORDINANCE, AND TO DECLARE AN EMERGENCY
Service Committee (Ailes/Hoop) (3 Readings)

- Temp Ord #16-25** AN ORDINANCE AUTHORIZING THE MAYOR TO GRANT TEN PERMANENT SUPPLEMENTAL EASEMENTS TO THE OHIO POWER COMPANY NECESSARY FOR THE CONSTRUCTION AND MAINTENANCE OF ELECTRIC FACILITIES AND TO DECLARE AN EMERGENCY
Law Committee (Crites/Wolfinger) (3 Readings)
- Temp Ord #18-25** AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT AN AMENDED DEED OF PERMANENT EASEMENT FOR UNDERGROUND UTILITY FACILITIES AND TO DECLARE AN EMERGENCY
Law Committee (Crites/Wolfinger) (2 Readings)

FIRST READINGS

- Temp Ord #19-25** AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN THE MAXIMUM PRINCIPAL AMOUNT OF SEVEN MILLION DOLLARS (\$7,000,000), IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING THE COSTS OF THE RENOVATION AND REHABILITATION OF THE CITY HALL BUILDING AND OTHERWISE IMPROVING THE SITE THEREFOR, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY
Finance Committee (Wolfinger/Sollie) (3 Readings)
- Temp Ord #20-25** AN ORDINANCE TO ACCEPT THE ANNEXATION OF 5.08 +/- ACRES IN PLEASANT TOWNSHIP AND TO DECLARE AN EMERGENCY
Economic Development Committee (Hoop/Crites) (3 Readings)
- Temp Ord #21-25** AN ORDINANCE TO AMEND THE ZONING MAP SUBJECT TO PASSAGE OF THE ANNEXATION OF 5.08 +/- ACRES IN PLEASANT TOWNSHIP, AND TO DECLARE AN EMERGENCY
Economic Development Committee (Hoop/Wing) (3 Readings)
- Temp Ord #22-25** AN ORDINANCE TO AMEND SECTION 1339.13 OF THE CODIFIED ORDINANCES OF THE CITY OF LANCASTER ENTITLED "WIRELESS TELECOMMUNICATIONS"
Code Enforcement & Zoning Committee (Lutchenberg/Hoop) (3 Readings)

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. April 7th 2025 at 6:30 p.m. – Council Chambers
2. April 21st 2025 at 6:30 p.m. – Council Chambers

SPECIAL SCHEDULED MEETINGS

None

REGULARLY SCHEDULED COMMITTEE MEETINGS

1. Safety Committee – April 4th at 8:00 a.m. - City Hall 1897 Conference Room
2. Administrative Services Committee – April 16th at 8:00 a.m. – City Hall 1897 Conference Room
3. Economic Development Committee – April 24th at 7:30 a.m. – City Hall 1897 Conference Room

READING OF BILLS

MNCO – \$114.52

MNCO - \$275.29

EXECUTIVE SESSION (if needed)

ADJOURNMENT

TEMPORARY RESOLUTION NO. 28-25

PERMANENT RESOLUTION NO. _____

A RESOLUTION TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH THE FAIRFIELD COUNTY GENERAL HEALTH DISTRICT FOR PUBLIC HEALTH SERVICES

WHEREAS, the Fairfield County General Health District currently provides the City of Lancaster with public health services; and

WHEREAS, the current contract with the Fairfield County Health District for public health services will expire on December 31, 2025; and

WHEREAS, the Fairfield County Board of Health and the City of Lancaster have negotiated a one (1) year contract commencing January 1, 2026, and running through December 31, 2026, attached as Exhibit A hereto; now, therefore,

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

SECTION 1. That the Mayor is hereby authorized to enter into a contract with the Fairfield County General Health District for public health services for a contract period of one (1) year, which will begin on January 1, 2026, and expire on December 31, 2026, in an amount not to exceed Three Hundred Eighty-Eight Thousand Nine Hundred Twenty-Six Dollars (\$388,926.00).

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 Administrative Services Committee



CONTRACT
Between The Fairfield County Board of Health
and The City of Lancaster

This contract entered into by and between the City of Lancaster (hereafter referred to as "City"), with its principal address being 104 E Main Street, Lancaster, Ohio 43130, and the Board of Health of the Fairfield County General Health District (hereafter referred to as "Board" or "Fairfield County Health Department") for Public Health services.

The Board is a general health district as defined under Ohio Revised Code (ORC) Section 3709.01. ORC Section 3709.08 authorizes cities in Fairfield County to contract with the Board to provide public health services to and within the City.

The District Advisory Council (hereafter referred to as the "Council") of the Fairfield County General Health District, created by ORC 3709.03, held a public meeting on March 27, 2025, at which by a majority vote of members representing the Council voted affirmatively to provide public health services to the cities in Fairfield County, and to authorize the Chairman of the Council to enter into a contract with each city to provide public health services therein.

The Board is engaged in the governance of providing public health services as described in this contract and the Scope of Work, attached hereto, and incorporated herein as Exhibit A, and has the knowledge, skills, and resources to provide such services in accordance with the terms and conditions of Ohio law and this contract.

The Board is organized and equipped to provide the services and shall have the powers and shall perform all the duties required of the board of health or the authority having the duties of a board of health within the City.

The City is willing to contract with the Board for such services in accordance with the terms and condition of Ohio law and this Contract.

SECTION 1 - SERVICES

The Board shall, for the consideration hereinafter stated, furnish to the City, and inhabitants thereof, all such public health services as are furnished to all villages and townships and the inhabitants thereof, of Fairfield County, Ohio. Said services shall include all services as allowed by law according to the most current version of the Ohio Revised Code. Said services shall include the minimum standards and optimal achievable standards for boards of health and local health departments pursuant to Ohio Revised Code Section 3701.342. Said services shall include enforcement of all rules and regulations as allowed by law according to the most current version of the Ohio Administrative Code.

Regulations of the Fairfield County Health Department shall apply to and be enforceable within the jurisdiction of the Fairfield County General Health District and the City.

The Fairfield County Prosecutor shall be responsible for any civil litigation involving enforcement of Health Regulations within the corporate limits of said political subdivision.

This contract and any claims arising in any way out of this contract shall be governed by the laws of the State of Ohio. Any litigation arising out of or relating in any way to this contract, or the performance hereunder, shall be brought only in an Ohio court of competent jurisdiction in Fairfield County, Ohio, and the City hereby irrevocably consents to such jurisdiction.

SECTION 2 - TERM

Said public health services shall be furnished for a one (1) year term, beginning January 1, 2026, and ending December 31, 2026, provided, however, that either party to this agreement shall have the right to cancel the same upon three (3) months written notice and the parties hereto may, by mutual written agreement, modify the terms of this agreement.

SECTION 3 - COMMUNICATION

The Board will provide ongoing communication with the Mayor and his or her designees. This communication will provide information on timely public health topics, upcoming events and featured services. Reports and other information about direct services that are being provided to the City will be provided upon request.

SECTION 4- PUBLIC HEALTH PAYMENT FEES & CHARGES

For 2026, the City shall pay the Board for said public health services furnished to the City and the inhabitants thereof, the sum of \$388,926.00, notwithstanding any fee established pursuant to the sections set forth below.

Said sums of money shall be paid to the Board in installments of 50% of the total contract amount in January of each year and 50% of the total contract amount in June of the same year.

In any instance where the Board expends funds to abate a nuisance pursuant to Section 1 above, within the City, the Board may invoice the City for the costs of such nuisance abatement. Further, the City shall pay, in addition to those sums set forth in Section 4, above, to the Board the cost to abate the nuisance.

The Board agrees to certify such nuisance abatement costs to the Fairfield County Auditor to be recorded as a lien upon the property and shall reimburse all funds recovered under such a lien to the City.

SECTION 5 - PLUMBING INSPECTION SERVICES AND FEES

The City, through its Building Department, shall issue permits and collect fees for and conduct such plumbing inspections. The Board shall not provide plumbing inspections within the City under this contract.

SECTION 6 – MOSQUITO CONTROL SERVICES

The Board shall furnish, at no additional cost to the City, such mosquito control services as are needed to respond to mosquito-borne disease cases and outbreaks. The City conducts its own mosquito control program for nuisance control. The Board employs an integrated pest management approach to vector control, which includes trapping, breeding site identification and control measures. Additional mosquito spraying beyond addressing public health hazards may be requested by the City at a fee established by the Board of Health.

SECTION 7 - APPROVAL

This contract is approved by a majority of the members of the legislative authority of the City of Lancaster, pursuant to the provisions of Permanent Resolution _____ (attached hereto as Exhibit A) passed and approved on _____ authorizing a contract effective date of January 1, 2026.

The City has determined that Fairfield County Public Health is organized and equipped to adequately provide the service that is the subject of this contract.

IN WITNESS WHEREOF, the parties to this agreement have hereunto set their hands and seals and have executed this agreement the day and year written below.

DISTRICT ADVISORY COUNCIL OF THE FAIRFIELD COUNTY GENERAL HEALTH DISTRICT

Chairperson

FAIRFIELD COUNTY HEALTH DEPARTMENT

Health Commissioner

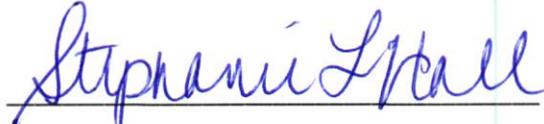
CITY OF LANCASTER, OHIO

Mayor

APPROVED AS TO FORM



Assistant Prosecuting Attorney



City Law Director

SCOPE OF WORK

Fairfield County Board of Health ("Board") hereby agrees to provide health services for the City as set forth below ("Services").

The Board shall have full authority to be and act as the public health authority for the City.

The Services described in the schedule listed below in this Exhibit will be provided by the Board to the City.

The Services will include all necessary medical, nursing, sanitary, laboratory and such other health services as are required by the Statutes of the State of Ohio.

The followings services shall be a part of the Services provided under this Contract:

List of Functions, Programs and Services
Administrative Services:
Administration
Budget, Accounts Payable, Accounts Receivable
Communication & Marketing
Grant Writing & Management
Records Management
Reports - Financial & Statistical
Data Services:
Community Health Assessment
Health Data
Environmental Health:
Food Service Operation Licensing, Inspection & Education
Mosquito-borne Disease Control & Education
Nuisance Enforcement & Education
Public Swimming Pool & Spa Licensing, Inspection & Education
Rabies Surveillance - Animal bite investigation and follow up
Communicable Disease Control
Retail Food Establishment Licensing, Inspection & Education
School Facilities Inspection & Education
Sewage Treatment System Permitting, Inspection & Education
Solid Waste, Construction and Demolition Facility, Transfer Station Inspection & Enforcement
Tattoo & Body Piercing Permitting, Enforcement & Inspection
Park and Camp Licensing, Enforcement & Inspection
Private Water Systems Permitting, Testing & Education
Emergency Preparedness:
Public Health Emergency Preparedness
Epidemiology, Surveillance, Investigation Services:
Reportable Infectious Disease investigation and follow-up
Disease Outbreak Management
Health Promotion
Community Health Improvement Plan

Public Health Accreditation
Immunization Services:
Childhood and Adult Vaccine Administration Services
Immunizations and screenings - Fee for Service
Children with Medical Handicaps (CMH) Public Health Nursing Services
WIC Program and Services
Safe Sleep & Infant Mortality Prevention Initiatives & Education

The Board maintains a range of grant funded programs for the benefit of citizens throughout the County.

THE BOARD RESERVES THE RIGHT TO AMEND THIS EXHIBIT AT ANYTIME.

TEMPORARY RESOLUTION NO. 29-25

PERMANENT RESOLUTION NO. _____

A RESOLUTION TO APPROPRIATE FROM THE UNENCUMBERED BALANCE AND AMEND THE CERTIFICATE OF APPROPRIATIONS WITH THE COUNTY AUDITOR IN THE TIMBERTOP TIF FUND (3060)

WHEREAS, the 2024 Timbertop TIF settlement monies carried over into 2025 and need to be appropriated to meet the City's Timbertop TIF Fund commitments; 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 Certificate of Appropriations with the County Auditor in the amount of Seventy-Six Thousand One Hundred Twenty-One Dollars and Forty-Three Cents (\$76,121.43) in the Timbertop TIF Fund (3060).

SECTION 2. That the City of Lancaster Auditor appropriate from the unencumbered balance in expense account 3060-9610-52070 (Reimb Timbertop TIF) in the amount of Seventy-Six Thousand One Hundred Twenty-One Dollars and Forty-Three Cents (\$76,121.43).

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 Finance Committee

TEMPORARY RESOLUTION NO. 30-25

PERMANENT RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF LANCASTER TO APPROVE THE FAIRFIELD COUNTY E9-1-1 FINAL PLAN

WHEREAS, the Fairfield County 9-1-1 Program Review Committee, organized pursuant to Section 128.06 of the Ohio Revised Code, has approved a new E9-1-1 Final Plan for Fairfield County; and

WHEREAS, the plan has evolved over time to incorporate advancements in technology, such as Enhanced 9-1-1 (E911) services, and to address the needs of the community through collaboration with municipal, township, and public safety agencies; and

WHEREAS, by integrating modern features like Automatic Number Identification (ANI) and Automatic Location Information (ALI), the E9-1-1 system accelerates emergency response times and ensures accurate routing of calls to the appropriate Public Safety Answering Points (PSAPs); and

WHEREAS, a resolution to approve the plan by each legislative authority of each municipal corporation in the county and of each township whose territory is proposed to be included in a countywide 9-1-1 system is required by Section 128.08 of the Ohio Revised Code; now, therefore,

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

SECTION 1. That, in accordance with Ohio Revised Code 128.08, the City of Lancaster approves the Fairfield County E9-1-1 Final Plan which is on file with the Clerk of Council.

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: _____

Offered by: _____

Second by: _____

Requested by Safety Committee

President of Council

Mayor

TEMPORARY ORDINANCE NO. 19-25

PERMANENT ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN THE MAXIMUM PRINCIPAL AMOUNT OF SEVEN MILLION DOLLARS (\$7,000,000), IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING THE COSTS OF THE RENOVATION AND REHABILITATION OF THE CITY HALL BUILDING AND OTHERWISE IMPROVING THE SITE THEREFOR, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY

WHEREAS, this Council has requested that the Auditor, as fiscal officer of this City, certify the estimated life or period of usefulness of the Improvement described in Section 1, the estimated maximum maturity of the Bonds described in Section 1 and the maximum maturity of the Notes described in Section 3; and

WHEREAS, the Auditor has certified to this Council that the estimated life or period of usefulness of the Improvement described in Section 1 is at least five (5) years, the estimated maximum maturity of the Bonds described in Section 1 is at least twenty (20) years, and the maximum maturity of the Notes described in Section 3, to be issued in anticipation of the Bonds is two hundred forty (240) months; now, therefore,

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

SECTION 1. It is necessary to issue bonds of this City in the maximum principal amount of \$7,000,000 (the "Bonds") for the purpose of paying the costs of the renovation and rehabilitation of the City Hall building and otherwise improving the site therefor, together with all necessary appurtenances thereto (the "Improvement").

SECTION 2. The Bonds shall be dated approximately April 1, 2026, shall bear interest at the now estimated rate of 6.00% per year, payable semiannually until the principal amount is paid, and are estimated to mature in twenty (20) annual principal installments on December 1 of each year and in such amounts that the total principal and interest payments on the Bonds, in any fiscal year in which principal is payable, shall be substantially equal. The first principal payment of the Bonds is estimated to be December 1, 2026.

SECTION 3. It is necessary to issue and this Council determines that notes in the maximum principal amount of \$7,000,000 (the "Notes") shall be issued in anticipation of the issuance of the Bonds for the purpose described in Section 1 and to pay the costs of the Improvement and any financing costs. The principal amount of Notes to be issued (not to exceed the stated maximum principal amount) shall be determined by the Auditor in the certificate awarding the Notes in accordance with Section 6 of this Ordinance (the "Certificate of Award") as the amount which is necessary to pay the costs of the Improvement and any financing costs. The Notes shall be dated the date of issuance and shall mature not more than one year following the date of issuance, provided that the Auditor shall establish the maturity date in the Certificate of Award. The Notes shall bear interest at a rate or rates not to exceed 6.00% per year (computed on the basis of a 360-day year consisting of twelve 30-day months or such other basis as shall be determined by the Auditor in the Certificate of Award), payable

at maturity and until the principal amount is paid or payment is provided for. The rate or rates of interest on the Notes shall be determined by the Auditor in the Certificate of Award in accordance with Section 6 of this Ordinance.

SECTION 4. The debt charges on the Notes shall be payable in lawful money of the United States of America or in Federal Reserve funds of the United States of America as determined by the Auditor in the Certificate of Award, and shall be payable, without deduction for services of the City's paying agent, at the office of the Auditor or a bank or trust company designated by the Auditor in the Certificate of Award after determining that the payment at that bank or trust company will not endanger the funds or securities of the City and that proper procedures and safeguards are available for that purpose or at the office of the Auditor if agreed to by the Auditor and the original purchaser (the "Paying Agent"). The Auditor is authorized, to the extent necessary or appropriate, to enter into an agreement with the Paying Agent in connection with the services to be provided by the Paying Agent after determining that the signing thereof will not endanger the funds or securities of the City.

SECTION 5. The Notes shall be signed by the Mayor and the Auditor in the name of the City and in their official capacities, provided that one of those signatures may be a facsimile. The Notes shall be issued in minimum denominations of \$100,000 or any integral multiples of \$5,000 in excess thereof (and may be issued in denominations in such amounts in excess thereof as requested by the original purchaser and approved by the Auditor) and with numbers as requested by the original purchaser and approved by the Auditor. The entire principal amount may be represented by a single note and may be issued as fully registered securities (for which the Auditor will serve as note registrar) and in book entry form as described below, or other uncertificated form in accordance with Section 9.96 and Chapter 133 of the Ohio Revised Code if it is determined by the Auditor that issuance of fully registered securities in that form will facilitate the sale and delivery of the Notes. The Notes shall not have coupons attached, shall be transferable and numbered as determined by the Auditor and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Ordinance. The principal and interest on the Notes shall be payable by check or draft mailed by the City to the registered holder of the Notes at close of business on the maturity date of the Notes at the registered holder's address as it appears on the note register; provided, however, the City may enter into an agreement with the registered holder of the Notes, providing for making the payment to the purchaser of principal and interest on the Notes at a place and in a manner (including wire transfer of federal funds) other than as provided in this Ordinance, without prior presentation or surrender of the Notes. Upon receipt of the principal and interest payments at maturity on the Notes, the registered holder thereof shall cancel the notes and deliver them to the City.

Notwithstanding any other provisions of this Ordinance, if the Auditor determines in the Certificate of Award that it is in the best interest of and financially advantageous to the City, the Notes may be issued in book entry form in accordance with the following provisions of this Section.

"Book entry form" or "book entry system" means a form or system under which (a) the ownership of beneficial interests in the Notes and the principal of and interest on the Notes may be transferred only through a book entry, and (b) a single physical Note certificate in fully registered form is issued by the City and payable only to a Depository or its nominee as registered owner, with the certificate deposited with and "immobilized" in the custody of the Depository or its designated agent for that purpose. The book entry maintained by others than

the City is the record that identifies the owners of beneficial interests in the Notes and that principal and interest.

“Depository” means any securities depository that is a clearing agency registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934, operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in the Notes or the principal of and interest on the Notes, and to effect transfers of the Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

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

The Notes may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (a) the Notes may be issued in the form of a single Note made payable to the Depository or its nominee and immobilized in the custody of the Depository or its agent for that purpose; (b) the beneficial owners in book entry form shall have no right to receive the Notes in the form of physical securities or certificates; (c) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (d) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book entry system, the Auditor may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Auditor does not or is unable to do so, the Auditor, after making provision for notification of the beneficial owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Notes from the Depository, and shall cause the Notes in bearer or payable form to be signed by the officers authorized to sign the Notes and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Auditor is also hereby authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the book entry system for the Notes, after determining that the signing thereof will not endanger the funds or securities of the City.

SECTION 6. The Notes shall be sold at not less than par plus accrued interest (if any) at private sale by the Auditor in accordance with law and the provisions of this Ordinance, the Certificate of Award and/or the Note Purchase Agreement (if any). The Auditor shall sign the Certificate of Award referred to in Section 3 fixing the interest rate or rates which the Notes shall bear and evidencing that sale to the original purchaser, cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the original purchaser, to the original purchaser upon payment of the purchase price.

To the extent it is determined necessary by the Auditor in the Certificate of Award, the Mayor and the Auditor are authorized to sign and deliver, in the name and on behalf of the City, the note purchase agreement (the "Note Purchase Agreement") between the City and the original purchaser, in a form as is approved by the Mayor and the Auditor, providing for the sale to, and the purchase by, the original purchaser of the Notes. Any such changes to the Note Purchase Agreement are not materially adverse to the interests of the City and are approved by the Mayor and the Auditor shall be evidenced conclusively by the signing of the Note Purchase Agreement by the Mayor and the Auditor.

The Mayor, the Auditor, the Director of Law, the Treasurer, the Clerk of Council and other City officials, as appropriate, and any person serving in an interim or acting capacity for any such official, each are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance. Any actions heretofore taken by the Mayor, the Auditor, the Director of Law, the Treasurer, the Clerk of Council and other City official, as appropriate, in doing any and all acts necessary in connection with the issuance and sale of the Notes are hereby ratified and confirmed. The Auditor is authorized, if it is determined to be in the best interest of the City, to combine the issue of Notes with one or more other note issues of the City into a consolidated note issue pursuant to Section 133.30(B) of the Ohio Revised Code.

To the extent that the Auditor determines that it would be in the best interest of the City and elects to utilize the Ohio Market Access Program (the "Ohio Market Access Program") which is administered by the Treasurer of the State of Ohio (the "Treasurer"), the Mayor and the Auditor are authorized to sign and deliver, in the name and on behalf of the City, the Standby Note Purchase Agreement (the "Standby Note Purchase Agreement") in substantially the form as presented to this Council with such changes as are not materially adverse to the City and as may be approved by the officers of the City executing the Standby Note Purchase Agreement. The City acknowledges the agreement of the Treasurer in the Standby Note Purchase Agreement that, in the event the City is unable to repay the principal amount and accrued and unpaid interest of the Notes at their maturity, whether through its own funds or through the issuance of other obligations of the City, the Treasurer agrees to (a) purchase the Notes from the holders or beneficial owners thereof upon their presentation to the Treasurer for such purchase at a price of par plus accrued interest to maturity or (b) purchase renewal notes of the City in a principal amount not greater than the principal amount of the Notes plus interest due at maturity, with such renewal notes bearing interest at the Renewal Note Rate (as defined in the Standby Note Purchase Agreement), maturing not more than one year after the date of their issuance, and being prepayable at any time with 30 days' notice, provided that in connection with the Treasurer's purchase of such renewal notes the City shall deliver to the Treasurer an unqualified opinion of nationally recognized bond counsel that (i) such renewal notes are the legal, valid and binding general obligations of the City, and the principal of and interest on such renewal notes, unless paid from other sources, are to be paid from the proceeds of the levy of ad valorem taxes, within the ten-mill limitation imposed by law, on all property subject to ad valorem taxes levied by the City and (ii) interest on the renewal notes is excluded from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code, as amended, to the same extent that interest on the Notes is so excluded.

The officers signing the Notes are authorized to take all actions that may in their judgment reasonably be necessary to provide for the Standby Note Purchase Agreement,

including but not limited to the inclusion of a notation on the form of the Notes providing notice to the holders or beneficial owners of the existence of the Standby Note Purchase Agreement and providing instructions to such holders or beneficial owners regarding the presentation of the Note for purchase by the Treasurer at stated maturity.

SECTION 7. The proceeds from the sale of the Notes received by the City (or withheld by the original purchaser or deposited with the Paying Agent, in each case on behalf of the City) shall be paid into the proper fund or funds, and those proceeds are appropriated and shall be used for the purpose for which the Notes are being issued. The Certificate of Award and the Note Purchase Agreement (if any) may authorize the original purchaser to (a) withhold certain proceeds from the sale of the Notes or (b) remit certain proceeds from the sale of the Notes to the Paying Agent, in each case to provide for the payment of certain financing costs on behalf of the City. If proceeds are remitted to the Paying Agent in accordance with this Section 7, the Paying Agent shall be authorized to create a fund in accordance with the Certificate of Award for that purpose. Any portion of those proceeds received by the City (after payment of those financing costs) representing premium or accrued interest shall be paid into the Bond Retirement Fund.

SECTION 8. The City shall use reasonable efforts to sell and issue the Bonds or renewal notes at such times, in such amounts and bearing interest at such rates, and containing such additional provisions, as may be necessary to provide sufficient moneys to pay all the debt charges on the Notes when due after allowing for any other funds that may be lawfully available and appropriated for that purpose. The par value to be received from the sale of the Bonds or of any renewal notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used to pay the debt charges on the Notes at maturity and are pledged for that purpose.

SECTION 9. During the year or years in which the Notes are outstanding, there shall be levied on all the taxable property in the City, in addition to all other taxes, the same tax that would have been levied if the Bonds had been issued without the prior issuance of the Notes. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Notes or the Bonds when and as the same fall due.

In each year to the extent receipts from the City's municipal income tax are available for the payment of the debt charges on the Notes or the Bonds and are appropriated for that purpose, the amount of the property tax described above shall be reduced by the amount of such receipts so available and appropriated in compliance with the following covenant. To the extent necessary, the debt charges on the Notes or the Bonds shall be paid from municipal income taxes of the City lawfully available therefor under the Constitution and laws of the State of Ohio; and the City hereby covenants, subject and pursuant to such authority, including particularly Section 133.05(B)(7) of the Ohio Revised Code, to appropriate annually from such municipal income taxes such amount as is necessary to meet such annual debt charges.

Nothing in the preceding paragraph in any way diminishes the irrevocable pledge of the full faith and credit and general property taxing power of the City to the prompt payment of the debt charges on the Notes or the Bonds.

SECTION 10. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent as may be necessary so that (a) the Notes will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Internal Revenue Code of 1986, as amended (the "Code") or (ii) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (b) the interest on the Notes will not be an item of tax preference under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Notes to be and remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purpose of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports and (v) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Auditor or any other officer of the City having responsibility for issuance of the Notes is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the City with respect to the Notes as the City is permitted to or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties with respect to the Notes, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments with respect to the Notes, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Notes. The Auditor or any other officer of the City having responsibility for issuance of the Notes is specifically authorized to designate the Notes as "qualified tax-exempt obligations" if such designation is applicable and desirable, and to make any related necessary representations and covenants.

SECTION 11. The Auditor is authorized to request a rating for the Notes from Moody's Ratings or S&P Global Ratings, or both, as the Auditor determines is in the best interest of the City. The expenditure of the amounts necessary to secure any such ratings as well as to pay the other financing costs (as defined in Section 133.01 of the Ohio Revised Code)

in connection with the Notes is hereby authorized and approved and the amounts necessary to pay those costs are hereby appropriated from the proceeds of the Notes, if available, and otherwise from available moneys in the General Fund.

SECTION 12. The legal services of the law firm of Squire Patton Boggs (US) LLP are hereby retained. Those legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the authorization, sale and issuance of the Notes and securities issued in renewal of the Notes and rendering at delivery related legal opinions, all as set forth in the form of engagement letter from that firm which is now on file in the office of the Clerk of Council. In providing those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of this City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State of Ohio, any county or municipal corporation or of this City, or the execution of public trusts. For those legal services, that firm shall be paid just and reasonable compensation and shall be reimbursed for actual out-of-pocket expenses incurred in providing those legal services. To the extent they are not paid or reimbursed pursuant to the Note Purchase Agreement (if any) and/or the Certificate of Award, the Auditor is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm. The amounts necessary to pay those fees and any reimbursement are hereby appropriated from the proceeds of the Notes, if available, and otherwise from available moneys in the General Fund.

SECTION 13. The services of Bradley Payne, LLC, as municipal advisor, are hereby retained. The municipal advisory services shall be in the nature of financial advice and recommendations in connection with the issuance and sale of the Notes. In rendering those municipal advisory services, as an independent contractor, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State of Ohio, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those municipal advisory services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those municipal advisory services. To the extent they are not paid or reimbursed pursuant to the Note Purchase Agreement (if any) and/or the Certificate of Award, the Auditor is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm. The amounts necessary to pay those fees and any reimbursement are hereby appropriated from the proceeds of the Notes, if available, and otherwise from available moneys in the General Fund.

SECTION 14. The Clerk of Council is directed to promptly deliver a certified copy of this Ordinance to the County Auditor of Fairfield County, Ohio.

SECTION 15. This Council determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 9) of the City are pledged for the timely

payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

SECTION 16. 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 or any of its committees, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law, including Section 121.22 of the Ohio Revised Code.

SECTION 17. 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 required to be immediately effective in order to issue and sell the Notes, which is necessary to enable the City to facilitate the timely execution of one or more contracts relating to the Improvement; 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 Finance 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. 20-25

PERMANENT ORDINANCE NO. _____

AN ORDINANCE TO ACCEPT THE ANNEXATION OF 5.08 +/- ACRES IN PLEASANT TOWNSHIP AND TO DECLARE AN EMERGENCY

WHEREAS, on December 31, 2024, the City of Lancaster was served with Petitioner's Petition for Annexation of 5.08 +/- acres in Pleasant Township to the City; and

WHEREAS, City Council subsequently passed all necessary legislation to consent to and serve the annexed territory; and

WHEREAS, on February 4, 2025, the Fairfield County Board of County Commissioners unanimously passed Resolution 2025-02.04.a which granted the Petition to annex 5.08 +/- acres from Pleasant Township to the City of Lancaster; and

WHEREAS, the City wishes to finally accept this annexation; now, therefore,

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

SECTION 1. That the City of Lancaster hereby accepts the annexation of 5.08 +/- acres herein described in Exhibit "A."

SECTION 2. That the City Engineer is hereby authorized to change the municipal corporation limits of the City accordingly.

SECTION 3. That 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 adopted 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.

SECTION 4. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the City and its inhabitants and for the further reason that this ordinance is necessary to further economic development within the City; 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 Economic Development Committee

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

Clerk of Council



**DESCRIPTION OF 5.08 ACRES
FOR ANNEXATION FROM THE TOWNSHIP OF PLEASANT
INTO THE CITY OF LANCASTER
02/01/2024
Page 1 of 2**

Situated in the State of Ohio, County of Fairfield, Township of Pleasant, Section 34, Township 15, Range 18, Congress Lands, being a portion of those tracts conveyed to Blue Label Packaging Company, by Instrument Numbers 202300006535, and 202300006337 (Auditor's Parcel Nos. 0270061100, 0270060800, 0270063600), references being of the Fairfield County Recorder's Office, and described as follows:

Beginning at the southeast corner of said Blue Label Packaging Company Property (Auditor's Parcel No. 0270061100), the same being the southwest corner of property conveyed to Blue Label Packaging Company by Deed Volume 621, Page 803 (Auditor's Parcel No. 0535011982), being in the common line with Post Consumer Brands, LLC in Instrument Number 202100016608 (Auditors Parcel No. 0535000310), said corner being in the centerline of Lancaster – New Lexington Rd. (S.R.37), and being in an existing corporation line for the City of Lancaster as recorded in Official Record 1333 Page 3397 (Ord. #53-03) and Plat Book 9 Page 32 (Ord. #27-66), of said Fairfield County Recorder's Office, said corner also being the **True Point of Beginning**;

Thence, with the common line of said Post Consumer Brands property and said Blue Label Packaging Company property, and along said centerline and existing corporation line, the following two (2) courses:

North 90 degrees 00 minutes 00 seconds West, 180.67 feet to a point in said centerline of State Route 37,

North 89 degrees 29 minutes 57 seconds West, 430.98 feet to a point being on the southern line of said Blue Label Packaging Company property (Auditors Parcel No. 0270063600) and in the centerline of State Route 37;

Thence, through said Blue Label Packaging Company property (Auditor's Parcel No. 0270063600, **North 00 degrees 30 minutes 03 seconds East, 30.00 feet** to a point being on the intersection of the existing S.R. 37 and US. 22 Right-Of-Way;

Thence, through said Blue Label Packaging Company (Auditor's Parcel Nos. 0270061100, 0270060800, 0270063600) property, and along US 22 Right-of-Way line per ODOT Plan FAI-22-16.42 Dated 1971, the following five (5) courses:

North 70 degrees 15 minutes 27 seconds West, 147.55 feet to a point;

North 40 degrees 59 minutes 45 seconds East, 49.24 feet to a point;

North 62 degrees 03 minutes 49 seconds East, 395.65 feet to a point;

North 00 degrees 25 minutes 23 seconds East, 16.79 feet to a point;

North 64 degrees 30 minutes 54 seconds East, 412.06 feet to a point, being on the east line of said Blue Label Packaging Company (Auditor's Parcel No. 0270061100) property and the west line of said Blue Label Packaging Company (Auditor's Parcel No. 0535011982) property, also being a corner for said existing corporation line;

DESCRIPTION OF 5.08 ACRES
FOR ANNEXATION FROM THE TOWNSHIP OF PLEASANT
INTO THE CITY OF LANCASTER

02/01/2024

Page 2 of 2

Thence, with the common line of said Blue Label Packaging Company (Auditors Parcel No. 0270061100) property, and said Blue Label Packaging Company (Auditor's Parcel No. 0535011982) property, and long said existing corporation line, **South 00 degrees 25 minutes 23 seconds West, 500.24 feet to the True Point of Beginning** containing 5.08 acres, more or less.

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



A handwritten signature in cursive script that reads "John C. Dodgion".

John C. Dodgion, P.S. 8069

PLAT OF TERRITORY TO BE ANNEXED FROM THE TOWNSHIP OF PLEASANT TO THE CITY OF LANCASTER

~ EXHIBIT "A" ~

LOCATED IN THE STATE OF OHIO, COUNTY OF FAIRFIELD, TOWNSHIP OF PLEASANT, PART OF SECTION 34, TOWNSHIP 15, RANGE 16, CONGRESS LANDS, AND BEING PART OF THOSE TRACTS LISTED BELOW FROM THE RECORDS OF FAIRFIELD COUNTY, OHIO.

OWNER: BLUE LABEL PACKAGING COMPANY
 PARCEL NUMBERS: 027-00636.00, 027-00608.00, 027-00611.00
 PROPERTY ADDRESS: 3011 CINCINNATI-ZANESVILLE RD. NE (5.08 ACRES)

IN WITNESS THERE OF THIS ___ DAY OF _____, 202__

SIGNATORY FOR BLUE LABEL PACKAGING CO.:

STATE OF OHIO, COUNTY OF FAIRFIELD
 BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE PERSONALLY APPEARED THE ABOVE NAMED WHO
 ACKNOWLEDGE THE SIGNING OF THE FOREGOING INSTRUMENT TO BE THEIR VOLUNTARY ACT AND DEED FOR THE USES
 AND PURPOSES THEREIN EXPRESSED.

IN WITNESS WHEREOF I HAVE HEREUNTO SET HAND AND AFFIXED BY OFFICIAL SEAL THIS ___ DAY OF ___
 202__

BY: _____
 MY COMMISSION EXPIRES _____

THE WITHIN MAP MARKED EXHIBIT "A" AND MADE A PART OF THE PETITION OF ANNEXATION FILED WITH THE BOARD
 OF COMMISSIONERS OF FAIRFIELD COUNTY, OHIO, ON _____, 202__, UNDER CHAPTER 709 OF THE
 OHIO REVISED CODE, IS SUBMITTED AS AN ACCURATE MAP OF THE TERRITORY IN SAID PETITION DESCRIBED THE
 REQUIREMENTS OF SAID CHAPTER 709 OF THE OHIO REVISED CODE.

AGENT FOR PETITIONERS

THE BOARD OF COUNTY COMMISSIONERS OF FAIRFIELD COUNTY, OHIO, HAVING RECEIVED A PETITION BEARING THE
 SIGNED NAMES AND ADDRESS OF THE PARTIES INTERESTED IN THE ANNEXATION, TO THE CITY OF LANCASTER, OHIO,
 OF THE TERRITORY SHOWN HEREON AND HAVING GIVEN DUE CONSIDERATION TO THE PRAYER OF SAID PETITION, DO
 HEREBY GRANT THE SAME.

PETITION RECEIVED _____, 202__

PETITION GRANTED _____, 202__

APPROVED THIS ___ DAY OF _____, 202__

FAIRFIELD COUNTY COMMISSIONER FAIRFIELD COUNTY COMMISSIONER

FAIRFIELD COUNTY COMMISSIONER

THE COUNCIL FOR THE CITY OF LANCASTER, OHIO, BY ORDINANCE NO. _____ PASSED THIS ___ DAY OF
 _____, 202__, AND APPROVED BY THE MAYOR ON THIS ___ DAY OF _____, 202__,
 DID ACCEPT THE TERRITORY SHOWN HEREON FOR ANNEXATION TO THE CITY OF LANCASTER, OHIO, A MUNICIPAL
 CORPORATION.

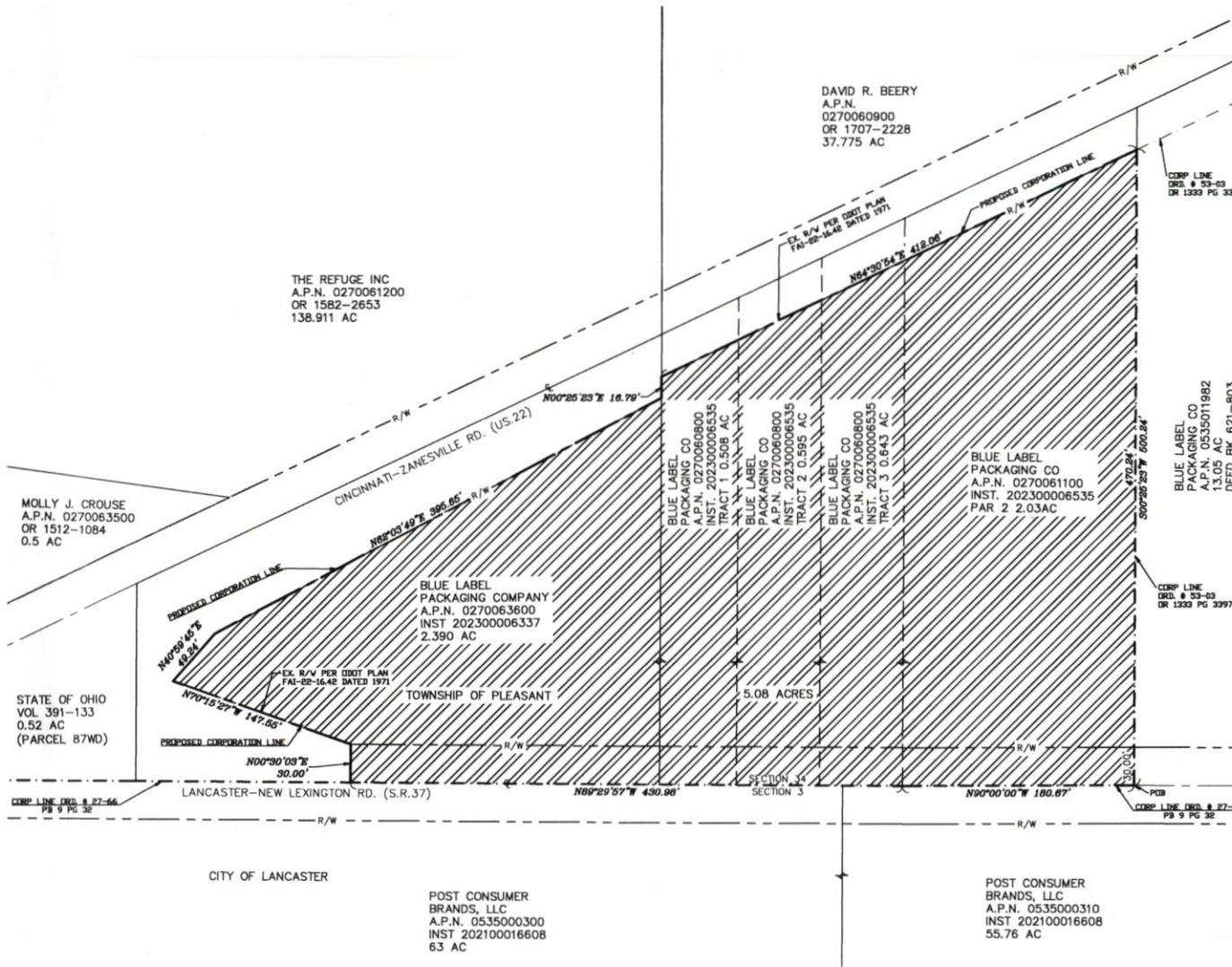
MAYOR, CITY OF LANCASTER ATTEST CLERK, CITY OF LANCASTER

TRANSFERRED THIS ___ DAY OF _____, 202__, UPON THE DUPLICATES OF THIS OFFICE, CONTAINING
 ACRES.

TRANSFER FEE _____ FAIRFIELD COUNTY AUDITOR
 RECEIVED FOR RECORD _____, 202__, AT _____ (AM/PM) AND RECORDED _____, 202__

IN PLAT ORDINANCE, PETITION, ECT. IN INSTRUMENT NO. _____

PLAT FEE: _____ FAIRFIELD COUNTY RECORDER
 ORDINANCE, ETC. FEE: _____



MOLLY J. CROUSE
 A.P.N. 0270063500
 OR 1512-1084
 0.5 AC

THE REFUGE INC
 A.P.N. 0270061200
 OR 1582-2653
 138.911 AC

DAVID R. BEERY
 A.P.N.
 0270060900
 OR 1707-2228
 37.775 AC

BLUE LABEL
 PACKAGING CO
 A.P.N. 0270063600
 INST. 202300006337
 2.390 AC

BLUE LABEL
 PACKAGING CO
 A.P.N. 0270060800
 INST. 202300006535
 TRACT 1 0.508 AC

BLUE LABEL
 PACKAGING CO
 A.P.N. 0270060800
 INST. 202300006535
 TRACT 2 0.595 AC

BLUE LABEL
 PACKAGING CO
 A.P.N. 0270060800
 INST. 202300006535
 TRACT 3 0.643 AC

BLUE LABEL
 PACKAGING CO
 A.P.N. 0270061100
 INST. 202300006535
 PAR. 2 2.03AC

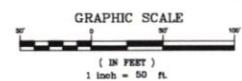
BLUE LABEL
 PACKAGING CO
 A.P.N. 0535011982
 13.05 AC
 DEED BK 621-803

STATE OF OHIO
 VOL 391-133
 0.52 AC
 (PARCEL B7WD)

CORP. LINE DRG. # 87-66
 PB 9 PG 32

CORP. LINE DRG. # 53-63
 OR 1333 PG 3397

CORP. LINE DRG. # 87-66
 PB 9 PG 32



LEGEND
 AREA TO BE ANNEXED INTO CITY OF LANCASTER (5.08 ACRE TOTAL, MORE OR LESS)
 EXISTING CITY OF LANCASTER CORPORATION LINE

ANNEXATION PERIMETER (TOTAL): ±2,163.18'
 ANNEXATION PERIMETER CONTIGUOUS TO EXISTING CORPORATION LINE: ±1,111.89'
 PERCENT CONTIGUOUS: ±51.4%

CERTIFICATION
 THIS EXHIBIT IS BASED ON EXISTING AUDITOR'S AND RECORDER'S, FAIRFIELD COUNTY, OHIO, RECORD INFORMATION AND IS FOR ANNEXATION PURPOSES ONLY. THIS IS NOT A SURVEY PER OAC 4733-37.



John C. Dodgion
 JOHN C. DODGION REG. SURVEYOR NO. 8069

DRAWN BY: A. STEVENS	DATE: 2/01/2024
CHECKED BY: J. DODGION	DRAWING NO.: 792602.DWG
JOB NO.: 792602	SHEET 1 OF 1

PREPARED BY: **SMART**
 88 W. CHURCH STREET, NEWARK, OHIO 43065
 PHONE: (740) 345-4700 FAX: (740) 522-4700

TEMPORARY ORDINANCE NO. 21-25

PERMANENT ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE ZONING MAP SUBJECT TO PASSAGE OF THE ANNEXATION OF 5.08 +/- ACRES IN PLEASANT TOWNSHIP, AND TO DECLARE AN EMERGENCY

WHEREAS, the City of Lancaster has been served with an Expedited Type 2 Petition to annex 5.08 +/- acres from Pleasant Township to the City of Lancaster; and

WHEREAS, the Lancaster City Council passed Permanent Ordinance 5-25 on January 27, 2025, consenting to the annexation; and

WHEREAS, the City must pass an ordinance to establish zoning for any newly annexed territory; and

WHEREAS, the negotiated Pre-Annexation Agreement contemplates the territory to be annexed will be zoned as AM – Advanced Manufacturing and the Application for Zoning District Change likewise requests AM zoning, see Exhibit “A” attached hereto; and

WHEREAS, pursuant to Ohio Revised Code § 713.12, City Council may amend or modify the recommendation of the Planning Commission, which will made be at its April 10, 2025, meeting, as set forth in Exhibit “B” to be attached hereto after that meeting; now, therefore,

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

SECTION 1. That the Zoning Ordinance and Map of the City of Lancaster, Ohio are hereby revised upon successful passage of the Ordinance to Accept the Annexation to establish the City Boundaries and to establish zoning for the 5.08 +/- acres, pursuant to Exhibit “A”, as follows:

- a. AM (Advanced Manufacturing District)

SECTION 2. The City Engineer is directed to make the foregoing change on the Zoning Map.

SECTION 3. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the Municipality and its inhabitants and for the further reason that this ordinance is necessary to further economic development within the City; 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 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



**PRE-ANNEXATION AGREEMENT
WITH THE
CITY OF LANCASTER, OHIO**

This PRE-ANNEXATION AGREEMENT (the "Agreement") is made to become effective as of the ____ day of _____, 2024 by Blue Label Packaging Co., an Ohio _____, ("Owner") and the City of Lancaster, Ohio, an Ohio municipal corporation, 104 E. Main Street, Lancaster, Ohio, 43130 (the "City") in order to document their agreement with respect to a proposed annexation of the Property (as described below) to the City.

RECITALS

WHEREAS, the Owner owns approximately 5.08 +/- acres of real property situated in Pleasant Township, Fairfield County, Ohio, which area is more fully described in the legal description and plat survey attached hereto as **Exhibit A** (hereinafter referred to as the "Property"); and

WHEREAS, Owner desires to maintain the present industrial operation in the City on its adjacent property to the east, and to bring the Property into the City to promote future growth in the City, and to obtain certain benefits in connection with the development of the Property; and

WHEREAS, such Property is contiguous to the City, and would benefit from municipal services provided by the City, including water, sanitary sewer, storm water, natural gas, police, fire, and EMS services; and

WHEREAS, the City can provide such municipal services to the Property, if the Property is annexed to the City subject to the terms and conditions set forth herein; and

WHEREAS, Owner wishes to request an Expedited Type 2 Annexation of the Property to the City to allow for anticipated business growth the specifics of which are not, to date, planned with enough specificity to be reflected in Site Plan format ; and

WHEREAS, the Property is currently situated within Pleasant Township; and

WHEREAS, City and Owner wish to address these issues and memorialize their agreement on terms as set forth below.

AGREEMENT

NOW THEREFORE, in consideration of their mutual rights, obligations, benefits and undertakings the parties agree as follows:

1. Owner's Agreement to Petition for Annexation. Owner agrees to submit a Petition for Expedited Type 2 Annexation of the Property to the City during December 2024, and to diligently pursue the annexation process in reliance upon the other mutual promises and terms set forth herein. In connection therewith, Owner shall prepare and submit the information, maps and other drawings as shall be required as part of such annexation process.
2. City to Cooperate with Owner. The City shall cooperate with and assist Owner in facilitating the annexation of the Property to the City as promptly as possible and agrees to

accept the Owner's petition for annexation of the Property.

3. Easements. Owner appreciates that easements will be needed for the construction, installation and maintenance of municipal utilities which will service the Property. The specific location and width of such easements have not been fully determined or engineered/surveyed at the time of execution of this Agreement. However, upon the City's determination of the municipal utility easements necessary, the Owner will grant such easements for such purposes.
4. Services Resolution. The City hereby agrees to enact all legislation setting forth the water, sanitary sewer, natural gas, storm water, sanitation services, police, fire, and EMS services that will be provided to the Property, pursuant to Ohio law and as set forth below.
 - a. Water Service – City has public water service lines in proximity to the Property, and City will determine and approve connection points, but it shall be the Owner's sole cost and responsibility to connect to these locations, as approved by the City. City requires additional information from the Owner in order to determine the requirements necessary to provide water service in the capacity necessary to service the future Property development of the Owner. Owner must provide pressure and flow modeling to City for review and analysis to make critical determinations about what measures must be taken by Owner to ensure City can provide water service to the entire Property. Upon submission, review and approval of development plans, pressure and flow modeling, and any other essential information requested, City can accept the Owner's request for water service and Owner's commitment to connect to waterlines upon extension. Owner is solely responsible for the cost and expense of the development, design, and construction of the public waterlines and facilities to provide water service to the Property in compliance with Lancaster Codified Ordinance and City design standards. Owner will provide the easements necessary for construction, installation, and maintenance of the waterlines. It is expressly acknowledged and understood that costs and fees for water connections, tap and capacity/user fees shall be borne by the Owner at applicable standard rates/schedules of the City.
 - b. Sanitary Sewer - City has public sanitary sewer lines in proximity to the Property, and City will determine and approve connection points, but it shall be the Owner's sole cost and responsibility to connect to these locations, as approved by the City. City requires additional information from the Owner in order to determine the requirements necessary to provide sanitary sewer service in the capacity necessary to service the entire Property. Owner must submit a sanitary sewer service plan for review and approval by City. The plan will need to show how each tributary area will be served. Upon review and approval by City of a sanitary sewer service plan, City agrees to determine and provide public sanitary sewer connection points for the Property. Owner is solely responsible for the cost and expense of the development, design, and construction of the public sanitary sewer system and any private facilities to provide sanitary sewer service to the Property in compliance with Lancaster Codified Ordinance and City design standards. Owner will provide the easements necessary for construction, installation, and maintenance of the public sanitary sewer system. The public sanitary sewer service constructed by Owner will have sufficient capacity to serve the Property and its proposed development subject to the conditions stated above. It is expressly acknowledged and understood that costs and fees for sanitary sewer connections, tap and capacity/user fees shall be borne by the Owner at applicable standard rates/schedules of the City.

- c. Natural Gas - City has public natural gas service lines in proximity to the Property, and City will determine and approve connection points. Lancaster Municipal Gas (“LMG”) agrees to provide natural gas service to the entire Property upon annexation. The alignment through the proposed development is undetermined at this time, but Owner and City shall work together, as the development progresses, to ensure proper looping and connectivity can be supplied to the Property. Upon review and approval by City of natural gas service, City agrees to determine and provide public natural gas line connection points for the Property at City’s sole cost and expense. City and/or LMG shall be solely responsible for the cost and expense of the development, design, and construction of the public natural gas line system to provide natural gas service to the Property in compliance with Lancaster Codified Ordinance and City design standards. Owner will provide the easements necessary for construction, installation, and maintenance of the public natural gas system. The public natural gas system constructed by Owner will have sufficient capacity to serve the Property and its proposed development subject to the conditions stated above. It is expressly understood that costs of connection and tap and capacity/user fees shall be borne by the Owner, at applicable standard rates/schedules of the City.
 - d. Stormwater – City is amenable to either a regional storm water facility or individual storm water control facilities within each particular development of the Property. Any proposed development will require retention/detention facilities that comply with City’s detention policy. Due to the size of the Property, it will also have to comply with all the requirements of the Ohio EPA Construction General Permit in effect at the time the Property is developed. Owner is solely responsible for the cost and expense of the development, design, and construction of the public storm water facilities to provide storm water service to the Property in compliance with Lancaster Codified Ordinance and City design standards and OEPA permit requirements. The storm water system constructed by Owner will have sufficient capacity to serve the Property and its proposed development subject to the conditions stated above.
 - e. Sanitation Service – City will provide sanitation service to the Property upon Owner request. It is anticipated that dumpsters will be placed at various locations within each designated area. Owner shall comply with Lancaster Codified Ordinance and City standards regarding dumpster locations. It is expressly understood that costs associated with sanitation services shall be borne by the Owner, at applicable standard rates/schedules of the City.
 - f. Police Service – City shall provide Police services to the Property upon annexation. Owner and City agree that Owner’s development of the Property, and the public road servicing the same, may occur in phases subject to all applicable laws, rules, and regulations.
 - g. Fire/EMS Service - City shall provide Fire/EMS services to the Property upon annexation. Owner and City agree that Owner’s development of the Property, and the public road servicing the same, may occur in phases subject to applicable laws, rules, and regulations.
6. Zoning Classification/Site Plan Approval. As an integral part of the annexation process for the Property, the City shall adopt an ordinance or take all other actions required by applicable laws, rules, and regulations to reclassify the Property to permit Owner's intended

use of the Property. City agrees to accept the Owner's proposed development of approximately 5.08 +/- acres, rezoned to the AM, Advanced Manufacturing zoning district. Any additional approvals, special use permits, conditional permits, or variances shall be addressed to the appropriate City department in the future and handled like all other zoning applications. Owner will make application and pay all associated fees with rezoning, within thirty (30) days of County Commissioner action on the annexation petition.

7. Traffic Improvements. Owner shall have a Traffic Impact Study performed to evaluate the impacts of the proposed development of the Property to the roadway system. City will establish the scope and requirements of the Traffic Impact Study and the study area. Owner must also construct, at Owner's expense, dedicated public roadways/rights-of-way, built to City guidelines and standards.
8. Dedicated ROW. Owner agrees to provide City with dedicated roadways/rights-of-way along existing public roadways and within the Property as determined by City upon successful annexation and rezoning, as set forth in Section 7 above, and the dedicated public roadways/rights-of-way as designated on the Development Plan.
9. Miscellaneous.
 - a. The City agrees to process the contemplated rezoning for the proposed development of the Property on a parallel time frame with the planned annexation, within the statutory time frame provided by Ohio law for such annexation. The parties specifically contemplate the passage of the rezoning legislation within the same City Council meeting to finally accept annexation of the Property.
 - b. This Agreement shall be construed to include all the Exhibits referenced in and attached to this Agreement. This Agreement constitutes the entire agreement of the parties and supersedes all prior discussions, negotiations, proposals, and agreements between the parties (whether written or oral), and it may not be amended or modified except by a written amendment executed by all of the parties.
 - c. If a dispute arises, the Courts of Fairfield County, Ohio, shall have jurisdiction to resolve any dispute unless both parties expressly agree otherwise in writing.
 - d. No modifications, discussions, or alterations from the terms included herein shall be considered effective unless as made in writing and signed by all parties.
 - e. Owner shall have the right to sell, transfer, assign or otherwise convey, to a contemplated transferee, all, or any part of the Property, and all of such Owner's rights, duties, and or responsibilities under this Agreement. This Agreement shall be binding upon the parties hereto and their respective transferee, successors, and/or assigns.
 - f. It is expressly understood that time is of the essence in doing and performing all things to be done under the terms of this Agreement.
 - g. Each party agrees to cooperate fully with the other and to execute any additional instruments, documents, or agreements reasonably requested by the other party in order to carry out and fulfill all of the intents and purposes of this Agreement.

- h. Notices under this Agreement shall be in writing to the Owner, c/o J. Joseph McCafferty, Blue Label Packaging Co. 3750 Lancaster New Lexington Road, Lancaster, Ohio 43130; and to the City, c/o Law Director & City Prosecutor, 136 W. Main Street, Lancaster, Ohio, 43130.
10. Representations and Warranties. The parties make each of the following representations and warranties as of the effective date of this Agreement. These representations and warranties are given as partial consideration for and as a material inducement to the execution of this Agreement and each shall survive the execution, delivery, and performance of this Agreement.
- a. Owner's Warranty regarding Power and Authority. Owner warrants and represents that it is duly organized, validly existing and in good standing under the laws of the state of Ohio and has the capacity to enter into this Agreement. Each person executing this Agreement on Owner's behalf represents and warrants that he or she has full power and authority to do so and to deliver and perform this Agreement and all transactions contemplated by this Agreement without the consent of any additional persons or entities.
 - b. City's Warranty regarding Power and Authority. The City warrants that it has the power, authority, and capacity to enter into, and to deliver and perform this Agreement and all transactions contemplated by this Agreement without the consent of any additional persons, boards or any other group or entity. Each person executing this Agreement on behalf of the City represents and warrants that he or she has full power and has been authorized to do so by appropriate actions by the governing body of the City.
 - c. Valid and Binding. Each party represents and warrants that this Agreement creates a valid, binding, and enforceable obligation and that this Agreement is enforceable against the warranting party in accordance with its terms.

EXECUTION PAGE TO FOLLOW

IN WITNESS WHEREOF, the parties have executed this Agreement with the intention that it shall be effective as of the date first written above.

OWNER:
Blue Label Packaging Co.

By: _____

Its: _____

CITY:
City of Lancaster, Ohio

By: _____
Mayor Don McDaniel

Approved as to form only:

Law Director & City Prosecutor's Office
City of Lancaster, Ohio

STATE OF OHIO,
COUNTY OF FAIRFIELD, SS:

On this ____ day of _____, 2024, before me, the undersigned, officer, personally appeared, Mayor Don McDaniel, known to me to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposed therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public
My Commission Expires:

STATE OF OHIO,
COUNTY OF FAIRFIELD, SS:

On this ____ day of _____, 2024, before me, the undersigned, personally appeared _____, _____ known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposed therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public
My Commission Expires:

EXHIBIT A

Legal Description and Plat Map of Property



**DESCRIPTION OF 5.08 ACRES
FOR ANNEXATION FROM THE TOWNSHIP OF PLEASANT
INTO THE CITY OF LANCASTER**

02/01/2024

Page 1 of 2

Situated in the State of Ohio, County of Fairfield, Township of Pleasant, Section 34, Township 15, Range 18, Congress Lands, being a portion of those tracts conveyed to Blue Label Packaging Company, by Instrument Numbers 202300006535, and 202300006337 (Auditor's Parcel Nos. 0270061100, 0270060800, 0270063600), references being of the Fairfield County Recorder's Office, and described as follows:

Beginning at the southeast corner of said Blue Label Packaging Company Property (Auditor's Parcel No. 0270061100), the same being the southwest corner of property conveyed to Blue Label Packaging Company by Deed Volume 621, Page 803 (Auditor's Parcel No. 0535011982), being in the common line with Post Consumer Brands, LLC in Instrument Number 202100016608 (Auditors Parcel No. 0535000310), said corner being in the centerline of Lancaster – New Lexington Rd. (S.R.37), and being in an existing corporation line for the City of Lancaster as recorded in Official Record 1333 Page 3397 (Ord. #53-03) and Plat Book 9 Page 32 (Ord. #27-66), of said Fairfield County Recorder's Office, said corner also being the **True Point of Beginning**;

Thence, with the common line of said Post Consumer Brands property and said Blue Label Packaging Company property, and along said centerline and existing corporation line, the following two (2) courses:

North 90 degrees 00 minutes 00 seconds West, 180.67 feet to a point in said centerline of State Route 37,

North 89 degrees 29 minutes 57 seconds West, 430.98 feet to a point being on the southern line of said Blue Label Packaging Company property (Auditors Parcel No. 0270063600) and in the centerline of State Route 37;

Thence, through said Blue Label Packaging Company property (Auditor's Parcel No. 0270063600, **North 00 degrees 30 minutes 03 seconds East, 30.00 feet** to a point being on the intersection of the existing S.R. 37 and US. 22 Right-Of-Way;

Thence, through said Blue Label Packaging Company (Auditor's Parcel Nos. 0270061100, 0270060800, 0270063600) property, and along US 22 Right-of-Way line per ODOT Plan FAI-22-16.42 Dated 1971, the following five (5) courses:

North 70 degrees 15 minutes 27 seconds West, 147.55 feet to a point;

North 40 degrees 59 minutes 45 seconds East, 49.24 feet to a point;

North 62 degrees 03 minutes 49 seconds East, 395.65 feet to a point;

North 00 degrees 25 minutes 23 seconds East, 16.79 feet to a point;

North 64 degrees 30 minutes 54 seconds East, 412.06 feet to a point, being on the east line of said Blue Label Packaging Company (Auditor's Parcel No. 0270061100) property and the west line of said Blue Label Packaging Company (Auditor's Parcel No. 0535011982) property, also being a corner for said existing corporation line;

DESCRIPTION OF 5.08 ACRES
FOR ANNEXATION FROM THE TOWNSHIP OF PLEASANT
INTO THE CITY OF LANCASTER

02/01/2024

Page 2 of 2

Thence, with the common line of said Blue Label Packaging Company (Auditors Parcel No. 0270061100) property, and said Blue Label Packaging Company (Auditor's Parcel No. 0535011982) property, and long said existing corporation line, **South 00 degrees 25 minutes 23 seconds West, 500.24 feet to the True Point of Beginning** containing 5.08 acres, more or less.

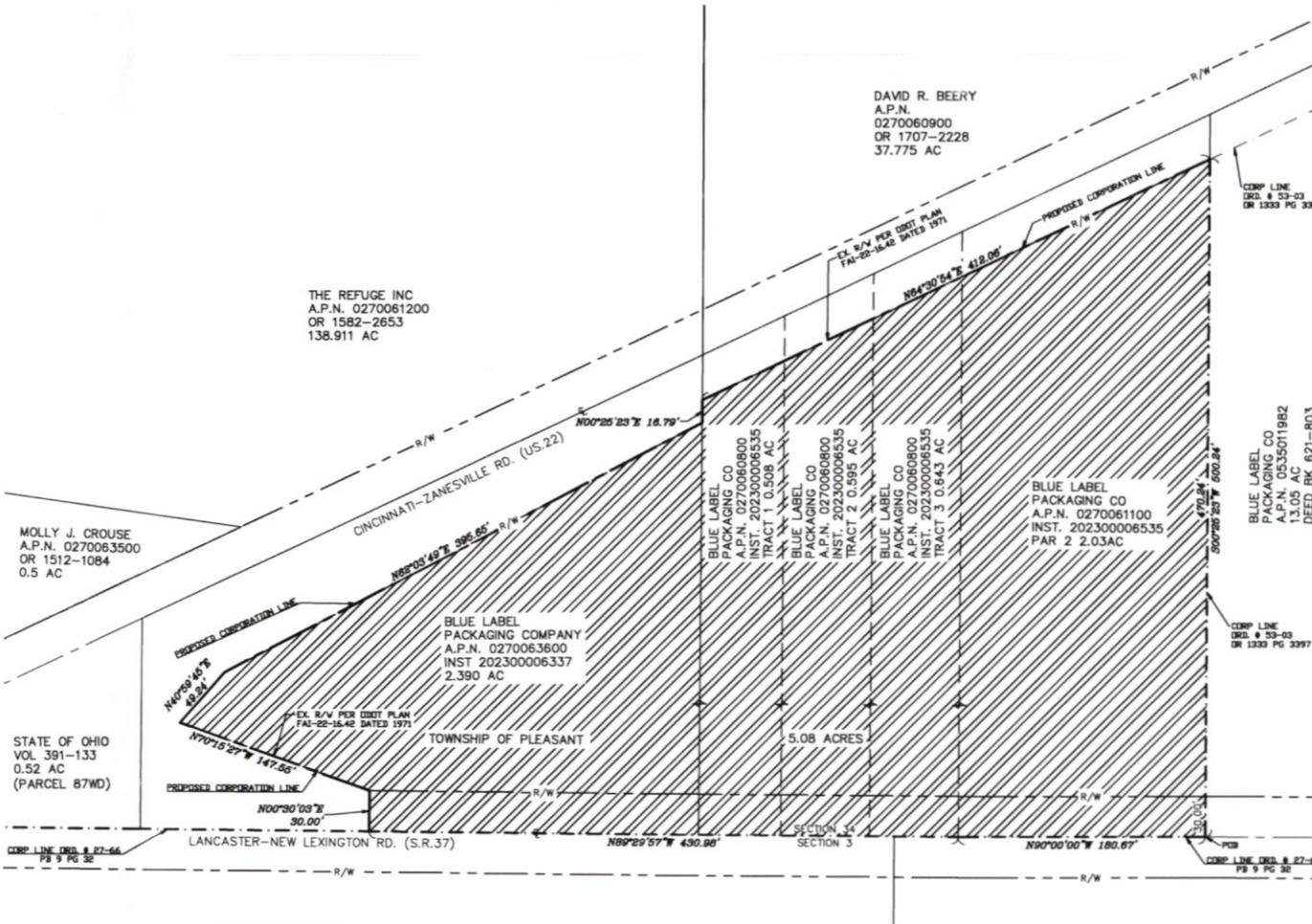
Subject to all, legal, easements, right-of-ways, conditions and restrictions. This description is based on existing Auditor's and Recorder's, Fairfield County, Ohio, record information and is to be used for annexation purposes only.



John C. Dodgion

John C. Dodgion, P.S. 8069

**PLAT OF TERRITORY TO BE ANNEXED FROM THE TOWNSHIP OF PLEASANT
TO THE CITY OF LANCASTER**
~ EXHIBIT "A" ~



LOCATED IN THE STATE OF OHIO, COUNTY OF FAIRFIELD, TOWNSHIP OF PLEASANT, PART OF SECTION 34, TOWNSHIP 15, RANGE 18, CONGRESS LANDS, AND BEING PART OF THOSE TRACTS LISTED BELOW FROM THE RECORDS OF FAIRFIELD COUNTY, OHIO.
OWNER: BLUE LABEL PACKAGING COMPANY
PARCEL NUMBERS: 027-00636.00, 027-00606.00, 027-00611.00
PROPERTY ADDRESS: 3611 CINCINNATI-ZANESVILLE RD. NE (5.08 ACRES)

IN WITNESS WHEREOF THIS ___ DAY OF _____, 202___
SIGNATORY FOR BLUE LABEL PACKAGING CO.:

STATE OF OHIO, COUNTY OF FAIRFIELD
BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE PERSONALLY APPEARED THE ABOVE NAMED WHO
ACKNOWLEDGE THE SIGNING OF THE FOREGOING INSTRUMENT TO BE THEIR VOLUNTARY ACT AND DEED FOR THE USES
AND PURPOSES THEREIN EXPRESSED.

IN WITNESS WHEREOF I HAVE HERELIANTO SET HAND AND AFFIXED BY OFFICIAL SEAL THIS ___ DAY OF ___
202___
BY: _____
MY COMMISSION EXPIRES _____

THE WITHIN MAP MARKED EXHIBIT "A" AND MADE A PART OF THE PETITION OF ANNEXATION FILED WITH THE BOARD
OF COMMISSIONERS OF FAIRFIELD COUNTY, OHIO, ON _____, 202___, UNDER CHAPTER 709 OF THE
OHIO REVISED CODE, IS SUBMITTED AS AN ACCURATE MAP OF THE TERRITORY IN SAID PETITION DESCRIBED THE
REQUIREMENTS OF SAID CHAPTER 709 OF THE OHIO REVISED CODE.

AGENT FOR PETITIONERS
THE BOARD OF COUNTY COMMISSIONERS OF FAIRFIELD COUNTY, OHIO, HAVING RECEIVED A PETITION BEARING THE
SIGNED NAMES AND ADDRESS OF THE PARTIES INTERESTED IN THE ANNEXATION, TO THE CITY OF LANCASTER, OHIO,
OF THE TERRITORY SHOWN HEREON AND HAVING GIVEN DUE CONSIDERATION TO THE PRAYER OF SAID PETITION, DO
HEREBY GRANT THE SAME.
PETITION RECEIVED _____, 202___
PETITION GRANTED _____, 202___
APPROVED THIS ___ DAY OF _____, 202___

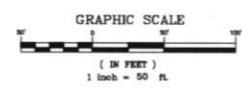
FAIRFIELD COUNTY COMMISSIONER _____ FAIRFIELD COUNTY COMMISSIONER _____
FAIRFIELD COUNTY COMMISSIONER _____
THE COUNCIL FOR THE CITY OF LANCASTER, OHIO, BY ORDINANCE NO. _____, PASSED THIS ___ DAY OF
_____, 202___, AND APPROVED BY THE MAYOR ON THIS ___ DAY OF _____, 202___
DID ACCEPT THE TERRITORY SHOWN HEREON FOR ANNEXATION TO THE CITY OF LANCASTER, OHIO, A MUNICIPAL
CORPORATION.

MAYOR, CITY OF LANCASTER _____ ATTEST _____ CLERK, CITY OF LANCASTER _____
TRANSFERRED THIS ___ DAY OF _____, 202___, UPON THE DUPLICATES OF THIS OFFICE, CONTAINING _____
ACRES.
TRANSFER FEE _____ FAIRFIELD COUNTY AUDITOR _____
RECEIVED FOR RECORD _____ AT _____ (AM/PM) AND RECORDED _____, 202___
IN PLAT ORDINANCE, PETITION, ECT. IN INSTRUMENT NO. _____
PLAT FEE: _____ FAIRFIELD COUNTY RECORDER _____
ORDINANCE, ETC. FEE _____

CERTIFICATION
THIS EXHIBIT IS BASED ON EXISTING AUDITOR'S AND RECORDER'S, FAIRFIELD COUNTY,
OHIO, RECORD INFORMATION AND IS FOR ANNEXATION PURPOSES ONLY. THIS IS NOT A
SURVEY PER OAC 4733-37.



John C. Dodgion
JOHN C. DODGION REG. SURVEYOR NO. 8069



LEGEND
[Hatched Area] AREA TO BE ANNEXED INTO CITY OF LANCASTER
(5.08 ACRE TOTAL, MORE OR LESS)
[Dashed Line] EXISTING CITY OF LANCASTER CORPORATION LINE
ANNEXATION PERIMETER (TOTAL): ±2,163.18'
ANNEXATION PERIMETER CONTIGUOUS TO EXISTING
CORPORATION LINE: ±1111.89'
PERCENT CONTIGUOUS: ±51.4%

DRAWN BY: A. STEVENS	DATE: 2/01/2024
CHECKED BY: J. DODGION	DRAWING NO.: 792602.DWG
JOB NO.: 792602	SHEET 1 OF 1

PREPARED BY:
SMART
SERVICES
88 W. CHURCH STREET, NEWARK, OHIO 43005
PHONE: (740) 345-4700 FAX: (740) 322-4700

TEMPORARY ORDINANCE NO. 22-25

PERMANENT ORDINANCE NO. _____

AN ORDINANCE TO AMEND SECTION 1339.13 OF THE CODIFIED ORDINANCES OF THE CITY OF LANCASTER ENTITLED "WIRELESS TELECOMMUNICATIONS"

WHEREAS, Lancaster Codified Ordinance Section 1339.13 was enacted in 2002 to address the erection, expansion, relocation, replacement, or structural alteration of wireless telecommunication facilities in the City limits; and

WHEREAS, pursuant to LCO Section 1339.13, in addition to obtaining a zoning clearance permit, wireless telecommunications facilities are required to submit an annual maintenance report to the City with a Five Hundred Dollar (\$500.00) fee to cover that review; and

WHEREAS, since 2002 the West Main Street Tower Company, the only entity regulated thereunder, has consistently paid the Five Hundred Dollar (\$500.00) fee, but has failed to submit the necessary Annual Maintenance Report for several years now; and

WHEREAS, the City has never had the technical expertise to analyze the Annual Maintenance Report or address any potential deficiencies thereof; and

WHEREAS, federal law, and specifically, the Federal Communications Commission, is also required to authorize and regulate such facilities; and

WHEREAS, the City's Environmental Engineer recommended removing the requirement that these facilities submit an Annual Maintenance Report and fee, which was submitted to and approved by the City Planning Commission at their meeting on March 13, 2025; now, therefore,

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

SECTION 1. That Section 1339.13 of the Codified Ordinances of the City of Lancaster be amended pursuant to the recommendation of the City Planning Commission as set forth in Exhibit "A", attached hereto.

SECTION 2. 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 Code Enforcement & Zoning 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



Lancaster City Planning Commission

Meeting Minutes

March 13, 2025

The Lancaster City Planning Commission met on Thursday, March 13, 2025. Members present were Kari James, John Sigafoos, Rick Wilkins, Sherry Orlando, Jan Coccia, and Service-Safety Director Carrie Woody. Also present were Curt Shonk, Jeff Baird, and Katie Wheeling from Engineering, Amy Hamilton from Income Tax, Slade Schultz from Fire, Steven Wellstead from Stormwater, Tim Deitz from LDOT, Stephanie Hall from the Law Director's Office, Christina Wetzal from the Service-Safety Director's Office, Chasilyn Carter and Andrew Lundell from Planning and Zoning, and Mayor Don McDaniel.

Service Safety Director Carrie Woody opened the meeting at 9:31 a.m. and welcomed everyone.

Chasilyn Carter began with Case No 2025.003 for petitioner EMH&T, agent Matt Kirk. The petitioner is requesting a variance to the requirements in 1105.03(c) sidewalks and 1105.03(d) Right of Way dedication. The petitioner has originally requested to split a 3.874-acre lot on Whiley Road, therefore this project falls under a Minor Subdivision.

Curt Shonk spoke and mentioned that there is nothing in this area, therefore, he supports the variance to the sidewalks and the variance for the Right of Way.

John Sigafoos asked what the plans were for this, and the attorney for the purchaser of the property stated that they wanted to develop it for industrial use, after the property is closed on, they would come back with development plans but cannot do anything until they close on the property. John Sigafoos stated that was what he wanted to hear.

Sherry Orlando motioned to approve the variance, seconded by John Sigafoos. With no further discussion, there was a unanimous vote to approve. Service Safety Director Carrie Woody carried the motion.

Chasilyn Carter began with Case No 2004.004.6 for petitioner Rockford Homes, agent Jim Lipnos. The petitioner has requested approval of the Final Development Plan and Planned Unit Development Amendment. Rockford Homes' proposal consists of increasing the total lot count, increasing the density, and decreasing the minimum lot width. This change will allow for 109 new single-family lots. Representatives Joe Looby and Jim Lipnos of Rockford Homes were in attendance.

Sherry Orlando asked about the current lot widths and the width of the houses. Jim Lipnos of Rockford Homes responded that the development has been around for a while and is stagnant, they are trying to rejuvenate the development, and the sales prices of the homes will still exceed the existing homes. He also stated that the house plan will be predominantly the same, with a few dropped because of the width of the homes.

John Sigafoos asked about the sidewalks on both sides of the streets and the site plans. Jim Lipnos of Rockford Homes responded that the streets would be the same or very similar, and there would be sidewalks on both sides. He also stated that the lots still accounted for the easements.

John Sigafoos asked about a timeline for the development. Jim Lipnos of Rockford Homes responded that they would like to begin later this year with approximately twenty homes per year over five years.

Rick Williams asked about certain lots on cul-de-sacs. Jim Lipnos of Rockford Homes responded that these measurements were frontage on the circle, and the critical dimensions were at the back of the home.

Sherry Orlando mentioned that our community needs housing, and concerns about the relative value of the other homes in the area decreasing because of the dimensions of the lots decreasing. Jim Lipnos of Rockford Homes responded the subdivision has been stagnant and that does not help anyone in regard to property values. He also stated that the market pricing on the new homes would still be more than the existing homes.

John Sigafoos motioned to approve as requested contingent on the Engineering Department's approval of the final plans, seconded by Rick Wilkins. With no further discussion, there was a unanimous vote to approve. Service Safety Director Carrie Woody carried the motion.

Chasilyn Carter began with Case No 2025.004 for petitioner Fairfield Homes, agent John Wickham. The petitioner has requested approval for their Open Space Fee, site location in Hunter's Trace. This was approved by the Park Board on March 5, 2025. They are recommending approval of the In Lieu Fee of \$30,271.50 in place of the required 0.775-acre dedication.

Sherry Orlando motioned to approve, seconded by Kari James. With no further discussion, there was a unanimous vote to approve. Service Safety Director Carrie Woody carried the motion.

Chasilyn Carter began with Case No 2025.006.2 for petitioner Lemmon Development, agent Perry Hostetler. The petitioner has requested approval for their Open Space Fee for Timbertop Lot 1-A and Lot 1-C. This was approved by the Park Board on March 5, 2025. They are

recommending approval of the In Lieu Fee of \$4,687.20 in place of the required 0.12-acre dedication for lot 1-A and of the In Lieu Fee of \$7,812.00 in place of the required 0.2-acre dedication for lot 1-C.

Kari James motioned to approve, seconded by John Sigafoos. With no further discussion, there was a unanimous vote to approve. Service Safety Director Carrie Woody carried the motion.

Chasilyn Carter began with Case No 2025.005 for petitioner City of Lancaster. The petitioner is requesting approval to amend LCO 1339.13 to remove the annual maintenance report and fee. The request is to remove the requirement of submitting the annual maintenance report and fee to hold all entities to the same requirements, currently only a single entity pays this fee.

John Sigafoos questioned what would happen if they did not pay this fee. Stephanie Hall as the City Law Director commented that we could assess this fee against their property taxes. She also stated that the FCC took over doing this, so nothing was being done for the fee the entity was required to pay.

Kari James motioned to approve, seconded by John Sigafoos. With no further discussion, there was a unanimous vote to approve. Service Safety Director Carrie Woody carried the motion.

Chasilyn Carter began Case No 2025.006 for petitioner City of Lancaster. The petitioner is requesting approval of LCO 1131 Short-Term Rentals. The request has been proposed to align Lancaster's regulations with those of other cities to better manage short-term rentals and ensure proper registration and tax compliance.

Sherry Orlando asked about the parking requirement in application to downtown homes and asked to consider the parking on street requirement of plus one parking on street section be amended to plus two parking on street.

Sherry Orlando stated that the current zoning requirements in regard to the central business district is not consistent with the language that is in the code. She would like to default to what currently exists as the code within each of those districts and let that be the first determining factor.

Rick Wilkins questioned the current parking space requirements for apartments downtown. Chasilyn Carter commented that for the central business district the requirements are the specific number of off-street parking spaces is not required as long as the property is within one thousand feet of sufficient on-street parking spaces or a public parking facility that has adequate capacity to serve the use of that property. Stephanie Hall as the City Law Director stated that these requirements are the current zoning code and that the central business district be separated out as

a special exception. She also commented that current short-term rentals would not be grandfathered in, and current short-term rentals would be told they now have to comply.

Rick Wilkins motioned that case be tabled, seconded by Jan Coccia. With no further discussion, there was a unanimous vote to table. Service Safety Director Carrie Woody carried the motion.

Service Safety Director Carrie Woody called a motion to adjourn the meeting. The motion was made by Sherry Orlando, seconded by Kari James. With no further discussion, there was a unanimous vote to approve. Service Safety Director Carrie Woody carried the motion, and the meeting was adjourned at 10:03 a.m.

City of Lancaster
Approval to Amend LCO 1339.13
Lancaster Planning Commission
March 13, 2025

CASE No.: 2025.005

PETITIONER: City of Lancaster
104 E. Main Street
Lancaster, OH 43130

DATE SUBMITTED: February 6, 2025

REQUEST: The Petitioner is requesting approval to amend LCO 1339.13 to remove the annual maintenance report and fee.

PROJECT DESCRIPTION:

The West Main Street Tower Company, under the stipulations of LCO 1339.13, is required to submit an Annual Maintenance Report along with a \$500 Site Review Fee. This requirement was specifically applied to this entity and is not mandated for any other cell tower within the City. The West Main Street Tower Company has consistently paid the \$500 fee but has failed to submit the necessary Annual Maintenance Report for several years. This arrangement, which dates back approximately 30 years, was made before the current Environmental Engineer's term and predates recent compliance monitoring practices.

The request is to remove the requirement of submitting the annual maintenance report and fee to hold all entities to the same requirements.

1339.13 ZONING CLEARANCE PERMIT ~~AND SITE REVIEW FEE.~~

(a) Each person or entity shall obtain from the City Engineering Department a Zoning Clearance Permit before erecting, adding to, relocating, replacing or structurally altering any Wireless Telecommunications Facility in the City. The Engineering Department may not issue a Zoning Clearance Permit until the Wireless Telecommunications Facility has been reviewed by all the Boards and Commissions as set forth in this chapter.

(b) Any person or entity that submits an application for a Zoning Clearance Permit for the location of a Wireless Telecommunications Facility within the City shall pay the City a non-refundable application fee of four hundred dollars (\$400.00) ("the Application Fee") and remit

said fee to the City Treasurer. Said fee shall be paid to the City Treasurer at the time that the application is submitted.

~~(e) Each person or entity granted a permit to locate a Wireless Telecommunications Facility within the City shall annually, no later than January 31, submit a report to the Office of City Engineer setting forth maintenance and repairs that have been performed on the Wireless Telecommunications Facility during the immediately preceding calendar year ("the Annual Maintenance Report"). Along with the Annual Maintenance Report, each person or entity granted a permit to locate a Wireless Telecommunications Facility within the City shall submit an annual site review fee of five hundred dollars (\$500.00) ("the Site Review Fee") to the City Treasurer.~~

~~(dc)~~ The Application Fee ~~and the Site Review Fee~~ shall be paid into the General Fund of The City.

(Ord. ~~43-02~~. Passed ~~11-25-02~~.)

STAFF RECOMMENDATION: Staff recommends approval of amending LCO 1339.13 and removing the annual maintenance report and fee.

ACTIONS FOR PLANNING COMMISSION: The Planning Commission may approve amending LCO 1339.13 as submitted, move to amend LCO 1339.13 with conditions, or deny amending LCO 1339.13.