

LANCASTER CITY COUNCIL
LANCASTER, OHIO

June 23, 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 #49-25 A RESOLUTION TO INCREASE RECEIPTS, APPROPRIATE FROM THE UNENCUMBERED BALANCE, AMEND THE CERTIFICATE OF OTHER SOURCES AND APPROPRIATIONS WITH THE COUNTY AUDITOR IN THE GENERAL FUND (1001) FOR THE ONE TIME STRATEGIC COMMUNITY INVESTMENTS GRANT PROGRAM, AND TO DECLARE AN EMERGENCY
Finance Committee (Wolfinger/Sollie) (3 Readings)

Temp Res #50-25 A RESOLUTION TO AUTHORIZE THE SERVICE-SAFETY DIRECTOR TO DISPENSE WITH COMPETITIVE BIDDING FOR A SOLE SOURCE PROVIDER CONTRACT FOR MEMBRANE REPLACEMENT FOR THE SOUTH WATER PLANT
Water/Water Pollution Committee (Wing/Tener) (3 Readings)

SECOND READING

Temp Res #56-25 A RESOLUTION TO APPROPRIATE FROM THE UNENCUMBERED BALANCE AND AMEND THE CERTIFICATE OF APPROPRIATIONS WITH THE COUNTY AUDITOR IN THE STORM WATER FUND (6006) FOR PAYMENT OF COMPENSATORY TIME
Water/Water Pollution Committee (Wing/Tener) (2 Readings)

Temp Res #57-25 A RESOLUTION TO AUTHORIZE THE SERVICE-SAFETY DIRECTOR TO DISPENSE WITH COMPETITIVE BIDDING AND ENTER INTO AN AGREEMENT TO PURCHASE A TYMCO MODEL 600 STREET SWEEPER FROM THE STATE COOPERATIVE PURCHASING PROGRAM FOR USE BY THE STORMWATER AND TRANSPORTATION DEPARTMENTS
Water/Water Pollution Committee (Wing/Ailes) (2 Readings)

FIRST READING

- Temp Res #58-25** A RESOLUTION TO APPROPRIATE FROM THE UNENCUMBERED BALANCE AND AMEND THE CERTIFICATE OF APPROPRIATIONS WITH THE COUNTY AUDITOR IN THE LAW ENFORCEMENT BLOCK JAG GRANT-POLICE FUND (2027) AND APPROVE A THEN & NOW CERTIFICATE FOR PURCHASES
Safety Committee (Bizjak/Tener) (3 Readings)
- Temp Res #59-25** A RESOLUTION TO APPROPRIATE FROM THE UNENCUMBERED BALANCE AND AMEND THE CERTIFICATE OF APPROPRIATIONS WITH THE COUNTY AUDITOR IN THE DOJ EQUITABLE SHARING FUND (2048) FOR GRANT MATCH DOLLARS FOR THE MAJOR CRIMES UNIT
Safety Committee (Bizjak/Sollie) (3 Readings)
- Temp Res #60-25** A RESOLUTION TO APPROPRIATE FROM THE UNENCUMBERED BALANCE AND AMEND THE CERTIFICATE OF APPROPRIATIONS WITH THE COUNTY AUDITOR IN THE .45 POLICE & FIRE LEVY 2021 FUND (2051) FOR THE PURCHASE OF FOUR POLICE VEHICLES FOR USE BY THE LANCASTER POLICE DEPARTMENT
Safety Committee (Bizjak/Tener) (3 Readings)
- Temp Res #61-25** A RESOLUTION TO SCHEDULE LANCASTER CITY COUNCIL MEETINGS AND FINANCE COMMITTEE MEETINGS FOR 2026
Law Committee (Crites/Bizjak) (3 Readings)
- Temp Res #62-25** A RESOLUTION TO INCREASE RECEIPTS, APPROPRIATE FROM THE UNENCUMBERED BALANCE AND AMEND THE CERTIFICATE OF APPROPRIATIONS WITH THE COUNTY AUDITOR IN THE PUBLIC TRANSIT FUND (2021) AND TO DECLARE AN EMERGENCY
Finance Committee (Wolfinger/Schoonover) (2 Readings)

READING OF ORDINANCES**THIRD READING**

- Temp Ord #26-25** AN ORDINANCE TO ACCEPT A PETITION FOR THE ANNEXATION OF 0.605 +/- ACRES IN PLEASANT TOWNSHIP, TO CONSENT TO ANNEXATION, AND TO DECLARE AN EMERGENCY
Economic Development Committee (Hoop/Crites) (3 Readings)

SECOND READING

NONE

FIRST READING**Temp Ord #27-25**

AN ORDINANCE CREATING FIVE INCENTIVE DISTRICTS AND DECLARING IMPROVEMENTS TO CERTAIN REAL PROPERTY WITHIN THE INCENTIVE DISTRICTS TO BE A PUBLIC PURPOSE, AND EXEMPT FROM REAL PROPERTY TAXATION; IDENTIFYING CERTAIN PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT, ONCE MADE, WILL BENEFIT OR SERVE THE PARCELS IN THE INCENTIVE DISTRICTS; REQUIRING THE OWNERS OF THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING AN INCENTIVE DISTRICT PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS; AUTHORIZING PAYMENTS TO THE LANCASTER CITY SCHOOL DISTRICT; AND APPROVING RELATED MATTERS

Economic Development Committee (Hoop/Wing) (2 Readings)

Temp Ord #28-25

AN ORDINANCE DECLARING THE IMPROVEMENT TO CERTAIN REAL PROPERTY LOCATED IN THE CITY OF LANCASTER, OHIO TO BE A PUBLIC PURPOSE; DECLARING SUCH IMPROVEMENT TO BE EXEMPT FROM REAL PROPERTY TAXATION PURSUANT TO OHIO REVISED CODE SECTION 5709.40(B); REQUIRING THE OWNERS THEREOF TO MAKE ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; DESCRIBING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL DIRECTLY BENEFIT THE REAL PROPERTY; ESTABLISHING A PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SERVICE PAYMENTS, TOGETHER WITH RELATED AUTHORIZATIONS, AND DECLARING AN EMERGENCY

Economic Development Committee (Hoop/Crites) (2 Readings)

Temp Ord #29-25

AN ORDINANCE DECLARING THE IMPROVEMENT TO CERTAIN REAL PROPERTY LOCATED IN THE CITY OF LANCASTER, OHIO TO BE A PUBLIC PURPOSE; DECLARING SUCH IMPROVEMENT TO BE EXEMPT FROM REAL PROPERTY TAXATION PURSUANT TO OHIO REVISED CODE SECTION 5709.40(B); REQUIRING THE OWNERS THEREOF TO MAKE ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; DESCRIBING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL DIRECTLY BENEFIT THE REAL PROPERTY; ESTABLISHING A PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SERVICE PAYMENTS, TOGETHER WITH RELATED AUTHORIZATIONS, AND DECLARING AN EMERGENCY

Economic Development Committee (Hoop/Schoonover) (2 Readings)

Temp Ord #30-25

AN ORDINANCE DECLARING THE IMPROVEMENT TO CERTAIN REAL PROPERTY LOCATED IN THE CITY OF LANCASTER, OHIO TO BE A PUBLIC PURPOSE; DECLARING SUCH IMPROVEMENT TO BE EXEMPT FROM REAL PROPERTY TAXATION PURSUANT TO OHIO REVISED CODE SECTION 5709.40(B); REQUIRING THE OWNERS THEREOF TO MAKE ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; DESCRIBING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL DIRECTLY BENEFIT THE REAL PROPERTY; ESTABLISHING A PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SERVICE PAYMENTS, TOGETHER WITH RELATED AUTHORIZATIONS, AND DECLARING AN EMERGENCY
Economic Development Committee (Hoop/Crites) (2 Readings)

TABLED LEGISLATION

NONE

UNFINISHED BUSINESS**NEW BUSINESS****ANNOUNCEMENT OF SCHEDULED MEETINGS****REGULARLY SCHEDULED CITY COUNCIL MEETINGS**

1. July 14th, 2025, at 6:30 p.m. – Council Chambers
2. August 11th, 2025 at 6:30 p.m. – Council Chambers

SPECIAL SCHEDULED MEETINGS

None

REGULARLY SCHEDULED COMMITTEE MEETINGS

1. Public Works Committee – July 11th at 7:30 a.m. – City Hall 1897 Conference Room
2. Administrative Services Committee – July 16th at 8:00 a.m. – City Hall 1897 Conference Room
3. Code Enforcement Committee – July 17th at 7:30 a.m. - City Hall 1897 Conference Room
4. Water / Water Pollution Control Service Committee – July 21st at 7:30 a.m. - City Hall 1897 Conference Room
5. Economic Development Committee – July 24th at 7:30 a.m. – City Hall 1897 Conference Room

READING OF BILLS

MNCO – \$67.92

EXECUTIVE SESSION (if needed)**ADJOURNMENT**

TEMPORARY RESOLUTION NO. 58-25

PERMANENT RESOLUTION NO. _____

A RESOLUTION TO APPROPRIATE FROM THE UNENCUMBERED BALANCE AND AMEND THE CERTIFICATE OF APPROPRIATIONS WITH THE COUNTY AUDITOR IN THE LAW ENFORCEMENT BLOCK JAG GRANT-POLICE FUND (2027) AND APPROVE A THEN & NOW CERTIFICATE FOR PURCHASES

WHEREAS, the Lancaster Police Department (LPD) has Twenty-Three Thousand Fifty-Eight Dollars in carryover cash from JAG Grant funds received in 2024; and

WHEREAS, a Then & Now Certificate is needed to allow LPD to utilize these funds for the purchase of body cameras and disbursement of funds to the Fairfield County Sheriff's Office for their portion of the grant funding; 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 Other Sources and Appropriations with the County Auditor in the amount of Twenty-Three Thousand Fifty-Eight Dollars (\$23,058.00) in the Law Enf Block/JAG Grant-Police Fund (2027).

SECTION 2. That the City of Lancaster Auditor shall appropriate from the unencumbered balance in the following expense accounts:

2027.3384.54010	2022 JAG Grant Funding	\$11,586.00
2027.3385.54010	2023 JAG Grant Funding	<u>\$11,472.00</u>
	Total	\$23,058.00

SECTION 3. That City Council hereby approves a Then & Now Certificate for the purchase of body cameras and disbursement of funds to the Fairfield County Sheriff's Office from the 2022 & 2023 JAG Grant funding.

SECTION 4. That this resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____ after _____ reading. Vote: Yeas _____ Nays _____

Date Approved: _____

Clerk: _____

President of Council

Offered by: _____

Mayor

Second by: _____

Requested by Safety Committee

TEMPORARY RESOLUTION NO. 59-25

PERMANENT RESOLUTION NO. _____

A RESOLUTION TO APPROPRIATE FROM THE UNENCUMBERED BALANCE AND AMEND THE CERTIFICATE OF APPROPRIATIONS WITH THE COUNTY AUDITOR IN THE DOJ EQUITABLE SHARING FUND (2048) FOR GRANT MATCH DOLLARS FOR THE MAJOR CRIMES UNIT

WHEREAS, Lancaster Police Department (LPD) is the fiduciary of a shared asset forfeiture account that includes all member agencies of the Major Crimes Unit (MCU); and

WHEREAS, when member agencies of MCU, or MCU itself, have a need to utilize these funds, the MCU Operating Board approves utilization as necessary; and

WHEREAS, MCU has expressed a need for grant match dollars in 2025 and requests to utilize the DOJ Equitable Sharing account for this purpose; 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 DOJ Equitable Sharing Fund (2048) in the amount of Forty Thousand Dollars (\$40,000.00).

SECTION 2. That the City of Lancaster Auditor shall appropriate from the unencumbered balance in expense account 2048.3250.52047 (DOJ Equitable Sharing Match) in the amount of Forty Thousand Dollars (\$40,000.00).

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

Passed: _____ after _____ reading. Vote: Yeas _____ Nays _____

Date Approved: _____

Clerk: _____

Offered by: _____

Second by: _____

Requested by Safety Committee

President of Council

Mayor

TEMPORARY RESOLUTION NO. 60-25

PERMANENT RESOLUTION NO. _____

A RESOLUTION TO APPROPRIATE FROM THE UNENCUMBERED BALANCE AND AMEND THE CERTIFICATE OF APPROPRIATIONS WITH THE COUNTY AUDITOR IN THE .45 POLICE & FIRE LEVY 2021 FUND (2051) FOR THE PURCHASE OF FOUR POLICE VEHICLES FOR USE BY THE LANCASTER POLICE DEPARTMENT

WHEREAS, Permanent Resolution 22-25 previously authorized the Service-Safety Director to enter into a contract for the purchase of four (4) police cruiser vehicles from Montrose Ford, which were planned for and approved for purchase in the 2025 budget; and

WHEREAS, in 2024, the Lancaster Police Department (LPD) budgeted for and was approved for the purchase of four (4) cruisers from Chapman Ford; and

WHEREAS, due to a purchase order error, the approved 2025 vehicle funds had to be utilized to pay for vehicles on the 2024 order at the time of their delivery in May of 2025; and

WHEREAS, LPD needs to appropriate from the unencumbered balance to ensure funds are available to pay for the 2025 cruiser order when they arrive in August of 2025; now, therefore,

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

SECTION 1. That the City of Lancaster Auditor shall amend the Certificate of Appropriations with the County Auditor in the amount of One Hundred Seventy-Nine Thousand Dollars (\$179,000.00) in the .45 Police & Fire Levy 2021 Fund (2051).

SECTION 2. That the City of Lancaster Auditor appropriate from the unencumbered balance in expense account 2051.3250.56050 (Vehicles – Police) in the amount of One Hundred Seventy-Nine Thousand Dollars (\$179,000.00).

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

Passed: _____ after _____ reading. Vote: Yeas _____ Nays _____

Date Approved: _____

Clerk: _____

Offered by: _____

Second by: _____

Requested by Safety Committee

President of Council

Mayor

TEMPORARY RESOLUTION NO. 61-25

PERMANENT RESOLUTION NO. _____

A RESOLUTION TO SCHEDULE LANCASTER CITY COUNCIL MEETINGS AND FINANCE COMMITTEE MEETINGS FOR 2026

WHEREAS, other agencies commonly reserve and use the same rooms that Lancaster City Council does for its meetings, which creates the possibility of scheduling conflicts, so there is a need to reserve the large meeting room (Council Chambers) and training room (Executive Session room) before the end of the year; and

WHEREAS, other special meetings or emergency meetings may be scheduled on an as needed basis at a later date or in a different location; now, therefore,

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

SECTION 1. That the regularly scheduled Lancaster City Council Finance Committee Meetings and Regular Council Meetings for 2026 are as follows:

FINANCE MEETING (6:00 P.M.)

REGULAR MEETING (6:30 P.M.)

January 12th & 26th
February 9th & 23rd
March 9th & March 23rd
April 6th & 20th
May 4th & 18th
June 8th & 22nd
July 13th
August 10th & 24th
September 14th & 28th
October 12th & 26th
November 9th & 23rd
December 7th & 21st

January 12th & 26th
February 9th & 23rd
March 9th & March 23rd
April 6th & 20th
May 4th & 18th
June 8th & 22nd
July 13th
August 10th & 24th
September 14th & 28th
October 12th & 26th
November 9th & 23rd
December 7th & 21st

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 Law Committee

TEMPORARY RESOLUTION NO. 62-25

PERMANENT RESOLUTION NO. _____

A RESOLUTION TO INCREASE RECEIPTS, APPROPRIATE FROM THE UNENCUMBERED BALANCE AND AMEND THE CERTIFICATE OF APPROPRIATIONS WITH THE COUNTY AUDITOR IN THE PUBLIC TRANSIT FUND (2021) AND TO DECLARE AN EMERGENCY

WHEREAS, the Public Transit transfer to Fairfield County had some final City close out procedures with Unemployment, Workers Compensation, PNC Rebate, and the OTP2 EV Study Grant awarded to the City; and

WHEREAS, the 2025 Public Transit revenue and expense budgets need to be revised accordingly to appropriate the close out cash received in 2025 along with the small carryover cash balance to Fairfield County Transit; 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 Other Sources with the County Auditor in the amount of Thirty-Five Thousand Six Hundred Seventeen Dollars and Sixty-Six Cents (\$35,617.66) in the Public Transit Fund (2021).

SECTION 2. That the City of Lancaster Auditor shall increase receipts in the following revenue accounts:

2021-0000-43010	State Grants	\$32,341.23
2021-0000-49000	Refunds	<u>\$ 3,276.43</u>
	Total	\$35,617.66

SECTION 3. That the City of Lancaster Auditor shall amend the Certificate of Appropriations with the County Auditor in the amount of Forty-Two Thousand Five Hundred Thirteen Dollars and Eleven Cents (\$42,513.11) in the Public Transit Fund (2021).

SECTION 4. That the City of Lancaster Auditor shall appropriate from the unencumbered balance in expense account 2021.7100.52053 (Public Transit Cash Transfer) in the amount of Forty-Two Thousand Five Hundred Thirteen Dollars and Eleven Cents (\$42,513.11) in the Public Transit Fund (2021).

SECTION 5. That this resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the City and for the further reason that this resolution must be enacted to allow for timely payment of funds to the County; wherefore, this resolution shall take effect and be in force immediately upon its adoption and approval by the Mayor.

Passed: _____ after _____ reading. Vote: Yeas _____ Nays _____

Date Approved: _____

President of Council

Clerk: _____

Mayor

Offered by: _____

Second by: _____

Requested by Finance Committee

TEMPORARY ORDINANCE NO. 27-25

PERMANENT ORDINANCE NO. _____

AN ORDINANCE CREATING FIVE INCENTIVE DISTRICTS AND DECLARING IMPROVEMENTS TO CERTAIN REAL PROPERTY WITHIN THE INCENTIVE DISTRICTS TO BE A PUBLIC PURPOSE, AND EXEMPT FROM REAL PROPERTY TAXATION; IDENTIFYING CERTAIN PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT, ONCE MADE, WILL BENEFIT OR SERVE THE PARCELS IN THE INCENTIVE DISTRICTS; REQUIRING THE OWNERS OF THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING AN INCENTIVE DISTRICT PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS; AUTHORIZING PAYMENTS TO THE LANCASTER CITY SCHOOL DISTRICT; AND APPROVING RELATED MATTERS

WHEREAS, Ohio Revised Code (“R.C.”) Sections 5709.40, 5709.42, 5709.43, 5709.82 and 5709.83 (the “TIF Statute”) provide that this City Council (the “Council”) of the City of Lancaster, Ohio (the “City”) may, under certain circumstances, establish one or more incentive districts within the City, and declare the Improvements (as defined below) to real property located within those incentive districts, to be a public purpose, exempt a percentage of such Improvements from real property taxation, identify certain public infrastructure improvements that, once made, will benefit or serve that real property, identify one or more specific projects being, or to be, undertaken in the incentive districts that place additional demand on the designated public infrastructure improvements, provide for payments in lieu of taxes by the owners of the real property, and establish a public improvement tax increment equivalent fund and accounts and subaccounts therein; and

WHEREAS, all of the real property comprising each of the five (5) Incentive Districts authorized by this Ordinance, as defined below and described on Exhibit A attached hereto and incorporated herein (the “Property” with each parcel comprising the Property being referred to individually as a “Parcel”) is located within the City and is not currently subject to another real property tax exemption authorized pursuant to R.C. Section 5709.40(B) nor included within an existing incentive district established under R.C. Section 5709.40(C); and

WHEREAS, this Council has determined that it is in the best interest of the City to establish five (5) Incentive Districts (each an individual “Incentive District” and collectively, the “Incentive Districts”) inclusive of the Property, declare the Improvements to the Property to be a public purpose, and to exempt a percentage of such Improvements from real property taxation as provided in this Ordinance; and

WHEREAS, pursuant to the TIF Statute, (i) each Incentive District is not more than three hundred (300) total acres in size, (ii) each Incentive District is enclosed by a continuous boundary, and (iii) the boundaries of each of the Incentive Districts are coextensive with the boundaries of, and will include only, the respective portions of one or more Parcels comprising the Property, as specifically identified and depicted by Exhibit A attached hereto and incorporated herein; and

WHEREAS, Forestar (USA) Real Estate Group Inc. (the “Developer”) intends to act as the initial lot developer of approximately 128.88 acres of real property located at 2106 Pleasantville Road within the City (“Project Site”); and

WHEREAS, the initial development by the Developer shall include installation of certain public infrastructure in anticipation of transferring the Project Site or portions thereof, from time to time, to one or more home building companies (the “Site Preparation Project”), and the home building companies that develop the Project Site after completion of the Site Preparation Project are expected to construct approximately 333 single-family homes in one or more phases (the “Building Project,” and together with the Site Preparation Project, the “Project”); and

WHEREAS, the public infrastructure improvements described by Exhibit B attached hereto and incorporated herein (the “Public Infrastructure Improvements”) will benefit or serve the Parcels comprising each of the Incentive Districts and as required by R.C. Section 5709.40(C)(3)(a), this Council has determined that the Project will place additional demand on the Public Infrastructure Improvements to be located at the Property and within each of the Incentive Districts; and

WHEREAS, as required by R.C. Section 5709.40(A)(5)(f), this Council has approved a written Economic Development Plan (the “Plan”) for each of the Incentive Districts and delineated an “overlay” (as defined by R.C. Section 5709.40(A)(6)) upon a map of each of the proposed Incentive Districts pursuant to its adoption of Ordinance No. 17-25 on March 10, 2025; and

WHEREAS, as required by R.C. Section 5709.40(A)(5)(f), Curtis Shonk, who serves as the engineer for the City, has certified, effective June 13, 2025, that the public infrastructure serving each of the Incentive Districts is inadequate to meet the development needs of the Incentive Districts, all as further evidenced by the Plan; and

WHEREAS, pursuant to R.C. Section 5709.40(C)(2)(a), the City held a public hearing on April 21, 2025, which such hearing occurred not later than thirty (30) days prior to the date on which this Council considered adoption of this Ordinance, notice of the public hearing was sent by first-class mail to each owner of each Parcel to be located within the boundaries of the proposed Incentive Districts not later than thirty (30) days prior to the public hearing, and this Council has not received written request for any Parcel to be excluded from inclusion in any Incentive District from any owner pursuant to R.C. Section 5709.40(C)(2)(a); and

WHEREAS, under R.C. Section 5709.42, this Council has determined to require the owner or owners of each Parcel comprising the Property within each Incentive District, together with their successors and assigns (each an “Owner”, and collectively the “Owners”), to make service payments in lieu of real property taxes on the portion of the Improvements exempted from real property taxation pursuant to this Ordinance; and

WHEREAS, under R.C. Section 5709.43, this Council has determined to establish a municipal public improvement tax increment equivalent fund for the deposit of service payments in lieu of taxes (the “Powers Run Incentive District TIF Fund”); and

WHEREAS, it is the intention of this Council to pay to the Lancaster City School District (the "School District") certain compensation payments in the amount of the taxes that would have been payable to each of the School District if the Improvements had not been exempted from real property taxation pursuant to this Ordinance; and

WHEREAS, this Council desires that the Treasurer of Fairfield County, Ohio (the "County Treasurer") forward service payments in lieu of taxes to the appropriate taxing authorities the portion of the Service Payments that represent payments required under R.C. 5709.40(F) and to the School District in the manner prescribed by Section 4 of this Ordinance, all in accordance with R.C. Sections 5709.40, 5709.42 and 5709.43; and

WHEREAS, the City sent notice of this Council's intention to exempt the Improvements from real property taxation to the Board of Education of the School District in accordance with R.C. Sections 5709.40(D) and 5709.83 and hereby ratifies the giving of such notice by the City; and

WHEREAS, notice of this proposed Ordinance was delivered to the Board of County Commissioners of Fairfield County at least forty-five (45) business days prior to date on which this Council considered adoption of this Ordinance pursuant to R.C. 5709.40(E), and the County did not object to the exemption for either of the period or the exemption percentage provided in this Ordinance with respect to any of the Incentive Districts; and

WHEREAS, this Council has determined to approve this Ordinance and dispense with the rule that this Ordinance shall be read on three (3) different days pursuant to R.C. Section 731.17(A); now, therefore,

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

SECTION 1. This Council hereby establishes each of the following Incentive Districts: Powers Run Incentive District No. 1, Powers Run Incentive District No. 2, Powers Run Incentive District No. 3, Powers Run Incentive District No. 4, and Powers Run Incentive District No. 5. Each Incentive District consists of a portion of one or more Parcels comprising the Property. The boundaries of each Incentive District are depicted on Exhibit A hereto and incorporated herein.

Pursuant to R.C. Section 5709.40(C), this Council finds and determines that it is in the best interest of the City to declare the increase in the assessed value of each Parcel comprising the Property within each Incentive District after the effective date of this Ordinance (the "Improvements") to be a public purpose and to authorize an exemption from real property taxation equal to one hundred percent (100%) of such Improvement (the "TIF Exemptions"). The TIF Exemption shall commence, with respect to each Incentive District, on the earlier of (i) the first tax year following the effective date of this Ordinance for which Improvements attributable to the construction of one or more structures within the boundaries of the individual Incentive District collectively totaling at least \$100,000 in assessed value (e.g., 35% of the true value) first appear on the tax list and duplicate of real and public utility property, or (ii) tax year 2034 (the "Commencement Date"). The TIF Exemption shall end, with respect to each Incentive District, on the earlier of (i) thirty (30) years after the Commencement Date, or (ii) the date on which the Public Infrastructure Improvements are paid in full and the City can no

longer require Service Payments from the Owners, all in accordance with the requirements of the TIF Statute.

The Public Infrastructure Improvements described in Exhibit B hereto made, to be made, or in the process of being made are hereby designated as Public Infrastructure Improvements that benefit or serve, or once made will benefit or serve, the Incentive Districts. As required by R.C. Section 5709.40(C)(3)(a), this Council hereby determines that the Project will place additional demand on the Public Infrastructure Improvements to be located at the Property and within each of the Incentive Districts.

SECTION 2. Pursuant to R.C. Section 5709.42, this Council directs and requires each Owner of each Parcel comprising the Property included within each Incentive District to make annual service payments in lieu of real property taxes with respect to the Improvements allocable to each Parcel to the County Treasurer on or before the final dates for payment of real property taxes. Service payments in lieu of taxes, including any penalties and interest at the then current rate established under R.C. Sections 323.121 and R.C. 5703.47, will be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and payable against the Improvements if it were not subject to the TIF Exemptions authorized by this Ordinance. Such service payments in lieu of taxes, penalties and interest, and any other payments with respect to Improvements that are received by the County Treasurer in connection with the reduction required by R.C. Sections 319.302, 321.24, 323.152 and 323.156, as the same may be amended from time to time, or any successor provisions, as the same may be amended from time to time (the "Property Tax Rollback Payments," and together with the service payments in lieu of taxes and penalties and interest described above, the "Service Payments"), will be allocated and distributed in accordance with Section 4 of this Ordinance. No Owner shall, under any circumstances, be required for any tax year to both pay Service Payments with respect to an Improvement and reimburse local taxing authorities for the amount of real property taxes that would have been payable to local taxing authorities had the Improvement not been exempted from taxation pursuant to this Ordinance.

SECTION 3. This Council hereby establishes, pursuant to and in accordance with the provisions of the TIF Statute, the Powers Run Incentive District TIF Fund into which the City shall deposit all Service Payments collected with respect to the Property and received from the County Treasurer. Within the Powers Run Incentive District TIF Fund, the City Auditor of the City is hereby authorized to establish one or more accounts or sub-accounts associated with the applicable Incentive District, as may be required from time to time in the sole discretion of the City Auditor, including the following separate sub-accounts:

1. Powers Run Incentive District No. 1 TIF Fund Sub-Account;
2. Powers Run Incentive District No. 2 TIF Fund Sub-Account;
3. Powers Run Incentive District No. 3 TIF Fund Sub-Account;
4. Powers Run Incentive District No. 4 TIF Fund Sub-Account;
5. Powers Run Incentive District No. 5 TIF Fund Sub-Account;

The City, in its sole discretion, may utilize Service Payments deposited into the Powers Run Incentive District TIF Fund and its associated accounts and sub-accounts for the purposes authorized by the TIF Statutes, this Ordinance, and other generally applicable Ohio law, including, but not limited to, paying costs of the Public Infrastructure Improvements in a manner consistent with the TIF Statute and the Cooperative Agreement. The Powers Run Incentive District TIF Fund shall exist so long as Service Payments are collected and used for

the purposes described above, after which the Powers Run Incentive District TIF Fund and its associated accounts and sub-accounts are to be dissolved and any surplus funds remaining in the Powers Run Incentive District TIF Fund shall be transferred to the City's general fund, all as set forth under R.C. Section 5709.43.

SECTION 4. At the same time and in the same manner as real property tax distributions, the City requests that the County Treasurer distribute the Service Payments applicable to each Incentive District as follows:

FIRST, to the appropriate taxing authorities the portion of the Service Payments that represent payments required under R.C. 5709.40(F), as required by the County Treasurer pursuant to R.C. Section 5709.43(C); and

SECOND, to the School District the amount of the real property taxes that would have been payable to each of the School District if the Improvements had not been exempted from taxation pursuant to this Ordinance; and

THIRD, the remainder to the City for deposit into the Powers Run Incentive District TIF Fund.

The City shall then use the Service Payments for such uses as may be identified and approved by the City from time to time, as follows:

FIRST, to pay or finance the costs associated with any Public Infrastructure Improvements defined by R.C. Section 5709.40(A)(8), identified in Exhibit B, and selected in the sole discretion of the City, made, to be made, or in the process of being made that benefit or serve, or, once made, will benefit or serve the Parcels of the Property included within the Incentive Districts, including payment of interest and payment of any obligation issued to pay such costs, all as authorized under Ohio Revised Code Section 5709.40 and more particularly defined by Exhibit B attached hereto and incorporated herein, and

SECOND, for any other lawful purpose pursuant to this Ordinance, the TIF Statute, its related laws and rules, and other generally applicable Ohio law.

SECTION 5. Pursuant to R.C. Section 5709.91 and a Cooperative Agreement authorized by separate legislation of this Council with respect to the Project and the Parcels (the "Cooperative Agreement"), in order to ensure sufficient funds to finance the Public Infrastructure Improvements during the period when the exemption granted by this Ordinance is in effect for each Parcel, the Owner or Owners of each Parcel are hereby required to make, and shall make, minimum service payments with respect to the Improvements on each such Parcel to or as directed by the City on or before the dates for such payments as directed in the Cooperative Agreement. Each minimum service payment shall be in the amounts specified and memorialized in an instrument recorded against each Parcel.

SECTION 6. This Council further authorizes the Mayor and the City Auditor, together with their designees, are authorized and directed to sign any other agreement, document, instrument, amendment, or certificate and to take such actions as are necessary or appropriate to consummate or implement the matters described in or contemplated by this Ordinance.

SECTION 7. This Council further authorizes and directs the Mayor and the City Auditor, or their designees, and other appropriate officers of the City to: (i) make such arrangements as are necessary and proper for the collection of Service Payments from the Owners of any of the Parcels comprising the Property and included within any of the Incentive Districts, (ii) facilitate the payment of the Service Payments from the County Treasurer to the City for deposit into the Powers Run Incentive District TIF Fund, (iii) prepare and sign all agreements, documents, instruments, amendments, or certificates as may be necessary to implement this Ordinance from time to time, including, but not limited to, any applications for real property tax exemption and remission (Form DTE-24) that may be required with respect to each Incentive District; and (iv) take all other actions as may be appropriate to implement this Ordinance.

For the avoidance of doubt, R.C. Section 5709.911 shall govern the priority status of the TIF Exemptions authorized pursuant to this Ordinance. Pursuant to R.C. 5709.40(C) and 5709.911, the City intends to apply for the TIF Exemptions authorized pursuant to this Ordinance.

SECTION 8. Pursuant to R.C. Section 5709.40(I), the Mayor and the City Auditor, together with their designees, are authorized and directed to deliver a copy of this Ordinance to the Director of the Ohio Department of Development (“ODOD”) within fifteen (15) days of its adoption. On or before March 31st of each year that a TIF Exemption authorized pursuant to this Ordinance remains in effect, the Mayor and the City Auditor, together with their designees, are authorized to prepare and submit the status report required under R.C. Section 5709.40(I) to the Director of ODOD.

SECTION 9. In accordance with R.C. Section 5709.832, this Council hereby determines that no entity doing business upon any Parcel or any portion of any Parcel comprising the Property and included within any Incentive District shall deny any individual employment based on considerations of race, religion, sex, disability, color, national origin, or ancestry.

SECTION 10. The City acknowledges that it has created, or has joined, an applicable Tax Incentive Review Council (the “TIRC”) with the membership of the TIRC constituted in accordance with R.C. Section 5709.85. The TIRC shall, in accordance with R.C. Section 5709.85, annually review all TIF Exemptions resulting from the declarations set forth in this Ordinance and any other such matters as may properly come before the TIRC, all in accordance with R.C. Section 5709.85.

SECTION 11. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including R.C. Section 121.22.

SECTION 12. That this Council has dispensed with the rule that this Ordinance shall be read on three (3) different days by a vote of at least three-fourths (3/4) of the members of the Council, and this Ordinance shall be effective at the earliest date allowable by law upon its adoption 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

EXHIBIT A

Description of Parcels

The Property consists of those Parcels identified in the records of the Fairfield County Auditor as having the permanent parcel identification numbers noted below as of the date of the passage of the Ordinance to which this Exhibit A is attached.

It is expected that the Developer may submit a record plan application to the Planning and Zoning Committee of the City to re-plat the Property and convey fee simple ownership to future owners of the approximately 333 lots consisting of single-family homes. Such re-plat may occur after the adoption of the Ordinance to which this Exhibit A is attached. For the avoidance of doubt, the Parcels of the Property to be included within each Incentive District shall consist of, and the authorizations of the Ordinance to which this Exhibit A is attached shall apply to, the Parcels comprising the Property identified below, as such Parcels may be sub-divided, combined, re-combined, re-numbered, or re-platted from time to time by the Developer, the City, and the Fairfield County Auditor.

The Powers Run Incentive Districts shall be comprised of:

0534008020

0534164600

0270166299

For ease of reference, the map that follows shows the Powers Run Incentive Districts labeled by their numbers and highlighted in yellow.

(See attached.)



EXHIBIT B

Public Infrastructure Improvements

The Public Infrastructure Improvements consist generally of acquiring and constructing the Public Infrastructure Improvements described below, as selected in the sole discretion of the City in accordance with the Ordinance to which this Exhibit B is attached, the TIF Statute, its related rules and laws, and other generally applicable Ohio law, including but not limited to, the following:

- Construction, reconstruction, extension, opening, improving, widening, grading, draining, curbing, or changing of, as well as the continued maintenance of, the lines and traffic patterns of roads, highways, streets, bridges (both roadway and pedestrian), traffic calming devices, sidewalks, bikeways, medians, and viaducts accessible to and serving the public, and providing lighting systems, signalization, and traffic controls, and all other appurtenances thereto; and
- Construction, reconstruction, or installation of, as well as the continued maintenance of, public utility improvements (including any underground publicly owned utilities), storm and sanitary sewers (including necessary site grading therefore), police equipment and police station buildings and improvements, fire equipment and fire buildings and improvements, water and fire protection systems, and all other appurtenances thereto; and
- Construction, reconstruction, or installation of publicly owned gas, electric, and communication service facilities, and all other appurtenances thereto; and
- Construction or reconstruction of one or more public parks, including grading, trees and other park plantings, park accessories and related improvements, and all other appurtenances thereto; and
- Construction or installation of streetscape and landscape improvements including trees and shrubs, landscaping mounds and fencing, tree grates, planting beds, signage, curbs, sidewalks, street and sidewalk lighting, trash receptacles, benches, newspaper racks, burial of overhead utility lines and related improvements, and all other appurtenances thereto; and
- Construction of one or more public parking facilities, including public surface parking and public parking structures and related improvements, and all other appurtenances thereto; and
- Demolition and excavation, including demolition and excavation on private property when determined to be necessary for economic development purposes; and

- Acquisition of real estate or interests in real estate (including easements) necessary to accomplish the foregoing improvements; and
- Any on-going administrative expenses relating to the Public Infrastructure Improvements as well as maintaining the Service Payments in the Powers Run Incentive District TIF Fund, including but not limited to, engineering, architectural, legal, and other consulting and professional services; and
- All inspection fees and other governmental fees related to the foregoing; and
- Any and all other costs of the Public Infrastructure Improvements, as determined by the City in its sole discretion and in accordance with the Ordinance to which this Exhibit B is attached, the TIF Statute, its related rules and laws, and other generally applicable Ohio law.

The Public Infrastructure Improvements specifically include the costs of financing the Public Infrastructure Improvements, including the items of “costs of permanent improvements” set forth in Ohio Revised Code Section 133.15(B), and incurred with respect to the Public Infrastructure Improvements. “Costs” specifically include any reimbursement payments for the reimbursement of the costs of the Public Infrastructure Improvements and the debt service on any bonds or other obligations issued to finance the Public Infrastructure Improvements (including fees and administrative expenses of, and fund reserve funds necessary to pay or service any financing, refinancing or other obligations) (the “Debt Service”), all as determined by the City in its sole discretion and in accordance with the Ordinance to which this Exhibit B is attached, the TIF Statute, its related rules and laws, and other generally applicable Ohio law.

TEMPORARY ORDINANCE NO. 28-25

PERMANENT ORDINANCE NO. _____

AN ORDINANCE DECLARING THE IMPROVEMENT TO CERTAIN REAL PROPERTY LOCATED IN THE CITY OF LANCASTER, OHIO TO BE A PUBLIC PURPOSE; DECLARING SUCH IMPROVEMENT TO BE EXEMPT FROM REAL PROPERTY TAXATION PURSUANT TO OHIO REVISED CODE SECTION 5709.40(B); REQUIRING THE OWNERS THEREOF TO MAKE ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; DESCRIBING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL DIRECTLY BENEFIT THE REAL PROPERTY; ESTABLISHING A PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SERVICE PAYMENTS, TOGETHER WITH RELATED AUTHORIZATIONS, AND DECLARING AN EMERGENCY

WHEREAS, the City of Lancaster, Ohio (the “City”) has prepared a strategy to foster the development of real property located in the City for commercial or industrial uses, as part of a broader development strategy aimed at facilitating a dynamic mix of uses generally not currently available in the City all in an effort to contribute to the positive economic development of the City, enlarge the property tax base, enhance income tax revenues, and stimulate collateral development within the City; and

WHEREAS, as part of the strategy for economic development described above, the City plans to subject the real property depicted and described on the EXHIBIT A— attached hereto and incorporated herein by reference (the “West End TIF Area” with each parcel comprising the West End TIF Area, whether presently appearing on Fairfield County tax duplicates or as appearing on future tax duplicates due to subsequent subdivisions, combinations, re-combinations, or re-numberings, being referred to individually as a “Parcel”)— to one or more TIF Exemptions (as defined herein); and

WHEREAS, the City anticipates individuals and companies will contribute to the positive economic development described above by developing commercial or industrial projects within the West End TIF Area (any such individual or company, a “Developer”), all as may be further described and defined pursuant to one or more development agreements to be executed between the City and the Developers, and such other agreements as are required from time to time; and

WHEREAS, this Council has determined that it is necessary, appropriate and in the best interests of the City to utilize Division (B) of Ohio Revised Code (“R.C.”) Section 5709.40 and its related provisions (the “TIF Act”) in order to: (i) authorize municipal tax increment financing to declare the Improvement (as defined herein) of any Parcel comprising the West End TIF Area to be a public purpose exempt from real property taxation, (ii) require annual service payments in lieu of real property taxes with respect to the Parcels comprising the West End TIF Area, pursuant to R.C. 5709.42, and (iii) provide a mechanism to facilitate and finance the construction of the public infrastructure improvements that will directly benefit the Parcels comprising the West End TIF Area, as described on EXHIBIT B hereto and incorporated herein by reference (the “Public Infrastructure Improvements”); and

WHEREAS, the TIF Act provides for the use of municipal tax increment financing to pay the costs of Public Infrastructure Improvements, which costs may include, without limitation: (i) the payment for, or reimbursement of, costs of the Public Infrastructure Improvements (which costs may include, without limitation, the payment for, or reimbursement of, costs of the Public Infrastructure Improvements incurred by the City, or any other public or private party in cooperation with the City), and (ii) payment of debt service (the "Debt Service") on, and other expenses relating to the issuance of, any bonds, notes, or other obligations issued to finance the Public Infrastructure Improvements; and

WHEREAS, it is the intention of the City to pay to the Lancaster City School District (the "School District") certain compensation payments to compensate the School District in the amount of the taxes that would have been payable to the School District but for this Council's authorization of this Ordinance and the TIF Exemption; accordingly, certain compensation payments are to be paid to the School District as provided in this Ordinance; and

WHEREAS, because this Ordinance provides that the School District are to receive compensation in the amount of the taxes that would have been payable to the School District but for this Council's authorization of this Ordinance and the TIF Exemption, notice of this proposed ordinance was delivered to each of the School District at least fourteen (14) days prior to the day on which this Council intended to adopt this Ordinance, pursuant to R.C. Sections 5709.40(D)(5) and 5709.83; and

WHEREAS, pursuant to the compensation provided to the School District by the terms of this Ordinance, the percentage of the Improvements that may be exempted from taxation may exceed seventy-five percent (75%) and said TIF Exemption may be authorized for more than ten (10) years without the approval of the Board of Education of the School District, all pursuant to R.C. Section 5709.40(D)(1); and

WHEREAS, this Council has or may in the future have established multiple community reinvestment areas within the boundaries of the City (the "CRA Areas"), and one or more of the CRA Areas include all or a portion of the West End TIF Area; and

WHEREAS, it is the intention of this Council that the TIF Exemptions provided for herein shall be subordinate to any real property tax exemptions provided under R.C. Chapter 3735; and

WHEREAS, in order to provide for, and facilitate the Project within the City in a timely manner, and for the immediate preservation of the public peace, health, welfare, and safety, it is necessary that this Ordinance take effect upon its passage pursuant to R.C. Section 705.15; now, therefore,

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

SECTION 1. Authorization of TIF Exemption. Pursuant to and in accordance with the provisions of R.C. Section 5709.40(B), this Council hereby finds and determines that one hundred percent (100%) of the increase in the assessed value of each Parcel comprising the West End TIF Area (the "Exempted Property") subsequent to the effective date of this Ordinance (which increase in assessed value is hereinafter referred to as the "Improvement," as defined in R.C. Section 5709.40(A)(4)) is declared to be a public purpose and shall be exempt

from real property taxation (the "TIF Exemption") for a separate TIF Exemption period commencing for each Parcel within the West End TIF Area with the first year for which an exemption is claimed by any DTE 24 exemption application, and any successor exemption application as the same may be updated by the State of Ohio, filed by the City with respect to such Parcel (the "Commencement Date"); and ending, for each Parcel included within the West End TIF Area, on the date that is the earlier of (a) thirty (30) years after the Commencement Date, or (b) the date on which the City can no longer require service payments in lieu of taxes, either by law, or because the costs of all Public Infrastructure Improvements are paid for, in accordance with the requirements of R.C. 5709.40, 5709.42, and 5709.43. The TIF Exemption with respect to each Parcel shall be subordinate to any real property tax abatement provided under R.C. Chapter 3735, including without limitation as part of the CRA Areas, irrespective of who files the exemption application under R.C. Section 5709.911.

SECTION 2. Payment of Service Payments. As provided in R.C. 5709.42, this Council hereby directs and requires the Developers (to the extent that any of the Developers is an owner of a Parcel) and any other current or future owner, or owners, of each of the Parcels comprising the West End TIF Area (the "Owners") to make annual service payments in lieu of taxes with respect to the Improvement allocable to each Owner's Parcel to the County Treasurer of Fairfield County, Ohio (the "County Treasurer") on or before the final dates for payment of real property taxes. Each service payment in lieu of taxes, including any penalties and interest at the then-current rate established under R.C. 323.121 and 5703.47, will be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and payable against the Improvement if this Council had not authorized the TIF Exemption pursuant to this Ordinance. Such service payments in lieu of taxes, penalties and interest, and any other payments with respect to each Improvement that are received by the County Treasurer in connection with the reduction required by R.C. 319.302, 321.24, 323.152, and 323.156, as the same may be amended from time to time, or any successor provisions thereto as the same may be amended from time to time (the "Property Tax Rollback Payments," and together with the annual service payments in lieu of taxes and penalties and interest described above, the "Service Payments"). Such Service Payments will be allocated and distributed in accordance with Sections 3 and 4 of this Ordinance.

SECTION 3. Creation of West End TIF Fund; Application of Service Payments. This Council hereby establishes, pursuant to and in accordance with the provisions of R.C. Section 5709.43, a Municipal Public Improvement Tax Increment Equivalent Fund (the "West End TIF Fund"), which West End TIF Fund shall be designated by the City Auditor as the West End TIF Fund and maintained and identified separate from every other Municipal Public Improvement Tax Increment Equivalent Fund maintained by the City. The City Auditor may, in their discretion, create one or more accounts or sub-accounts within the West End TIF Fund, as appropriate, to distinguish the Service Payments received with respect to the TIF Exemption authorized by this Ordinance from any tax increment financing programs that may be established by the City in the future, and as are necessary to account for payment of the costs of the Public Infrastructure Improvements, including any reimbursement payments for the reimbursement of the costs of the Public Infrastructure Improvements, Debt Service on, and other expenses relating to, the issuance of any bonds, notes, or other obligations issued to finance the Public Infrastructure Improvements. The West End TIF Fund shall be maintained in the custody of the City and shall receive all distributions of Service Payments required to be made to the City. Those Service Payments received by the City with respect to the TIF Exemption, shall be used solely for the purposes authorized under the TIF Act, its related rules and laws, and this Ordinance, including, but not limited to, paying any costs of the Public Infrastructure Improvements. For purposes of

this Ordinance, “costs” of the Public Infrastructure Improvements payable from the West End TIF Fund shall specifically include, but are not limited to, the items of “costs of permanent improvements” set forth in R.C. Section 133.15(B) and incurred with respect to the Public Infrastructure Improvements, which “costs” specifically include any reimbursement payments for the reimbursement of the costs of the Public Infrastructure Improvements, Debt Service on, and other expenses relating to the issuance of, any bonds, notes, or other obligations issued to finance the Public Infrastructure Improvements. The West End TIF Fund shall remain in existence so long as such Service Payments are collected and used for the aforesaid purposes, after which time the West End TIF Fund shall be dissolved and any surplus funds remaining therein shall be transferred to the City’s General Fund, all in accordance with R.C. Section 5709.43.

SECTION 4. Distribution of Funds. Pursuant to R.C. Section 5709.42, the County Treasurer shall make semi-annual payments to the School District, solely from Service Payments, in the amount equal to the property tax payments that the School District would otherwise have received from the Improvements had the Improvements not been exempted pursuant to the TIF Exemption authorized by this Ordinance.

The County Treasurer shall remit all remaining Service Payments to the City for deposit in the West End TIF Fund established in Section III of this Ordinance. The City, at the City’s sole discretion, shall then distribute Service Payments on deposit in the West End TIF Fund to pay, or reimburse, the City for the costs of Public Infrastructure Improvements constructed, or caused to be constructed, by the City.

SECTION 5. Public Infrastructure Improvements. This Council hereby designates the Public Infrastructure Improvements described in EXHIBIT B attached hereto as “public infrastructure improvements” (as such term is defined in R.C. Section 5709.40(A)(8)), made, to be made, or in the process of being made, and that, once made, will directly benefit the Parcels comprising the West End TIF Area.

SECTION 6. Application for Real Property Tax Exemption and Remission. This Council hereby authorizes the Director of Economic Development, their designees, and other appropriate officers of the City, to prepare and sign any applications for real property tax exemption pursuant to R.C. 5709.911, the provisions of which govern the priority status of the exemptions provided under this Ordinance.

SECTION 7. Further Authorizations. This Council further hereby authorizes and directs the Mayor, their designees, and other appropriate officers of the City, to prepare and sign all agreements, and any amendments thereto such that the character of those changes is not substantially adverse to the City, which shall be established conclusively by the Director of Economic Development’s signature thereon, and to take such further actions and execute any certifications, financing statements, assignments, agreements, instruments, and other documents that are necessary or appropriate to implement this Ordinance.

SECTION 8. Notices. This Council hereby finds and determines that notice of this proposed Ordinance has been delivered to all affected School District in accordance with R.C. Sections 5709.40 and 5709.83, and hereby ratifies the giving of that notice.

SECTION 9. Tax Incentive Review Council. This Council hereby designates the Tax Incentive Review Council (the "TIRC") established by Permanent Resolution No. 75-21 as the TIRC that shall annually review the TIF Exemption resulting from this Ordinance and any other matters as may properly come before the TIRC, in accordance with R.C. 5709.85.

SECTION 10. Nondiscriminatory Hiring Practices. In accordance with R.C. 5709.832, this Council hereby determines that no employer located upon the Parcels comprising the West End TIF Area is to deny any individual employment based on considerations of race, religion, sex, disability, color, national origin, or ancestry.

SECTION 11. Ohio Department of Development. Pursuant to Division (I) of R.C. 5709.40, the Director of Economic Development, or their designees, is hereby directed to deliver a copy of this Ordinance to the Director of the Ohio Department of Development ("ODOD") within fifteen (15) days after its passage. On or before March 31 of each year that the TIF Exemption remains in effect, the Director of Economic Development, their designees, or other appropriate officers of the City shall prepare and submit, or cause to be prepared and submitted, to the Director of ODOD the status report required under Division (I) of R.C. 5709.40.

SECTION 12. Open Meetings. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any decision-making bodies of the City that resulted in such formal actions were in meetings open to the public and in compliance with Ohio's Sunshine Laws, including R.C. 121.22.

SECTION 13. Effective Date. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and general welfare, to wit: in order to provide for and facilitate the Project in a timely manner within the City and for the immediate preservation of the public peace, health, welfare, and safety, and shall be in full force and effect from the date of its adoption in accordance with R.C. 705.15.

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

EXHIBIT A

The West End TIF Area is composed of the real property situated in the City of Lancaster, County of Fairfield and State of Ohio and specifically consists of the parcel numbers set forth in the table below (including any subsequent combinations, subdivisions, re-combinations, or re-numberings of such current parcel number), as identified in the records of the County Auditor, and as follows.

Table of Parcels Included in West End TIF Area

Fairfield County Parcel Identification #
0531004000
0531004073
0531004074
0531004072
0531345200
0531345300
0531345510
0531345610
0531345500
0531345600
0531004071
0531345400
0531834580
0531004070
0531353600
0531353700
0531353710
0531004004
0531004003
0531004023
0531004013
0531004017
0531004012
0531004019
0531004011
0531004021
0531004022
0531004015
0531004026
0531004060
0531004018
0531004002
0531004080
0531353100
0531353200

0531353400
0531353430
0531353420
0531353410
0650000200
0531890300
0531004014
0531004028
0531004029
0531004030
0531004031
0531004016
0531353000
0571001800
0571000900
0531344000
0571001700
0571001910
0531353330
0571000420
0571001900
0571000820
0531342710
0531353300
0531353320
0531353310
0531890700
0571001100
0571000311
0571000312
0571000310
0571001300
0571001620
0571001500
0571001400
0571000400
0571000230
0571000210
0571000200
0571000110
0571800011
0571000200

Map of West End TIF Area

For ease of reference, the following map is provided with the real property comprising the West End TIF Area outlined in red:

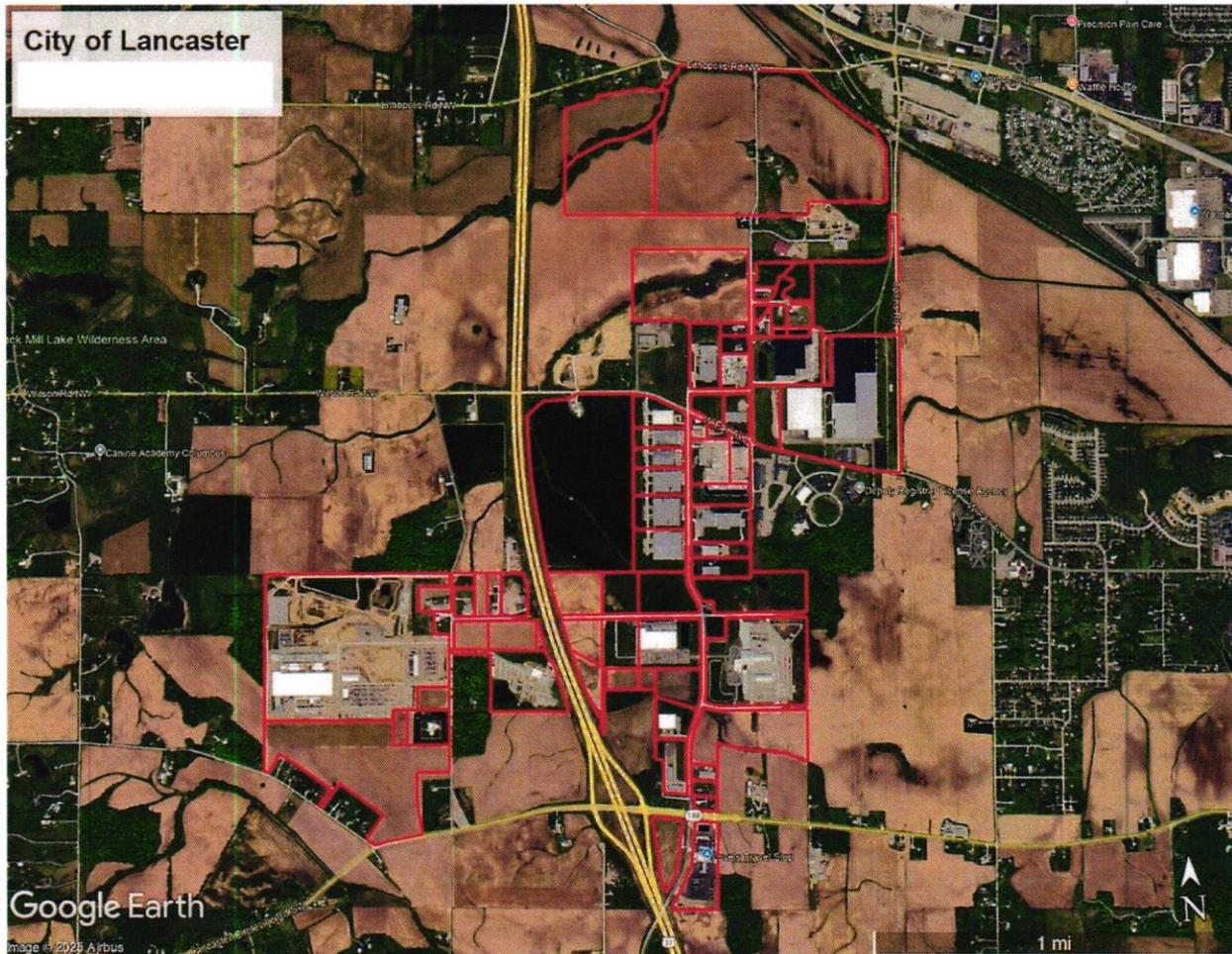


EXHIBIT B

Public Infrastructure Improvements

The Public Infrastructure Improvements consist generally of acquiring and constructing the infrastructure described below.

- Construction, reconstruction, extension, opening, improving, widening, grading, draining, curbing or changing of the lines and traffic patterns of roads, highways, streets, bridges (both roadway and pedestrian), traffic calming devices, sidewalks, bikeways, medians and viaducts accessible to and serving the public, and providing lighting systems, signalization, and traffic controls, the continued maintenance of public roads and highways, and all other appurtenances thereto;
- Construction, reconstruction or installation of improvements (including any underground utilities), storm and sanitary sewers (including necessary site grading therefore), fire equipment and fire buildings and improvements, water and fire protection systems, the continued maintenance of water and sewer lines, and all other appurtenances thereto;
- Construction, reconstruction or improvement of public buildings, town halls, community centers for recreation or other uses, police equipment, police station buildings and police systems, and all other appurtenances thereto;
- Construction, reconstruction or installation of gas, electric, and communication service facilities, and all other appurtenances thereto;
- Construction or reconstruction of one or more public parks, including grading, trees and other park plantings, park accessories and related improvements, and all other appurtenances thereto;
- Construction or installation of streetscape and landscape improvements including trees and shrubs, landscaping mounds and fencing, tree grates, planting beds, signage, curbs, sidewalks, street and sidewalk lighting, trash receptacles, benches, newspaper racks, burial of overhead utility lines and related improvements, and all other appurtenances thereto;
- Construction of one or more public parking facilities, including public surface parking, public parking structures and related improvements, off-street parking facilities, including those in which all or a portion of the parking spaces are reserved for specific uses when determined to be necessary for economic development purposes, and all other appurtenances thereto;
- Demolition and excavation, including demolition and excavation on private property when determined to be necessary for economic development purposes;
- Acquisition of real estate or interests in real estate (including easements) necessary to accomplish the foregoing improvements;
- Any on-going administrative expenses relating to the Public Infrastructure Improvements and maintaining the TIF revenues, including but not limited to engineering, architectural, legal, TIF administration, and other consulting and professional services; and
- All inspection fees and other governmental fees related to the foregoing.

The Public Infrastructure Improvements specifically include the costs of financing the Public Infrastructure Improvements, including the items of “costs of permanent improvements” set forth in R.C. Section 133.15(B), and incurred with respect to the Public Infrastructure Improvements, which

“costs” specifically include any reimbursement payments for the reimbursement of the costs of the Public Infrastructure Improvements and the Debt Service on, and other expenses relating to the issuance of, any bonds, notes, or other obligations issued to finance the Public Infrastructure Improvements.

All of the Public Infrastructure Improvements described above are hereby determined to be “public infrastructure improvements” (as defined in R.C. Section 5709.40(A)(8)) and are intended to directly benefit the real property described in **EXHIBIT A**.

TEMPORARY ORDINANCE NO. 29-25

PERMANENT ORDINANCE NO. _____

AN ORDINANCE DECLARING THE IMPROVEMENT TO CERTAIN REAL PROPERTY LOCATED IN THE CITY OF LANCASTER, OHIO TO BE A PUBLIC PURPOSE; DECLARING SUCH IMPROVEMENT TO BE EXEMPT FROM REAL PROPERTY TAXATION PURSUANT TO OHIO REVISED CODE SECTION 5709.40(B); REQUIRING THE OWNERS THEREOF TO MAKE ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; DESCRIBING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL DIRECTLY BENEFIT THE REAL PROPERTY; ESTABLISHING A PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SERVICE PAYMENTS, TOGETHER WITH RELATED AUTHORIZATIONS, AND DECLARING AN EMERGENCY

WHEREAS, the City of Lancaster, Ohio (the “City”) has prepared a strategy to foster the development of real property located in the City for commercial or industrial uses, as part of a broader development strategy aimed at facilitating a dynamic mix of uses generally not currently available in the City all in an effort to contribute to the positive economic development of the City, enlarge the property tax base, enhance income tax revenues, and stimulate collateral development within the City; and

WHEREAS, as part of the strategy for economic development described above, the City plans to subject the real property depicted and described on the EXHIBIT A— attached hereto and incorporated herein by reference (the “East End TIF Area” with each parcel comprising the East End TIF Area, whether presently appearing on Fairfield County tax duplicates or as appearing on future tax duplicates due to subsequent subdivisions, combinations, re-combinations, or re-numberings, being referred to individually as a “Parcel”)— to one or more TIF Exemptions (as defined herein); and

WHEREAS, the City anticipates individuals and companies will contribute to the positive economic development described above by developing commercial or industrial projects within the East End TIF Area (any such individual or company, a “Developer”), all as may be further described and defined pursuant to one or more development agreements to be executed between the City and the Developers, and such other agreements as are required from time to time; and

WHEREAS, this Council has determined that it is necessary, appropriate and in the best interests of the City to utilize Division (B) of Ohio Revised Code (“R.C.”) Section 5709.40 and its related provisions (the “TIF Act”) in order to: (i) authorize municipal tax increment financing to declare the Improvement (as defined herein) of any Parcel comprising the East End TIF Area to be a public purpose exempt from real property taxation, (ii) require annual service payments in lieu of real property taxes with respect to the Parcels comprising the East End TIF Area, pursuant to R.C. 5709.42, and (iii) provide a mechanism to facilitate and finance the construction of the public infrastructure improvements that will directly benefit the Parcels comprising the East End TIF Area, as described on EXHIBIT B hereto and incorporated herein by reference (the “Public Infrastructure Improvements”); and

WHEREAS, the TIF Act provides for the use of municipal tax increment financing to pay the costs of Public Infrastructure Improvements, which costs may include, without limitation: (i) the payment for, or reimbursement of, costs of the Public Infrastructure Improvements (which costs may include, without limitation, the payment for, or reimbursement of, costs of the Public Infrastructure Improvements incurred by the City, or any other public or private party in cooperation with the City), and (ii) payment of debt service (the "Debt Service") on, and other expenses relating to the issuance of, any bonds, notes, or other obligations issued to finance the Public Infrastructure Improvements; and

WHEREAS, it is the intention of the City to pay to the Lancaster City School District (the "School District") certain compensation payments to compensate the School District in the amount of the taxes that would have been payable to the School District but for this Council's authorization of this Ordinance and the TIF Exemption; accordingly, certain compensation payments are to be paid to the School District as provided in this Ordinance; and

WHEREAS, because this Ordinance provides that the School District are to receive compensation in the amount of the taxes that would have been payable to the School District but for this Council's authorization of this Ordinance and the TIF Exemption, notice of this proposed ordinance was delivered to each of the School District at least fourteen (14) days prior to the day on which this Council intended to adopt this Ordinance, pursuant to R.C. Sections 5709.40(D)(5) and 5709.83; and

WHEREAS, pursuant to the compensation provided to the School District by the terms of this Ordinance, the percentage of the Improvements that may be exempted from taxation may exceed seventy-five percent (75%) and said TIF Exemption may be authorized for more than ten (10) years without the approval of the Board of Education of the School District, all pursuant to R.C. Section 5709.40(D)(1); and

WHEREAS, this Council has or may in the future have established multiple community reinvestment areas within the boundaries of the City (the "CRA Areas"), and one or more of the CRA Areas include all or a portion of the East End TIF Area; and

WHEREAS, it is the intention of this Council that the TIF Exemptions provided for herein shall be subordinate to any real property tax exemptions provided under R.C. Chapter 3735; and

WHEREAS, in order to provide for, and facilitate the Project within the City in a timely manner, and for the immediate preservation of the public peace, health, welfare, and safety, it is necessary that this Ordinance take effect upon its passage pursuant to R.C. Section 705.15; now, therefore,

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

SECTION 1. Authorization of TIF Exemption. Pursuant to and in accordance with the provisions of R.C. Section 5709.40(B), this Council hereby finds and determines that one hundred percent (100%) of the increase in the assessed value of each Parcel comprising the East End TIF Area (the "Exempted Property") subsequent to the effective date of this Ordinance (which increase in assessed value is hereinafter referred to as the "Improvement," as defined in R.C. Section 5709.40(A)(4)) is declared to be a public purpose and shall be exempt

from real property taxation (the "TIF Exemption") for a separate TIF Exemption period commencing for each Parcel within the East End TIF Area with the first year for which an exemption is claimed by any DTE 24 exemption application, and any successor exemption application as the same may be updated by the State of Ohio, filed by the City with respect to such Parcel (the "Commencement Date"); and ending, for each Parcel included within the East End TIF Area, on the date that is the earlier of (a) thirty (30) years after the Commencement Date, or (b) the date on which the City can no longer require service payments in lieu of taxes, either by law, or because the costs of all Public Infrastructure Improvements are paid for, in accordance with the requirements of R.C. 5709.40, 5709.42, and 5709.43. The TIF Exemption with respect to each Parcel shall be subordinate to any real property tax abatement provided under R.C. Chapter 3735, including without limitation as part of the CRA Areas, irrespective of who files the exemption application under R.C. Section 5709.911.

SECTION 2. Payment of Service Payments. As provided in R.C. 5709.42, this Council hereby directs and requires the Developers (to the extent that any of the Developers is an owner of a Parcel) and any other current or future owner, or owners, of each of the Parcels comprising the East End TIF Area (the "Owners") to make annual service payments in lieu of taxes with respect to the Improvement allocable to each Owner's Parcel to the County Treasurer of Fairfield County, Ohio (the "County Treasurer") on or before the final dates for payment of real property taxes. Each service payment in lieu of taxes, including any penalties and interest at the then-current rate established under R.C. 323.121 and 5703.47, will be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and payable against the Improvement if this Council had not authorized the TIF Exemption pursuant to this Ordinance. Such service payments in lieu of taxes, penalties and interest, and any other payments with respect to each Improvement that are received by the County Treasurer in connection with the reduction required by R.C. 319.302, 321.24, 323.152, and 323.156, as the same may be amended from time to time, or any successor provisions thereto as the same may be amended from time to time (the "Property Tax Rollback Payments," and together with the annual service payments in lieu of taxes and penalties and interest described above, the "Service Payments"). Such Service Payments will be allocated and distributed in accordance with Sections 3 and 4 of this Ordinance.

SECTION 3. Creation of East End TIF Fund; Application of Service Payments. This Council hereby establishes, pursuant to and in accordance with the provisions of R.C. Section 5709.43, a Municipal Public Improvement Tax Increment Equivalent Fund (the "East End TIF Fund"), which East End TIF Fund shall be designated by the City Auditor as the East End TIF Fund and maintained and identified separate from every other Municipal Public Improvement Tax Increment Equivalent Fund maintained by the City. The City Auditor may, in their discretion, create one or more accounts or sub-accounts within the East End TIF Fund, as appropriate, to distinguish the Service Payments received with respect to the TIF Exemption authorized by this Ordinance from any tax increment financing programs that may be established by the City in the future, and as are necessary to account for payment of the costs of the Public Infrastructure Improvements, including any reimbursement payments for the reimbursement of the costs of the Public Infrastructure Improvements, Debt Service on, and other expenses relating to, the issuance of any bonds, notes, or other obligations issued to finance the Public Infrastructure Improvements. The East End TIF Fund shall be maintained in the custody of the City and shall receive all distributions of Service Payments required to be made to the City. Those Service Payments received by the City with respect to the TIF Exemption, shall be used solely for the purposes authorized under the TIF Act, its related rules and laws, and this Ordinance, including, but not limited to, paying any costs of the Public Infrastructure Improvements. For purposes of

this Ordinance, “costs” of the Public Infrastructure Improvements payable from the East End TIF Fund shall specifically include, but are not limited to, the items of “costs of permanent improvements” set forth in R.C. Section 133.15(B) and incurred with respect to the Public Infrastructure Improvements, which “costs” specifically include any reimbursement payments for the reimbursement of the costs of the Public Infrastructure Improvements, Debt Service on, and other expenses relating to the issuance of, any bonds, notes, or other obligations issued to finance the Public Infrastructure Improvements. The East End TIF Fund shall remain in existence so long as such Service Payments are collected and used for the aforesaid purposes, after which time the East End TIF Fund shall be dissolved and any surplus funds remaining therein shall be transferred to the City’s General Fund, all in accordance with R.C. Section 5709.43.

SECTION 4. Distribution of Funds. Pursuant to R.C. Section 5709.42, the County Treasurer shall make semi-annual payments to the School District, solely from Service Payments, in the amount equal to the property tax payments that the School District would otherwise have received from the Improvements had the Improvements not been exempted pursuant to the TIF Exemption authorized by this Ordinance.

The County Treasurer shall remit all remaining Service Payments to the City for deposit in the East End TIF Fund established in Section III of this Ordinance. The City, at the City’s sole discretion, shall then distribute Service Payments on deposit in the East End TIF Fund to pay, or reimburse, the City for the costs of Public Infrastructure Improvements constructed, or caused to be constructed, by the City.

SECTION 5. Public Infrastructure Improvements. This Council hereby designates the Public Infrastructure Improvements described in EXHIBIT B attached hereto as “public infrastructure improvements” (as such term is defined in R.C. Section 5709.40(A)(8)), made, to be made, or in the process of being made, and that, once made, will directly benefit the Parcels comprising the East End TIF Area.

SECTION 6. Application for Real Property Tax Exemption and Remission. This Council hereby authorizes the Director of Economic Development, their designees, and other appropriate officers of the City, to prepare and sign any applications for real property tax exemption pursuant to R.C. 5709.911, the provisions of which govern the priority status of the exemptions provided under this Ordinance.

SECTION 7. Further Authorizations. This Council further hereby authorizes and directs the Mayor, their designees, and other appropriate officers of the City, to prepare and sign all agreements, and any amendments thereto such that the character of those changes is not substantially adverse to the City, which shall be established conclusively by the Director of Economic Development’s signature thereon, and to take such further actions and execute any certifications, financing statements, assignments, agreements, instruments, and other documents that are necessary or appropriate to implement this Ordinance.

SECTION 8. Notices. This Council hereby finds and determines that notice of this proposed Ordinance has been delivered to all affected School District in accordance with R.C. Sections 5709.40 and 5709.83, and hereby ratifies the giving of that notice.

SECTION 9. Tax Incentive Review Council. This Council hereby designates the Tax Incentive Review Council (the “TIRC”) established by Permanent Resolution No. 75-21

as the TIRC that shall annually review the TIF Exemption resulting from this Ordinance and any other matters as may properly come before the TIRC, in accordance with R.C. 5709.85.

SECTION 10. Nondiscriminatory Hiring Practices. In accordance with R.C. 5709.832, this Council hereby determines that no employer located upon the Parcels comprising the East End TIF Area is to deny any individual employment based on considerations of race, religion, sex, disability, color, national origin, or ancestry.

SECTION 11. Ohio Department of Development. Pursuant to Division (I) of R.C. 5709.40, the Director of Economic Development, or their designees, is hereby directed to deliver a copy of this Ordinance to the Director of the Ohio Department of Development (“ODOD”) within fifteen (15) days after its passage. On or before March 31 of each year that the TIF Exemption remains in effect, the Director of Economic Development, their designees, or other appropriate officers of the City shall prepare and submit, or cause to be prepared and submitted, to the Director of ODOD the status report required under Division (I) of R.C. 5709.40.

SECTION 12. Open Meetings. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any decision-making bodies of the City that resulted in such formal actions were in meetings open to the public and in compliance with Ohio’s Sunshine Laws, including R.C. 121.22.

SECTION 13. Effective Date. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and general welfare, to wit: in order to provide for and facilitate the Project in a timely manner within the City and for the immediate preservation of the public peace, health, welfare, and safety, and shall be in full force and effect from the date of its adoption in accordance with R.C. 705.15

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

EXHIBIT A

The East End TIF Area is composed of the real property situated in the City of Lancaster, County of Fairfield and State of Ohio and specifically consists of the parcel numbers set forth in the table below (including any subsequent combinations, subdivisions, re-combinations, or re-numberings of such current parcel number), as identified in the records of the County Auditor, and as follows.

Table of Parcels Included in East End TIF Area

Fairfield County Parcel Identification #
0640000100
0535011982
0535000310
0535000300
0535000100
0535002600
0535002500
0535002510
0535001000
0535001010
0535001020
0535001100
0535004100
0535004140
0535004130
0535002400
0535001400
0535001900
0535002000
0535001800
0530905000
0535001700
0535001600
0535001500
0535002300
0535002100
0535002200
0535003200
0535003240
0535003250
0535003241
0535004000
0535003260
0535003220
0535003000

0535003020
0535002800
0535002810
0535003300
0535003230
0535004200
0535004408
0535004409
0535005000
0535031300
0535031440
0535031400
0535007100
0535007110
0535883700
0535031610
0535006900
0535240000
0535240100
0535240200

Map of East End TIF Area

For ease of reference, the following map is provided with the real property comprising the East End TIF Area outlined in **red**:

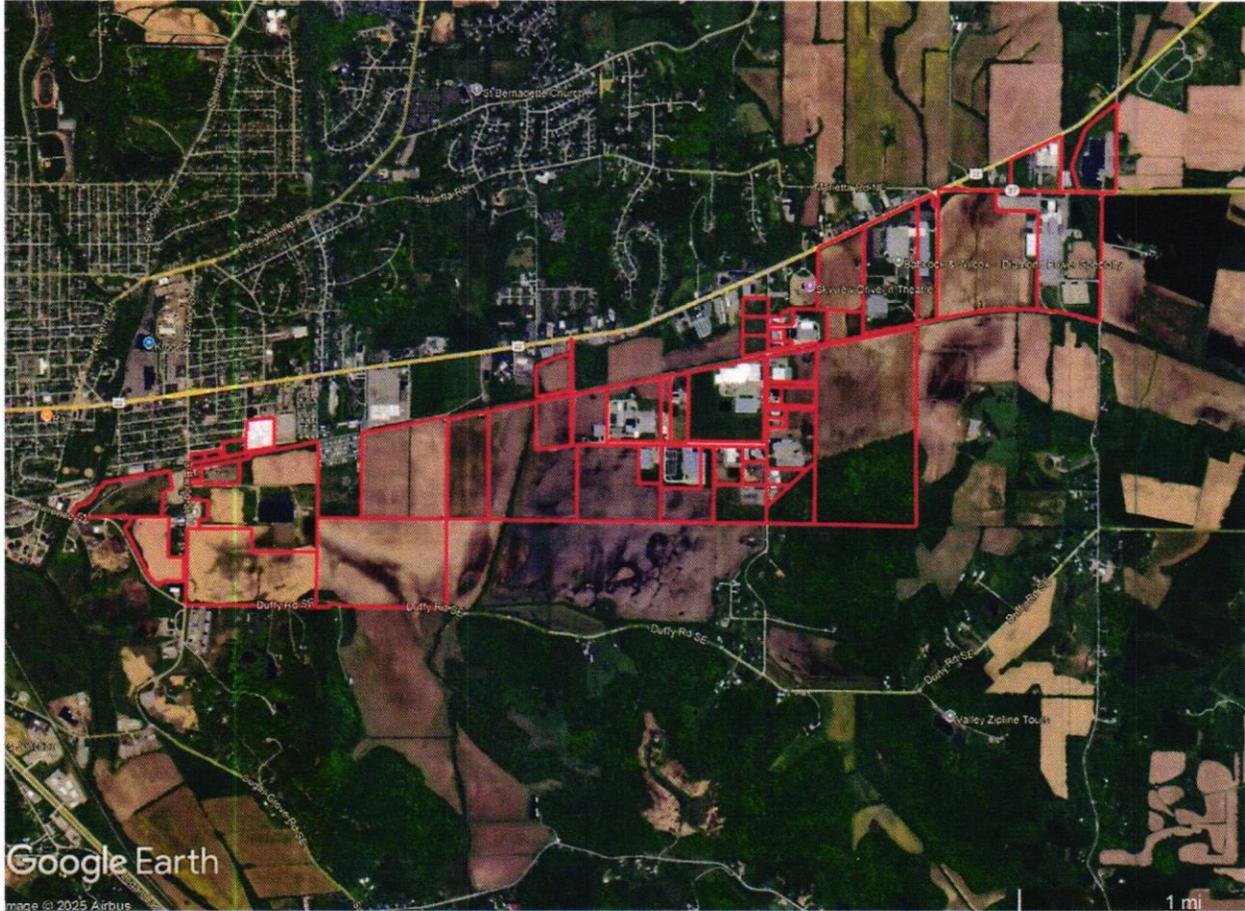


EXHIBIT B

Public Infrastructure Improvements

The Public Infrastructure Improvements consist generally of acquiring and constructing the infrastructure described below.

- Construction, reconstruction, extension, opening, improving, widening, grading, draining, curbing or changing of the lines and traffic patterns of roads, highways, streets, bridges (both roadway and pedestrian), traffic calming devices, sidewalks, bikeways, medians and viaducts accessible to and serving the public, and providing lighting systems, signalization, and traffic controls, the continued maintenance of public roads and highways, and all other appurtenances thereto;
- Construction, reconstruction or installation of improvements (including any underground utilities), storm and sanitary sewers (including necessary site grading therefore), fire equipment and fire buildings and improvements, water and fire protection systems, the continued maintenance of water and sewer lines, and all other appurtenances thereto;
- Construction, reconstruction or improvement of public buildings, town halls, community centers for recreation or other uses, police equipment, police station buildings and police systems, and all other appurtenances thereto;
- Construction, reconstruction or installation of gas, electric, and communication service facilities, and all other appurtenances thereto;
- Construction or reconstruction of one or more public parks, including grading, trees and other park plantings, park accessories and related improvements, and all other appurtenances thereto;
- Construction or installation of streetscape and landscape improvements including trees and shrubs, landscaping mounds and fencing, tree grates, planting beds, signage, curbs, sidewalks, street and sidewalk lighting, trash receptacles, benches, newspaper racks, burial of overhead utility lines and related improvements, and all other appurtenances thereto;
- Construction of one or more public parking facilities, including public surface parking, public parking structures and related improvements, off-street parking facilities, including those in which all or a portion of the parking spaces are reserved for specific uses when determined to be necessary for economic development purposes, and all other appurtenances thereto;
- Demolition and excavation, including demolition and excavation on private property when determined to be necessary for economic development purposes;
- Acquisition of real estate or interests in real estate (including easements) necessary to accomplish the foregoing improvements;
- Any on-going administrative expenses relating to the Public Infrastructure Improvements and maintaining the TIF revenues, including but not limited to engineering, architectural, legal, TIF administration, and other consulting and professional services; and
- All inspection fees and other governmental fees related to the foregoing.

The Public Infrastructure Improvements specifically include the costs of financing the Public Infrastructure Improvements, including the items of “costs of permanent improvements” set forth in R.C. Section 133.15(B), and incurred with respect to the Public Infrastructure Improvements, which

“costs” specifically include any reimbursement payments for the reimbursement of the costs of the Public Infrastructure Improvements and the Debt Service on, and other expenses relating to the issuance of, any bonds, notes, or other obligations issued to finance the Public Infrastructure Improvements.

All of the Public Infrastructure Improvements described above are hereby determined to be “public infrastructure improvements” (as defined in R.C. Section 5709.40(A)(8)) and are intended to directly benefit the real property described in **EXHIBIT A**.

TEMPORARY ORDINANCE NO. 30-25

PERMANENT ORDINANCE NO. _____

AN ORDINANCE DECLARING THE IMPROVEMENT TO CERTAIN REAL PROPERTY LOCATED IN THE CITY OF LANCASTER, OHIO TO BE A PUBLIC PURPOSE; DECLARING SUCH IMPROVEMENT TO BE EXEMPT FROM REAL PROPERTY TAXATION PURSUANT TO OHIO REVISED CODE SECTION 5709.40(B); REQUIRING THE OWNERS THEREOF TO MAKE ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; DESCRIBING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL DIRECTLY BENEFIT THE REAL PROPERTY; ESTABLISHING A PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SERVICE PAYMENTS, TOGETHER WITH RELATED AUTHORIZATIONS, AND DECLARING AN EMERGENCY

WHEREAS, the City of Lancaster, Ohio (the "City") has prepared a strategy to foster the development of real property located in the City for commercial or industrial uses, as part of a broader development strategy aimed at facilitating a dynamic mix of uses generally not currently available in the City all in an effort to contribute to the positive economic development of the City, enlarge the property tax base, enhance income tax revenues, and stimulate collateral development within the City; and

WHEREAS, as part of the strategy for economic development described above, the City plans to subject the real property depicted and described on the EXHIBIT A— attached hereto and incorporated herein by reference (the "Central TIF Property" with each parcel comprising the Central TIF Property, whether presently appearing on Fairfield County tax duplicates or as appearing on future tax duplicates due to subsequent subdivisions, combinations, re-combinations, or re-numberings, being referred to individually as a "Parcel")— to one or more TIF Exemptions (as defined herein); and

WHEREAS, the Central TIF Property is comprised of multiple development sites throughout the City, all of which are separately named, depicted, and described on EXHIBIT A as the "Sells Greene Site," the "Historic Fairfield Shoe Site," the "Fairfield Park Metro Site," and the "Reserve at Hunter Trace Site" (each a "Development Site" and, collectively, the "Development Sites"); and

WHEREAS, the City anticipates individuals and companies will contribute to the positive economic development described above by developing commercial or industrial projects within the Central TIF Property (any such individual or company, a "Developer"), all as may be further described and defined pursuant to one or more development agreements to be executed between the City and the Developers, and such other agreements as are required from time to time; and

WHEREAS, this Council has determined that it is necessary, appropriate and in the best interests of the City to utilize Division (B) of Ohio Revised Code ("R.C.") Section 5709.40 and its related provisions (the "TIF Act") in order to: (i) authorize municipal tax increment financing to declare the Improvement (as defined herein) of any Parcel comprising the Central TIF Property to be a public purpose exempt from real property taxation, (ii) require annual service payments in lieu of real property taxes with respect to the Parcels comprising the

Central TIF Property, pursuant to R.C. 5709.42, and (iii) provide a mechanism to facilitate and finance the construction of the public infrastructure improvements that will directly benefit the Parcels comprising the Central TIF Property, as described on EXHIBIT B hereto and incorporated herein by reference (the “Public Infrastructure Improvements”); and

WHEREAS, the TIF Act provides for the use of municipal tax increment financing to pay the costs of Public Infrastructure Improvements, which costs may include, without limitation: (i) the payment for, or reimbursement of, costs of the Public Infrastructure Improvements (which costs may include, without limitation, the payment for, or reimbursement of, costs of the Public Infrastructure Improvements incurred by the City, or any other public or private party in cooperation with the City), and (ii) payment of debt service (the “Debt Service”) on, and other expenses relating to the issuance of, any bonds, notes, or other obligations issued to finance the Public Infrastructure Improvements; and

WHEREAS, it is the intention of the City to pay to the Lancaster City School District (the “School District”) certain compensation payments to compensate the School District in the amount of the taxes that would have been payable to the School District but for this Council’s authorization of this Ordinance and the TIF Exemption; accordingly, certain compensation payments are to be paid to the School District as provided in this Ordinance; and

WHEREAS, because this Ordinance provides that the School District are to receive compensation in the amount of the taxes that would have been payable to the School District but for this Council’s authorization of this Ordinance and the TIF Exemption, notice of this proposed ordinance was delivered to each of the School District at least fourteen (14) days prior to the day on which this Council intended to adopt this Ordinance, pursuant to R.C. Sections 5709.40(D)(5) and 5709.83; and

WHEREAS, pursuant to the compensation provided to the School District by the terms of this Ordinance, the percentage of the Improvements that may be exempted from taxation may exceed seventy-five percent (75%) and said TIF Exemption may be authorized for more than ten (10) years without the approval of the Board of Education of the Lancaster City Schools, all pursuant to R.C. Section 5709.40(D)(1); and

WHEREAS, this Council has or may in the future have established multiple community reinvestment areas within the boundaries of the City (the “CRA Areas”), and one or more of the CRA Areas include or may include all or a portion of the Central TIF Property; and

WHEREAS, it is the intention of this Council that the TIF Exemptions provided for herein shall be subordinate to any real property tax exemptions provided under R.C. Chapter 3735; and

WHEREAS, in order to provide for, and facilitate the Project within the City in a timely manner, and for the immediate preservation of the public peace, health, welfare, and safety, it is necessary that this Ordinance take effect upon its passage pursuant to R.C. Section 705.15; now, therefore,

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

SECTION 1. Authorization of TIF Exemption. Pursuant to and in accordance with the provisions of R.C. Section 5709.40(B), this Council hereby finds and determines that one hundred percent (100%) of the increase in the assessed value of each Parcel comprising the Central TIF Property (the "Exempted Property") subsequent to the effective date of this Ordinance (which increase in assessed value is hereinafter referred to as the "Improvement," as defined in R.C. Section 5709.40(A)(4)) is declared to be a public purpose and shall be exempt from real property taxation (the "TIF Exemption") for a separate TIF Exemption period commencing for each Parcel within the Central TIF Property in the first tax year in which the Fairfield County Auditor determines that an Improvement exists with respect to the assessed value of any structure on the Parcel (the "Commencement Date"); and ending, for each Parcel included within the Central TIF Property, on the date that is the earlier of (a) thirty (30) years after the Commencement Date, or (b) the date on which the City can no longer require service payments in lieu of taxes, either by law, or because the costs of all Public Infrastructure Improvements are paid for, in accordance with the requirements of R.C. 5709.40, 5709.42, and 5709.43. The TIF Exemption with respect to each Parcel shall be subordinate to any real property tax abatement provided under R.C. Chapter 3735, including without limitation as part of the CRA Areas, irrespective of who files the exemption application under R.C. Section 5709.911.

SECTION 2. Payment of Service Payments. As provided in R.C. 5709.42, this Council hereby directs and requires the Developers (to the extent that any of the Developers is an owner of a Parcel) and any other current or future owner, or owners, of each of the Parcels comprising the Central TIF Property (the "Owners") to make annual service payments in lieu of taxes with respect to the Improvement allocable to each Owner's Parcel to the County Treasurer of Fairfield County, Ohio (the "County Treasurer") on or before the final dates for payment of real property taxes. Each service payment in lieu of taxes, including any penalties and interest at the then-current rate established under R.C. 323.121 and 5703.47, will be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and payable against the Improvement if this Council had not authorized the TIF Exemption pursuant to this Ordinance. Such service payments in lieu of taxes, penalties and interest, and any other payments with respect to each Improvement that are received by the County Treasurer in connection with the reduction required by R.C. 319.302, 321.24, 323.152, and 323.156, as the same may be amended from time to time, or any successor provisions thereto as the same may be amended from time to time (the "Property Tax Rollback Payments," and together with the annual service payments in lieu of taxes and penalties and interest described above, the "Service Payments"). Such Service Payments will be allocated and distributed in accordance with Sections 3 and 4 of this Ordinance.

SECTION 3. Creation of Central TIF Fund and Other Accounts; Application of Service Payments; Dissolution of Central TIF Fund.

(a) Creation of Central TIF Fund and Other Accounts. This Council hereby establishes, pursuant to and in accordance with the provisions of R.C. Section 5709.43:

- (i) a Municipal Public Improvement Tax Increment Equivalent Fund (the "Central TIF Fund"), which Central TIF Fund shall be designated by the City Auditor as the Central TIF Fund and maintained and identified separate from every other Municipal Public Improvement Tax Increment Equivalent Fund maintained by the City; and

(ii) within the Central TIF Fund, the following accounts:

- (1) an account maintained and identified by the City Auditor as the Sells Greene Tax Increment Equivalent Account (the “Sells Greene Account”);
- (2) an account maintained and identified by the City Auditor as the Historic Fairfield Shoe Tax Increment Equivalent Account (“Historic Fairfield Shoe Account”);
- (3) an account maintained and identified by the City Auditor as the Fairfield Park Metro Tax Increment Equivalent Account (“Fairfield Park Metro Account”); and
- (4) an account maintained and identified by the City Auditor as the Reserve at Hunter Trace Reserve Tax Increment Equivalent Account (the “Reserve at Hunter Trace Account”).

The City Auditor may, in their discretion, create one or more additional accounts or sub-accounts within the Central TIF Fund or the Sells Greene Account, the Historic Fairfield Shoe Account, the Fairfield Park Metro Account, or the Reserve at Hunter Trace Account, including, as appropriate, to distinguish the Service Payments received with respect to the TIF Exemption authorized by this Ordinance from any tax increment financing programs that may be established by the City in the future, and as are necessary to account for payment of the costs of the Public Infrastructure Improvements, including any reimbursement payments for the reimbursement of the costs of the Public Infrastructure Improvements, Debt Service on, and other expenses relating to, the issuance of any bonds, notes, or other obligations issued to finance the Public Infrastructure Improvements.

(b) Application of Service Payments. The Central TIF Fund shall be maintained in the custody of the City and shall receive all distributions of Service Payments required to be made to the City. Those Service Payments received by the City with respect to the TIF Exemption, shall be used solely for the purposes authorized under the TIF Act, its related rules and laws, and this Ordinance, including, but not limited to, paying any costs of the Public Infrastructure Improvements. For purposes of this Ordinance, “costs” of the Public Infrastructure Improvements payable from the Central TIF Fund shall specifically include, but are not limited to, the items of “costs of permanent improvements” set forth in R.C. Section 133.15(B) and incurred with respect to the Public Infrastructure Improvements, which “costs” specifically include any reimbursement payments for the reimbursement of the costs of the Public Infrastructure Improvements, Debt Service on, and other expenses relating to the issuance of, any bonds, notes, or other obligations issued to finance the Public Infrastructure Improvements. Notwithstanding anything herein to the contrary, Service Payments received by the City shall be deposited and used as follows:

- (i) Service Payments collected from the Sells Greene Site shall be deposited in the Sells Greene Account and only used to pay the costs of Public Infrastructure Improvements directly benefiting the Sells Greene Site;
- (ii) Service Payments collected from the Historic Fairfield Shoe Site shall be deposited in the Historic Fairfield Shoe Account and used to pay the costs of Public Infrastructure Improvements directly benefiting the Historic Fairfield Shoe Site;

- (iii) Service Payments collected from the Fairfield Park Metro Site shall be deposited in the Fairfield Park Metro Account and used to pay the costs of Public Infrastructure Improvements directly benefiting the Fairfield Park Metro Site; and
- (iv) Service Payments collected from the Reserve at Hunter Trace Site shall be deposited in the Reserve at Hunter Trace Account and used to pay the costs of Public Infrastructure Improvements directly benefiting the Reserve at Hunter Trace Site.

(c) Dissolution of Central TIF Fund. The Central TIF Fund shall remain in existence so long as such Service Payments are collected and used for the aforesaid purposes, after which time the Central TIF Fund shall be dissolved and any surplus funds remaining therein shall be transferred to the City's General Fund, all in accordance with R.C. Section 5709.43.

SECTION 4. Distribution of Funds. Pursuant to R.C. Section 5709.42, the County Treasurer shall make semi-annual payments to the School District, solely from Service Payments, in the amount equal to the property tax payments that the School District would otherwise have received from the Improvements had the Improvements not been exempted pursuant to the TIF Exemption authorized by this Ordinance.

The County Treasurer shall remit all remaining Service Payments to the City for deposit in the Central TIF Fund established in Section III of this Ordinance. The City, at the City's sole discretion, but in all respects subject to Section III of this Ordinance, shall then distribute Service Payments on deposit in the Central TIF Fund to pay, or reimburse, the City for the costs of Public Infrastructure Improvements constructed, or caused to be constructed, by the City, provided that one hundred percent (100%) of the Service Payments on deposit in the Central TIF Fund are to be used to finance the Public Infrastructure Improvements designated in this Ordinance for the purposes described in the TIF Act and its related laws and rules.

SECTION 5. Public Infrastructure Improvements. This Council hereby designates the Public Infrastructure Improvements described in EXHIBIT B attached hereto as "public infrastructure improvements" (as such term is defined in R.C. Section 5709.40(A)(8)), made, to be made, or in the process of being made, and that, once made, will directly benefit the Parcels comprising the Central TIF Property.

SECTION 6. Application for Real Property Tax Exemption and Remission. This Council hereby authorizes the Director of Economic Development, their designees, and other appropriate officers of the City, to prepare and sign any applications for real property tax exemption pursuant to R.C. 5709.911, the provisions of which govern the priority status of the exemptions provided under this Ordinance.

SECTION 7. Further Authorizations. This Council further hereby authorizes and directs the Mayor, their designees, and other appropriate officers of the City, to prepare and sign all agreements, and any amendments thereto such that the character of those changes is not substantially adverse to the City, which shall be established conclusively by the Director of Economic Development's signature thereon, and to take such further actions and execute any certifications, financing statements, assignments, agreements, instruments, and other documents that are necessary or appropriate to implement this Ordinance.

SECTION 8. Notices. This Council hereby finds and determines that notice of this proposed Ordinance has been delivered to the affected School District in accordance with R.C. Sections 5709.40 and 5709.83, and hereby ratifies the giving of that notice.

SECTION 9. Tax Incentive Review Council. This Council hereby designates the Tax Incentive Review Council (the "TIRC") established by Permanent Resolution No. 75-21 as the TIRC that shall annually review the TIF Exemption resulting from this Ordinance and any other matters as may properly come before the TIRC, in accordance with R.C. 5709.85.

SECTION 10. Nondiscriminatory Hiring Practices. In accordance with R.C. 5709.832, this Council hereby determines that no employer located upon the Parcels comprising the Central TIF Property is to deny any individual employment based on considerations of race, religion, sex, disability, color, national origin, or ancestry.

SECTION 11. Ohio Department of Development. Pursuant to Division (I) of R.C. 5709.40, the Director of Economic Development, or their designees, is hereby directed to deliver a copy of this Ordinance to the Director of the Ohio Department of Development ("ODOD") within fifteen (15) days after its passage. On or before March 31 of each year that the TIF Exemption remains in effect, the Director of Economic Development, their designees, or other appropriate officers of the City shall prepare and submit, or cause to be prepared and submitted, to the Director of ODOD the status report required under Division (I) of R.C. 5709.40.

SECTION 12. Open Meetings. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any decision-making bodies of the City that resulted in such formal actions were in meetings open to the public and in compliance with Ohio's Sunshine Laws, including R.C. 121.22.

SECTION 13. Effective Date. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and general welfare, to wit: in order to provide for and facilitate the Project in a timely manner within the City and for the immediate preservation of the public peace, health, welfare, and safety, and shall be in full force and effect from the date of its adoption in accordance with R.C. 705.15.

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

EXHIBIT A

The Central TIF Property is composed of the real property situated in the City of Lancaster, County of Fairfield and State of Ohio and specifically consists of the parcel numbers set forth in the table below (including any subsequent combinations, subdivisions, re-combinations, or re-numberings of such current parcel number), as identified in the records of the County Auditor, and as follows.

Table of Parcels Included in Central TIF Property

Development Sites	Fairfield County Auditor Parcel ID Numbers
Sells Greene Site	0534004150
Historic Fairfield Shoe Site	0532314700
	0532314800
	0532020100
	0532020110
Fairfield Park Metro Site	0140100400
	0630010500
	0532223400
	0532223500
Reserve at Hunter Trace Site	0536275000

Map of Central TIF Property

For ease of reference, the following maps are provided with the real property comprising the Central TIF Property outlined in **yellow**:

Sells Greene Site



Historic Fairfield Shoe Site



Fairfield Park Metro Site



Reserve at Hunter Trace Site



EXHIBIT B

Public Infrastructure Improvements

The Public Infrastructure Improvements consist generally of acquiring and constructing the infrastructure described below.

- Construction, reconstruction, extension, opening, improving, widening, grading, draining, curbing or changing of the lines and traffic patterns of roads, highways, streets, bridges (both roadway and pedestrian), traffic calming devices, sidewalks, bikeways, medians and viaducts accessible to and serving the public, and providing lighting systems, signalization, and traffic controls, the continued maintenance of public roads and highways, and all other appurtenances thereto;
- Construction, reconstruction or installation of improvements (including any underground utilities), storm and sanitary sewers (including necessary site grading therefore), fire equipment and fire buildings and improvements, water and fire protection systems, the continued maintenance of water and sewer lines, and all other appurtenances thereto;
- Construction, reconstruction or improvement of public buildings, town halls, community centers for recreation or other uses, police equipment and police station buildings, improvements, and systems, and all other appurtenances thereto;
- Construction, reconstruction or installation of gas, electric, and communication service facilities, and all other appurtenances thereto;
- Construction or reconstruction of one or more public parks, including grading, trees and other park plantings, park accessories and related improvements, and all other appurtenances thereto;
- Construction or installation of streetscape and landscape improvements including trees and shrubs, landscaping mounds and fencing, tree grates, planting beds, signage, curbs, sidewalks, street and sidewalk lighting, trash receptacles, benches, newspaper racks, burial of overhead utility lines and related improvements, and all other appurtenances thereto;
- Construction of one or more public parking facilities, including public surface parking, public parking structures and related improvements, off-street parking facilities, including those in which all or a portion of the parking spaces are reserved for specific uses when determined to be necessary for economic development purposes, and all other appurtenances thereto;
- Demolition and excavation, including demolition and excavation on private property when determined to be necessary for economic development purposes;
- Acquisition of real estate or interests in real estate (including easements) necessary to accomplish the foregoing improvements;
- Any on-going administrative expenses relating to the Public Infrastructure Improvements and maintaining the TIF revenues, including but not limited to engineering, architectural, legal, TIF administration, and other consulting and professional services; and
- All inspection fees and other governmental fees related to the foregoing.

The Public Infrastructure Improvements specifically include the costs of financing the Public Infrastructure Improvements, including the items of “costs of permanent improvements” set forth in

R.C. Section 133.15(B), and incurred with respect to the Public Infrastructure Improvements, which “costs” specifically include any reimbursement payments for the reimbursement of the costs of the Public Infrastructure Improvements and the Debt Service on, and other expenses relating to the issuance of, any bonds, notes, or other obligations issued to finance the Public Infrastructure Improvements.

All of the Public Infrastructure Improvements described above are hereby determined to be “public infrastructure improvements” (as defined in R.C. Section 5709.40(A)(8)) and are intended to directly benefit the real property described in **EXHIBIT A**.