CITY OF DELAWARE
CITY COUNCIL
CITY COUNCIL CHAMBERS
1 SOUTH SANDUSKY STREET
7:00 P.M.

AGENDA

6:30 P.M. EXECUTIVE SESSION: pursuant to Ohio Revised Code Section 121.22 (G) (3) pending or imminent court action, Section 121.22 (G) (1) personnel, Section 121.22 (G) (5) matters required to be kept confidential by State statute, Section 121.22 (G) (2) acquisition of property for public purpose and 121.22(G) (8) consideration of confidential information related to a request for economic development assistance.

REGULAR MEETING SEPTEMBER 26, 2016

1. ROLL CALL

2. INVOCATION

3. PLEDGE OF ALLEGIANCE

4. APPROVAL of the Motion Summary of the regular meeting of Council held September 12, 2016, as recorded and transcribed.

5. CONSENT AGENDA
   A. Acceptance of the Motion Summary for the Civil Service Commission meeting held July 6, 2016.
   B. Resolution No. 16-44, a resolution accepting the public improvements for Belmont Place Phase 1, Section 2.
   C. Resolution No. 16-45, a resolution appointing members to various Boards, Commissions, and/or Committees, and specifying the term of the appointments.

6. LETTERS, PETITIONS, AND PUBLIC COMMENTS

7. COMMITTEE REPORTS

8. PRESENTATIONS
   A. Health Department Update, Shelia Hiddleson, Health Commissioner
   B. Vintage Auto Club Recognition

9. SECOND READING of Ordinance No. 16-77, an ordinance approving a Final Subdivision Plat (Westport Homes) for Lantern Chase Phase 2 Section 6 Part 2 consisting of 45 Single-Family lots on approximately 30.316 acres zoned R-3 (One-Family Residential District) and located on Glemsbury Drive, Connaught Place, Cedar Creek Street and Lanthorn Pond Drive.

10. SECOND READING of Ordinance No. 16-78, an ordinance approving a Final Subdivision Plat (Westport Homes) for Lantern Chase Phase 2 Section 6 Part 3 consisting of 35 Single-Family lots on approximately 8.049 acres zoned R-3 (One-Family Residential District) and located on Connaught Place and Marblehead Drive.

11. SECOND READING of Ordinance No. 16-80, an ordinance supplementing the 2016 Appropriations Ordinance to increase funding for the design of the Glenn Parkway Extension north to Berlin Station Road.

12. 7:30 PUBLIC HEARING AND SECOND READING of Ordinance No. 16-85, an ordinance amending sections of the City of Delaware's Codified Ordinances pertaining to parking and traffic: Sections 197.02 (Fee Schedule as it pertains to parking tickets), 351.03 (Prohibit Standing or Parking Places), 351.14 (Heavy Vehicles and Trailers), and 351.19 (Enforcement; Violation Notice; Waiver).

13. SECOND READING of Ordinance No. 16-89, an ordinance providing for the issuance and sale of bonds in the maximum principal amount of $4,250,000 for the purpose of paying the costs of refunding bonds previously issued by the City for the purpose of paying the costs of various public infrastructure projects, and declaring an emergency.

14. SECOND READING of Ordinance No. 16-90, an ordinance providing for the issuance and sale of bonds in the maximum principal amount of $4,000,000 for the purpose of paying the costs of enhancing the municipal fire safety facilities, by constructing, furnishing and equipping a new fire station, and otherwise improving the site therefor, together with all necessary appurtenances thereto, and declaring an emergency.

15. SECOND READING of Ordinance No. 16-91, an ordinance providing for the issuance and sale of bonds in the maximum principal amount of $400,000 for the purpose of paying the costs of renovating, rehabilitating and otherwise improving the City's Public Works building by replacing the roof, together with all necessary appurtenances thereto, and declaring an emergency.

16. SECOND READING of Resolution No. 16-43, a resolution adopting the 2017-2021 Five-Year Capital Improvement Program (CIP).

17. CITY MANAGER'S REPORT

18. COUNCIL COMMENTS

19. ADJOURNMENT

6:30 EXECUTIVE SESSION: Vice-Mayor Shafer motioned to enter into executive session at 6:30 p.m. This motion was seconded by Mr. Jones and approved by a 6-0 vote. Council met in executive session pursuant to Ohio Revised Code Section 121.22 (G) (3) pending or imminent court action, Section 121.22 (G) (1) personnel, Section 121.22 (G) (5) matters required to be kept confidential by State statute, Section 121.22 (G) (2) acquisition of property for public purpose and 121.22(G) (8) consideration of confidential information related to a request for economic development assistance. Council conducted a discussion of those items with the following members present: First Ward Chris Jones, Third Ward Joe DiGenova, Fourth Ward Kyle Rohrer, At Large George Hellinger, Vice Mayor Kent Shafer and Mayor Carolyn Kay Riggle. Absent from the discussion was Second Ward Lisa Keller. Following the discussion at 6:56 p.m., it was moved by Vice-Mayor Shafer that Council move into Open session, seconded by Mr. Jones and approved by a 6-0 vote.

The regular meeting of Council held September 12, 2016 was called to order at 7:00 p.m., in the City Council Chambers. The following members of Council were present: First Ward Chris Jones, Third Ward Joe DiGenova, Fourth Ward Kyle Rohrer, At Large George Hellinger, Vice-Mayor Kent Shafer and Mayor Carolyn Kay Riggle who presided. Absent from the meeting was Second Ward Lisa Keller. The invocation was given Mr. Shafer, followed by the Pledge of Allegiance.

Staff Present: Darren Shulman, City Attorney, Dean Stelzer, Finance Director, Dave Efland, Planning and Community Development Director Sean Hughes, Economic Development Director, Kelsey Scott, Economic Development Specialist, John Donahue, Fire Chief, Bruce Pijanowski, Police Chief, Bill Ferrigno, Public Works Director, Brad Stanton, Public Utilities Director, Ted Miller, Parks & Natural Resources Director, Jackie Walker, Assistant City Manager, and Tom Homan, City Manager

Motion: Vice-Mayor Kent Shafer moved to excuse Mrs. Keller, seconded by Mr. Jones. Motion approved by a 6-0 vote.

ITEM 4: APPROVAL OF MINUTES

APPROVAL of the Motion Summary of the regular meeting of Council held August 8, 2016, as recorded and transcribed.

Motion: Vice-Mayor Shafer moved to approve the Motion Summary for the regular meeting of Council held August 8, 2016 seconded by Mr. Hellinger. Motion approved by a 6-0 vote.

ITEM 5: CONSENT AGENDA

A. Acceptance of the Motion Summaries for the Finance Committee meetings held March 7 and May 23, 2016.
B. Acceptance of the Motion Summary for the Shade Tree Commission meeting held July 26, 2016.
C. Acceptance of the Motion Summary for the Parks and Recreation Advisory Board meeting held July 19, 2016.
D. Acceptance of the Motion Summary for the Historic Preservation Commission meeting held June 22, 2016.
E. Acceptance of the Motion Summary for the Parking and Safety Committee meeting held May 16, 2016.

F. Acceptance of the Motion Summary for the Planning Commission meeting held August 3, 2016.
G. Resolution No. 16-39, a resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor for Tax Year 2016/Budget Year 2017.
H. Resolution No. 16-40, a resolution accepting the public improvements for the Communities at Glenross Section 6.
I. Resolution No. 16-41, a resolution accepting the public improvements for Heatherton Phase 5.
J. Establish September 26, 2016 at 7:30 p.m. as the date and time for a public hearing and second reading of Ordinance No. 16-85, an ordinance amending sections of the City of Delaware's Codified Ordinances pertaining to parking and traffic: Sections 197.02 (Fee Schedule as it pertains to parking tickets), 351.03 (Prohibit Standing or Parking Places), 351.14 (Heavy Vehicles and Trailers), and 351.19 (Enforcement; Violation Notice; Waiver).

Motion: Mr. DiGenova moved to approve the Consent Agenda, seconded by Mr. Rohrer. Motion approved by a 6-0 vote.

ITEM 6: LETTERS, PETITIONS, AND PUBLIC COMMENTS

PUBLIC PARTICIPATION:
Mark Johnson
228 South Franklin St.
Delaware, Ohio 43015

Mr. Johnson voiced a concern regarding different safety concerns in his neighborhood.

ITEM 7: COMMITTEE REPORTS

Mr. Jones provided an update on Main Street Delaware upcoming events, including the Christmas Parade. Mr. Jones voiced his preference that the flowers in the downtown area be maintained by the City of Delaware.

Mr. DiGenova provided an update on the recent Finance Committee meetings. Mr. DiGenova informed Council that the Finance Committee will meet September 19, 2016 to address refuse and cemetery concerns.

Mr. DiGenova discussed the recent meeting held with neighbors of the Communities of Glenross to discuss a community park.

Mr. DiGenova provided an update on the Civil Service Commission Meeting.

Mr. Rohrer provided an update on the Airport Commission meeting and the Parks and Recreation Advisory Committee meeting.

Mr. Hellinger provided an update on recent discussions at the Shade Tree Commission meeting.

ITEM 8: INTRODUCTIONS
A. Kelsey Scott, Economic Development Specialist

ITEM 9: PRESENTATIONS

A. Proclamation presentation for Hunger Action Month, Alex Homan, Advocacy Coordinator

ITEM 10: ORDINANCE NO. 16-63 [Second Reading]

AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR PULTE HOMES FOR THE COMMUNITIES AT GLENROSS SECTION 8 CONSISTING OF 34 SINGLE-FAMILY LOTS ON APPROXIMATELY 10.967 ACRES ZONED R-2 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED ON EAGLEWALK ROAD, WHITE FAWN RUN AND GRAY OWL DRIVE.

The Clerk read the ordinance for the second time.

Motion: Vice-Mayor Shafer moved to suspend the rules for Ordinance No. 16-63, seconded by Mr. DiGenova. Motion approved by a 6-0 vote.

Motion: Vice-Mayor Shafer moved to adopt Ordinance No. 16-63, seconded by Mr. DiGenova. Motion approved by a 6-0 vote.

ITEM 11: ORDINANCE NO. 16-64 [Second Reading]

AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT FOR PULTE HOMES FOR THE COMMUNITIES AT GLENROSS SECTION 8 CONSISTING OF 34 SINGLE-FAMILY LOTS ON APPROXIMATELY 10.967 ACRES ZONED R-2 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED ON EAGLEWALK ROAD, WHITE FAWN RUN AND GRAY OWL DRIVE.

The Clerk read the ordinance for the second time.

Motion: Vice-Mayor Shafer moved to suspend the rules for Ordinance No. 16-64, seconded by Mr. DiGenova. Motion approved by a 6-0 vote.

Motion: Vice-Mayor Shafer moved to adopt Ordinance No. 16-64, seconded by Mr. DiGenova. Motion approved by a 6-0 vote.

ITEM 12: ORDINANCE NO. 16-65 [Second Reading]

AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR PULTE HOMES FOR THE COMMUNITIES AT GLENROSS SECTION 9 CONSISTING OF 29 SINGLE FAMILY LOTS ON APPROXIMATELY 11.069 ACRES ZONED R-2 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED ON CRICK STONE DRIVE AND SILVER FOX WAY.

The Clerk read the ordinance for the second time.

Motion: Vice-Mayor Shafer moved to suspend the rules for Ordinance No. 16-65, seconded by Mr. DiGenova. Motion approved by a 6-0 vote.

Motion: Vice-Mayor Shafer moved to adopt Ordinance No. 16-65, seconded by Mr. DiGenova. Motion approved by a 6-0 vote.

ITEM 13: ORDINANCE NO. 16-66 [Second Reading]

AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT FOR THE COMMUNITIES AT GLENROSS SECTION 9 CONSISTING OF 29 SINGLE FAMILY LOTS ON APPROXIMATELY 11.069 ACRES ZONED R-2 PMU

(ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED ON CRICK STONE DRIVE AND SILVER FOX WAY.

The Clerk read the ordinance for the second time.

Motion: Vice-Mayor Shafer moved to suspend the rules for Ordinance No. 16-66, seconded by Mr. DiGenova. Motion approved by a 6-0 vote.

Motion: Vice-Mayor Shafer moved to adopt Ordinance No. 16-66, seconded by Mr. DiGenova. Motion approved by a 6-0 vote.

ITEM 14: ORDINANCE NO. 16-67 [Second Reading]
AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR PULTE HOMES FOR THE COMMUNITIES AT GLENROSS SECTION 10 CONSISTING OF 34 SINGLE-FAMILY LOTS ON APPROXIMATELY 10.234 ACRES ZONED R-2 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED ON WHITE FAWN RUN AND GRAY OWL DRIVE.

The Clerk read the ordinance for the second time.

Motion: Vice-Mayor Shafer moved to suspend the rules for Ordinance No. 16-67, seconded by Mr. DiGenova. Motion approved by a 6-0 vote.

Motion: Vice-Mayor Shafer moved to adopt Ordinance No. 16-67, seconded by Mr. DiGenova. Motion approved by a 6-0 vote.

ITEM 15: ORDINANCE NO. 16-68 [Second Reading]
AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT FOR PULTE HOMES FOR THE COMMUNITIES AT GLENROSS SECTION 10 CONSISTING OF 34 SINGLE-FAMILY LOTS ON APPROXIMATELY 10.234 ACRES ZONED R-2 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED ON WHITE FAWN RUN AND GRAY OWL DRIVE.

The Clerk read the ordinance for the second time.

Motion: Vice-Mayor Shafer moved to suspend the rules for Ordinance No. 16-68, seconded by Mr. DiGenova. Motion approved by a 6-0 vote.

Motion: Vice-Mayor Shafer moved to adopt Ordinance No. 16-68, seconded by Mr. DiGenova. Motion approved by a 6-0 vote.

ITEM 16: ORDINANCE NO. 16-72 [Public Hearing and Second Reading]
AN ORDINANCE APPROVING A REZONING FOR DELAWARE HOUSING CORPORATION FROM B-3 (COMMUNITY BUSINESS DISTRICT) TO R-6 (MULTI-FAMILY RESIDENTIAL DISTRICT FOR LONDONTOWN APARTMENTS ON APPROXIMATELY 0.88 ACRES (PARCEL #419-122-01-006-000) AND LOCATED AT 300 CHELSEA STREET.

The Clerk read the ordinance for the second time.

There was no public comment.

APPLICANT:
Gary Bersby
1601 Bethel Rd.
Columbus, Ohio

Motion: Mr. DiGenova moved to suspend the rules for Ordinance No. 16-72, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

Motion: Mr. DiGenova moved to adopt Ordinance No. 16-72, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

ITEM 17: ORDINANCE NO. 16-73 [Public Hearing and Second Reading]
AN ORDINANCE APPROVING AN AMENDMENT OF THE COMPREHENSIVE PLAN FOR DELAWARE HOUSING CORPORATION ON PROPERTY DESIGNATED AS COMMERCIAL ON THE FUTURE LAND USE MAP TO MODERATE DENSITY FOR LONDONTOWN APARTMENTS ON APPROXIMATELY 0.88 ACRES (PARCEL #419-122-01-006-000) AND LOCATED AT 300 CHELSEA STREET.

The Clerk read the ordinance for the second time.

There was no public comment.

APPLICANT:
Gary Bersby
1601 Bethel Rd.
Columbus, Ohio

Motion: Mr. DiGenova moved to suspend the rules for Ordinance No. 16-73, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

Motion: Mr. DiGenova moved to adopt Ordinance No. 16-73, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

ITEM 18: ORDINANCE NO. 16-74 [Second Reading]
AN ORDINANCE APPROVING A COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR DELAWARE HOUSING CORPORATION FOR LONDONTOWN APARTMENTS ON APPROXIMATELY 0.88 ACRES (PARCEL #419-122-01-006-000) AND LOCATED AT 300 CHELSEA STREET.

The Clerk read the ordinance for the second time.

APPLICANT:
Gary Bersby
1601 Bethel Rd.
Columbus, Ohio

Motion: Mr. DiGenova moved to suspend the rules for Ordinance No. 16-74, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

Motion: Mr. DiGenova moved to adopt Ordinance No. 16-74, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

ITEM 19: ORDINANCE NO. 16-75 [Second Reading]

AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR PULTE HOMES FOR HEATHERTON PHASE 6 CONSISTING OF 32 SINGLE-FAMILY LOTS ON APPROXIMATELY 9.020 ACRES ZONED R-3 PRD (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED RESIDENTIAL DEVELOPMENT DISTRICT) AND LOCATED ON CLYMER STREET, ELBRIDGE STREET AND BURGOYNE STREET.

The Clerk read the ordinance for the second time.

Motion: Vice-Mayor Shafer moved to suspend the rules for Ordinance No. 16-75, seconded by Mr. DiGenova. Motion approved by a 6-0 vote.

Motion: Vice-Mayor Shafer moved to adopt Ordinance No. 16-75, seconded by Mr. DiGenova. Motion approved by a 6-0 vote.

ITEM 20: ORDINANCE NO. 16-76 [Second Reading]
AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT FOR PULTE HOMES FOR HEATHERTON PHASE 6 CONSISTING OF 32 SINGLE-FAMILY LOTS ON APPROXIMATELY 9.020 ACRES ZONED R-3 PRD (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED RESIDENTIAL DEVELOPMENT DISTRICT) AND LOCATED ON CLYMER STREET, ELBRIDGE STREET AND BURGOYNE STREET.

The Clerk read the ordinance for the second time.

Motion: Mr. DiGenova moved to suspend the rules for Ordinance No. 16-76, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

Motion: Mr. DiGenova moved to adopt Ordinance No. 16-76, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

ITEM 21: ORDINANCE NO. 16-77 [First Reading]
AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT (WESTPORT HOMES) FOR LANTERN CHASE PHASE 2 SECTION 6 PART 2 CONSISTING OF 45 SINGLE-FAMILY LOTS ON APPROXIMATELY 30.316 ACRES ZONED R-3 (ONE-FAMILY RESIDENTIAL DISTRICT) AND LOCATED ON GLEMSBURY DRIVE, CONNAUGHT PLACE, CEDAR CREEK STREET AND LANTHORN POND DRIVE.

The Clerk read the ordinance for the first time.

ITEM 22: ORDINANCE NO. 16-78 [First Reading]
AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT (WESTPORT HOMES) FOR LANTERN CHASE PHASE 2 SECTION 6 PART 3 CONSISTING OF 35 SINGLE-FAMILY LOTS ON APPROXIMATELY 8.049 ACRES ZONED R-3 (ONE-FAMILY RESIDENTIAL DISTRICT) AND LOCATED ON CONNAUGHT PLACE AND MARBLEHEAD DRIVE.

The Clerk read the ordinance for the first time.

ITEM 23: ORDINANCE NO. 16-79 [First Reading]
AN ORDINANCE APPROVING THE SALE OF A STREET DEPARTMENT 2000 INTER-NATIONAL 4900 DUMP TRUCK THAT HAS OUTGROWN ITS USEFUL SERVICEABLE LIFE.

The Clerk read the ordinance for the first time.

Motion: Vice-Mayor Shafer moved to suspend the rules for Ordinance No. 16-79, seconded by Mr. Jones. Motion approved by a 6-0 vote.

Motion: Vice-Mayor Shafer moved to adopt Ordinance No. 16-79, seconded by Mr. Jones. Motion approved by a 6-0 vote.

ITEM 24: ORDINANCE NO. 16-80 [First Reading]
AN ORDINANCE SUPPLEMENTING THE 2016 APPROPRIATIONS ORDINANCE TO INCREASE FUNDING FOR THE DESIGN OF THE GLENN PARKWAY EXTENSION NORTH TO BERLIN STATION ROAD.

The Clerk read the ordinance for the first time.

ITEM 25: ORDINANCE NO. 16-81 [First Reading]
AN ORDINANCE SUPPLEMENTING THE 2016 APPROPRIATIONS ORDINANCE TO PROVIDE ADDITIONAL FUNDING FOR CLEAN-UP AND REPAIRS TO CITY HALL ASSOCIATED WITH THE JUNE 23 BASEMENT FLOODING, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

Motion: Mr. DiGenova moved to suspend the rules for Ordinance No. 16-81, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

Motion: Mr. DiGenova moved enact the emergency clause for Ordinance No. 16-81, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

Motion: Mr. DiGenova moved to adopt Ordinance No. 16-81, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

ITEM 26: ORDINANCE NO. 16-82 [First Reading]
AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCE (OCDETF) PROGRAM FOR REIMBURSEMENT OF OVERTIME INCURRED FROM ASSISTING WITH OCDETF INVESTIGATIONS AND TO EXECUTE SUCCESSOR AGREEMENTS BETWEEN THE SAME PARTIES WITH SUBSTANTIALLY SIMILAR CONDITIONS, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

Motion: Mr. Rohrer moved to suspend the rules for Ordinance No. 16-82, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

Motion: Mr. Rohrer moved enact the emergency clause for Ordinance No. 16-82, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

Motion: Mr. Rohrer moved to adopt Ordinance No. 16-82, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

ITEM 27: ORDINANCE NO. 16-83 [First Reading]
AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT (MOU) BETWEEN THE U.S. IMMIGRATION &

CUSTOMS ENFORCEMENT HOMELAND SECURITY INVESTIGATIONS AND THE DELAWARE POLICE DEPARTMENT DESIGNATING DELAWARE POLICE DETECTIVES, ASSIGNED TO THE DELAWARE COUNTY DRUG TASK FORCE, AS "HIS/CUSTOMS TASK FORCE OFFICERS" AND TO EXECUTE ANY SUBSEQUENT AGREEMENTS BETWEEN THE SAME PARTIES WITH SUBSTANTIALLY SIMILAR CONDITIONS, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

Motion: Mr. Rohrer moved to suspend the rules for Ordinance No. 16-83, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

Motion: Mr. Rohrer moved enact the emergency clause for Ordinance No. 16-83, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

Motion: Mr. Rohrer moved to adopt Ordinance No. 16-83, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

ITEM 28: ORDINANCE NO. 16-84 [First Reading]
AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE MULTI-AGENCY CRISIS INTERVENTION TEAM (MACIT) AND EXECUTE SUCCESSOR AGREEMENTS IN SUBSEQUENT YEARS; PROVIDED THEY ARE SUBSTANTIALLY SIMILAR.

The Clerk read the ordinance for the first time.

Motion: Mr. Hellinger moved to suspend the rules for Ordinance No. 16-84, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

Motion: Mr. Hellinger moved adopt Ordinance No. 16-84, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

ITEM 29: ORDINANCE NO. 16-85 [First Reading]
AN ORDINANCE AMENDING SECTIONS OF THE CITY OF DELAWARE'S CODIFIED ORDINANCES PERTAINING TO PARKING AND TRAFFIC: SECTIONS 197.02 (FEE SCHEDULE AS IT PERTAINS TO PARKING TICKETS), 351.03 (PROHIBIT STANDING OR PARKING PLACES), 351.14 (HEAVY VEHICLES AND TRAILERS), AND 351.19 (ENFORCEMENT; VIOLATION NOTICE; WAIVER).

The Clerk read the ordinance for the first time.

A public hearing has been scheduled for September 26, 2016 at 7:30 p.m.

ITEM 30: ORDINANCE NO. 16-86 [First Reading]
AN ORDINANCE SUPPLEMENTING THE 2016 APPROPRIATIONS ORDINANCE TO PROVIDE FUNDING FOR THE CONCEPTUAL DRAWINGS FOR THE RUTHERFORD B. HAYES MEMORIAL, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

Motion: Vice-Mayor Shafer moved to suspend the rules for Ordinance No. 16-86, seconded by Mr. DiGenova. Motion approved by a 6-0 vote.

Motion: Vice-Mayor Shafer moved to enact the emergency clause for Ordinance No. 16-86, seconded by Mr. DiGenova. Motion approved by a 6-0 vote.

Motion: Vice-Mayor Shafer moved to adopt Ordinance No. 16-86, seconded by Mr. DiGenova. Motion approved by a 6-0 vote.

ITEM 31: ORDINANCE NO. 16-87 [First Reading]
AN ORDINANCE SUPPLEMENTING THE 2016 APPROPRIATIONS ORDINANCE TO PROVIDE ADDITIONAL FUNDING FOR WORKER'S COMPENSATION PROFESSIONAL SERVICES, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

Motion: Vice-Mayor Shafer moved to suspend the rules for Ordinance No. 16-87, seconded by Mr. Hellinger. Motion approved by a 6-0 vote.

Motion: Vice-Mayor Shafer moved to enact the emergency clause for Ordinance No. 16-87, seconded by Mr. Hellinger. Motion approved by a 6-0 vote.

Motion: Vice-Mayor Shafer moved to adopt Ordinance No. 16-87, seconded by Mr. Hellinger. Motion approved by a 6-0 vote.

ITEM 32: ORDINANCE NO. 16-88 [First Reading]
AN ORDINANCE AMENDING THE 2016 APPROPRIATIONS ORDINANCE TO PROVIDE ADDITIONAL FUNDING FOR THE MUNICIPAL COURT INDIGENT DRIVER INTERLOCK ALCOHOL MONITORING (IDIAM) FUND, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

Motion: Mr. Hellinger moved to suspend the rules for Ordinance No. 16-88, seconded Vice-Mayor Shafer. Motion approved by a 6-0 vote.

Motion: Mr. Hellinger moved to enact the emergency clause for Ordinance No. 16-88, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

Motion: Mr. Hellinger moved to adopt Ordinance No. 16-88, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

ITEM 33: ORDINANCE NO. 16-89 [First Reading]
AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF $4,250,000 FOR THE PURPOSE OF PAYING THE COSTS OF REFUNDING BONDS PREVIOUSLY ISSUED BY THE CITY FOR THE PURPOSE OF PAYING THE COSTS OF VARIOUS PUBLIC INFRASTRUCTURE PROJECTS, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

ITEM 34: ORDINANCE NO. 16-90 [First Reading]
AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF $4,000,000 FOR THE PURPOSE OF PAYING THE COSTS OF ENHANCING THE MUNICIPAL FIRE SAFETY FACILITIES, BY CONSTRUCTING, FURNISHING AND EQUIPPING A NEW FIRE STATION, AND OTHERWISE IMPROVING THE SITE THEREFOR, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

ITEM 35: ORDINANCE NO. 16-91 [First Reading]
AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF $400,000 FOR THE PURPOSE OF PAYING THE COSTS OF RENOVATING, REHABILITATING AND OTHERWISE IMPROVING THE CITY'S PUBLIC WORKS BUILDING BY REPLACING THE ROOF, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

ITEM 36: RESOLUTION NO. 16-42 [First Reading]
A RESOLUTION ACCEPTING NEGOTIATED CHANGES TO THE OHIO COUNCIL #8 AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AND LOCAL 3934 (AFSCME-CLERICAL) EMPLOYEES AGREEMENT WITH THE CITY OF DELAWARE.

The Clerk read the resolution for the first time.

Motion: Mr. DiGenova moved to adopt Resolution No. 16-42, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

ITEM 37: RESOLUTION NO. 16-43 [First Reading]
A RESOLUTION ADOPTING THE 2017-2021 FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM (CIP).

The Clerk read the resolution for the first time.

ITEM 38: CITY MANAGER'S REPORT
Mr. Homan discussed the recent success of the Ironman event in the City of Delaware.

Mr. Homan discussed plans for a work session in October to discuss the parking plan.

Mr. Homan provided information on the booth at the Delaware County Fair for Moving Delaware Forward.

ITEM 39: COUNCIL COMMENTS
Mr. DiGenova informed Council of an upcoming Moving Delaware Forward meeting.

Mr. DiGenova provided information on the upcoming breakfast event at Willowbrook.

Mr. Rohrer provided information on the Turning Point Campaign to raise funds for a domestic violence shelter.

Mr. Rohrer provided information to Council on the upcoming Dash at Dusk event sponsored by the Delaware County Coalition of Victim Services.

Mr. Rohrer informed Council of the request by the Northwest Neighborhood to keep the lights on the trees in the downtown up year round.

Mr. Hellinger informed staff of a complaint received regarding the deposit requirement for utilities.

Vice-Mayor Shafer discussed the upcoming parking plan. Tentative date for a work session is October 29, 2016 from 9:00 a.m. to 12:00 p.m.

Mayor Riggle discussed the scheduled time for the upcoming Finance Committee Meeting on September 19, 2016, and requested that the meeting begin at 6:00 p.m.

Mayor Riggle provided an update on the Horse Parade.

ITEM 40: ADJOURNMENT

Motion: Vice-Mayor Shafer moved to adjourn the meeting. The meeting adjourned at 8:50 p.m.

Mayor Carolyn Kay Riggle

Elaine McCloskey, Council Clerk

Civil Service Commission
Motion Summary
July 6, 2016

ITEM 1. ROLL CALL

Michael Robinson called the meeting to order at 3:00pm.

Members Present: Michael Robinson, Eric Coss and Brooke Acker

Staff Present: Police Chief Bruce Pijanowski, Fire Chief John Donahue, Assistant City Manager Jackie Walker, City Council Member Joe DiGenova and Human Resource Coordinator Lorrie Diaz

ITEM 2. APPROVAL of JUNE 1, 2016 Motion Summary of the Civil Service Commission meeting held JUNE 1, 2016, as recorded and transcribed.

Motion: Mr. Coss moved to approve of the Motion Summary for the June 1st Motion Summary, seconded by Ms. Acker. Motion passed by a 3-0 vote.

ITEM 3. Update Firefighter List
8 positions have been recommended for hire. 1 has withdrawn to accept another position. The next physical agility test will be held on August 27th test. Ergonomics will be providing recommendations from this agility for validating the process. 3-4 females will be in the next process.

Motion: Ms. Acker moved to update the Firefighter List, seconded by Mr. Coss. Motion passed by a 3-0 vote.

ITEM 4. Certify Police Sergeant List
Anticipating 1 vacancy to be filled.

Motion: Ms. Acker moved to certify the Police Sergeant List, seconded by Mr. Coss. Motion passed by a 3-0 vote.

ITEM 5. Update Police Officer recruitment process
The changes include combining 2 steps and moving the interview with the City Manager and conditional offer further up in the process. This change permits for the conditional offer to be provided earlier in the process.

Motion: Mr. Coss moved to update of the Police Officer recruitment process, seconded by Ms. Acker. Motion passed by a 3-0 vote.

ITEM 6. PUBLIC COMMENTS

Chief Donahue reports 3 of the firefighter candidates through NTN didn't have certifications and were eliminated from the top 60 until they receive their certifications, and submit a new application.

Joe Murphy, firefighter and citizen of the City expresses concern regarding the 3 candidates being placed back into 60 after receiving their certifications rather than being permanently removed. Joe believes the candidates should be removed until they re-test.
Chief Donahue states the reason the 3 candidates are not being required to re-test is due to error on the City's part in putting processes in place to prevent applicants from entering the process without the required certifications.
Lorrie Diaz, reports that the 3 candidates in question do still have valid scores that would keep them in the top 60.

ITEM 7. COMMITTEE COMMENTS

ITEM 8. ADJOURNMENT

Chairman Robinson adjourned the meeting at 3:34 p.m.

Michael S. Robinson

Michael Robinson, Chairman

Julie Williams

Julie Williams, Clerk

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: CONSENT ITEM B | DATE: 9-26-16

ORDINANCE NO: | RESOLUTION NO: 16-44

READING: FIRST | PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Bill Ferrigno, Public Works Director/City Engineer

TITLE OF PROPOSED ORDINANCE/RESOLUTION:
A RESOLUTION ACCEPTING THE PUBLIC IMPROVEMENTS FOR BELMONT PLACE PHASE 1, SECTION 2.

BACKGROUND:
This resolution conditionally accepts the now completed public improvements consisting of streets, water distribution, sanitary sewer and stormwater drainage for Belmont Place Phase 1, Section 2.

REASON WHY LEGISLATION IS NEEDED:
This legislation is required in order to provide conformance to city code and publicly accept the infrastructure for the development prior to allowing a final plat to be recorded. The recording of the plat allows the creation of lots upon which home construction can begin.

COMMITTEE RECOMMENDATION:
N/A

FISCAL IMPACT(S):
N/A

POLICY CHANGES:
N/A

PRESENTER(S):
Bill Ferrigno, Public Works Director/City Engineer

RECOMMENDATION:
Approval

ATTACHMENT(S):
Summary Report

RESOLUTION NO. 16-44

A RESOLUTION ACCEPTING THE PUBLIC IMPROVEMENTS FOR BELMONT PLACE PHASE 1, SECTION 2.

WHEREAS, the developer of Belmont Place Phase 1, Section 2, has complied with all of the conditions set forth in Codified Ordinance 1111.17 which are necessary to obtain acceptance by the City of the public improvements for streets, water distribution, sanitary sewer collection and stormwater drainage, and

WHEREAS, the developer has duly dedicated said public improvements to the City in writing.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That the City of Delaware hereby accepts the public improvements for streets, sanitary, water distribution, and stormwater drainage for Belmont Place Phase 1, Section 2, and that the dedication of said improvements to the City is hereby accepted contingent upon the posting of a maintenance bond by the Developer in accordance with Section 1111.06 of the Delaware Codified ordinance.

SECTION 2. That this resolution shall be in force and effect immediately upon its passage.

PASSED: _____, 2016 YEAS____ NAYS____
ABSTAIN ____

ATTEST: _____ _____
CITY CLERK MAYOR

CITY OF DELAWARE, OHIO
PUBLIC WORKS DEPARTMENT

MEMORANDUM

TO: David Efland, Planning Director

FROM: William L. Ferrigno, P.E., Public Works Director, City Engineer

CC: Brad Stanton, Director of Public Utilities

SUBJECT: Recommendation for Acceptance of Public Improvements for Belmont Place Phase 1, Section 2

DATE: 9/26/16

Belmont Place phase 1, section 2 is the second section of the 74 lot, 31.52 acres residential subdivision located on the north side of Peachblow Road, just east of Glenn Parkway. Section 2 includes 25 single family lots on 6 acres. Construction for this project commenced in April 2016 and has been recently completed.

All utilities including storm sewer, sanitary sewer, waterlines, and roadways were constructed in accordance with current city engineering specifications and are in consideration to be publicly owned and operated. All utility lines and roadways have been inspected and found to be in acceptable condition by the Public Works Department. The estimated value of new public improvements totals $ 564,840 and in accordance with City Codified Ordinance Section 1111.06, a two year maintenance bond has been posted by the developer, Stavroff Interests Glenn Road Capital LLC, which would cover the expense of necessary repair work due to deficiencies or failure of materials or workmanship. In addition, a one year performance bond has been posted which covers sidewalk, bikepath, signage and striping. The developer has paid all required plan review and construction inspection fees. Upon your satisfaction that all non-engineering related requirements have been completed as specified in the approved subdivision plans or other written commitments, we recommend acceptance of public improvements by the City.

mls

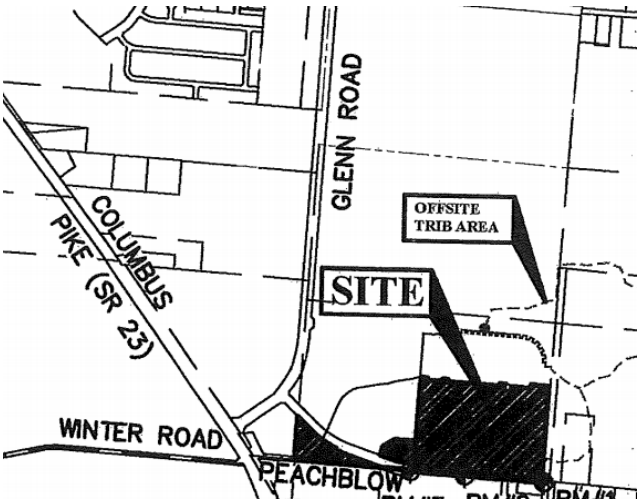
Attachments

CC: Public Improvements Ordinance File
Belmont Place Phase 1, Section 2 Project File

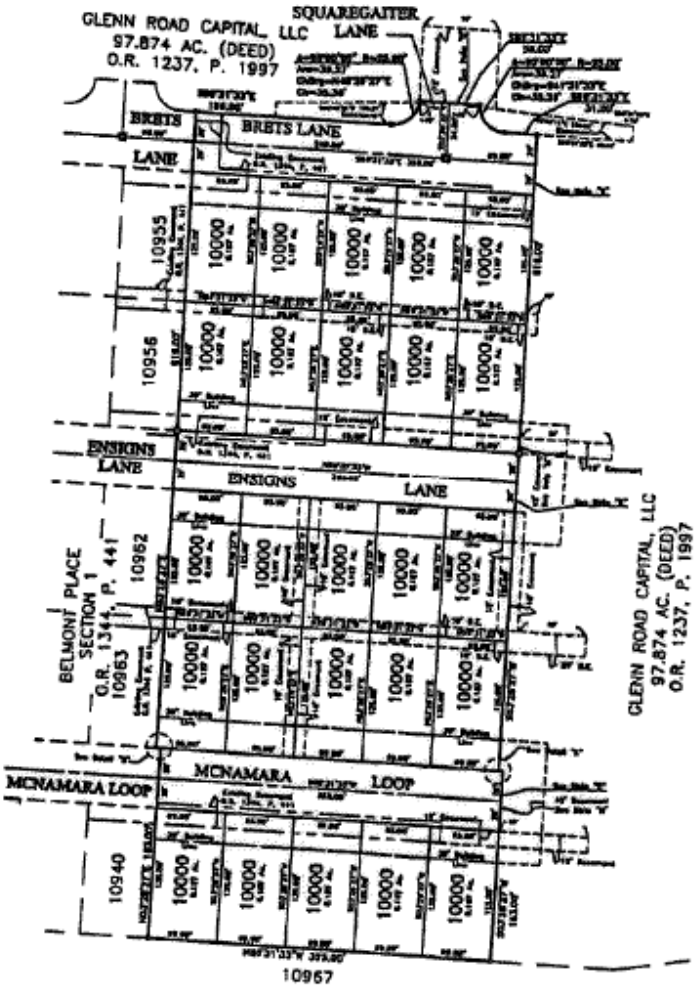
MATERIAL QUANTITY REPORT

PROJECT: Belmont Place Phase 1, Section 2			**PC #: 2016-0488**
OWNER: Stavroff Interests Glenn Road Capital LLC		**CONTRACTOR: Woodward Excavating**	
DESCRIPTION: 25 Single family lots on 6 acres			**API ORD.#:**
TOTAL UTILITY COST: $ 564,840			**ENG #: 16-010**
SANITARY SEWER			
MANHOLES	3 EA	Type C	
SERVICE TAPS	15	6” Wyes	
6-Inch		SDR-35	
8-Inch	420 LF	SDR-35	
10-Inch			
12-Inch	335 LF	SDR-35	
15-Inch			
18-Inch			
21-Inch			
OTHER			
MISCELLANEOUS			
			$97,935
WATER SERVICE			
SERVICE TAPS	27 EA	¾” ‘K’ Copper	
MAIN TAPS			
HYDRANTS W/Valve	2 EA	W/6” Valve and box	
6-Inch Valve			
8-Inch Valve	3 EA		
12-Inch Valve	1 EA		
16-Inch Valve			
6-Inch Dip	10 LF		
8-Inch Dip	720 LF		
10-Inch Dip			
12-Inch Dip	325 LF		
16-Inch Dip			
MISCELLANEOUS			
			$79,915

STORM SEWER			
MANHOLES	5 EA		
CATCH BASINS	12 EA		
CURB INLETS	7 EA		
DET/RET BASIN			
12-Inch RCP	620 LF		
15-Inch RCP	450 LF		
18-Inch RCP	150 LF		
21-Inch RCP	145 LF		
24-Inch RCP	280 LF		
27-Inch RCP			
30-Inch RCP	570 LF		
36-Inch RCP			
42-Inch RCP			
48-Inch RCP			
HEADWALLS	1		
ROCK CHANNEL			
			$ 191,070
ROADWAY			
24'-0 ROAD			
28'-0 ROAD	415 LF		
32'-0 ROAD			
36'-0 ROAD	610 LF		
2'-0 CURB	2050 LF		
BIKEPATH	4808 SF	8' wide	
SIDEWALK	3415 SF	5' wide	
MONUMENT BOXES	2 EA		
STREET LIGHTS	7 EA		
(+) INTERSECTIONS			
(T) INTERSECTIONS			
CUL-DE-SAC			
STRIPING/SIGNAGE			$ 3883
			$ 195,920



Location Map



Site Map

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: CONSENT ITEM C | DATE: 9/26/16

ORDINANCE NO: | RESOLUTION NO: 16-45

READING: FIRST | PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: ---

TITLE OF PROPOSED ORDINANCE/RESOLUTION:
A RESOLUTION APPOINTING MEMBERS TO VARIOUS BOARDS, COMMISSIONS, AND/OR COMMITTEES, AND SPECIFYING THE TERM OF THE APPOINTMENTS.

BACKGROUND:

REASON WHY LEGISLATION IS NEEDED:

COMMITTEE RECOMMENDATION:

FISCAL IMPACT(S):

POLICY CHANGES:

PRESENTER(S):
Mayor Riggle

RECOMMENDATION:

ATTACHMENT(S)

RESOLUTION NO. 16-45

A RESOLUTION APPOINTING MEMBERS TO VARIOUS BOARDS, COMMISSIONS, AND/OR COMMITTEES, AND SPECIFYING THE TERM OF THE APPOINTMENTS.

WHEREAS, Members are to be appointed to serve on various Committees, Commissions and Boards by the Mayor of the City of Delaware and confirmed by Council and,

WHEREAS, the Mayor has appointed and Council has confirmed the following appointments.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Delaware that:

SECTION 1. The following appointments are hereby made:

1. Parks and Recreation Advisory Board – Robert Dalton (Unexpired Term ending 12-31-17) NEW
2. Parks and Recreation Advisory Board – Wayne Brookover – Student Representative - - NEW
3. Shade Tree Commission – Marisa Sulek – Student Representative - New

SECTION 2. This resolution shall be effective immediately upon its passage.

PASSED: _____, 2016 YEAS ____ NAYS ____
ABSTAIN ____

ATTEST: _____ _____
CITY CLERK MAYOR

Office of the Mayor

Proclamation

Whereas: the City of Delaware has the responsibility to recognize occasions of outstanding significance; and

WHEREAS, the Vintage Auto Club of Delaware held its 23rd and final
Blast from the Past Car Show July 23, 2016 in Delaware; and

WHEREAS, the Blast from the Past Car Show has generated significant economic stimulus for our community from its many car show participants and thousands of spectators; and

WHEREAS, during its successful run, the Blast from the Past Car Show and other activities generated more than $265,000 for Hospice of Delaware; and

WHEREAS, the Blast from the Past Car Show was made possible through the hard work and dedication of Vintage Auto Club volunteers, led by Jim Harter and Jim Clements.

NOW, THEREFORE, I, Carolyn Kay Riggle, Mayor of the City of Delaware, Ohio, do hereby issue this proclamation and thank

THE VINTAGE AUTO CLUB

for sponsoring and organizing the Blast from the Past Car Show and for its commitment to our community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the seal of the City of Delaware.

Carolyn Kay Riggle

Carolyn Kay Riggle, Mayor

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 9 | DATE: 9/26/16

ORDINANCE NO: 16-77 | RESOLUTION NO:

READING: SECOND | PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David Efland, Planning and Community Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:
AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT (WESTPORT HOMES) FOR LANTERN CHASE PHASE 2 SECTION 6 PART 2 CONSISTING OF 45 SINGLE FAMILY LOTS ON APPROXIMATELY 30.316 ACRES ZONED R-3 (ONE FAMILY RESIDENTIAL DISTRICT) AND LOCATED ON GLEMSBURY DRIVE, CONNAUGHT PLACE, CEDAR CREEK STREET AND LANTHORN POND DRIVE.

BACKGROUND:
In August 2015 City Council approved Section 6 Part 1 which contained 47 single family lots on 11.974 acres. Now the applicant is proposing Section 6 Part 2 which contains 45 lots on 30.316 acres. Section 6 Part 2 would be accessed from Section 6 Part 1 thru Glemsbury Drive and Lanthorn Pond Drive which both terminate into Connaught Place and is the northern most east/west street of the development. The typical bulk requirements (setbacks, minimum lot width and size) have changed since originally approval in 2001. Therefore per the Amended Preliminary Subdivision Plat approved in December 2014, staff and the developer have negotiated fair zoning bulk requirements based on the previous and existing requirements coupled with the engineering requirements of wider streets and right-of-way. In this section, the lot sizes range from 60-70 foot lot widths with 120-128 foot lot depths (minimum 7,200 square foot lots) while the corner lots are oversized (minimum 80 feet wide) to comply with zoning requirements. The yard setbacks would be: 25 foot front, 30 foot rear and 8 foot side. The houses would be required to comply with the

Residential Design Criteria and Performance Standards of Section 1171.08 of the Planning & Zoning Code. There are two reserves in Section 6 Part 2. Reserve A, which is 3.7 acres, contains a detention basin and is located on the southwestern portion of the Section next to the western boundary line. Reserve B, which is 15.4 acres, contains a park with amenities and preserves existing wetlands and woodlands and is located at the extreme northern end of the development. The park amenities would include a basketball court, play equipment, park benches, etc., and as typical would be owned and maintained by the HOA but open to the public. The landscape and lighting plans have been approved by the Shade Tree Commission and Chief Building Official respectively. Also, the proposed plan would have to achieve compliance with the Tree Preservation requirements in Chapter 1168.

REASON WHY LEGISLATION IS NEEDED:
To achieve compliance with Section 1111.04 Final Plat Submission Requirements of the zoning code.

COMMITTEE RECOMMENDATION:
Planning Commission approved this case 6-0 on September 7, 2016.

FISCAL IMPACT(S):
N/A

POLICY CHANGES:
N/A

PRESENTER(S):
David Efland, Planning and Community Development Director

RECOMMENDATION:
Staff recommends approval as submitted with the documented conditions.

ATTACHMENT(S)
Staff Report

ORDINANCE NO. 16-77

AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT (WESTPORT HOMES) FOR LANTERN CHASE PHASE 2 SECTION 6 PART 2 CONSISTING OF 45 SINGLE FAMILY LOTS ON APPROXIMATELY 30.316 ACRES ZONED R-3 (ONE FAMILY RESIDENTIAL DISTRICT) AND LOCATED ON GLEMSBURY DRIVE, CONNAUGHT PLACE, CEDAR CREEK STREET AND LANTHORN POND DRIVE.

WHEREAS, the Planning Commission at its meeting of September 7, 2016 recommended approval of a Final Subdivision Plat for Lantern Chase Phase 2 Section 6 Part 2 consisting of 45 single family lots on approximately 30.316 acres zoned R-3 (One Family Residential District) and located on Glemsbury Drive, Connaught Place, Cedar Creek Street and Lanthorn Pond Drive (PC 2016-2530), and

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That the Final Subdivision Plat for for Lantern Chase Phase 2 Section 6 Part 2 consisting of 45 single family lots on approximately 30.316 acres zoned R-3 (One Family Residential District) and located on Glemsbury Drive, Connaught Place, Cedar Creek Street and Lanthorn Pond Drive, is hereby confirmed, approved, and accepted with the following conditions that:

1. The Applicant needs to obtain final engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department.
2. The right-of-way and street pavement width shall achieve compliance with the City Engineer requirements.
3. The minimum lot size and width and building setbacks shall be per the approved Amended Preliminary Subdivision Plat.
4. The front elevation shall achieve compliance with the minimum requirements of Chapter 1171.08 Residential Development Design Criteria and Performance Standards.
5. The development shall achieve compliance with Chapter 1168 Tree Preservation Regulations.
6. The park amenities in Reserve B shall be reviewed and approved by staff and shall be constructed prior to any building permits approved in the

subject section. The subject park and amenities shall be owned and maintained by the HOA but open to the public.

7. Only lots 11252, 11254, 11255 and 11257-59 shall be permitted grinder pumps for any basement sanitary sewer service.

SECTION 2. 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 Section 121.22 of the Revised Code.

VOTE ON RULE SUSPENSION: YEAS____NAYS____
ABSTAIN ____

PASSED: _____, 2016 YEAS____ NAYS____
ABSTAIN ____

ATTEST: _____ _____
CITY CLERK MAYOR

EST 1808
CITY OF
DELAWARE
OHIO

PLANNING COMMISSION / STAFF REPORT

CASE NUMBERS: 2016-2530 & 2531
REQUEST: Final Subdivision Plat
PROJECT: Lantern Chase Phase 2 Section 6 Parts 2 & 3
MEETING DATE: September 7, 2016

APPLICANT/OWNER
Westport Homes
507 Executive Campus Drive, Suite 100
Westerville, Ohio 43082

REQUEST
2016-2530: A request by Westport Homes for approval of a Final Subdivision Plat for Lantern Chase Phase 2 Section 6 Part 2 consisting of 45 single family lots on approximately 30.316 acres zoned R-3 (One Family Residential District) and located on Glemsbury Drive, Connaught Place, Cedar Creek Street and Lanthorn Pond Drive.
2016-2531: A request by Westport Homes for approval of a Final Subdivision Plat for Lantern Chase Phase 2 Section 6 Part 3 consisting of 35 single family lots on approximately 8.049 acres zoned R-3 (One Family Residential District) and located on Connaught Place and Marblewood Drive.

PROPERTY LOCATION & DESCRIPTION
The remaining 38.365 acres of the subject development is located north of Silversmith Lane and east and west of Phase 2 Section 6 Part 1 which was approved in August 2015. The subject site is zoned R-3 (One-Family Residential District) as is the property to the south. The properties to the north, east and west are located in the Township.

BACKGROUND/PROPOSAL
The Preliminary Subdivision Plat for Phase 1 was approved as Smith Farms Subdivision in 1998. Between then and May 2001 Final Subdivision Plats for Phase 1 were approved. The Preliminary Subdivision Plat for Phase 2 was approved by the Planning Commission in 2001. In 2006, the Final Subdivision Plat for Phase 2 Section 6 was approved by the Planning Commission and the developer subsequently requested an extension of Section 6 in 2007 which was approved but this section never began construction. Then in December 2014, Planning Commission and City Council approved an Amended Preliminary Subdivision Plat with 127 lots instead of 156 lots which were originally approved in this area and would likely be constructed in three sections. The reduction of 29 lots is due to the unwillingness of the applicant to construct a lift station in this area due to economic reasons. The revised layout would result in more open space with park amenities and the preservation of wetlands and wooded areas along the extreme northern portion of the development.

In August 2015 City Council approved Section 6 Part 1 which contained 47 single family lots on 11.974 acres. Now the applicant is proposing to construct Section 6 Parts 2 and 3 which would contain the remaining 80 single family lots on 38.365 acres. Section 6 Part 2 would contain 45 single family lots while Section 6 Part 3 would contain 35 single family lots.

STAFF ANALYSIS

- **COMPREHENSIVE PLAN AMENDEMENT:** The Comprehensive Plan Future Land Use Map recommends Moderate Density Single-Family Land Use (3.25-4.25 dwelling units per acre) for the subject property. The proposed density for the amended plan is 2.52 units per acre.
- **ZONING:** The subject site is zoned R-3 (One Family Residential District) which requires Final Subdivision Plat approvals for Phase 2 Section 6 Part 2 and 3 by the Planning Commission and City Council.
- **GENERAL ENGINEERING:** The Applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on a technical review by the Engineering Department once a complete plan set is submitted for review.
- **UTILITIES:** Both water and sewer utilities would be public and would be extended from Phases 1 and 2 of the development. The development would have to comply with the current storm water requirements.

Depending on final grading plan, lots 11252, 11254, 11255 and 11257-59 would likely require grinder pumps for any basement sanitary service.

- **ROADS AND ACCESS:** Section 6 Part 2 would be accessed from Section 6 Part 1 thru Glemsbury Drive and Lanthorn Pond Drive which both terminate into Connaught Place which is the northern most east/west street of the development. Section 6 Part 3 is accessed from Section 6 Part 1 thru Marblewood Drive which also terminates into Connaught Place. Per the approved Amended Preliminary Subdivision Plat in 2014, the streets would be divided into two different street section designs in the subject parts: 1. Connaught Place, the northern most east/west street would have 60 feet of right-of-way with 36 feet of pavement with a standard tree lawn and the sidewalk within the right-of-way. 2. The remainder of the streets would have 50 feet of right of way with 32 feet of pavement. Three feet of the sidewalk would be in an easement with a 7 foot tree lawn and the front yard setback would be measured from the right-of-way line. The current engineering standards require 60 feet of right of way and 32 foot wide streets. Therefore, staff is giving concessions for this development while ensuring conforming pavement width to today's standards. There are existing streets in the built portions of this subdivision and therefore some flexibility must be utilized to ensure that this section can fit properly in the built environment. This approach is what was approved in the preliminary plat.
- **SITE LAYOUT:** These two parts would consist of 80 single family lots in a typical double loaded lot layout along Connaught Place, Lanthorn Pond Drive, Glemsbury Drive and Cedar Creek Street. In Section 6 Part 2 there are two reserves. Reserve A is 3.7 acres and is located in the southwestern portion of the development while Reserve B is 15.4 acres and is located along the northern portion of the development and would include a park area with amenities.
- **LOT SIZES:** The typical bulk requirements (setbacks, minimum lot width and size) have changed since originally approval in 2001. Therefore per the Amended Preliminary Subdivision Plat approved in December 2014, staff and the developer have negotiated fair zoning bulk requirements based on the previous and existing requirements coupled with the engineering requirements of wider streets and right-of-way. In this section, the lot sizes range from 60-70 foot lot widths with 120-128 foot lot depths (minimum 7,200 square foot lots) while the corner lots are oversized (minimum 80 feet wide) to comply with zoning requirements. The yard setbacks would be: 25 foot front, 30 foot rear and 8 foot side. The current R-3 zoning requirements are: 8,775 square foot minimum lots, 65 foot wide lots, 30 foot front yard setback, 40 foot rear yard setback and 8 foot side yard setbacks while the previous zoning in 2001 permitted 7,200 square foot minimum lots, minimum 60 foot lot width, 25 foot front yard setback, 30 foot rear yard setback and 6 foot side yard setbacks (total of 15 feet minimum). This is in keeping with the approved Amended Preliminary Development Plan.
- **DESIGN:** The houses would be required to comply with the Residential Design Criteria and Performance Standards of Section 1171.08 of the Planning & Zoning Code. The standards include among other items: front elevations consisting of a minimum 25 percent of natural materials (the natural materials are to include but are not limited to stone, brick, cedar, wood, stucco and stucco stone), minimum 8 inch overhangs/soffits on returns, minimum 4 inch window trim and higher end vinyl siding.
- **TREE REMOVAL & REPLACEMENT:** The applicant would have to submit a tree survey to ensure compliance with Chapter 1168 Tree Preservation Regulations prior to approval of the construction drawing for Section 6 Parts 2 and 3. Also, there is a 30 foot wide tree preservation zone along the rear of the lots on the north side of Connaught Place and along the rear of the lots 11287-11289 (east side of Marblewood Drive).
- **OPEN SPACE & PARKLAND:** As mentioned above, there are two reserves in Section 6 Part 2. Reserve A, which is 3.7 acres, contains a detention basin and is located on the southwestern portion of the Section next to the western boundary line. Reserve B, which is 15.4 acres, contains a park with amenities and preserves existing wetlands and woodlands and is located at the extreme northern end of the development. The park amenities would include a basketball court, play equipment, park benches, etc. As typical, the park and amenities shall be owned and maintained by the HOA but open to the public.
- **LANDSCAPING PLAN:** The Shade Tree Commission approved the street tree plan for Section 6 Parts 1, 2 and 3 on August 23, 2016. It is imperative that the Applicant coordinate the landscaping plan and street tree plan with the engineering site development plan so that the landscaping does not impeded visibility at intersection or of any traffic control signs.

- **LIGHTING PLAN.** The lighting plan for Section 6 Parts 1, 2 and 3 were approved on August 26, 2016 by the Chief Building Official.

STAFF RECOMMENDATION – (2016-2530 FINAL SUBDIVSION PLAT)
Staff recommends approval of a request by Westport Homes of a Final Subdivision Plat for Lantern Chase Phase 2 Section 6 Part 2 consisting of 45 single family lots on approximately 30.316 acres zoned R-3 (One Family Residential District) and located on Glemsbury Drive, Connaught Place, Cedar Creek Street and Lanthorn Pond Drive, with the following conditions that:

1. The Applicant needs to obtain final engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department.
2. The right-of-way and street pavement width shall achieve compliance with the City Engineer requirements.
3. The minimum lot size and width and building setbacks shall be per the approved Amended Preliminary Subdivision Plat.
4. The front elevation shall achieve compliance with the minimum requirements of Chapter 1171.08 Residential Development Design Criteria and Performance Standards.
5. The development shall achieve compliance with Chapter 1168 Tree Preservation Regulations.
6. The park amenities in Reserve B shall be reviewed and approved by staff and shall be constructed prior to any building permits approved in the subject section. The subject park and amenities shall be owned and maintained by the HOA but open to the public.
7. Only lots 11252, 11254, 11255 and 11257-59 shall be permitted grinder pumps for any basement sanitary sewer service.

STAFF RECOMMENDATION – (2016-2531 FINAL SUBDIVSION PLAT)
Staff recommends approval of a request by Westport Homes of a Final Subdivision Plat for Lantern Chase Phase 2 Section 6 Part 3 consisting of 35 single family lots on approximately 8.049 acres zoned R-3 (One Family Residential District) and located on Connaught Place and Marblewood Drive, with the following conditions that:

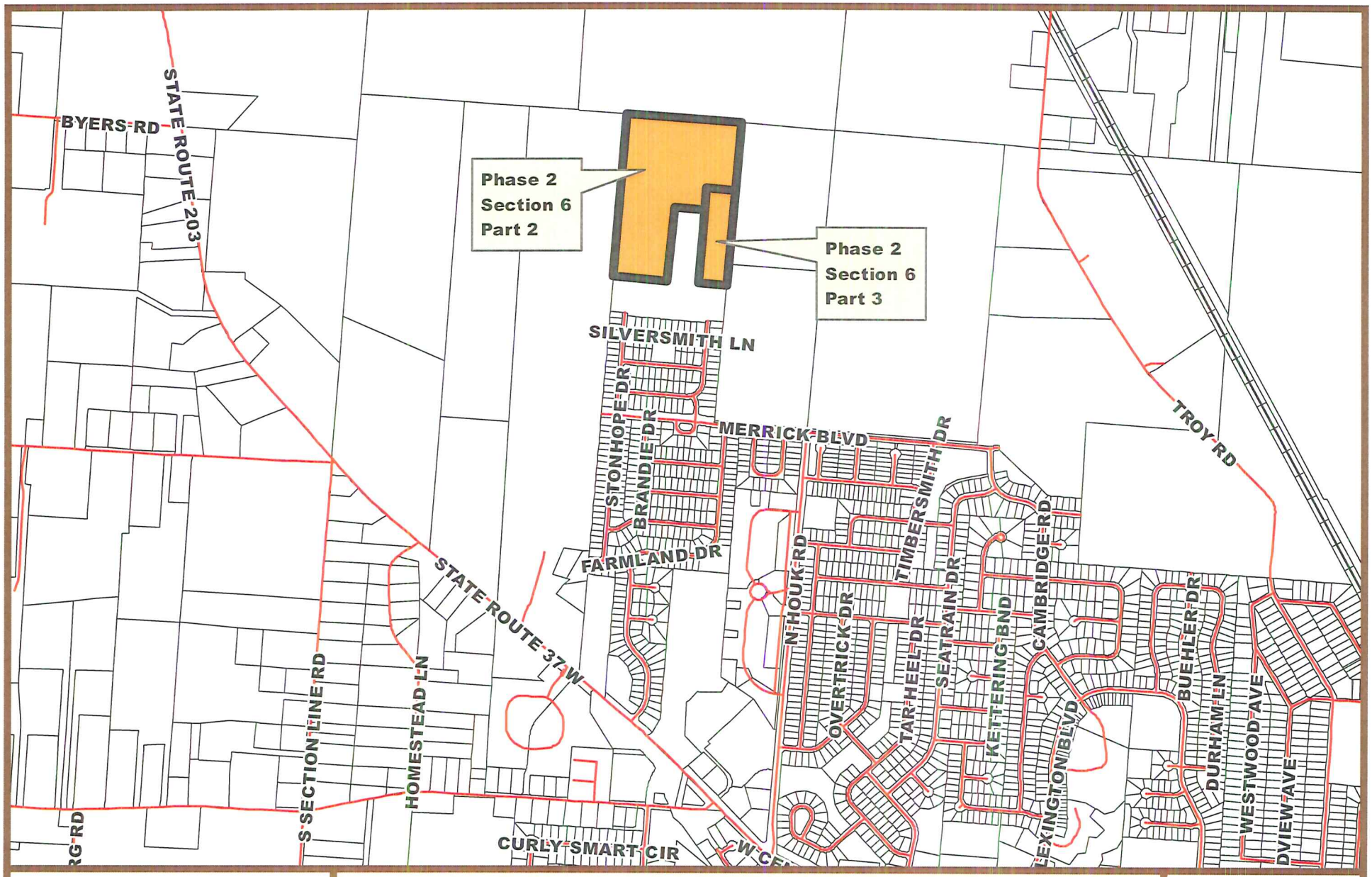
1. The Applicant needs to obtain final engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department.
2. The right-of-way and street pavement width shall achieve compliance with the City Engineer requirements.
3. The minimum lot size and width and building setbacks shall be per the approved Amended Preliminary Subdivision Plat.
4. The front elevation shall achieve compliance with the minimum requirements of Chapter 1171.08 Residential Development Design Criteria and Performance Standards.
5. The development shall achieve compliance with Chapter 1168 Tree Preservation Regulations.

COMMISSION NOTES:

MOTION: _____ *1st* _____ *2nd* *approved* *denied* *tabled*_____

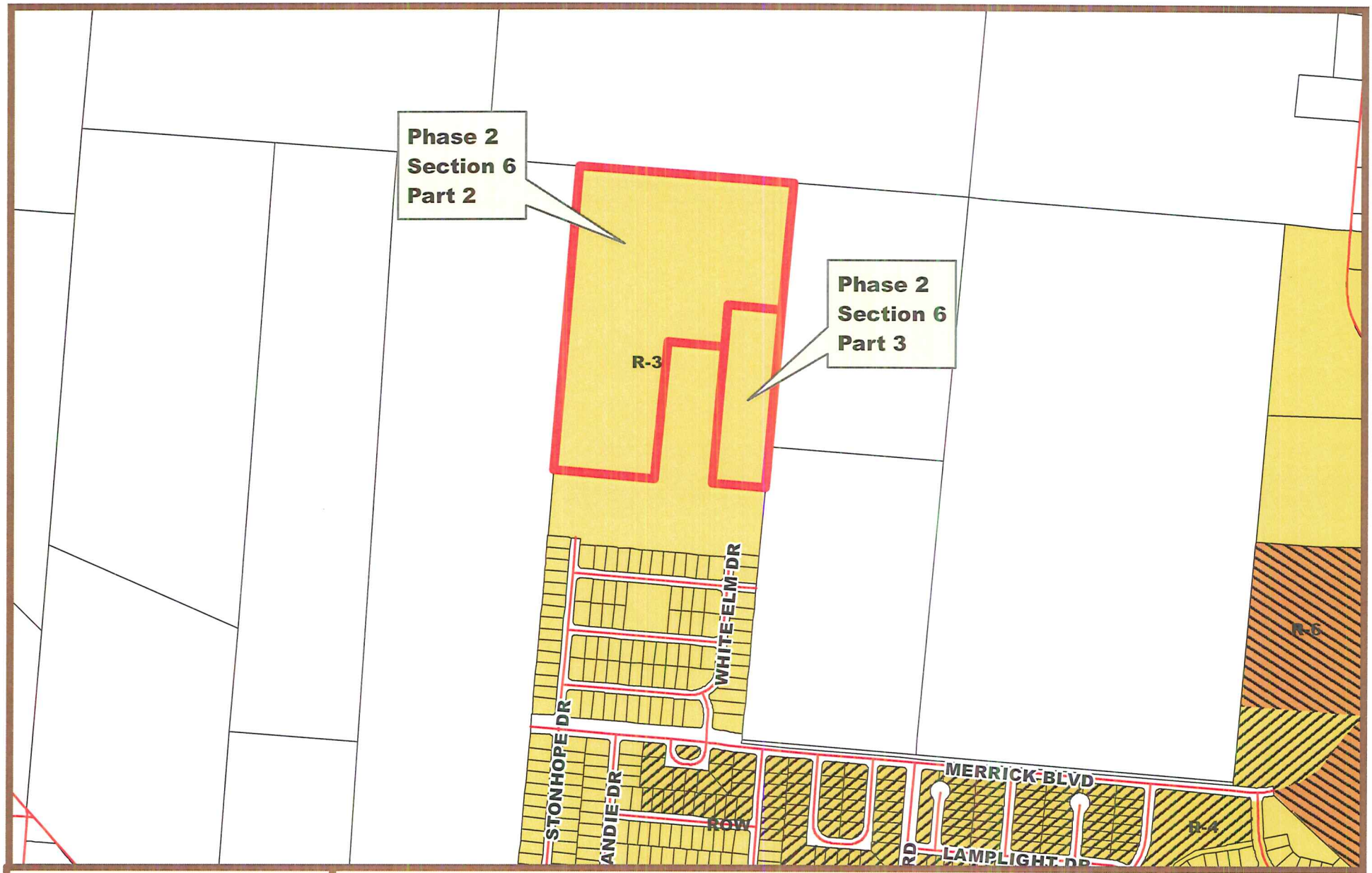
CONDITIONS/MISCELLANEOUS:

FILE:
ORIGINAL: 9/1/16
REVISED:



EST 1808
CITY OF
DELAWARE
OHIO

2016-2530 & 2531
Final Subdivision Plats
Lantern Chase Phase 2 Section 6 Part 2 &
Phase 2 Section 6 Part 3
Location Map



EST 1808
CITY OF
DELAWARE
OHIO

2016-2530 & 2531
Final Subdivision Plats
Lantern Chase Phase 2 Section 6 Part 2 &
Phase 2 Section 6 Part 3
Zoning Map

EST 1808
CITY OF
DELAWARE
OHIO

2016-2530 & 2531
Final Subdivision Plats
Lantern Chase Phase 2 Section 6 Part 2 &
Phase 2 Section 6 Part 3
Aerial (2013)

N

LANTERN CHASE PHASE 2
SECTION 6 PART 2

Situated in the State of Ohio, County of Delaware, City of Delaware, and in Farm Lot 27, Quarter Township 3, Township 5, Range 19, United States Military Lands, containing 30.316 acres of land, more or less, said 30.316 acres being part of that tract of land conveyed to **WESTPORT HOMES, INC.**, by deed of record in Official Record 1439, Page 812, Recorder's Office, Delaware County, Ohio.

The undersigned **WESTPORT HOMES, INC.**, an Indiana corporation, by **STEVEN M. DUNN**, President, owner of the lands platted herein, duly authorized in the premises, does hereby certify that this plat correctly represents its **"LANTERN CHASE PHASE 2 SECTION 6 PART 2"**, a subdivision containing Lots numbered 11228 to 11274, both inclusive, does hereby accept this plat of same and dedicates to public use, as such, all of Connaught Place, Cedar Creek Street, Lanthorn Pond Drive and Glemsbury Drive (2.700 acres of land, more or less) shown hereon and not heretofore dedicated.

Easements are hereby reserved in, over and under areas designated on this plat as "Easement" or "Drainage Easement". Each of the aforementioned designated easements permit the construction, operation and maintenance of all public and quasi-public utilities above, beneath and on the surface of the ground and, where necessary, for the construction, operation and maintenance of service connections to all adjacent lots and lands and for storm water drainage. Within those areas designated "Drainage Easement" on this plat, an additional easement is hereby reserved for the purpose of constructing, operating and maintaining major storm water drainage swales and/or other above ground storm water drainage facilities. No above grade structures, dams or other obstructions to the flow of storm water runoff are permitted within Drainage Easement areas as delineated on this plat unless approved by the Delaware City Engineer.

In Witness Whereof, **STEVEN M. DUNN**, President of **WESTPORT HOMES, INC.**, has hereunto set his hand this ____ day of _____, 20___.

Signed and Acknowledged
In the presence of:

WESTPORT HOMES, INC.

_____

By _____
STEVEN M. DUNN,
President

_____

STATE OF OHIO
COUNTY OF FRANKLIN ss:

Before me, a Notary Public in and for said State, personally appeared **STEVEN M. DUNN**, President of **WESTPORT HOMES, INC.**, who acknowledged the signing of the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of said **WESTPORT HOMES, INC.**, for the uses and purposes expressed herein.

In Witness Thereof, I have hereunto set my hand and affixed my official seal this _____ day of _____, 20___.

My commission expires _____ _____
Notary Public, State of Ohio

PC Case No. ___-_____ approved by the Planning Commission on this _____ day of _____, 20___.

Approved and accepted this _____ day of _____, 20___, by Ordinance No. _____, wherein all of Connaught Place, Lanthorn Pond Drive, Cedar Creek Street and Glemsbury Drive (2.700 acres of land more or less) shown dedicated hereon are accepted as such by the City Council of the City of Delaware, Ohio.

Approved this _____ Day of _____ 20___ — _____
Michele Kohler, Acting City Clerk, Delaware, Ohio

Approved this _____ Day of _____ 20___ — _____
R. Thomas Homan, City Manager, Delaware, Ohio

Approved this _____ Day of _____ 20___ — _____
David M. Efland, AICP, Planning and Community Development Director, Delaware, Ohio

Approved this _____ Day of _____ 20___ — _____
William L. Ferrigno, P.E., City Engineer, Delaware, Ohio

Approved this _____ Day of _____ 20___ — _____
Brad Stanton, Utilities Director, Delaware, Ohio

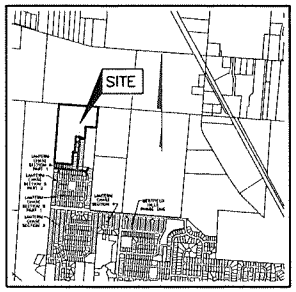
Approved this _____ Day of _____ 20___ — _____
Allen Rothermel, Interim Public Works Director, Delaware, Ohio

Transferred this ____ day of _____, 20___, — _____
Auditor, Delaware County, Ohio

Filed for record this ___day of _____, 20___ at _____M. — _____
Fee $_____ Recorder, Delaware County, Ohio

File No. _____

Official Record _____, Pages _____



LOCATION MAP AND BACKGROUND DRAWING

NOT TO SCALE

SURVEY DATA:

BASIS OF BEARINGS: The bearings shown hereon are based on the same meridian as the bearings used in the metes and bounds description for a 30.117 acres tract of record in Deed Book 647, Page 719, Recorder's Office, Delaware County, Ohio.

SOURCE OF DATA: The sources of recorded survey data referenced in the plan and text of this plat are the records of the Recorder's Office, Delaware County, Ohio

IRON PINS: Iron pins, where indicated hereon, unless otherwise noted, are to be set and are iron pipes, thirteen sixteenths inch inside diameter, thirty inches long with a plastic plug placed in the top end bearing the initials EMHT INC.

PERMANENT MARKERS: Permanent markers, where indicated hereon, are to be one-inch diameter, thirty-inch long, solid iron pins. Pins are to be set to monument the points indicated and are to be set with the top end flush with the surface of the ground and then capped with an aluminum cap stamped EMHT INC. Once installed, the top of the cap shall be marked (punched) to record the actual location of the point.

SURVEYED & PLATTED BY

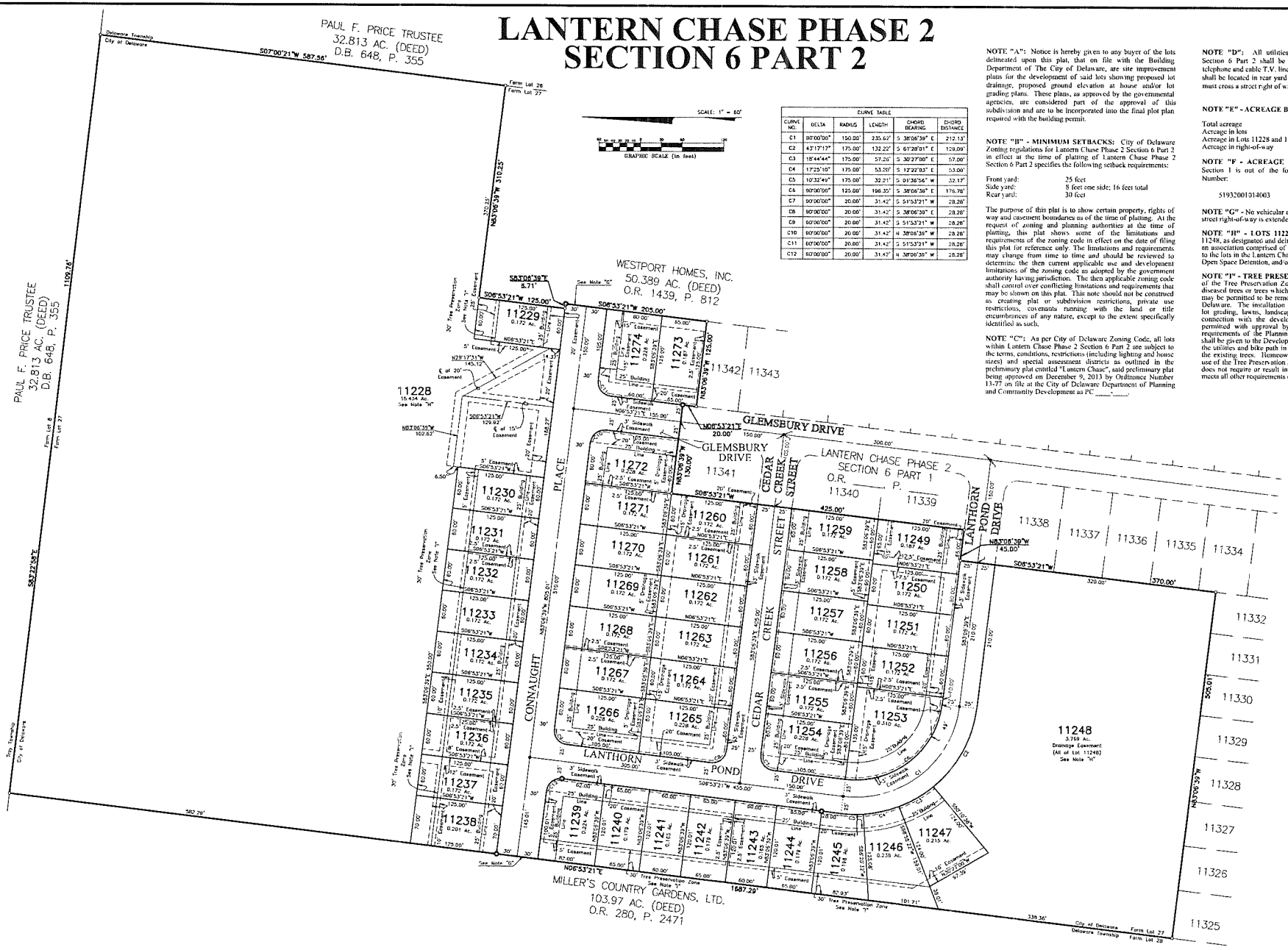
EMHT
Bergsten, MacDougall, Hoffman Pavlov & Associates, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Fax: 614.775.4800
emht.com

We do hereby certify that we have surveyed the above premises, prepared the attached plat, and that said plat is correct. All dimensions are in feet and decimal parts thereof.

o = Iron Pin (See Survey Data)
• = MAG Nail to be set
⊙ = Permanent Marker (See Survey Data)

By _____ _____
Professional Surveyor No. 7865 Date

LANTERN CHASE PHASE 2
SECTION 6 PART 2



CURVE TABLE					
CURVE NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	90°00'00"	150.00'	235.62'	S 38°06'39" E	212.13'
C2	47°17'17"	175.00'	132.22'	S 61°28'01" E	128.09'
C3	18°44'44"	175.00'	57.26'	S 30°27'00" E	57.00'
C4	17°25'10"	175.00'	53.20'	S 12°22'03" E	53.00'
C5	10°32'49"	175.00'	32.21'	S 01°36'56" W	32.17'
C6	90°00'00"	125.00'	196.35'	S 38°06'39" E	176.78'
C7	90°00'00"	20.00'	31.42'	S 51°53'21" W	28.28'
C8	90°00'00"	20.00'	31.42'	S 38°06'39" E	28.28'
C9	90°00'00"	20.00'	31.42'	S 51°53'21" W	28.28'
C10	90°00'00"	20.00'	31.42'	N 38°06'39" W	28.28'
C11	90°00'00"	20.00'	31.42'	S 51°53'21" W	28.28'
C12	90°00'00"	20.00'	31.42'	N 38°06'39" W	28.28'

NOTE "A": Notice is hereby given to any buyer of the lots delineated upon this plat, that on file with the Building Department of The City of Delaware, are site improvement plans for the development of said lots showing proposed lot drainage, proposed ground elevation at house and/or lot grading plans. These plans, as approved by the governmental agencies, are considered part of the approval of this subdivision and are to be incorporated into the final plot plan required with the building permit.

NOTE "B" - MINIMUM SETBACKS: City of Delaware Zoning regulations for Lantern Chase Phase 2 Section 6 Part 2 in effect at the time of platting of Lantern Chase Phase 2 Section 6 Part 2 specifies the following setback requirements:

Front yard:	25 feet
Side yard:	8 feet one side; 16 feet total
Rear yard:	30 feet

The purpose of this plat is to show certain property, rights of way and easement boundaries as of the time of platting. At the request of zoning and planning authorities at the time of platting, this plat shows some of the limitations and requirements of the zoning code in effect on the date of filing this plat for reference only. The limitations and requirements may change from time to time and should be reviewed to determine the then current applicable use and development limitations of the zoning code as adopted by the government authority having jurisdiction. The then applicable zoning code shall control over conflicting limitations and requirements that may be shown on this plat. This note should not be construed as creating plat or subdivision restrictions, private use restrictions, covenants running with the land or title encumbrances of any nature, except to the extent specifically identified as such.

NOTE "C": As per City of Delaware Zoning Code, all lots within Lantern Chase Phase 2 Section 6 Part 2 are subject to the terms, conditions, restrictions (including lighting and house sizes) and special assessment districts as outlined in the preliminary plat entitled "Lantern Chase", said preliminary plat being approved on December 9, 2013 by Ordinance Number 13-77 on file at the City of Delaware Department of Planning and Community Development as PC ____-____.

NOTE "D": All utilities within Lantern Chase Phase 2 Section 6 Part 2 shall be installed underground. Electric, telephone and cable T.V. lines and their above ground pedestals shall be located in rear yard areas except where a service feed must cross a street right of way or enter the subdivision.

NOTE "E" - ACREAGE BREAKDOWN:

Total acreage	30.316 Ac.
Acreage in lots	8.413 Ac.
Acreage in Lots 11228 and 11248	19.203 Ac.
Acreage in right-of-way	2.700 Ac.

NOTE "F - ACREAGE BREAKDOWN: Belmont Place Section 1 is out of the following Delaware County Parcel Number:

519320010314003	30.316 Ac.

NOTE "G" - No vehicular access until such time as the public street right-of-way is extended and dedicated by plat or deed.

NOTE "H" - LOTS 11228 AND 11248: Lots 11228 and 11248, as designated and delineated hereon, are to be owned by an association comprised of the owners of the fee simple titles to the lots in the Lantern Chase subdivisions for the purpose of Open Space Detention, and/or Retention.

NOTE "I" - TREE PRESERVATION ZONE: The purpose of the Tree Preservation Zone is to preserve trees. Dead or diseased trees or trees which require removal for public safety may be permitted to be removed with approval by the City of Delaware. The installation of utilities, drainage swales, over lot grading, lawns, landscaping, fences and a bike path in connection with the development of the property may be permitted with approval by the City of Delaware and all requirements of the Planning & Zoning Code are met. Care shall be given to the Developer in the design and installation of the utilities and bike path in order to minimize the removal of the existing trees. Homeowners shall not be restricted in the use of the Tree Preservation Zone on their lot so long as the use does not require or result in the removal of trees and the use meets all other requirements of the Planning & Zoning Code.

LANTERN CHASE PHASE 2
SECTION 6 PART 3

Situated in the State of Ohio, County of Delaware, City of Delaware, and in Farm Lot 27, Quarter Township 3, Township 5, Range 19, United States Military Lands, containing 8.099 acres of land, more or less, said 8.099 acres being part of that tract of land conveyed to **WESTPORT HOMES, INC.,** by deed of record in Official Record 428, Page 1363, Recorder's Office, Delaware County, Ohio.

The undersigned **WESTPORT HOMES, INC.,** an Indiana corporation, by **STEVEN M. DUNN,** President, owner of the lands platted herein, duly authorized in the premises, does hereby certify that this plat correctly represents its **"LANTERN CHASE PHASE 2 SECTION 6 PART 3"**, a subdivision containing Lots numbered 11275 to 11309, both inclusive, does hereby accept this plat of same and dedicates to public use, as such, all of Connaught Place and Marblewood Drive (1.524 acres of land, more or less) shown hereon and not heretofore dedicated.

Easements are hereby reserved in, over and under areas designated on this plat as "Easement" or "Drainage Easement". Each of the aforementioned designated easements permit the construction, operation and maintenance of all public and quasi-public utilities above, beneath and on the surface of the ground and, where necessary, for the construction, operation and maintenance of service connections to all adjacent lots and lands and for storm water drainage. Within those areas designated "Drainage Easement" on this plat, an additional easement is hereby reserved for the purpose of constructing, operating and maintaining major storm water drainage swales and/or other above ground storm water drainage facilities. No above grade structures, dams or other obstructions to the flow of storm water runoff are permitted within Drainage Easement areas as delineated on this plat unless approved by the Delaware City Engineer.

In Witness Whereof, **STEVEN M. DUNN,** President of **WESTPORT HOMES, INC.,** has hereunto set his hand this ____ day of _____, 20___.

Signed and Acknowledged
In the presence of:

WESTPORT HOMES, INC.

_____

By _____
STEVEN M. DUNN,
President

_____

STATE OF OHIO
COUNTY OF FRANKLIN ss:

Before me, a Notary Public in and for said State, personally appeared **STEVEN M. DUNN,** President of **WESTPORT HOMES, INC.,** who acknowledged the signing of the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of said **WESTPORT HOMES, INC.,** for the uses and purposes expressed herein.

In Witness Thereof, I have hereunto set my hand and affixed my official seal this _____ day of _____, 20___.

My commission expires _____

_____
Notary Public, State of Ohio

PC Case No. ___-_____ approved by the Planning Commission on this _____ day of _____ 20___.

Approved and accepted this _____ day of _____, 20___, by Ordinance No. _____ wherein all of Connaught Place and Marblewood Drive (1.524 acres of land more or less) shown dedicated hereon are accepted as such by the City Council of the City of Delaware, Ohio.

Approved this _____ Day of _____ 20___ — _____ Michele Kohler, Acting City Clerk, Delaware, Ohio

Approved this _____ Day of _____ 20___ — _____ R. Thomas Homan, City Manager, Delaware, Ohio

Approved this _____ Day of _____ 20___ — _____ David M. Efland, AICP, Planning and Community Development Director, Delaware, Ohio

Approved this _____ Day of _____ 20___ — _____ William L. Ferrigno, P.E., City Engineer, Delaware, Ohio

Approved this _____ Day of _____ 20___ — _____ Brad Stanton, Utilities Director, Delaware, Ohio

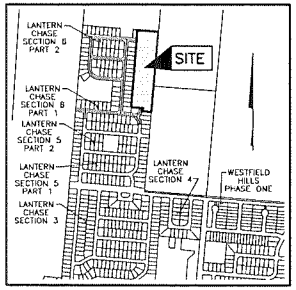
Approved this _____ Day of _____ 20___ — _____ Allen Rothermel, Interim Public Works Director, Delaware, Ohio

Transferred this ____ day of _____, 20___. — _____ Auditor, Delaware County, Ohio

Filed for record this ___day of _____, 20___ at _____M. Fee $_____ — _____ Recorder, Delaware County, Ohio

File No. _____

Official Record _____, Pages _____



LOCATION MAP AND BACKGROUND DRAWING

NOT TO SCALE

SURVEY DATA:

BASIS OF BEARINGS: The bearings shown hereon are based on the same meridian as the bearings used in the metes and bounds description for a 30.117 acres tract of record in Deed Book 647, Page 719, Recorder's Office, Delaware County, Ohio.

SOURCE OF DATA: The sources of recorded survey data referenced in the plan and text of this plat are the records of the Recorder's Office, Delaware County, Ohio

IRON PINS: Iron pins, where indicated hereon, unless otherwise noted, are to be set and are iron pipes, thirteen sixteenths inch inside diameter, thirty inches long with a plastic plug placed in the top end bearing the initials EMHT INC.

PERMANENT MARKERS: Permanent markers, where indicated hereon, are to be one-inch diameter, thirty-inch long, solid iron pins. Pins are to be set to monument the points indicated and are to be set with the top end flush with the surface of the ground and then capped with an aluminum cap stamped EMHT INC. Once installed, the top of the cap shall be marked (punched) to record the actual location of the point.

SURVEYED & PLATTED BY

EMHT

Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Fax: 614.775.4800
emht.com

We do hereby certify that we have surveyed the above premises, prepared the attached plat, and that said plat is correct. All dimensions are in feet and decimal parts thereof.

o = Iron Pin (See Survey Data)
• = MAG Nail to be set
C = Permanent Marker (See Survey Data)

By _____
Professional Surveyor No. 7865

_____
Date

LANTERN CHASE PHASE 2
SECTION 6 PART 3

NOTE "A": Notice is hereby given to any buyer of the lots delineated upon this plat, that on file with the Building Department of The City of Delaware, are site improvement plans for the development of said lots showing proposed lot drainage, proposed ground elevation at house and/or lot grading plans. These plans, as approved by the governmental agencies, are considered part of the approval of this subdivision and are to be incorporated into the final plot plan required with the building permit.

NOTE "B" - MINIMUM SETBACKS: City of Delaware Zoning regulations for Lantern Chase Phase 2 Section 6 Part 3 in effect at the time of platting of Lantern Chase Phase 2 Section 6 Part 3 specifies the following setback requirements:

Front yard:	25 feet
Side yard:	8 feet one side; 16 feet total
Rear yard:	30 feet

The purpose of this plat is to show certain property, rights of way and easement boundaries as of the time of platting. At the request of zoning and planning authorities at the time of platting, this plat shows some of the limitations and requirements of the zoning code in effect on the date of filing this plat for reference only. The limitations and requirements may change from time to time and should be reviewed to determine the then current applicable use and development limitations of the zoning code as adopted by the government authority having jurisdiction. The then applicable zoning code shall control over conflicting limitations and requirements that may be shown on this plat. This note should not be construed as creating plat or subdivision restrictions, private use restrictions, covenants running with the land or title encumbrances of any nature, except to the extent specifically identified as such.

NOTE "C": As per City of Delaware Zoning Code, all lots within Lantern Chase Phase 2 Section 6 Part 3 are subject to the terms, conditions, restrictions (including lighting and house sizes) and special assessment districts as outlined in the preliminary plat entitled "Lantern Chase", said preliminary plat being approved on December 9, 2013 by Ordinance Number 13-77 on file at the City of Delaware Department of Planning and Community Development as PC ____-____.

NOTE "D": All utilities within Lantern Chase Phase 2 Section 6 Part 3 shall be installed underground. Electric, telephone and cable T.V. lines and their above ground pedestals shall be located in rear yard areas except where a service feed must cross a street right of way or enter the subdivision.

NOTE "E" - ACREAGE BREAKDOWN:

Total acreage	8.099 Ac.
Acreage in lots	6.575 Ac.
Acreage in right-of-way	1.524 Ac.

NOTE "F - ACREAGE BREAKDOWN: Lantern Chase Phase 2 Section 6 Part 3 is out of the following Delaware County Parcel Number:

51932001014003	8.099 Ac.

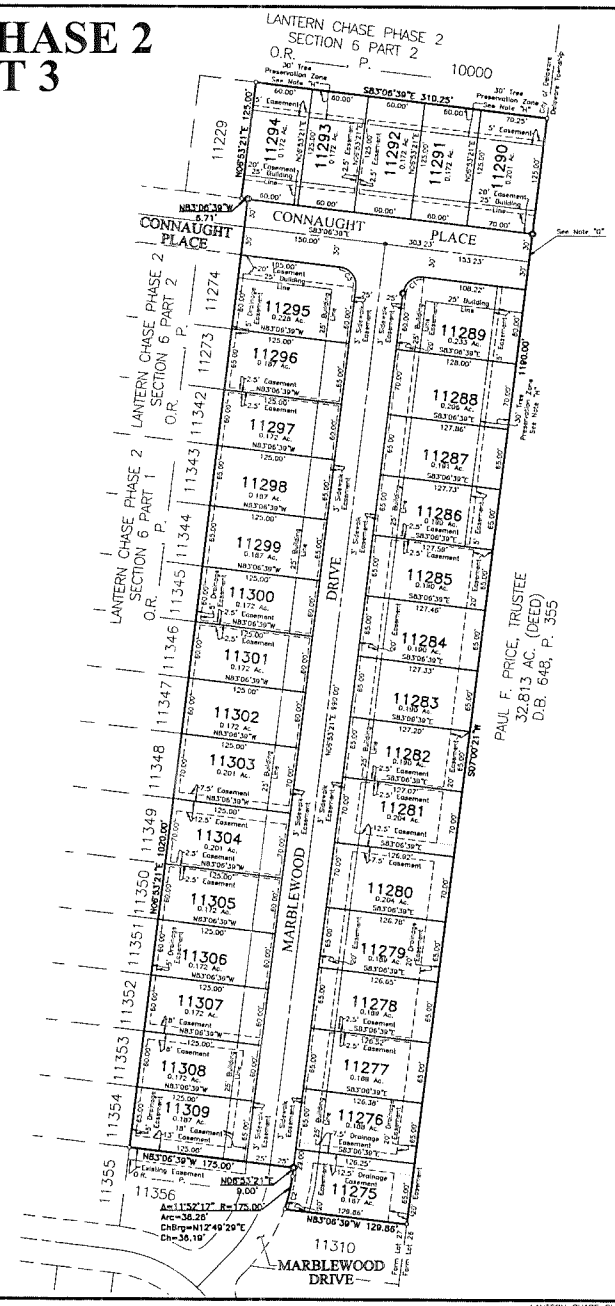
NOTE "G" - No vehicular access until such time as the public street right-of-way is extended and dedicated by plat or deed.

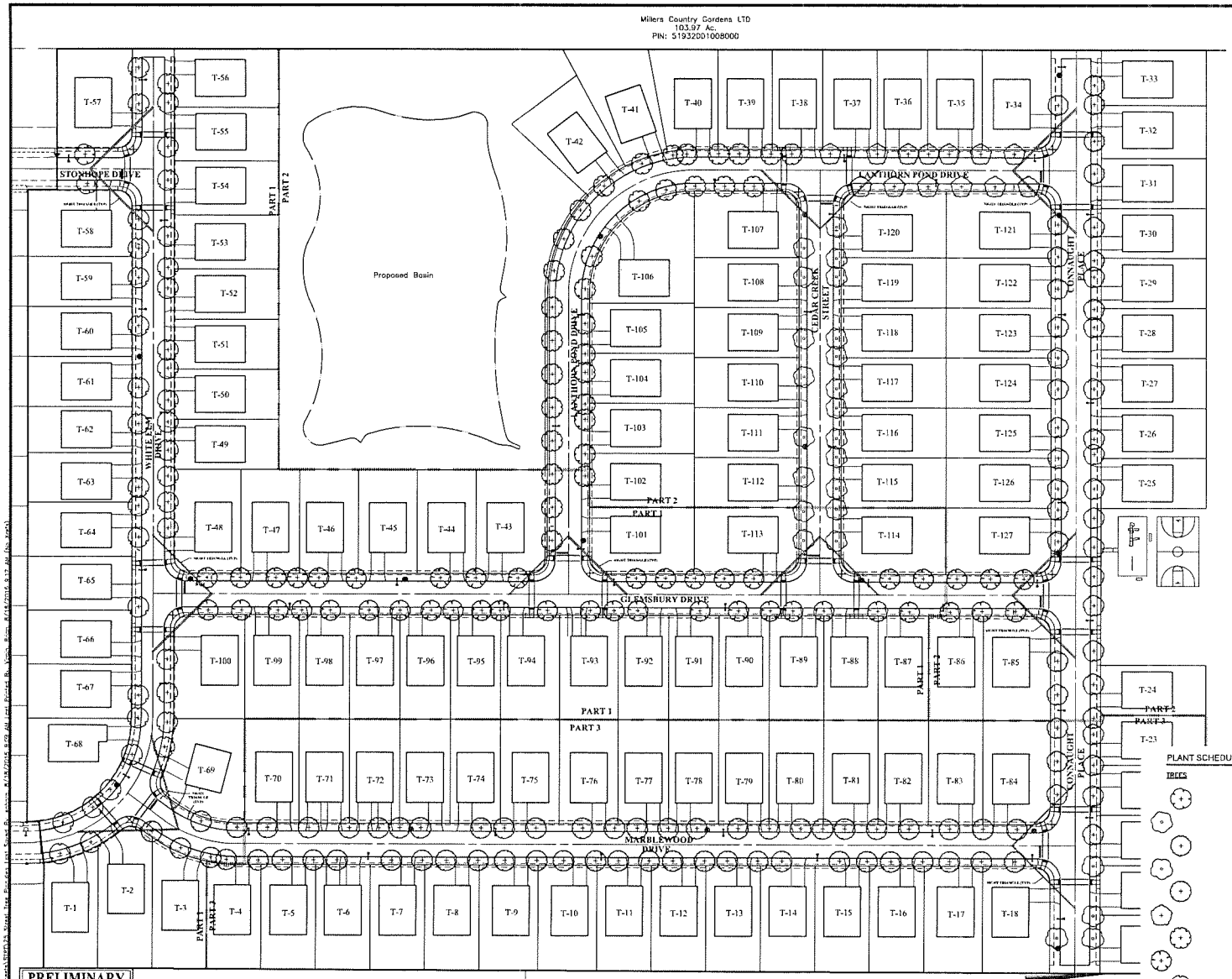
NOTE "H" - TREE PRESERVATION ZONE: The purpose of the Tree Preservation Zone is to preserve trees. Dead or diseased trees or trees which require removal for public safety may be permitted to be removed with approval by the City of Delaware. The installation of utilities, drainage swales, over lot grading, lawns, landscaping, fences and a bike path in connection with the development of the property may be permitted with approval by the City of Delaware and all requirements of the Planning & Zoning Code are met. Care shall be given to the Developer in the design and installation of the utilities and bike path in order to minimize the removal of the existing trees. Homeowners shall not be restricted in the use of the Tree Preservation Zone on their lot so long as the use does not require or result in the removal of trees and the use meets all other requirements of the Planning & Zoning Code.

SCALE: 1" = 60'

GRAPHIC SCALE (in feet)

CURVE TABLE					
CURVE NO	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	90°00'00"	20.00'	31.42'	S 51°53'21" W	28.28'
C2	11°52'17"	175.00'	36.26'	N 12°49'29" E	36.19'
C3	90°00'00"	20.00'	31.42'	N 38°06'39" W	28.28'





Trees shall be centered in the tree lawn.

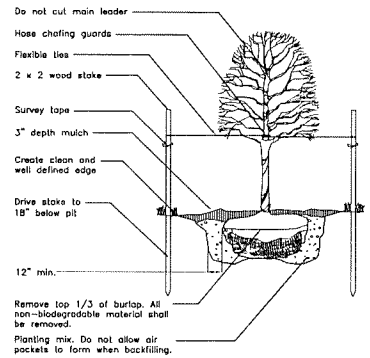
No trees shall be placed within 10' of a hydrant.

PRELIMINARY
NOT TO BE USED FOR CONSTRUCTION

PLAN SET DATE
May, 2016

GENERAL NOTES

1. Street tree selections shall be approved by the City of Delaware Street Tree Commission prior to installation.
2. Prior to installation, the landscape contractor shall inspect the general site conditions and verify the subgrade, elevations, utility locations and topsoil provided by general contractor. The landscape contractor shall notify the general contractor of any unsatisfactory conditions and work shall not proceed until such conditions have been corrected and are acceptable to the landscape contractor.
3. All trees shall meet or exceed standards set in the American Standard for Nursery Stock, ANSI Z60.1, current edition. All trees shall equal or exceed the measurements and sizes specified in the schedule.
4. Substitutions shall be permitted with notification and written approval from the Owner & City. Substituted material shall be equivalent or greater in size than the specified plant. Substituted trees shall have the same essential characteristics and growth habit of the specified plant.
5. Confirm location of all utilities and subsurface drain lines prior to plant installation.
6. A pre-installation conference shall be conducted prior to planting operations with Owner & Contractor present.
7. Contractor may slightly field adjust plant locations as necessary to avoid utilities.
8. Contractor shall repair all lawn areas disturbed during construction with seed and warrant a healthy, weed free lawn prior to project acceptance.
9. Mulch tree rings with shredded hardwood mulch of uniform dark brown color. It shall be free of twigs, leaves, disease, pest or other material unsightly or injurious to trees. Average applied thickness shall be 3" depth.
10. Install all trees in accordance with planting details.
11. Street trees shall have a clear canopy height of 8' min.
12. Tree shall be placed a minimum of 3' from sidewalks and curbs.
13. All trees to be backfilled with prepared planting mix. Prepared planting mix shall be mixed on site and consist of one part topsoil, one part soil amendment, one part soil from excavation. Topsoil: ASTM D5268, ph range of 5.3 to 7, min. 4 percent organic material, free of stones 1 inch and larger. Soil amendment: Source separated yard waste compost from an Ohio EPA rated class IV compost facility.
14. All trees to be fertilized with a commercial grade fertilizer tablets consisting of fast and slow release nitrogen.
15. Contractor to determine plant list quantities from the plan. Graphic representation on plan supersedes in case of discrepancy with quantities on schedule.
16. Any item or areas damaged during construction shall be repaired or replaced to its original condition at the contractor expense.
17. Contractor shall thoroughly water all trees at time of installation and as needed until project acceptance by Owner. Contractor shall guarantee all trees installed for one full year from date of acceptance by the Owner. All trees shall be alive and at a vigorous rate of growth at the end of the guarantee period.
19. Planting shall conform with City of Delaware Standard Tree Planting Notes ROWD-33.2.



Deciduous Tree Planting
No Scale

PLANT SCHEDULE

TREES	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION
	2	Acer saccharum	Sugar Maple	2" Cal.	B&B
	20	Acer truncatum	Pacific/Norwegian Sunset Maple	2" Cal.	B&B
	5	Betula nigra	River Birch	2" Cal.	B&B
	4	Eucommia ulmoides	Hardy Rubber Tree	2" Cal.	B&B
	58	Quercus acutissima	Sawtooth Oak	2" Cal.	B&B
	13	Quercus bicolor	Swamp White Oak	2" Cal.	B&B
	33	Quercus shumardii	Shumard Red Oak	2" Cal.	B&B
	44	Tilia tomentosa	Silver Linden	2" Cal.	B&B
	39	Ulmus parvifolia	Chinese Elm	2" Cal.	B&B
	36	Zelkova serrata	Zelkova Village Green	2" Cal.	B&B

REVISIONS		
REV.	DATE	DESCRIPTION

M/I HOMES
Move Up
mihomes.com

CITY OF DELAWARE, DELAWARE COUNTY, OHIO
STREET, SEWER & WATER IMPROVEMENTS
FOR
LANTERN CHASE
PHASE 2 SECTION 6 PARTS 1, 2 & 3
STREET TREE PLAN

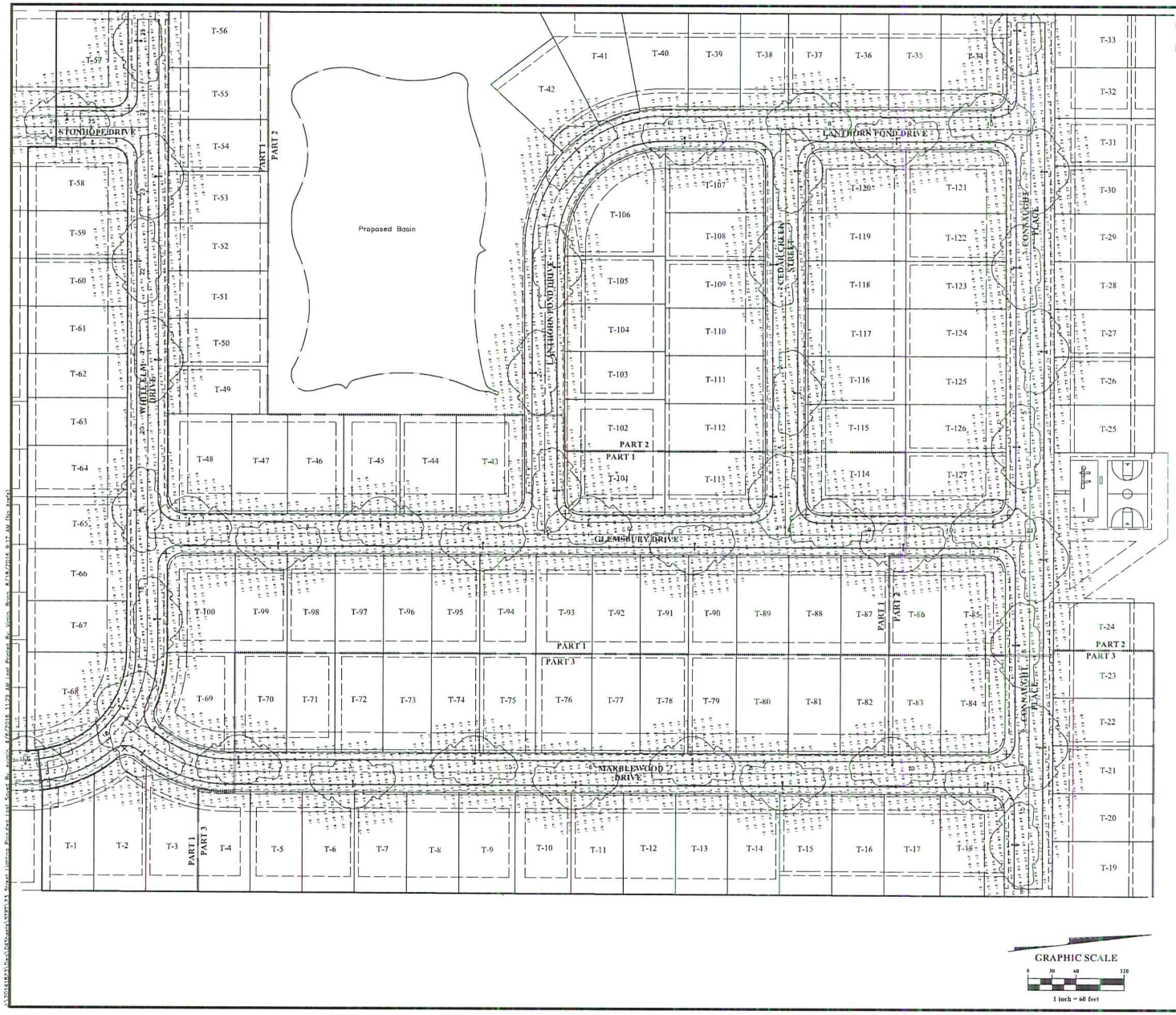
EMHT
Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Fax: 614.775.4800
emht.com

DATE: May, 2016

SCALE: 1"=60'

JOB NO.: 2014T823

SHEET: 25/26



The Contractor is responsible to install Street Lighting in compliance with this plan and City of Delaware Standard Drawings RDWD 34.1, RDWD 34.2, RDWD 34.3 except as noted below in order to maintain continuity with existing Subdivision:

Exception to RDWD 34.2:

Fixture Post
The post shall be a "Martha Washington", manufactured by HAPCO, model 70603-002. The post is a twelve-foot high aluminum tube, tapered four inches to three-inches and supplied with a two piece split base. The post shall be powder coated "Delaware Green" Y539A and match the Holophane fixture.

Post Support
The light pole must be anchored to an round 14-inch by 40-inch deep concrete footing, using the three galvanized anchor bolts provided with the post. The top of the concrete footing must be formed into a 14" x 14" square base with edges chamfered to ¾ inches.

The concrete footing must be installed approximately four-inches above top of curb to allow for easy trimming of grass.

STREET LIGHT TABLE

STREET	PART	℄ STATION	OFFSET
WHITE ELM DRIVE	1	16+42.20	18.5' LT
	1	17+63.00	18.5' RT
	1	19+00.00	18.5' LT
	1	20+89.10	18.5' RT
	1	22+13.20	18.5' LT
	1	23+19.70	18.5' RT
	1	24+89.20	18.5' LT
STONHOPE DRIVE	1	24+69.40	18.5' LT
MARBLEWOOD DRIVE	1	0+42.90	18.5' RT
	3	1+61.40	18.5' LT
	3	3+03.90	18.5' RT
	3	4+55.60	18.5' LT
	3	5+81.40	18.5' RT
	3	7+26.90	18.5' LT
	3	8+39.10	18.5' RT
	3	9+76.00	18.5' LT
	3	10+95.20	18.5' RT
LANTHORN POND DRIVE	1	0+55.00	18.5' RT
	2	2+02.70	18.5' LT
	2	3+35.70	18.5' RT
	2	4+85.80	18.5' LT
	2	6+19.30	18.5' RT
	2	7+74.30	18.5' LT
	2	8+83.60	18.5' RT
	2	10+01.10	18.5' LT
GLEMSBURY DRIVE	1	0+52.30	18.5' LT
	1	1+63.50	18.5' RT
	1	2+91.00	18.5' LT
	1	4+18.50	18.5' RT
	1	5+49.70	18.5' LT
	1	6+82.20	18.5' RT
	1	8+53.20	18.5' LT
	1	9+42.30	18.5' RT
	2	10+54.20	18.5' LT
CEDAR CREEK DRIVE	1	0+52.50	18.5' LT
	2	1+69.90	18.5' RT
	2	3+31.30	18.5' LT
	2	4+62.00	18.5' RT
CONNAUGHT PLACE	2	0+25.00	20.5' RT
	2	1+97.40	20.5' LT
	2	3+17.70	20.5' RT
	2	4+23.30	20.5' LT
	2	5+43.20	20.5' RT
	2	6+84.70	20.5' LT
	2	7+92.40	20.5' RT
	3	9+21.10	20.5' LT
	3	10+42.80	19.0 RT.

PRELIMINARY
NOT TO BE USED FOR CONSTRUCTION

PLAN SET DATE
May, 2016

NOTE:

Street lights must be fully functional and as-builts drawings of the lights and requires spare poles must be declared to public works, prior to acceptance of public improvements (i.e. no building permits). The extra light fixture shall be delivered to the City of Delaware Public Works Department, 50 Ross Street Delaware, Ohio 43015. Contact the City to schedule delivery date and time (740) 203-1810.

A subsequent wiring diagram shall be provided by the electric utility provider prior to construction.

REVISIONS

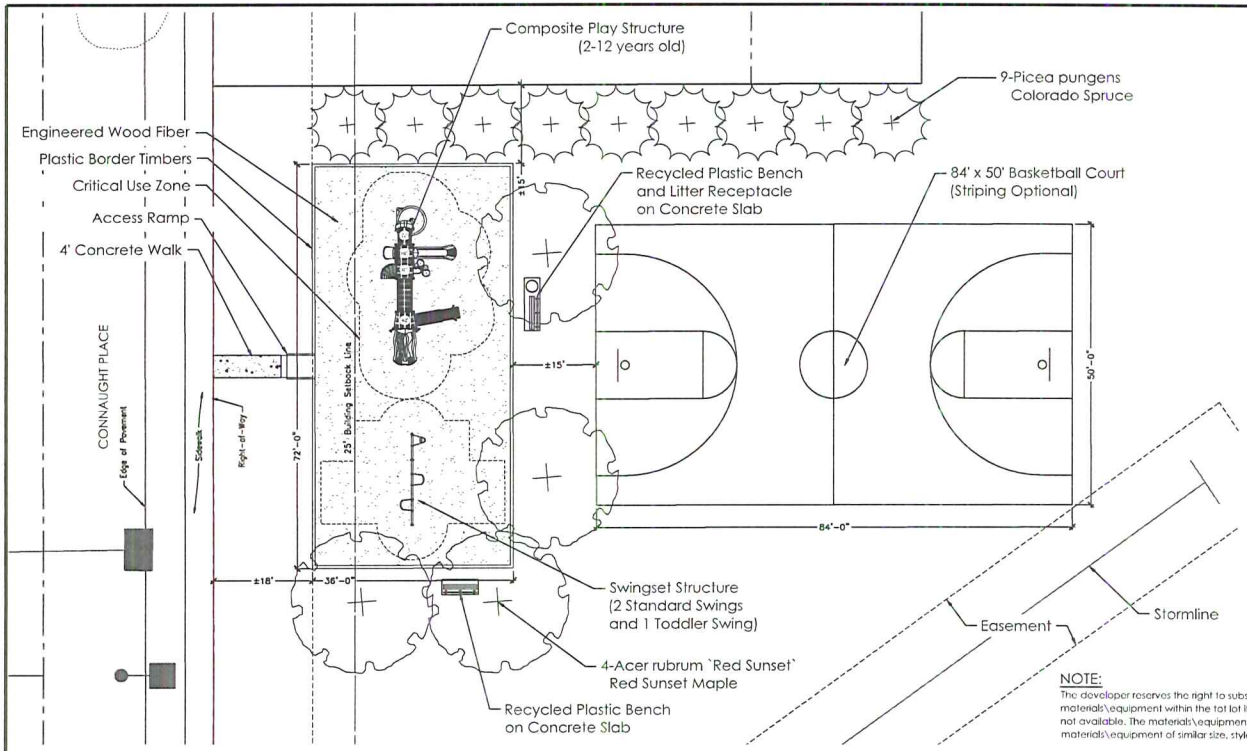
NO.	DATE	DESCRIPTION

M/I HOMES
Move Up
mihomes.com

CITY OF DELAWARE, DELAWARE COUNTY, OHIO
STREET, STORM & WATER IMPROVEMENTS
FOR
LANTERN CHASE
PHASE 2 SECTION 6 PARTS 1, 2 & 3
STREET LIGHTING PLAN

EMH&T
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone 614.775.4500 Toll Free 866.775.5368
emht.com

DATE: May, 2016
SCALE: 1" = 60'
JOB NO.: 20141823
SHEET: 23/26



NOTE:
The developer reserves the right to substitute any or all portions of the materials\equipment within the tot lot if said materials\equipment are not available. The materials\equipment will be substituted with other materials\equipment of similar size, style, quality and cost.

PLAYGROUND ENLARGEMENT

Scale: 1"=10'

GRAPHIC SCALE

Swingset Structure — Composite Play Structure

Play Structures

No Scale

Composite Play Structure

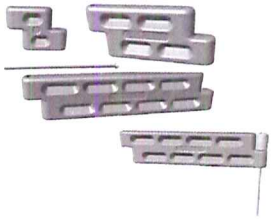
No Scale

Recycled Plastic Bench

No Scale

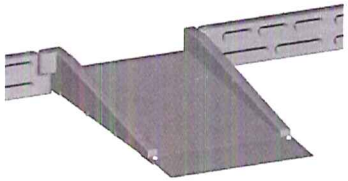
Recycled Plastic Litter Receptacle

No Scale



Border Timbers

No Scale



Access Ramp

No Scale

REVISIONS	
DATE	DESCRIPTION
11-18-2014	REVISED PER STAFF COMMENTS

EMHT
Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 888.775.3648
emht.com

M/I HOMES
mihomes.com

CITY OF DELAWARE, DELAWARE COUNTY, OHIO
PARK ENLARGEMENT PLAN
FOR
LANTERN CHASE

LOCATED IN:
QUARTER TOWNSHIP 3, TOWNSHIP 5, RANGE 19
UNITED STATES MILITARY LANDS
CITY OF DELAWARE, COUNTY OF DELAWARE, STATE OF OHIO

Date	Job No.
NOVEMBER 5, 2014	2013-1425
Scale	Sheet
1"=10'	1/1

PRELIMINARY PLAT FOR LANTERN CHASE

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 10 | DATE: 9/26/16

ORDINANCE NO: 16-78 | RESOLUTION NO:

READING: SECOND | PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David Efland, Planning and Community Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:
AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT (WESTPORT HOMES) FOR LANTERN CHASE PHASE 2 SECTION 6, PART 3 CONSISTING OF 35 SINGLE FAMILY LOTS ON APPROXIMATELY 8.049 ACRES ZONED R-3 (ONE FAMILY RESIDENTIAL DISTRICT) AND LOCATED ON CONNAUGHT PLACE AND MARBLEHEAD DRIVE.

BACKGROUND:
In August 2015 City Council approved Section 6 Part 1 which contained 47 single family lots on 11.974 acres. Now the applicant is proposing Section 6 Part 3 which contains 35 lots on 8.049 acres. Section 6 Part 3 would be accessed from Section 6 Part 1 thru Marblewood Drive which terminates into Connaught Place and is the northern most east/west street of the development. The typical bulk requirements (setbacks, minimum lot width and size) have changed since originally approval in 2001. Therefore per the Amended Preliminary Subdivision Plat approved in December 2014, staff and the developer have negotiated fair zoning bulk requirements based on the previous and existing requirements coupled with the engineering requirements of wider streets and right-of-way. In this section, the lot sizes range from 60-70 foot lot widths with 120-128 foot lot depths (minimum 7,200 square foot lots) while the corner lots are oversized (minimum 80 feet wide) to comply with zoning requirements. The yard setbacks would be: 25 foot front, 30 foot rear and 8 foot side. The houses would be required to comply with the Residential Design Criteria and Performance Standards of Section 1171.08 of the Planning &

Zoning Code. The landscape and lighting plans have been approved by the Shade Tree Commission and Chief Building Official respectively. Also, the proposed plan would have to achieve compliance with the Tree Preservation requirements in Chapter 1168.

REASON WHY LEGISLATION IS NEEDED:
To achieve compliance with Section 1111.04 Final Plat Submission Requirements of the zoning code.

COMMITTEE RECOMMENDATION:
Planning Commission approved this case 6-0 on September 7, 2016.

FISCAL IMPACT(S):
N/A

POLICY CHANGES:
N/A

PRESENTER(S):
David Efland, Planning and Community Development Director

RECOMMENDATION:
Staff recommends approval as submitted with the documented conditions.

ATTACHMENT(S)
Staff Report

ORDINANCE NO. 16-78

AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT (WESTPORT HOMES) FOR LANTERN CHASE PHASE 2 SECTION 6, PART 3 CONSISTING OF 35 SINGLE FAMILY LOTS ON APPROXIMATELY 8.049 ACRES ZONED R-3 (ONE FAMILY RESIDENTIAL DISTRICT) AND LOCATED ON CONNAUGHT PLACE AND MARBLEHEAD DRIVE.

WHEREAS, the Planning Commission at its meeting of September 7, 2016 recommended approval of a Final Subdivision Plat for Lantern Chase Phase 2 Section 6 Part 3 consisting of 35 single family lots on approximately 8.049 acres zoned R-3 (One Family Residential District) and located on Connaught Place and Marblehead Drive (PC 2016-2531), and

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That the Final Subdivision Plat for Lantern Chase Phase 2 Section 6 Part 3 consisting of 35 single family lots on approximately 8.049 acres zoned R-3 (One Family Residential District) and located on Connaught Place and Marblehead Drive, is hereby confirmed, approved, and accepted with the following conditions that:

1. The Applicant needs to obtain final engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department.
2. The right-of-way and street pavement width shall achieve compliance with the City Engineer requirements.
3. The minimum lot size and width and building setbacks shall be per the approved Amended Preliminary Subdivision Plat.
4. The front elevation shall achieve compliance with the minimum requirements of Chapter 1171.08 Residential Development Design Criteria and Performance Standards.
5. The development shall achieve compliance with Chapter 1168 Tree Preservation Regulations.

SECTION 2. 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 Section 121.22 of the Revised Code.

VOTE ON RULE SUSPENSION: YEAS____NAYS____
ABSTAIN ____

PASSED: _____, 2016 YEAS____ NAYS____
ABSTAIN ____

ATTEST: _____ _____
CITY CLERK MAYOR

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 11 | DATE: 9/26/16

ORDINANCE NO: 16-80 | RESOLUTION NO:

READING: SECOND | PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: William L. Ferrigno, Public Works Director/City Engineer

TITLE OF PROPOSED ORDINANCE/RESOLUTION:
AN ORDINANCE SUPPLEMENTING THE 2016 APPROPRIATIONS ORDINANCE TO INCREASE FUNDING FOR THE DESIGN OF THE GLENN PARKWAY EXTENSION NORTH TO BERLIN STATION ROAD.

BACKGROUND:
The city has been in the process of planning for the extension of Glenn Parkway from US23 to US36 for several years following the identification and inclusion of this important north-south arterial connector in the 2001 Thoroughfare Plan. Several phases have now been completed including the recent 2015 reconstruction of the north 1,600 LF section of Glenn Road to US36 including the associated intersection improvement. When completed, Glenn Parkway will provide an alternative route around the south and east side of the city, and serve area development east of the Olentangy River. To date, 1.65 miles of Glenn Parkway have been completed from US23 and north, to its current terminus 1,200 LF north of Sycamore Drive. The next logical phase is to construct a 2,300 LF, two-lane section, with a grass median, to Berlin Station Road terminating at a roundabout. This section when complete will provide a connection to Berlin Station, serving both city and county residents, including establishing an alternate road network link to the Olentangy Schools High School facility under construction to the east. A future phase of construction will establish a grade separated crossing of Glenn Parkway over Berlin Station Road and the Norfolk-Southern railway, and connect to Curve Road approximately 1.5 miles to the north. The design of this section of Glenn

Parkway will fix the alignment for the future grade separation. Through a competitive quality-based selection process, American Structurepoint was selected as the engineering consulting firm for this project.

REASON WHY LEGISLATION IS NEEDED:
A supplemental appropriation in the amount of $360,000 is being proposed to cover the cost of design of this project, as it was not included in the 2016 appropriations ordinance. Other professional services included in this amount are appraisals, appraisal reviews, and right-of-way acquisition specialists.

COMMITTEE RECOMMENDATION:
N/A

FISCAL IMPACT(S):
The supplemental appropriation will reduce the anticipated Glenn Road TIF Fund balance shown in the 2016 budget as $1,427,908. A request for funding will be made as part of the 2017 budgeting process for right-of-way purchases. Pre-appraisal estimates for all property needed south of Berlin Station Road total $1.2M and the current estimated range for total construction costs is $3.5M-$4.5M (targeting full construction in 2018).

POLICY CHANGES:
N/A

PRESENTER(S):
William L. Ferrigno, P.E. – Public Works Director/City Engineer

RECOMMENDATION:
Approval at second reading.

ATTACHMENT(S)
Concept Alignment Plan View Exhibit

ORDINANCE NO. 16-80

AN ORDINANCE SUPPLEMENTING THE 2016 APPROPRIATIONS ORDINANCE TO INCREASE FUNDING FOR THE DESIGN OF THE GLENN PARKWAY EXTENSION NORTH TO BERLIN STATION ROAD.

WHEREAS, the City has planned for the extension of Glenn Parkway from its current terminus north of Sycamore Drive, north to a new intersection with Berlin Station Road, and

WHEREAS, the City requires assistance from a qualified transportation engineer for the design of the proposed roadway extension, including plan preparation, storm water analysis, right of way plan development, site survey, appraisals, soil analysis, and archaeological and wetland review and coordination, and

WHEREAS, the City has evaluated proposals received from engineering firms and made recommendation to enter into agreement for design services, and

WHEREAS, the cost of designing the road extension was not included in the approved 2016 appropriations ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF DELAWARE, OHIO THAT:

SECTION 1. There is hereby appropriated from the unencumbered balance of the Glenn Road TIF Fund, $360,000.00 increasing the following account:

Professional Services	236-2360-5230	$360,000.00

SECTION 2. 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 Section 121.22 of the Ohio Revised Code.

VOTE ON RULE SUSPENSION: YEAS____NAYS____
ABSTAIN ____

PASSED: _____, 2016 YEAS____ NAYS____
ABSTAIN ____

ATTEST: _____ _____
CITY CLERK MAYOR

Figure 3

CONCEPTUAL GLENN PARKWAY EXTENSION
0 100
50 200
HORIZONTAL SCALE IN FEET
N
GLENN PARKWAY
BIKEPATH
FUTURE GRADE SEPARATION
PROPOSED CULVERT
RAILROAD
BERLIN STATION RD
R/W
Ex R/W

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 12 | DATE: 9/26/16

ORDINANCE NO: 16-85 | RESOLUTION NO:

READING: SECOND | PUBLIC HEARING: YES
September 26, 2016 at 7:30 p.m.

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Bruce Pijanowski, Chief of Police

TITLE OF PROPOSED ORDINANCE/RESOLUTION:
AN ORDINANCE AMENDING SECTIONS OF THE CITY OF DELAWARE'S CODIFIED ORDINANCES PERTAINING TO PARKING AND TRAFFIC: SECTIONS 197.02 (FEE SCHEDULE AS IT PERTAINS TO PARKING TICKETS), 351.03 (PROHIBIT STANDING OR PARKING PLACES), 351.14 (HEAVY VEHICLES AND TRAILERS), and 351.19 (ENFORCEMENT; VIOLATION NOTICE; WAIVER).

BACKGROUND:
197.02 - It has been discovered that the fine for 353.08(a)(2) parking outside of the lines was not clearly identified in the fee schedule (197.02 of the Delaware Codified Ordinance.) While it can be concluded that parking over the lines can be considered prohibited parking, this ordinance will clean up the issue and make it clear that the violation for parking over the line is $25.00 by adding it to the fee schedule for parking violations.

351.03 - There was recently a safety concern with vehicles parking too closely to a mid-block crosswalk. This obstructed pedestrian's views, as well as made it difficult for motorists to see pedestrians that were preparing to cross. While applying some enforcement to the issue, it was discovered that the language of the current ordinance (351.03 of the Delaware Codified Ordinance) prohibits parking within 20 feet of a crosswalk at an intersection. This language excludes mid-block crosswalks. This legislation will remove the requirement

that the crosswalk be located at an intersection, which will allow enforcement at all crosswalks.

351.14 - While working through a neighborhood issue regarding the parking of a commercial vehicle on a city street, it was learned that the language in the Delaware ordinance related to the parking of trucks or vehicle was outdated. Current language in 351.14 (D) of the Delaware Codified Ordinance carries prohibitions against the parking of a truck or commercial vehicle of a rated weight of more than one ton. The "one ton" terminology is confusing, outdated, and has been replaced by vehicle classes. This ordinance will change the prohibition from a gross vehicle rating of one ton to a class rating of Class 4.

351.19 - It has recently been discovered that Delaware Codified Ordinance 351.19 that addresses fines for handicap parking violations is not consistent with the Ohio Revised Code. The fine for a violation of the Delaware Codified Ordinance is $40.00; however, 4521.02 of the Ohio Revised Code require that any local ordinance be consistent with the O.R.C., which would require a change in the penalty to at least $250.00 and not more than $500.00.

REASON WHY LEGISLATION IS NEEDED:

197.02 - This legislation will clear up any confusion or potential holes in the fee schedule as it pertains to parking over the line.

351.03 - This legislation will correct an oversight and create a standard that bars vehicles from parking within 20 feet of any crosswalk.

351.14 - This legislation will update language and make it easier to explain the prohibitions. Our current language causes confusion due to the weight reference. In the incident at hand, the offended parties could not understand how a vehicle that was legally parking was able to do so when the vehicle with load weighed more than one ton. The class distinction will be easier to explain.

351.19 - This legislation is needed to bring the City of Delaware into compliance with 4521.02 of the Ohio Revised Code, which requires that any fine for the violation of a handicap parking ordinance be at least $250.00 and not more than $500.00.

COMMITTEE RECOMMENDATION:

Parking and Safety approved the recommendation by a 3-0 vote.

FISCAL IMPACT(S):

351.19 - Increase in fine money generated for all handicap parking violations.

POLICY CHANGES:

None

PRESENTER(S):
Chief Bruce Pijanowski, Police Dept.

RECOMMENDATION:
Approval

ATTACHMENT(S)
N/A

ORDINANCE NO. 16-85

AN ORDINANCE AMENDING SECTIONS OF THE CITY OF DELAWARE'S CODIFIED ORDINANCES PERTAINING TO PARKING AND TRAFFIC: SECTIONS 197.02 (FEE SCHEDULE AS IT PERTAINS TO PARKING TICKETS), 351.03 (PROHIBIT STANDING OR PARKING PLACES), 351.14 (HEAVY VEHICLES AND TRAILERS), and 351.19 (ENFORCEMENT; VIOLATION NOTICE; WAIVER).

WHEREAS, the Parking and Safety Committee at its meeting of May 16, 2016 recommended approval of a package of amendments to Delaware Codified Ordinances to improve parking and traffic in the City;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF DELAWARE, OHIO THAT:

SECTION 1. Section 197.02 of the Delaware Codified Ordinance is amended to include violations of parking over the line in the fee schedule as follows:

351.99, 351.04	Parking Tickets	$7.00 over time if paid by midnight (meter) $10.00 over time if not paid by midnight $40.00 over limit (2 hour parking) $25.00 parking in prohibited spot **$25 PARKING OUTSIDE OF LINES** If the vehicle has accumulated three tickets (over time, over limit, prohibited spot) in 30 days or five or more tickets in 60 days, the ticket fee will be doubled. **$250 HANDICAPPED PARKING VIOLATION, FIRST VIOLATION** **$300 HANDICAPPED PARKING VIOLATION, SECOND VIOLATION** **$500 HANDICAPPED PARKING VIOLATION, THIRD AND SUBSEQUENT VIOLATIONS** $20.00 late fee for tickets over 30 days old $5.00 billing fee

SECTION 2. Section 351.03 (Prohibited standing or parking places) of the Delaware Codified Ordinance is amended to restrict parking within 20 feet of any crosswalk as follows:

351.03. - Prohibited standing or parking places.

No person shall stand or park a vehicle, except when necessary to avoid conflict with other traffic or to comply with the provisions of this Traffic Code, or while obeying the directions of a police officer or a traffic control device, in any of the following places:

(a) On a sidewalk, curb or street lawn area, except a bicycle;
(b) In front of a public or private driveway;
(c) Within an intersection;
(d) Within ten feet of a fire hydrant;
(e) On a crosswalk;
(f) Within twenty feet of a crosswalk ~~at an intersection~~;

SECTION 3. Section 351.14 of the Delaware Codified Ordinance is amended to change the gross vehicle rating of one ton to the class rating of class 4 as follows:

351.14. - Heavy vehicles and trailers.

(a) No operator or driver of any motor truck used for the delivery of merchandise to any retail dealer in the City, if prevented by lack of space from parking such truck in accordance with the parking regulations of the City, shall permit such truck to stand in or upon any street or alley for more than thirty minutes without the permission of the Police Department.
(b) No person shall permit a motor vehicle or truck-trailer combination with an overall length of more than thirty feet, farm or construction equipment or combination thereof with an overall length of more than twenty-two feet, or unattached trailer, to be parked on any street or alley for more than one hour without the permission of the Police Department.
(c) No person shall park any vehicle having a diesel engine and/or refrigeration unit in a residential area, or within 200 feet of a residential area, as indicated by the Zoning Map, for longer than ten minutes with either or both of such engines running.
(d) No person shall permit a ~~truck or commercial~~ **CLASS 4** vehicle ~~of a rated weight of more than one ton~~ to be parked on any street or on any residential premises in any R District for more than one hour without the permission of the Police Department, provided that nothing herein shall prevent the parking of such vehicle in a fully enclosed garage or similar permanent structure.

SECTION 4. Section 351.19 (Enforcement; violation notice; waiver) of the Delaware Codified Ordinance is amended to increase the fine for handicap violations to a minimum of $250.00 and a maximum of $500.00 as follows:

351.19. - Enforcement; violation notice; waiver.

(a) It shall be the duty of a Police Officer, Parking Control Officer or a Community Service Officer to report:
    (1) The location indicating that the vehicle is in violation of any of the provisions of this chapter;

(2) The state license number of such vehicle;
(3) The time during which such vehicle is parked in violation of any provisions of this chapter; and
(4) Any other facts knowledge of which is necessary to a thorough understanding of the circumstances attending such violation.

(b) Each such officer shall affix to such vehicle a notice to the owner or operator thereof that such vehicle has been parked in an illegal manner and in violation of the provisions of this chapter, and instructing such owner or operator in regard to the penalties and methods of satisfying them.

(c) Each such owner or operator referred to above may plead guilty and, as a penalty for and in full satisfaction of such violation **SHALL PAY THE FEE LISTED IN THE FEE SCHEDULE ESTABLISHED IN 197.02**, except violation of Section 351.04(f), **WHICH SHALL BE PAID UNDER THE HANDICAPPED PARKING VIOLATION IN THE FEE SCHEDULE**. ~~shall pay the Police Department fifteen dollars ($15.00). For the first violation of Section 351.04(f), the penalty shall be forty dollars ($40.00). For subsequent violations of Section 351.04(f), the penalty shall be increased in additional increments of twenty-five dollars ($25.00) for each subsequent violation, resulting in a sixty-five dollar ($65.00) penalty for a second violation, ninety dollars ($90.00) for a third violation, and so forth, up to a maximum of one thousand dollars ($1,000.00)~~.

(d) The penalty shall be paid in the following ways:
(1) In person at the Police Department in the Justice Center;
(2) By depositing the fine in the envelope provided and dropping the envelope in the fine boxes provided; or
(3) By depositing the fine in the envelope provided, placing a stamp thereon and mailing the same.

(e) If the owner or operator does not wish to plead guilty, such owner or operator, within seventy-two hours of the time such notice was attached to such vehicle, may appear in the Municipal Court. The failure of such owner or operator to pay such fine in one of the prescribed ways or to appear in the Municipal Court, within the periods of time specified herein, shall render such owner or operator subject to the penalties provided for a violation of any of the provisions in this chapter.

(f) If the owner or operator does not either plead guilty or appear in the Municipal Court within seventy-two hours of the time such notice was attached to such vehicle, there will be an additional five dollar ($5.00) mailing fee for each citation that generates a mailed notice during the normal mailing cycle.

(g) If a parking violation ticket is not paid in full within thirty days of issuance, such fine shall be increased by an additional ten dollars ($10.00) per violation.

SECTION 5. 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 Section 121.22 of the Ohio Revised Code.

VOTE ON RULE SUSPENSION: YEAS____NAYS____
ABSTAIN ____

PASSED: _____, 2016 YEAS____ NAYS____
ABSTAIN ____

ATTEST: _____ _____
CITY CLERK MAYOR

City of Delaware ● Finance Department

MEMO

TO: City Council

FROM: Dean Stelzer, Finance Director

DATE: September 8, 2016

SUBJECT: Bond Legislation

The City Council meeting agenda for 9/12/16 includes three bond issuance authorization ordinances. The following is a quick summary of what is being proposed:

Refunding Existing General Obligation Bonds

In 2006 The City issued $8,740,000 in long-term (25 year) general obligation bonds to finance seven different projects/acquisitions:

Airport T-hangar Construction	$1,145,000
Kingman Hill Water Tower	$3,545,000
23 North Sewer	$1,000,000
Miller Implement Property Acquisition	$ 475,000
Curve Rd. Landfill Remediation	$ 475,000
Houk Rd. Improvements	$ 600,000
Mingo Office and Pool Improvements	$1,500,000
	$8,740,000

The bonds issued had a 10 year call provision which enables the city to payoff and re-issue the **$4,050,000** of remaining outstanding bonds as of 12/1/16. Doing so will result in total interest savings of approximately $668,500 over the remaining 15 years of the bonds. The current bonds will pay out over the next 15 years @ an average rate of 4.632%. Refunding and re-issuing the debt over the same 15 year term would result in an estimated average interest rate of 2.34%. Factoring in projected issuance costs of $75,000 pushes the all-in average interest rate to 2.592% resulting in the projected savings of $668,500.

Finance Department • City Hall • 1 South Sandusky Street • Delaware, Ohio 43015
financedepartment@delawareohio.net • 740.203.1200 • Fax 740.203.1224

New (Additional) Borrowing

Fire Station 304 **$4,000,000**

This borrowing will finance construction of the City's 4th fire station at the corner of Cheshire and Glenn Road. The payback period will be either 10 years or 15 years depending on cash flow issues and the interest rate advantage of the shorter term. Fire/EMS tax levy receipts will provide the funds to pay back this debt.

Public Works Roof **$400,000**

This borrowing will finance the roof repairs to the Public Works facility and will be paid back over a ten year period.

Both the Fire Station 304 and the Public Works roof repairs were included in the 2016 and 2017 CIP and the 2016 Budget.

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 13 | DATE: 9/26/16

ORDINANCE NO: 16-89 | RESOLUTION NO:

READING: SECOND | PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Dean Stelzer, Finance Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:
AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF $4,250,000 FOR THE PURPOSE OF PAYING THE COSTS OF REFUNDING BONDS PREVIOUSLY ISSUED BY THE CITY FOR THE PURPOSE OF PAYING THE COSTS OF VARIOUS PUBLIC INFRASTRUCTURE PROJECTS, AND DECLARING AN EMERGENCY.

BACKGROUND:
This ordinance authorizes the re-financing of general obligations bonds originally issued in 2006. The original issue was for 25 years with a call provision after 10 years. With interest rates very low for long term bonds we can issue 15 year refunding bonds that will save over $500,000 in interest costs over the remaining 15 years of the issue.

REASON WHY LEGISLATION IS NEEDED:
City Council approval is necessary to issue debt. The ordinance includes an emergency clause just in case interest rates start to rise. We otherwise intend to go to 3 readings with the legislation.

COMMITTEE RECOMMENDATION:
Finance Committee - approval

FISCAL IMPACT(S):
Will reduce future debt service charges over the next 15 years.

POLICY CHANGES:
N/A

PRESENTER(S):
Dean Stelzer, Finance Director

RECOMMENDATION:
Go to second reading

ATTACHMENT(S)
Supplemental Fiscal Officers Certificate.

ORDINANCE NO. 16-89

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF $4,250,000 FOR THE PURPOSE OF PAYING THE COSTS OF REFUNDING BONDS PREVIOUSLY ISSUED BY THE CITY FOR THE PURPOSE OF PAYING THE COSTS OF VARIOUS PUBLIC INFRASTRUCTURE PROJECTS, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 06-45 passed March 27, 2006 (the "*2006 Bond Ordinance*"), bonds in the aggregate principal amount of $5,690,000, dated June 6, 2006 (the "*2006 Bonds*"), were issued for the purposes described in Section 2; and

WHEREAS, this City Council finds and determines that it will be in the City's best interest to issue general obligation bonds in accordance with Chapter 133 of the Ohio Revised Code in the maximum principal amount of $4,250,000 (the "*Bonds*") in order to refund at a lower rate of interest all or a portion of the outstanding 2006 Bonds (collectively, the "*Outstanding 2006 Bonds*"), which Outstanding 2006 Bonds are subject to prior redemption at the option of the City at a redemption price of 100% of par plus any accrued interest to their redemption date, and to pay any expenses relating to that refunding and the issuance of the Bonds; and

WHEREAS, this City Council has requested that the Director of Finance, as fiscal officer of this City, certify the estimated life or period of usefulness of the Improvement described in Section 2 and the maximum maturity of the Bonds described in Section 2; and

WHEREAS, the Director of Finance has certified to this City Council that the estimated life or period of usefulness of each component of the Improvement is at least five (5) years and that the maximum maturity of the Bonds is (a) December 1, 2031 for the component purpose described in clause (a)(i) of Section 2, (b) December 1, 2046 for the component purpose described in clause (a)(ii) of Section 2 and (c) December 1, 2036 for the component purpose described in clause (a)(iii) of Section 2;

NOW, THEREFORE, BE IT ORDAINED by The Council of The City of Delaware, State of Ohio, that:

Section 1. Definitions and Interpretation. In addition to the words and terms elsewhere defined in this Ordinance, unless the context or use clearly indicates another or different meaning or intent:

"*Authorized Denominations*" means the denominations set forth in the Certificate of Award.

"*Bond Proceedings*" means, collectively, this Ordinance, the Certificate of Award, the Escrow Agreement and such other proceedings of the City, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds, and to the extent it is determined necessary by the Director of Finance in the Certificate of Award, the Continuing Disclosure Agreement, the Purchase Agreement and the Registrar Agreement.

"*Bond Register*" means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

"*Bond Registrar*" means the Director of Finance or a bank or trust company authorized to do business in the State of Ohio and designated by the Director of Finance in the Certificate of Award pursuant to Section 4 as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds under the Registrar Agreement, to the extent a Registrar Agreement is determined necessary by the Director of Finance in the Certificate of Award, and either until appointment of a successor Bond Registrar or a successor Bond Registrar shall have become such pursuant to the provisions of the Registrar Agreement (if any) and, thereafter, "*Bond Registrar*" shall mean the successor Bond Registrar.

"*Bonds*" means, collectively, the Serial Bonds and the Term Bonds, each as is designated as such in the Certificate of Award.

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

"*Certificate of Award*" means the certificate authorized by Section 6, to be executed by the Director of Finance, setting forth and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Ordinance requires or authorizes to be set forth or determined therein.

"*City Clerk*" means the City Clerk of the City.

"*City Manager*" means the City Manager of the City.

"*Closing Date*" means the date of physical delivery of, and payment of the purchase price for, the Bonds.

"*Code*" means the Internal Revenue Code of 1986, the Regulations (whether temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a Section of the Code includes any applicable successor section or provision and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that Section.

"*Continuing Disclosure Agreement*" means the Continuing Disclosure Agreement which to the extent it is determined necessary by the Director of Finance in the Certificate of Award, shall constitute the continuing disclosure agreement made by the City for the benefit of the holders and beneficial owners of the Bonds in accordance with the Rule, as it may be modified from the form on file with the City Clerk and executed by the City Manager and the Director of Finance, all in accordance with Section 9(c).

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

"*Director of Finance*" means the Director of Finance of the City.

"*Escrow Agreement*" means the Escrow Agreement between the City and the Escrow Trustee, as it may be modified from the form on file with the City Clerk and executed by the City Manager and the Director of Finance, all in accordance with Section 10.

"*Escrow Fund*" means the City of Delaware, Ohio – Series 2016 Refunding Escrow Fund created pursuant to Section 10 and in accordance with the Escrow Agreement.

"*Escrow Trustee*" means a bank or trust company authorized to do business in the State of Ohio and designated by the Director of Finance in the

Certificate of Award pursuant to Section 10 as the initial escrow trustee for the Refunded Bonds under the Escrow Agreement and until a successor Escrow Trustee shall have become such pursuant to the provisions of the Escrow Agreement and, thereafter, "*Escrow Trustee*" shall mean the successor Escrow Trustee.

"*Financing Costs*" shall have the meaning given in Section 133.01 of the Ohio Revised Code.

"*Interest Payment Dates*" means the date or dates in each year that the Bonds are outstanding, and commencing on such date, all as shall be specified in the Certificate of Award.

"*Mandatory Redemption Date*" shall have the meaning set forth in Section 3(b).

"*Mandatory Sinking Fund Redemption Requirements*" shall have the meaning set forth in Section 3(e)(i).

"*Original Purchaser*" means the purchaser of the Bonds specified in the Certificate of Award.

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

"*Principal Payment Dates*" means the date or dates in each of the years as determined by the Director of Finance in the Certificate of Award, *provided* that the first Principal Payment Date for the portion of the Bonds allocable to a component purpose shall occur no later than the earliest maturity date of the Refunded Bonds related to that component purpose, and *provided further* that in no case shall the final Principal Payment Date of the portion of the Bonds allocable to any component purpose exceed the maximum maturity limitation referred to in the preambles hereto for that related component purpose, all of which determinations shall be made by the Director of Finance in the Certificate of Award in such manner as to be in the best interest of and financially advantageous to the City.

"*Purchase Agreement*" means the Bond Purchase Agreement which to the extent it is determined necessary by the Director of Finance in the Certificate of Award, shall be between the City and the Original Purchaser, as it may be modified from the form on file with the City Clerk and executed by the City Manager and the Director of Finance, all in accordance with Section 6.

"*Redemption Date*" means the date designated by the Director of Finance in the Certificate of Award as the earliest practicable date on which the Refunded Bonds shall be redeemed in accordance with Section 10, *provided* that such Redemption Date shall be no later than ninety (90) days following the Closing Date.

"*Refunded Bonds*" means, collectively, the principal maturities of the Outstanding 2006 Bonds to be determined by the Director of Finance in the Certificate of Award as the maturities the refunding of which will be in the best interest of and to the financial advantage of the City.

"*Registrar Agreement*" means the Bond Registrar Agreement which to the extent it is determined necessary by the Director of Finance in the Certificate of Award, shall be between the City and the Bond Registrar, as it may be modified from the form on file with the City Clerk and executed by the City Manager and the Director of Finance, all in accordance with Section 4.

"*Regulations*" means Treasury Regulations issued pursuant to the Code or to the statutory predecessor of the Code.

"*Rule*" means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

"*SEC*" means the Securities and Exchange Commission.

"*Serial Bonds*" means those Bonds designated as such and maturing on the dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

"*Term Bonds*" means those Bonds designated as such and maturing on the date or dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

Section 2. Authorized Principal Amount and Purpose; Application of Proceeds. This Council determines that it is necessary and in the best interest of the City to issue bonds of this City in the maximum principal amount of $4,250,000 (the "*Bonds*") for the purpose of paying the costs of refunding bonds previously issued by the City for the purpose of (i) improving the municipal airport by constructing hangars, related taxiways, storm sewers and

water lines, installing fire hydrants and providing all necessary appurtenances, (ii) improving the City's water distribution system by constructing a new water storage tank, together with all necessary appurtenances thereto and (iii) extending the City's municipal sewer system, including the acquisition of interests in real estate, together with all related work and appurtenances thereto (collectively, the "*Improvement*"). The Bonds shall be issued pursuant to Chapter 133 of the Ohio Revised Code, the Charter of the City, this Ordinance and the Certificate of Award.

The principal amount of Bonds to be issued shall not exceed the maximum principal amount specified in this Section 2 and shall be an amount determined by the Director of Finance in the Certificate of Award to be the principal amount of Bonds that is required to be issued at this time for the purpose stated in this Section 2, taking into account the costs of refunding the Refunded Bonds, other City monies available for the purpose, the estimates of the Financing Costs and the interest rates on the Bonds. The Refunded Bonds shall be determined by the Director of Finance in the Certificate of Award as the maturities of the Outstanding 2006 Bonds the refunding of which will be in the best interest of and to the financial advantage of the City.

The proceeds from the sale of the Bonds received by the City (or withheld by the Original Purchaser on behalf of the City) shall be paid into the proper fund or funds, and those proceeds are hereby appropriated and shall be used for the purpose for which the Bonds are being issued, including without limitation but only to the extent not paid by others, the payment of the costs of issuing and servicing the Bonds, printing and delivery of the Bonds, legal services including obtaining the approving legal opinion of bond counsel, fees and expenses of any municipal advisor, paying agent, escrow trustee, verification consultant and rating agency, any fees or premiums relating to municipal bond insurance or other security arrangements determined necessary by the Director of Finance, and all other Financing Costs and costs incurred incidental to those purposes. The Certificate of Award, and to the extent it is determined necessary by the Director of Finance in the Certificate of Award, the Purchase Agreement may authorize the Original Purchaser to withhold certain proceeds from the purchase price of the Bonds to provide for the payment of Financing Costs related to the Bonds on behalf of the City. Any portion of those proceeds received by the City representing premium (after payment of any Financing Costs identified in the Certificate of Award or the Purchase Agreement (if any)) shall be used to pay costs of refunding the Refunded Bonds and/or be paid into the Bond Retirement Fund, with such determination being made by the Director of Finance in the Certificate of Award, consistent with the Director of Finance's determination of the best interest of and financial advantages to the City. Any portion of those proceeds received by the City representing accrued interest shall be paid into the Bond Retirement Fund.

Section 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be issued in one lot and only as fully registered bonds, in Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The Bonds shall be dated as provided in the Certificate of Award, *provided* that their dated date shall not be more than sixty (60) days prior to the Closing Date. If requested by the Original Purchaser, the Director of Finance is hereby authorized to prepare one bond representing the aggregate principal amount of Bonds maturing on all of the Principal Payment Dates, all as set forth in the Certificate of Award.

(a) Interest Rates and Payment Dates. The Bonds shall bear interest at the rate or rates per year and computed on the basis as shall be determined by the Director of Finance, subject to subsection (c) of this Section, in the Certificate of Award. Interest on the Bonds shall be payable at such rate or rates on the Interest Payment Dates until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) Principal Payment Schedule. The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements on the Principal Payment Dates in principal amounts as shall be determined by the Director of Finance, subject to subsection (c) of this Section, in the Certificate of Award, which determination shall be in the best interest of and financially advantageous to the City.

Consistent with the foregoing and in accordance with the determination of the best interest of and financial advantages to the City, the Director of Finance shall specify in the Certificate of Award (i) the aggregate principal amount of Bonds to be issued as Serial Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date and (ii) the aggregate principal amount of Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (each a "*Mandatory Redemption Date*") and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Mandatory Redemption Date.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Bonds and the principal amount of Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each

Principal Payment Date, shall be such as to demonstrate a net present value savings to the City due to the refunding of the Refunded Bonds, after taking into account all expenses related to that refunding and the issuance of the Bonds.

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Bonds shall be payable when due upon presentation and surrender of the Bonds at the designated office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day of the calendar month next preceding that Interest Payment Date. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the Director of Finance, in the name and on behalf of the City, in connection with the book entry system.

(e) Redemption Provisions. The Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund redemption requirements, at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those Dates, for which provision is made in the Certificate of Award (such Dates and amounts being referred to as the "*Mandatory Sinking Fund Redemption Requirements*").

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on any Term Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that Date the principal amount of Term Bonds payable on that Date pursuant to the Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The City shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the City, as specified by the Director of Finance, for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so delivered.

That option shall be exercised by the City on or before the 45th day preceding any Mandatory Redemption Date with respect to which the City wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Director of Finance, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so delivered. If the certificate is not timely furnished to the Bond Registrar, the current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the Director of Finance, also shall be received by the City for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so delivered, redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Director of Finance, for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. The Bonds of the maturities and interest rates specified in the Certificate of Award (if any are so specified) shall be subject to optional redemption by and at the sole option of the City, in whole or in part in integral multiples of Authorized Denominations, on the dates and at the redemption prices (expressed as a percentage of the principal amount to be redeemed), plus accrued interest to the redemption date, to be determined by the Director of Finance in the Certificate of Award; *provided* that the redemption price for any optional redemption date shall not be greater than 103%.

If optional redemption of Term Bonds at a redemption price exceeding 100% of the principal amount to be redeemed is to take place as of any Mandatory Redemption Date applicable to those Term Bonds, the Term Bonds, or portions thereof, to be redeemed optionally shall be

selected by lot prior to the selection by lot of the Term Bonds of the same maturity (and interest rate within a maturity if applicable) to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements. Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the Director of Finance to the Bond Registrar, given upon the direction of the City by passage of an ordinance or adoption of a resolution. That notice shall specify the redemption date and the principal amount of each maturity (and interest rate within a maturity if applicable) of Bonds to be redeemed, and shall be given at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

(iii) Partial Redemption. If fewer than all of the outstanding Bonds are called for optional redemption at one time and Bonds of more than one maturity (or interest rate within a maturity if applicable) are then outstanding, the Bonds that are called shall be Bonds of the maturity or maturities and interest rate or rates selected by the City. If fewer than all of the Bonds of a single maturity (or interest rate within a maturity if applicable) are to be redeemed, the selection of Bonds of that maturity (or interest rate within a maturity if applicable) to be redeemed, or portions thereof in amounts of Authorized Denominations or any integral multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than the Authorized Denominations are then outstanding, each unit of principal thereof in the amount of an Authorized Denomination shall be treated as if it were a separate Bond of the denomination equal to an Authorized Denomination. If it is determined that one or more, but not all, of the units of principal amount equal to an Authorized Denomination and represented by a Bond are to be called for redemption, then, upon notice of redemption of a unit or units equal to an Authorized Denomination, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (A) for payment of the redemption price of the unit or units of principal amount equal to an Authorized Denomination and called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (B) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D)

the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the City by mailing a copy of the redemption notice by first-class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the 15th day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, subject to the provisions of Sections 3(d) and 5, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds; *provided* that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the City to the extent not required for the payment of the Bonds called for redemption.

Section 4. Execution and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be signed by the City Manager and the Director of

Finance, in the name of the City and in their official capacities, *provided* that either or both of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Director of Finance, shall be numbered as determined by the Director of Finance in order to distinguish each Bond from any other Bond, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to Chapter 133 of the Ohio Revised Code, the Charter of the City, this Ordinance and the Certificate of Award.

The Director of Finance is hereby authorized to designate in the Certificate of Award the Director of Finance or a bank or trust company authorized to do business in the State of Ohio to act as the initial Bond Registrar. To the extent it is determined necessary by the Director of Finance in the Certificate of Award, the City Manager and the Director of Finance shall sign and deliver, in the name and on behalf of the City, the Registrar Agreement between the City and the Bond Registrar, in a form as is approved by the City Manager and the Director of Finance and now on file with the City Clerk. The Registrar Agreement is approved, together with any changes or amendments that are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved by the City Manager and the Director of Finance on behalf of the City, all of which shall be conclusively evidenced by the signing of the Registrar Agreement or amendments thereto. The Director of Finance shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Registrar Agreement, except to the extent paid or reimbursed by the Original Purchaser in accordance with the Certificate of Award and, to the extent it is determined necessary by the Director of Finance in the Certificate of Award, the Purchase Agreement (if any), from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond Proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond Proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Director of Finance on behalf of the City. The same person need not sign the certificate of authentication on all of the Bonds.

Section 5. Registration; Transfer and Exchange; Book Entry System.

(a) Bond Register. So long as any of the Bonds remain outstanding, the City will cause the Bond Registrar to maintain and keep the Bond Register at its designated office. Subject to the provisions of Sections 3(d) and 9(c), the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond Proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the City nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the City's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the designated office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the designated office of the Bond Registrar together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the City are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the City. In all cases of Bonds exchanged or transferred, the City shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond Proceedings. The exchange or transfer shall be without charge to the owner, except that the City and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the City, evidencing the same debt, and entitled to the same security and benefit under the Bond Proceedings as the Bonds surrendered upon that exchange or transfer. Neither the City nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) Book Entry System. Notwithstanding any other provisions of this Ordinance, if the Director of Finance determines in the Certificate of Award that it is in the best interest of and financially advantageous to the City, the Bonds may be issued in book entry form in accordance with the following provisions of this Section.

The Bonds may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized: (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity, and, if applicable, each interest rate within a maturity, and registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository or its designated agent for that purpose, which may be the Bond Registrar; (ii) the beneficial owners of Bonds in book entry form shall have no right to receive Bonds in the form of physical securities or certificates; (iii) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

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

The Director of Finance is hereby authorized and directed, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the City, that the Director of Finance determines to be necessary in connection with a book entry system for the Bonds.

Section 6. Sale of the Bonds to the Original Purchaser. The Director of Finance is authorized to sell the Bonds at private sale to the Original Purchaser at a purchase price, not less than 97% of the aggregate principal amount thereof, as shall be determined by the Director of Finance in the Certificate of Award, plus accrued interest (if any) on the Bonds from their date to the

Closing Date, and shall be awarded by the Director of Finance with and upon such other terms as are required or authorized by this Ordinance to be specified in the Certificate of Award, in accordance with law, and the provisions of this Ordinance and, to the extent it is determined necessary by the Director of Finance in the Certificate of Award, the Purchase Agreement. The Director of Finance is authorized, if it is determined to be in the best interest of the City, to combine the issue of Bonds with one or more other bond issues of the City into a consolidated bond issue pursuant to Section 133.30(B) of the Ohio Revised Code in which case a single Certificate of Award may be utilized for the consolidated bond issue if appropriate and consistent with the terms of this Ordinance.

The Director of Finance shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price.

To the extent it is determined necessary by the Director of Finance in the Certificate of Award, the City Manager and the Director of Finance shall sign and deliver, in the name and on behalf of the City, the Purchase Agreement between the City and the Original Purchaser, in a form as is approved by the City Manager and the Director of Finance and now on file with the City Clerk, providing for the sale to, and the purchase by, the Original Purchaser of the Bonds. The Purchase Agreement is approved, together with any changes or amendments that are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved by the City Manager and the Director of Finance on behalf of the City, all of which shall be conclusively evidenced by the signing of the Purchase Agreement or amendments thereto.

The Mayor, the City Manager, the Director of Finance, the City Attorney, the City Clerk and other City officials, as appropriate, each are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance.

Section 7. Provision for Tax Levy. There shall be levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to

all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due.

In each year to the extent net revenues from the municipal water utility are available for the payment of the debt charges on the portion of the Bonds issued for the component purpose described in clause (a)(ii) of Section 2 and are appropriated for that component purpose, the amount of the tax shall be reduced by the amount of such net revenues so available and appropriated.

In each year to the extent net revenues from the municipal sewer utility are available for the payment of the debt charges on the portion of the Bonds issued for the component purpose described in clause (a)(iii) of Section 2 and are appropriated for that component purpose, the amount of the tax shall be reduced by the amount of such net revenues so available and appropriated.

In each year to the extent receipts from the municipal income tax are available for the payment of the debt charges on the Bonds and are appropriated for that purpose, and to the extent not paid from net revenues of the municipal water utility or the municipal sewer utility, the amount of the tax shall be reduced by the amount of such receipts so available and appropriated in compliance with the following covenant. To the extent necessary, the debt charges on the Bonds shall be paid from municipal income taxes lawfully available therefor under the Constitution and the laws of the State of Ohio, and the Charter of the City; and the City hereby covenants, subject and pursuant to such authority, including particularly Section 133.05(B)(7) of the Ohio Revised Code, to appropriate annually from such municipal income taxes such amount as is necessary to meet such annual debt charges.

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

Section 8. Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (a) the Bonds will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Code or (ii) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (b) the interest on the Bonds will not be an item of tax preference under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Bonds to be and remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of

compliance, (i) apply the proceeds of the Bonds to the governmental purpose of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports and (v) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

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

Each covenant made in this Section with respect to the Bonds is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this Section to take with respect to the Bonds.

Section 9. Official Statement, Rating, Bond Insurance, Continuing Disclosure and Financing Costs.

(a) Primary Offering Disclosure -- Official Statement. The City Manager and the Director of Finance are each authorized and directed, to the extent it is determined necessary by the Director of Finance in the Certificate of Award, on behalf of the City and in their official capacities, to (i) prepare or cause to be prepared, and make or authorize modifications, completions or changes of or supplements to, a disclosure document in the form of an official statement relating to the original issuance of the Bonds in a form as is approved by the City Manager and the Director of Finance and now on file with the City Clerk, (ii) determine, and to certify or otherwise represent, when the official statement is to be "deemed final" (except for permitted omissions) by the City as of its date or is a final official statement for purposes of paragraph (b) of the Rule, (iii) use and distribute, or authorize the use and distribution of those official statements and any supplements thereto in connection with the original issuance of the Bonds, and (iv) complete and sign those official statements and any supplements thereto as so approved, together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of those official statements and any supplements, as they may deem necessary or appropriate.

(b) Application for Rating or Bond Insurance. If, in the judgment of the Director of Finance, the filing of an application for (i) a rating on the Bonds by one or more nationally-recognized rating agencies, or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Bonds, is in the best interest of and financially advantageous to this City, the Director of Finance is authorized to prepare and submit those applications, to provide to each such agency or company such information as may be required for the purpose, and to provide further for the payment of the cost of obtaining each such rating or policy, except to the extent otherwise paid in accordance with the Purchase Agreement (if any), from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. The Director of Finance is hereby authorized, to the extent necessary or required, to enter into any agreements, in the name of and on behalf of the City, that the Director of Finance determines to be necessary in connection with the obtaining of that bond insurance.

(c) Agreement to Provide Continuing Disclosure. The City Manager and the Director of Finance are each authorized and directed to complete, sign and deliver, to the extent it is determined necessary by the Director of Finance in the Certificate of Award, the Continuing Disclosure Agreement, in the name and on behalf of the City, in a form as is approved by the City Manager and the Director of Finance and now on file with the City Clerk. The Continuing Disclosure Agreement shall be for the benefit of the holders and beneficial

owners from time to time of the Bonds, and if executed, the City shall agree to provide or cause to be provided such financial information and operating data, audited financial statements and notices of the occurrence of certain events, in such manner as may be required for purposes of the Rule. The Continuing Disclosure Agreement is approved, together with any changes or amendments that are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved by the City Manager and the Director of Finance on behalf of the City, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement or amendments thereto.

If a Continuing Disclosure Agreement is executed and delivered in accordance with the preceding paragraph, the Director of Finance is further authorized and directed to establish procedures in order to ensure compliance by the City with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Director of Finance shall consult with and obtain legal advice from, as appropriate, the City Attorney and bond or other qualified independent special counsel selected by the City. The Director of Finance, acting in the name and on behalf of the City, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the City of its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

(d) Financing Costs. The expenditure of the amounts necessary to pay any Financing Costs in connection with the Bonds, to the extent not paid by the Original Purchaser in accordance with the Certificate of Award or, to the extent it is determined necessary by the Director of Finance in the Certificate of Award, the Purchase Agreement, is authorized and approved, and the Director of Finance is authorized to provide for the payment of any such amounts and costs from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

Section 10. Call for Redemption; Escrow Trustee; Escrow Agreement; Escrow Fund. To provide for the payment of the principal of and interest on the Refunded Bonds, the Director of Finance is hereby authorized to designate in the Certificate of Award a bank or trust company authorized to do business in the State of Ohio to act as the Escrow Trustee. The City Manager and the Director of Finance shall sign and deliver, in the name and on behalf of the City, the Escrow Agreement between the City and the Escrow Trustee, in substantially the form as is now on file with the City Clerk. The Escrow Fund provided for in the Escrow Agreement is hereby created. The Escrow Agreement is approved, together with any changes or amendments that are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved by the City Manager and the Director of Finance, on behalf of

the City, all of which shall be conclusively evidenced by the signing of the Escrow Agreement or amendments thereto. The Director of Finance shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Escrow Agreement, except to the extent paid or reimbursed by the Original Purchaser in accordance with the Purchase Agreement (if any), from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

Acting pursuant to the 2006 Bond Ordinance which authorized the 2006 Bonds, the Refunded Bonds, as determined by the Director of Finance in the Certificate of Award to be refunded and called for redemption, are hereby called for redemption on the earliest practicable date as set forth in the Certificate of Award (the "*Redemption Date*") at the required redemption price of the principal amount thereof, and the Director of Finance is hereby authorized and directed to cause those Refunded Bonds to be called for redemption on the Redemption Date and arrange for the notice of redemption to be given in accordance with the applicable provisions of the 2006 Bond Ordinance.

For informational purposes, a certified copy of this Ordinance shall be sent by the Director of Finance to the current bond registrar for the Refunded Bonds.

In order to provide for the payment of (a) the interest on the Refunded Bonds on each interest payment date following the Closing Date and through the Redemption Date, (b) the principal and mandatory sinking fund payments (if any in each case) of the Refunded Bonds maturing on or prior to the Redemption Date, and (c) the principal of the Refunded Bonds to be called for redemption on the Redemption Date, the City covenants and agrees with the Escrow Trustee and with the owners of the Refunded Bonds that the City will take, and will cause the Escrow Trustee to take, all steps required by the terms of the Escrow Agreement to carry out such payments. The City will provide from the proceeds of the Bonds and other available funds in accordance with this Ordinance, moneys and investments sufficient to pay in full (a) the interest on the Refunded Bonds on each interest payment date following the Closing Date and through the Redemption Date, (b) the principal and mandatory sinking fund payments (if any in each case) of the Refunded Bonds maturing on or prior to the Redemption Date, and (c) the principal of the Refunded Bonds to be called for redemption on the Redemption Date. The City covenants and agrees with the Escrow Trustee and with the owners of the Refunded Bonds that the City will take, and will cause the Escrow Trustee to take, all steps required by the terms of this Ordinance, Section 133.34 of the Ohio Revised Code, and the Escrow Agreement to carry out such payments so that the Refunded Bonds are not deemed to be outstanding.

There shall be delivered to the Escrow Trustee for the Escrow Fund proceeds to be received from the sale of the Bonds and other available funds which shall be held in cash, or, if and to the extent determined by the Director of Finance to be financially advantageous to the City, invested in United States Treasury Obligations ("*Treasury Securities*"), State and Local Government Series ("*SLG Securities*") or other direct obligations of, or obligations guaranteed as to both principal and interest by, the United States of America as defined in Section 133.34 of the Ohio Revised Code (direct obligations and guaranteed obligations together with the SLG Securities, collectively, the "*Securities*").

The moneys in the Escrow Fund which shall be held in cash and Securities (if any) may, if and to the extent determined by the Director of Finance to be financially advantageous to the City, be certified by an independent public accounting firm of national reputation in a written report (the "*Verification Report*") to be of such maturities or redemption dates and interest payment dates, and to bear such interest, as will be sufficient together with any moneys in the Escrow Fund to be held in cash as contemplated by the Verification Report, without further investment or reinvestment of either the principal amount thereof or the interest earnings therefrom, to cause the Refunded Bonds to be deemed to be not outstanding as provided for in Section 133.34 of the Ohio Revised Code. The balance of the proceeds to be received from the sale of the Bonds, less any amount thereof contemplated by the Verification Report to be held in cash in the Escrow Fund and less any amount otherwise provided for herein, shall be used for the payment of costs related to the refunding and the issuance of the Bonds. The Director of Finance is hereby authorized to retain and designate in the Certificate of Award an independent public accounting firm of national reputation to prepare and deliver the Verification Report.

At the direction of the Director of Finance, the Escrow Trustee or the Original Purchaser is authorized to apply and subscribe for SLG Securities on behalf of the City. Further, if the Director of Finance determines that it would be in the best interest and to the financial advantage of the City to purchase Treasury Securities for deposit into the Escrow Fund, the Director of Finance or any other officer of the City, on behalf of the City and in their official capacity, may purchase and deliver such obligations, engage the services of a municipal advisor, bidding agent or similar entity for the purpose of facilitating the bidding, purchase and delivery of such obligations for, and any related structuring of, the Escrow Fund, execute such instruments as are deemed necessary to engage such services for such purpose, and provide further for the payment of the cost of obtaining such services, except to the extent paid by the Original Purchaser in accordance with the Purchase Agreement (if any), from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose.

Any such moneys, and Securities (if any), in addition thereto contemplated by the Verification Report to be held in cash, shall be held by the Escrow Trustee in trust and committed irrevocably to the payment of the principal of and interest on the Refunded Bonds.

Section 11. Bond Counsel. The legal services of the law firm of Squire Patton Boggs (US) LLP are hereby retained. Those legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the authorization, sale and issuance of the Bonds and rendering at delivery related legal opinions. In providing those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of this City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, any county or municipal corporation or of this City, or the execution of public trusts. For those legal services that firm shall be paid just and reasonable compensation and shall be reimbursed for actual out-of-pocket expenses incurred in providing those legal services. The Director of Finance is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm. The amounts necessary to pay those fees and any reimbursement are hereby appropriated from the proceeds of the Bonds, if available, and otherwise from available moneys in the General Fund.

Section 12. Municipal Advisor. The services of Rockmill Financial Consulting, LLC, as municipal advisor, are hereby retained. The municipal advisory services shall be in the nature of financial advice and recommendations in connection with the issuance and sale of the Bonds. In rendering those municipal advisory services, as an independent contractor, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those municipal advisory services and shall be reimbursed for the actual out-of pocket expenses it incurs in rendering those municipal advisory services. The Director of Finance is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm. The amounts necessary to pay those fees and any reimbursement are hereby appropriated from the proceeds of the Bonds, if available, and otherwise from available moneys in the General Fund.

Section 13. Certification and Delivery of Ordinance and Certificate of Award. The City Clerk is directed to promptly deliver or cause to be delivered a

certified copy of this Ordinance and an executed copy of the Certificate of Award to the County Auditor of the County of Delaware, Ohio.

Section 14. Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 7) of the City are pledged for the timely payment of the debt charges on the Bonds; that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds; and that the Bonds are being authorized and issued pursuant to Chapter 133 of the Ohio Revised Code, the Charter of the City, this Ordinance, the Certificate of Award and other authorizing provisions of law.

Section 15. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or any of its committees, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law, including Section 121.22 of the Ohio Revised Code.

Section 16. Effective Date. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that this Ordinance is required to be immediately effective in order to issue and sell the Bonds, which is necessary to enable the City to take advantage of favorable interest rates and realize a savings in interest costs by refunding the Refunded Bonds and to coordinate the sale of the Bonds with other bonds of the City; wherefore, this Ordinance shall be in full force and effect immediately upon its passage.

VOTE ON RULES SUSPENSION: YEAS____ NAYS____
ABSTAIN ____

EMERGENCY CLAUSE: YEAS____ NAYS____
ABSTAIN ____

PASSED: _____, 2016 YEAS____ NAYS____
ABSTAIN ____

ATTEST: _____ _____
CITY CLERK MAYOR

SUPPLEMENTAL
FISCAL OFFICER'S CERTIFICATE

To the City Council of the City of Delaware, Ohio:

As fiscal officer of the City of Delaware, Ohio, and supplementing the fiscal officer's certificate of March 27, 2006, I certify in connection with your proposed issue of bonds in the maximum principal amount of $4,250,000 (the "*Bonds*") for the purpose of paying the costs of refunding bonds previously issued by the City for the purpose of (i) improving the municipal airport by constructing hangars, related taxiways, storm sewers and water lines, installing fire hydrants and providing all necessary appurtenances, (ii) improving the City's water distribution system by constructing a new water storage tank, together with all necessary appurtenances thereto and (iii) extending the City's municipal sewer system, including the acquisition of interests in real estate, together with all related work and appurtenances thereto (collectively, the "*Improvement*"), that:

1. The estimated life or period of usefulness of each component of the Improvement is at least five (5) years.

2. The maximum maturity of the Bonds allocable to refunding the bonds originally issued for the purpose described in clause (i) above, calculated in accordance with Sections 133.20 and 133.34 of the Ohio Revised Code, is December 1, 2031. This certification takes into consideration the fiscal officer's certificate of March 27, 2006 and the maximum maturity of 25 years stated therein which was based upon the 25-year estimate of the life or period of usefulness of that component of the Improvement.

3. The maximum maturity of the Bonds allocable to refunding the bonds originally issued for the purpose described in clause (ii) above, calculated in accordance with Sections 133.20 and 133.34 of the Ohio Revised Code, is December 1, 2046. This certification takes into consideration the fiscal officer's certificate of March 27, 2006 and the maximum maturity of 40 years stated therein which was based upon the 40-year estimate of the life or period of usefulness of that component of the Improvement.

4. The maximum maturity of the Bonds allocable to refunding the bonds originally issued for the purpose described in clause (iii) above, calculated in accordance with Sections 133.20 and 133.34 of the Ohio Revised Code, is December 1, 2036. This certification takes into consideration the fiscal officer's certificate of March 27, 2006 and the maximum maturity of 30 years stated therein which was based upon the 30-year estimate of the life or period of usefulness of that component of the Improvement.

Dated: September 12, 2016

Director of Finance
City of Delaware, Ohio

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 14 | DATE: 9/26/16

ORDINANCE NO: 16-90 | RESOLUTION NO:

READING: SECOND | PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Dean Stelzer, Finance Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:
AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF $4,000,000 FOR THE PURPOSE OF PAYING THE COSTS OF ENHANCING THE MUNICIPAL FIRE SAFETY FACILITIES, BY CONSTRUCTING, FURNISHING AND EQUIPPING A NEW FIRE STATION, AND OTHERWISE IMPROVING THE SITE THEREFOR, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

BACKGROUND:
This ordinance authorizes the issuance of long-term bonds for the construction of Fire Station 304.

REASON WHY LEGISLATION IS NEEDED:
All debt issued requires City Council approval. An emergency clause is included but more than likely will not be needed. We included it in the event interest rates begin to rise which would make or borrowing more expensive. We plan to go to 3 readings with the legislation.

COMMITTEE RECOMMENDATION:
Finance Committee - approval

FISCAL IMPACT(S):
This borrowing and the subsequent building construction were included in the 2016 Budget.

POLICY CHANGES:
None

PRESENTER(S):
Dean Stelzer, Finance Director

RECOMMENDATION:
Go to second reading

ATTACHMENT(S)
Fiscal Officer's Certificate

ORDINANCE NO. 16-90

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF $4,000,000 FOR THE PURPOSE OF PAYING THE COSTS OF ENHANCING THE MUNICIPAL FIRE SAFETY FACILITIES, BY CONSTRUCTING, FURNISHING AND EQUIPPING A NEW FIRE STATION, AND OTHERWISE IMPROVING THE SITE THEREFOR, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

WHEREAS, this City Council has requested that the Director of Finance, as fiscal officer of this City, certify the estimated life or period of usefulness of the Improvement described in Section 2 and the maximum maturity of the Bonds described in Section 2; and

WHEREAS, the Director of Finance has certified to this City Council that the estimated life or period of usefulness of the Improvement is at least five (5) years and that the maximum maturity of the Bonds is twenty (20) years;

NOW, THEREFORE, BE IT ORDAINED by The Council of The City of Delaware, State of Ohio, that:

Section 1. Definitions and Interpretation. In addition to the words and terms elsewhere defined in this Ordinance, unless the context or use clearly indicates another or different meaning or intent:

"*Authorized Denominations*" means the denominations set forth in the Certificate of Award.

"*Bond Proceedings*" means, collectively, this Ordinance, the Certificate of Award and such other proceedings of the City, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds, and to the extent it is determined necessary by the Director of Finance in the Certificate of Award, the Continuing Disclosure Agreement, the Purchase Agreement and the Registrar Agreement.

"*Bond Register*" means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

"*Bond Registrar*" means the Director of Finance or a bank or trust company authorized to do business in the State of Ohio and designated by the Director of Finance in the Certificate of Award pursuant to Section 4 as the initial authenticating agent, bond registrar, transfer agent and paying agent for

the Bonds under the Registrar Agreement, to the extent a Registrar Agreement is determined necessary by the Director of Finance in the Certificate of Award, and either until appointment of a successor Bond Registrar or a successor Bond Registrar shall have become such pursuant to the provisions of the Registrar Agreement (if any) and, thereafter, "*Bond Registrar*" shall mean the successor Bond Registrar.

"*Bonds*" means, collectively, the Serial Bonds and the Term Bonds, each as is designated as such in the Certificate of Award.

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

"*Certificate of Award*" means the certificate authorized by Section 6, to be executed by the Director of Finance, setting forth and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Ordinance requires or authorizes to be set forth or determined therein.

"*City Clerk*" means the City Clerk of the City.

"*City Manager*" means the City Manager of the City.

"*Closing Date*" means the date of physical delivery of, and payment of the purchase price for, the Bonds.

"*Code*" means the Internal Revenue Code of 1986, the Regulations (whether temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a Section of the Code includes any applicable successor section or provision and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that Section.

"*Continuing Disclosure Agreement*" means the Continuing Disclosure Agreement which to the extent it is determined necessary by the Director of Finance in the Certificate of Award, shall constitute the continuing disclosure

agreement made by the City for the benefit of the holders and beneficial owners of the Bonds in accordance with the Rule, as it may be modified from the form on file with the City Clerk and executed by the City Manager and the Director of Finance, all in accordance with Section 9(c).

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

"*Director of Finance*" means the Director of Finance of the City.

"*Financing Costs*" shall have the meaning given in Section 133.01 of the Ohio Revised Code.

"*Interest Payment Dates*" means the date or dates in each year that the Bonds are outstanding, and commencing on such date, all as shall be specified in the Certificate of Award.

"*Mandatory Redemption Date*" shall have the meaning set forth in Section 3(b).

"*Mandatory Sinking Fund Redemption Requirements*" shall have the meaning set forth in Section 3(e)(i).

"*Original Purchaser*" means the purchaser of the Bonds specified in the Certificate of Award.

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

"*Principal Payment Dates*" means the date or dates in each of the years from and including 2017 to and including 2036 as determined by the Director of Finance in the Certificate of Award, *provided* that the first Principal Payment Date may be deferred up to one year and the last Principal Payment Date may be advanced or deferred by such number of years as determined by the Director of Finance, and *provided further* that in no case shall the final Principal Payment Date exceed the maximum maturity limitation referred to in the preambles hereto, all of which determinations shall be made by the

Director of Finance in the Certificate of Award in such manner as to be in the best interest of and financially advantageous to the City.

"*Purchase Agreement*" means the Bond Purchase Agreement which to the extent it is determined necessary by the Director of Finance in the Certificate of Award, shall be between the City and the Original Purchaser, as it may be modified from the form on file with the City Clerk and executed by the City Manager and the Director of Finance, all in accordance with Section 6.

"*Registrar Agreement*" means the Bond Registrar Agreement which to the extent it is determined necessary by the Director of Finance in the Certificate of Award, shall be between the City and the Bond Registrar, as it may be modified from the form on file with the City Clerk and executed by the City Manager and the Director of Finance, all in accordance with Section 4.

"*Regulations*" means Treasury Regulations issued pursuant to the Code or to the statutory predecessor of the Code.

"*Rule*" means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

"*SEC*" means the Securities and Exchange Commission.

"*Serial Bonds*" means those Bonds designated as such and maturing on the dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

"*Term Bonds*" means those Bonds designated as such and maturing on the date or dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

Section 2. <u>Authorized Principal Amount and Purpose; Application of Proceeds</u>. This Council determines that it is necessary and in the best interest of the City to issue bonds of this City in the maximum principal amount of $4,000,000 (the "*Bonds*") for the purpose of paying the costs of enhancing the municipal fire safety facilities, by constructing, furnishing and equipping a new fire station, and otherwise improving the site therefor, together with all necessary appurtenances thereto (the "*Improvement*"). The Bonds shall be

issued pursuant to Chapter 133 of the Ohio Revised Code, the Charter of the City, this Ordinance and the Certificate of Award.

The principal amount of Bonds to be issued shall not exceed the maximum principal amount specified in this Section 2 and shall be an amount determined by the Director of Finance in the Certificate of Award to be the principal amount of Bonds that is required to be issued at this time for the purpose stated in this Section 2, taking into account the costs of the Improvement, the estimates of the Financing Costs and the interest rates on the Bonds.

The proceeds from the sale of the Bonds received by the City (or withheld by the Original Purchaser on behalf of the City) shall be paid into the proper fund or funds, and those proceeds are hereby appropriated and shall be used for the purpose for which the Bonds are being issued, including without limitation but only to the extent not paid by others, the payment of the costs of issuing and servicing the Bonds, printing and delivery of the Bonds, legal services including obtaining the approving legal opinion of bond counsel, fees and expenses of any municipal advisor, paying agent and rating agency, any fees or premiums relating to municipal bond insurance or other security arrangements determined necessary by the Director of Finance, and all other Financing Costs and costs incurred incidental to those purposes. The Certificate of Award, and to the extent it is determined necessary by the Director of Finance in the Certificate of Award, the Purchase Agreement may authorize the Original Purchaser to withhold certain proceeds from the purchase price of the Bonds to provide for the payment of Financing Costs related to the Bonds on behalf of the City. Any portion of those proceeds received by the City representing premium (after payment of any Financing Costs identified in the Certificate of Award or the Purchase Agreement (if any)) or accrued interest shall be paid into the Bond Retirement Fund.

Section 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be issued in one lot and only as fully registered bonds, in Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The Bonds shall be dated as provided in the Certificate of Award, *provided* that their dated date shall not be more than sixty (60) days prior to the Closing Date. If requested by the Original Purchaser, the Director of Finance is hereby authorized to prepare one bond representing the aggregate principal amount of Bonds maturing on all of the Principal Payment Dates, all as set forth in the Certificate of Award.

(a) Interest Rates and Payment Dates. The Bonds shall bear interest at the rate or rates per year and computed on the basis as shall be determined by the Director of Finance, subject to subsection (c) of this Section, in the Certificate of Award. Interest on the Bonds shall be payable at such rate or

rates on the Interest Payment Dates until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) Principal Payment Schedule. The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements on the Principal Payment Dates in principal amounts as shall be determined by the Director of Finance, subject to subsection (c) of this Section, in the Certificate of Award, which determination shall be in the best interest of and financially advantageous to the City.

Consistent with the foregoing and in accordance with the determination of the best interest of and financial advantages to the City, the Director of Finance shall specify in the Certificate of Award (i) the aggregate principal amount of Bonds to be issued as Serial Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date and (ii) the aggregate principal amount of Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (each a "*Mandatory Redemption Date*") and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Mandatory Redemption Date.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Bonds, and the principal amount of Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date, shall be such that the total principal and interest payments on the Bonds in any fiscal year in which principal is payable is not more than three times the amount of those payments in any other fiscal year. The net interest cost for the Bonds determined by taking into account the respective principal amounts of the Bonds and terms to maturity or Mandatory Sinking Fund Redemption Requirements of those principal amounts of Bonds shall not exceed 6.00%.

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Bonds shall be payable when due upon presentation and surrender of the Bonds at the designated office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on

the 15th day of the calendar month next preceding that Interest Payment Date. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the Director of Finance, in the name and on behalf of the City, in connection with the book entry system.

(e) Redemption Provisions. The Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund redemption requirements, at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those Dates, for which provision is made in the Certificate of Award (such Dates and amounts being referred to as the "*Mandatory Sinking Fund Redemption Requirements*").

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on any Term Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that Date the principal amount of Term Bonds payable on that Date pursuant to the Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The City shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the City, as specified by the Director of Finance, for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so delivered. That option shall be exercised by the City on or before the 45th day preceding any Mandatory Redemption Date with respect to which the City wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Director of Finance, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so delivered. If the certificate is not timely furnished to the Bond Registrar, the current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund

Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the Director of Finance, also shall be received by the City for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so delivered, redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Director of Finance, for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. The Bonds of the maturities and interest rates specified in the Certificate of Award (if any are so specified) shall be subject to optional redemption by and at the sole option of the City, in whole or in part in integral multiples of Authorized Denominations, on the dates and at the redemption prices (expressed as a percentage of the principal amount to be redeemed), plus accrued interest to the redemption date, to be determined by the Director of Finance in the Certificate of Award; *provided* that the redemption price for any optional redemption date shall not be greater than 103%.

If optional redemption of Term Bonds at a redemption price exceeding 100% of the principal amount to be redeemed is to take place as of any Mandatory Redemption Date applicable to those Term Bonds, the Term Bonds, or portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Term Bonds of the same maturity (and interest rate within a maturity if applicable) to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements. Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the Director of Finance to the Bond Registrar, given upon the direction of the City by passage of an ordinance or adoption of a resolution. That notice shall specify the redemption date and the principal amount of each maturity (and interest rate within a maturity if applicable) of Bonds to be redeemed, and shall be given at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

(iii) Partial Redemption. If fewer than all of the outstanding Bonds are called for optional redemption at one time and Bonds of more than one maturity (or interest rate within a maturity if applicable) are then outstanding, the Bonds that are called shall be Bonds of the maturity or maturities and interest rate or rates selected by the City. If fewer than all of the Bonds of a single maturity (or interest rate within a maturity if applicable) are to be redeemed, the selection of Bonds of that maturity (or interest rate within a maturity if applicable) to be redeemed, or portions thereof in amounts of Authorized Denominations or any integral multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than the Authorized Denominations are then outstanding, each unit of principal thereof in the amount of an Authorized Denomination shall be treated as if it were a separate Bond of the denomination equal to an Authorized Denomination. If it is determined that one or more, but not all, of the units of principal amount equal to an Authorized Denomination and represented by a Bond are to be called for redemption, then, upon notice of redemption of a unit or units equal to an Authorized Denomination, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (A) for payment of the redemption price of the unit or units of principal amount equal to an Authorized Denomination and called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (B) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the City by mailing a copy of the redemption notice by first-class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the 15th day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, subject to the provisions of Sections 3(d) and 5, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds; *provided* that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the City to the extent not required for the payment of the Bonds called for redemption.

Section 4. Execution and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be signed by the City Manager and the Director of Finance, in the name of the City and in their official capacities, *provided* that either or both of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Director of Finance, shall be numbered as determined by the Director of Finance in order to distinguish each Bond from any other Bond, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to Chapter 133 of the Ohio Revised Code, the Charter of the City, this Ordinance and the Certificate of Award.

The Director of Finance is hereby authorized to designate in the Certificate of Award the Director of Finance or a bank or trust company authorized to do business in the State of Ohio to act as the initial Bond Registrar. To the extent it is determined necessary by the Director of Finance in the Certificate of Award, the City Manager and the Director of Finance shall sign and deliver, in the name and on behalf of the City, the Registrar Agreement between the City and the Bond Registrar, in a form as is approved by the City Manager and the Director of Finance and now on file with the City Clerk. The Registrar Agreement is approved, together with any changes or amendments that are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved by the City Manager and the Director of Finance on behalf of the City, all of which shall be conclusively evidenced by the signing of the Registrar Agreement or amendments thereto. The Director of Finance shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Registrar Agreement, except to the extent paid or reimbursed by the Original Purchaser in accordance with the Certificate of Award and, to the extent it is determined necessary by the Director of Finance in the Certificate of Award, the Purchase Agreement (if any), from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond Proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond Proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Director of Finance on behalf of the City. The same person need not sign the certificate of authentication on all of the Bonds.

Section 5. Registration; Transfer and Exchange; Book Entry System.

(a) Bond Register. So long as any of the Bonds remain outstanding, the City will cause the Bond Registrar to maintain and keep the Bond Register at its designated office. Subject to the provisions of Sections 3(d) and 9(c), the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond Proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the City nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the City's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the designated office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the designated office of the Bond Registrar together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the City are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the City. In all cases of Bonds exchanged or transferred, the City shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond Proceedings. The exchange or transfer shall be without charge to the owner, except that the City and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the City, evidencing the same debt, and entitled to the same security and benefit under the Bond Proceedings as the Bonds surrendered upon that exchange or transfer. Neither the City nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) Book Entry System. Notwithstanding any other provisions of this Ordinance, if the Director of Finance determines in the Certificate of Award that it is in the best interest of and financially advantageous to the City, the Bonds may be issued in book entry form in accordance with the following provisions of this Section.

The Bonds may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized: (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity, and, if applicable, each interest rate within a maturity, and registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository or its designated agent for that purpose, which may be the Bond Registrar; (ii) the beneficial owners of Bonds in book entry

form shall have no right to receive Bonds in the form of physical securities or certificates; (iii) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

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

The Director of Finance is hereby authorized and directed, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the City, that the Director of Finance determines to be necessary in connection with a book entry system for the Bonds.

Section 6. Sale of the Bonds to the Original Purchaser. The Director of Finance is authorized to sell the Bonds at private sale to the Original Purchaser at a purchase price, not less than 97% of the aggregate principal amount thereof, as shall be determined by the Director of Finance in the Certificate of Award, plus accrued interest (if any) on the Bonds from their date to the Closing Date, and shall be awarded by the Director of Finance with and upon such other terms as are required or authorized by this Ordinance to be specified in the Certificate of Award, in accordance with law, and the provisions of this Ordinance and, to the extent it is determined necessary by the Director of Finance in the Certificate of Award, the Purchase Agreement. The Director of Finance is authorized, if it is determined to be in the best interest of the City, to combine the issue of Bonds with one or more other bond issues of the City into a consolidated bond issue pursuant to Section 133.30(B) of the Ohio Revised Code in which case a single Certificate of Award may be utilized for the consolidated bond issue if appropriate and consistent with the terms of this Ordinance.

The Director of Finance shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and signed and delivered, together

with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price.

To the extent it is determined necessary by the Director of Finance in the Certificate of Award, the City Manager and the Director of Finance shall sign and deliver, in the name and on behalf of the City, the Purchase Agreement between the City and the Original Purchaser, in a form as is approved by the City Manager and the Director of Finance and now on file with the City Clerk, providing for the sale to, and the purchase by, the Original Purchaser of the Bonds. The Purchase Agreement is approved, together with any changes or amendments that are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved by the City Manager and the Director of Finance on behalf of the City, all of which shall be conclusively evidenced by the signing of the Purchase Agreement or amendments thereto.

The Mayor, the City Manager, the Director of Finance, the City Attorney, the City Clerk and other City officials, as appropriate, each are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance.

Section 7. Provision for Tax Levy. There shall be levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due.

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

annually from such municipal income taxes such amount as is necessary to meet such annual debt charges.

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

Section 8. Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (a) the Bonds will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Code or (ii) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (b) the interest on the Bonds will not be an item of tax preference under Section 57 of the Code.

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

The Director of Finance or any other officer of the City having responsibility for issuance of the Bonds is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the City with respect to the Bonds as the City is permitted to or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties with respect to the Bonds, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments with respect to the Bonds, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the

Bonds, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Bonds. The Director of Finance or any other officer of the City having responsibility for issuance of the Bonds is specifically authorized to designate the Bonds as "qualified tax-exempt obligations" if such designation is applicable and desirable, and to make any related necessary representations and covenants.

Section 9. Official Statement, Rating, Bond Insurance, Continuing Disclosure and Financing Costs.

(a) Primary Offering Disclosure -- Official Statement. The City Manager and the Director of Finance are each authorized and directed, to the extent it is determined necessary by the Director of Finance in the Certificate of Award, on behalf of the City and in their official capacities, to (i) prepare or cause to be prepared, and make or authorize modifications, completions or changes of or supplements to, a disclosure document in the form of an official statement relating to the original issuance of the Bonds in a form as is approved by the City Manager and the Director of Finance and now on file with the City Clerk, (ii) determine, and to certify or otherwise represent, when the official statement is to be "deemed final" (except for permitted omissions) by the City as of its date or is a final official statement for purposes of paragraph (b) of the Rule, (iii) use and distribute, or authorize the use and distribution of those official statements and any supplements thereto in connection with the original issuance of the Bonds, and (iv) complete and sign those official statements and any supplements thereto as so approved, together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of those official statements and any supplements, as they may deem necessary or appropriate.

(b) Application for Rating or Bond Insurance. If, in the judgment of the Director of Finance, the filing of an application for (i) a rating on the Bonds by one or more nationally-recognized rating agencies, or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Bonds, is in the best interest of and financially advantageous to this City, the Director of Finance is authorized to prepare and submit those applications, to provide to each such agency or company such information as may be required for the purpose, and to provide further for the payment of the cost of obtaining each such rating or policy, except to the extent otherwise paid in accordance with the Purchase Agreement (if any), from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. The Director of Finance is hereby authorized, to the extent

necessary or required, to enter into any agreements, in the name of and on behalf of the City, that the Director of Finance determines to be necessary in connection with the obtaining of that bond insurance.

(c) Agreement to Provide Continuing Disclosure. The City Manager and the Director of Finance are each authorized and directed to complete, sign and deliver, to the extent it is determined necessary by the Director of Finance in the Certificate of Award, the Continuing Disclosure Agreement, in the name and on behalf of the City, in a form as is approved by the City Manager and the Director of Finance and now on file with the City Clerk. The Continuing Disclosure Agreement shall be for the benefit of the holders and beneficial owners from time to time of the Bonds, and if executed, the City shall agree to provide or cause to be provided such financial information and operating data, audited financial statements and notices of the occurrence of certain events, in such manner as may be required for purposes of the Rule. The Continuing Disclosure Agreement is approved, together with any changes or amendments that are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved by the City Manager and the Director of Finance on behalf of the City, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement or amendments thereto.

If a Continuing Disclosure Agreement is executed and delivered in accordance with the preceding paragraph, the Director of Finance is further authorized and directed to establish procedures in order to ensure compliance by the City with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Director of Finance shall consult with and obtain legal advice from, as appropriate, the City Attorney and bond or other qualified independent special counsel selected by the City. The Director of Finance, acting in the name and on behalf of the City, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the City of its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

(d) Financing Costs. The expenditure of the amounts necessary to pay any Financing Costs in connection with the Bonds, to the extent not paid by the Original Purchaser in accordance with the Certificate of Award or, to the extent it is determined necessary by the Director of Finance in the Certificate of Award, the Purchase Agreement, is authorized and approved, and the Director of Finance is authorized to provide for the payment of any such amounts and costs from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

Section 10. Bond Counsel. The legal services of the law firm of Squire Patton Boggs (US) LLP are hereby retained. Those legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the authorization, sale and issuance of the Bonds and rendering at delivery related legal opinions. In providing those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of this City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, any county or municipal corporation or of this City, or the execution of public trusts. For those legal services that firm shall be paid just and reasonable compensation and shall be reimbursed for actual out-of-pocket expenses incurred in providing those legal services. The Director of Finance is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm. The amounts necessary to pay those fees and any reimbursement are hereby appropriated from the proceeds of the Bonds, if available, and otherwise from available moneys in the General Fund.

Section 11. Municipal Advisor. The services of Rockmill Financial Consulting, LLC, as municipal advisor, are hereby retained. The municipal advisory services shall be in the nature of financial advice and recommendations in connection with the issuance and sale of the Bonds. In rendering those municipal advisory services, as an independent contractor, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those municipal advisory services and shall be reimbursed for the actual out-of pocket expenses it incurs in rendering those municipal advisory services. The Director of Finance is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm. The amounts necessary to pay those fees and any reimbursement are hereby appropriated from the proceeds of the Bonds, if available, and otherwise from available moneys in the General Fund.

Section 12. Certification and Delivery of Ordinance and Certificate of Award. The City Clerk is directed to promptly deliver or cause to be delivered a certified copy of this Ordinance and an executed copy of the Certificate of Award to the County Auditor of the County of Delaware, Ohio.

Section 13. Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be done or performed by

the City or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 7) of the City are pledged for the timely payment of the debt charges on the Bonds; that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds; and that the Bonds are being authorized and issued pursuant to Chapter 133 of the Ohio Revised Code, the Charter of the City, this Ordinance, the Certificate of Award and other authorizing provisions of law.

Section 14. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or any of its committees, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law, including Section 121.22 of the Ohio Revised Code.

Section 15. Effective Date. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that this Ordinance is required to be immediately effective in order to issue and sell the Bonds, which is necessary to enable the City to timely enter into contracts for the construction of the Improvement and to coordinate the sale of the Bonds with other bonds of the City; wherefore, this Ordinance shall be in full force and effect immediately upon its passage.

VOTE ON RULE SUSPENSION: YEAS _____ NAYS _____
ABSTAIN _____

VOTE ON EMERGENCY CLAUSE: YEAS _____ NAYS _____
ABSTAIN _____

PASSED: _____, 2016 YEAS _____ NAYS _____
ABSTAIN _____

ATTEST: _____ _____
CITY CLERK MAYOR

FISCAL OFFICER'S CERTIFICATE

To the City Council of the City of Delaware, Ohio:

As fiscal officer of the City of Delaware, Ohio, I certify in connection with your proposed issue of bonds in the maximum principal amount of $4,000,000 (the "*Bonds*"), to be issued for the purpose of paying the costs of enhancing the municipal fire safety facilities, by constructing, furnishing and equipping a new fire station, and otherwise improving the site therefor, together with all necessary appurtenances thereto (the "*Improvement*"), that:

1. The estimated life or period of usefulness of the Improvement is at least five (5) years.

2. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is twenty (20) years. If and to the extent a portion of the proceeds of the Bonds may be determined to be allocated to a class or classes having a maximum maturity of less than twenty (20) years but in excess of five (5) years, then the maximum maturity of the Bonds would still be twenty (20) years by reason of a sufficient portion of the proceeds of the Bonds allocated to a class or classes having a maximum maturity or an estimated period of usefulness in excess of twenty (20) years.

Dated: September 12, 2016

Director of Finance
City of Delaware, Ohio

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 15 | DATE: 9/26/16

ORDINANCE NO: 16-91 | RESOLUTION NO:

READING: SECOND | PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Dean Stelzer, Finance Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:
AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF $400,000, FOR THE PURPOSE OF PAYING THE COSTS OF RENOVATING, REHABILITATING AND OTHERWISE IMPROVING THE CITY'S PUBLIC WORKS BUILDING BY REPLACING THE ROOF, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

BACKGROUND:
This ordinance authorizes the issuance of long-term bonds for the replacement of the Public Works Garage roof.

REASON WHY LEGISLATION IS NEEDED:
All debt issued requires City Council approval. An emergency clause is included but more than likely will not be needed. We included it in the event interest rates begin to rise which would make or borrowing more expensive. We plan to go to 3 readings with the legislation.

COMMITTEE RECOMMENDATION:
Finance Committee - approval

FISCAL IMPACT(S):
This borrowing and the roof replacement project were included in the 2016 Budget.

POLICY CHANGES:
None

PRESENTER(S):
Dean Stelzer, Finance Director

RECOMMENDATION:
Go to second reading

ATTACHMENT(S)
Fiscal Officer's Certificate

ORDINANCE NO. 16-91

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF $400,000, FOR THE PURPOSE OF PAYING THE COSTS OF RENOVATING, REHABILITATING AND OTHERWISE IMPROVING THE CITY'S PUBLIC WORKS BUILDING BY REPLACING THE ROOF, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

WHEREAS, this City Council has requested that the Director of Finance, as fiscal officer of this City, certify the estimated life or period of usefulness of the Improvement described in Section 2 and the maximum maturity of the Bonds described in Section 2; and

WHEREAS, the Director of Finance has certified to this City Council that the estimated life or period of usefulness of the Improvement is at least five (5) years and that the maximum maturity of the Bonds is ten (10) years;

NOW, THEREFORE, BE IT ORDAINED by The Council of The City of Delaware, State of Ohio, that:

Section 1. Definitions and Interpretation. In addition to the words and terms elsewhere defined in this Ordinance, unless the context or use clearly indicates another or different meaning or intent:

"*Authorized Denominations*" means the denominations set forth in the Certificate of Award.

"*Bond Proceedings*" means, collectively, this Ordinance, the Certificate of Award and such other proceedings of the City, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds, and to the extent it is determined necessary by the Director of Finance in the Certificate of Award, the Continuing Disclosure Agreement, the Purchase Agreement and the Registrar Agreement.

"*Bond Register*" means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

"*Bond Registrar*" means the Director of Finance or a bank or trust company authorized to do business in the State of Ohio and designated by the Director of Finance in the Certificate of Award pursuant to Section 4 as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds under the Registrar Agreement, to the extent a Registrar Agreement

is determined necessary by the Director of Finance in the Certificate of Award, and either until appointment of a successor Bond Registrar or a successor Bond Registrar shall have become such pursuant to the provisions of the Registrar Agreement (if any) and, thereafter, "*Bond Registrar*" shall mean the successor Bond Registrar.

"*Bonds*" means, collectively, the Serial Bonds and the Term Bonds, each as is designated as such in the Certificate of Award.

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

"*Certificate of Award*" means the certificate authorized by Section 6, to be executed by the Director of Finance, setting forth and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Ordinance requires or authorizes to be set forth or determined therein.

"*City Clerk*" means the City Clerk of the City.

"*City Manager*" means the City Manager of the City.

"*Closing Date*" means the date of physical delivery of, and payment of the purchase price for, the Bonds.

"*Code*" means the Internal Revenue Code of 1986, the Regulations (whether temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a Section of the Code includes any applicable successor section or provision and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that Section.

"*Continuing Disclosure Agreement*" means the Continuing Disclosure Agreement which to the extent it is determined necessary by the Director of Finance in the Certificate of Award, shall constitute the continuing disclosure agreement made by the City for the benefit of the holders and beneficial owners

of the Bonds in accordance with the Rule, as it may be modified from the form on file with the City Clerk and executed by the City Manager and the Director of Finance, all in accordance with Section 9(c).

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

"*Director of Finance*" means the Director of Finance of the City.

"*Financing Costs*" shall have the meaning given in Section 133.01 of the Ohio Revised Code.

"*Interest Payment Dates*" means the date or dates in each year that the Bonds are outstanding, and commencing on such date, all as shall be specified in the Certificate of Award.

"*Mandatory Redemption Date*" shall have the meaning set forth in Section 3(b).

"*Mandatory Sinking Fund Redemption Requirements*" shall have the meaning set forth in Section 3(e)(i).

"*Original Purchaser*" means the purchaser of the Bonds specified in the Certificate of Award.

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

"*Principal Payment Dates*" means the date or dates in each of the years from and including 2017 to and including 2026 as determined by the Director of Finance in the Certificate of Award, *provided* that the first Principal Payment Date may be deferred up to one year and the last Principal Payment Date may be advanced or deferred by such number of years as determined by the Director of Finance, and *provided further* that in no case shall the final Principal Payment Date exceed the maximum maturity limitation referred to in the preambles hereto, all of which determinations shall be made by the Director of Finance in the Certificate of Award in such manner as to be in the best interest of and financially advantageous to the City.

"*Purchase Agreement*" means the Bond Purchase Agreement which to the extent it is determined necessary by the Director of Finance in the Certificate of Award, shall be between the City and the Original Purchaser, as it may be modified from the form on file with the City Clerk and executed by the City Manager and the Director of Finance, all in accordance with Section 6.

"*Registrar Agreement*" means the Bond Registrar Agreement which to the extent it is determined necessary by the Director of Finance in the Certificate of Award, shall be between the City and the Bond Registrar, as it may be modified from the form on file with the City Clerk and executed by the City Manager and the Director of Finance, all in accordance with Section 4.

"*Regulations*" means Treasury Regulations issued pursuant to the Code or to the statutory predecessor of the Code.

"*Rule*" means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

"*SEC*" means the Securities and Exchange Commission.

"*Serial Bonds*" means those Bonds designated as such and maturing on the dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

"*Term Bonds*" means those Bonds designated as such and maturing on the date or dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

Section 2. Authorized Principal Amount and Purpose; Application of Proceeds. This Council determines that it is necessary and in the best interest of the City to issue bonds of this City in the maximum principal amount of $400,000 (the "*Bonds*") for the purpose of paying the costs of renovating, rehabilitating and otherwise improving the City's Public Works Building by replacing the roof, together with all necessary appurtenances thereto (the "*Improvement*"). The Bonds shall be issued pursuant to Chapter 133 of the Ohio Revised Code, the Charter of the City, this Ordinance and the Certificate of Award.

The principal amount of Bonds to be issued shall not exceed the maximum principal amount specified in this Section 2 and shall be an amount determined by the Director of Finance in the Certificate of Award to be the principal amount of Bonds that is required to be issued at this time for the purpose stated in this Section 2, taking into account the costs of the Improvement, the estimates of the Financing Costs and the interest rates on the Bonds.

The proceeds from the sale of the Bonds received by the City (or withheld by the Original Purchaser on behalf of the City) shall be paid into the proper fund or funds, and those proceeds are hereby appropriated and shall be used for the purpose for which the Bonds are being issued, including without limitation but only to the extent not paid by others, the payment of the costs of issuing and servicing the Bonds, printing and delivery of the Bonds, legal services including obtaining the approving legal opinion of bond counsel, fees and expenses of any municipal advisor, paying agent and rating agency, any fees or premiums relating to municipal bond insurance or other security arrangements determined necessary by the Director of Finance, and all other Financing Costs and costs incurred incidental to those purposes. The Certificate of Award, and to the extent it is determined necessary by the Director of Finance in the Certificate of Award, the Purchase Agreement may authorize the Original Purchaser to withhold certain proceeds from the purchase price of the Bonds to provide for the payment of Financing Costs related to the Bonds on behalf of the City. Any portion of those proceeds received by the City representing premium (after payment of any Financing Costs identified in the Certificate of Award or the Purchase Agreement (if any)) or accrued interest shall be paid into the Bond Retirement Fund.

Section 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be issued in one lot and only as fully registered bonds, in Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The Bonds shall be dated as provided in the Certificate of Award, *provided* that their dated date shall not be more than sixty (60) days prior to the Closing Date. If requested by the Original Purchaser, the Director of Finance is hereby authorized to prepare one bond representing the aggregate principal amount of Bonds maturing on all of the Principal Payment Dates, all as set forth in the Certificate of Award.

(a) Interest Rates and Payment Dates. The Bonds shall bear interest at the rate or rates per year and computed on the basis as shall be determined by the Director of Finance, subject to subsection (c) of this Section, in the Certificate of Award. Interest on the Bonds shall be payable at such rate or rates on the Interest Payment Dates until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to

which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) Principal Payment Schedule. The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements on the Principal Payment Dates in principal amounts as shall be determined by the Director of Finance, subject to subsection (c) of this Section, in the Certificate of Award, which determination shall be in the best interest of and financially advantageous to the City.

Consistent with the foregoing and in accordance with the determination of the best interest of and financial advantages to the City, the Director of Finance shall specify in the Certificate of Award (i) the aggregate principal amount of Bonds to be issued as Serial Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date and (ii) the aggregate principal amount of Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (each a "*Mandatory Redemption Date*") and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Mandatory Redemption Date.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Bonds, and the principal amount of Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date, shall be such that the total principal and interest payments on the Bonds in any fiscal year in which principal is payable is not more than three times the amount of those payments in any other fiscal year. The net interest cost for the Bonds determined by taking into account the respective principal amounts of the Bonds and terms to maturity or Mandatory Sinking Fund Redemption Requirements of those principal amounts of Bonds shall not exceed 6.00%.

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Bonds shall be payable when due upon presentation and surrender of the Bonds at the designated office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day of the calendar month next preceding that Interest Payment Date.

Notwithstanding the foregoing, if and so long as the Bonds are issued in a book entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the Director of Finance, in the name and on behalf of the City, in connection with the book entry system.

(e) Redemption Provisions. The Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund redemption requirements, at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those Dates, for which provision is made in the Certificate of Award (such Dates and amounts being referred to as the "*Mandatory Sinking Fund Redemption Requirements*").

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on any Term Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that Date the principal amount of Term Bonds payable on that Date pursuant to the Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The City shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the City, as specified by the Director of Finance, for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so delivered. That option shall be exercised by the City on or before the 45th day preceding any Mandatory Redemption Date with respect to which the City wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Director of Finance, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so delivered. If the certificate is not timely furnished to the Bond Registrar, the current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption

obligation), as specified by the Director of Finance, also shall be received by the City for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so delivered, redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Director of Finance, for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. The Bonds of the maturities and interest rates specified in the Certificate of Award (if any are so specified) shall be subject to optional redemption by and at the sole option of the City, in whole or in part in integral multiples of Authorized Denominations, on the dates and at the redemption prices (expressed as a percentage of the principal amount to be redeemed), plus accrued interest to the redemption date, to be determined by the Director of Finance in the Certificate of Award; *provided* that the redemption price for any optional redemption date shall not be greater than 103%.

If optional redemption of Term Bonds at a redemption price exceeding 100% of the principal amount to be redeemed is to take place as of any Mandatory Redemption Date applicable to those Term Bonds, the Term Bonds, or portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Term Bonds of the same maturity (and interest rate within a maturity if applicable) to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements. Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the Director of Finance to the Bond Registrar, given upon the direction of the City by passage of an ordinance or adoption of a resolution. That notice shall specify the redemption date and the principal amount of each maturity (and interest rate within a maturity if applicable) of Bonds to be redeemed, and shall be given at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

(iii) Partial Redemption. If fewer than all of the outstanding Bonds are called for optional redemption at one time and Bonds of more than one maturity (or interest rate within a maturity if applicable) are then outstanding, the Bonds that are called shall be Bonds of the maturity or maturities and interest rate or rates selected by the City. If fewer than all of the Bonds of a single maturity (or interest rate within a maturity if applicable) are to be redeemed, the selection of Bonds of that maturity (or interest rate within a maturity if applicable) to be redeemed, or portions thereof in amounts of Authorized Denominations or any integral multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than the Authorized Denominations are then outstanding, each unit of principal thereof in the amount of an Authorized Denomination shall be treated as if it were a separate Bond of the denomination equal to an Authorized Denomination. If it is determined that one or more, but not all, of the units of principal amount equal to an Authorized Denomination and represented by a Bond are to be called for redemption, then, upon notice of redemption of a unit or units equal to an Authorized Denomination, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (A) for payment of the redemption price of the unit or units of principal amount equal to an Authorized Denomination and called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (B) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the City by mailing a copy of the redemption notice by first-class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the 15th day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, subject to the provisions of Sections 3(d) and 5, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds; *provided* that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the City to the extent not required for the payment of the Bonds called for redemption.

Section 4. Execution and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be signed by the City Manager and the Director of Finance, in the name of the City and in their official capacities, *provided* that either or both of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Director of Finance, shall be numbered as determined by the Director of Finance in order to distinguish each Bond from any other Bond, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to Chapter 133 of the Ohio Revised Code, the Charter of the City, this Ordinance and the Certificate of Award.

The Director of Finance is hereby authorized to designate in the Certificate of Award the Director of Finance or a bank or trust company authorized to do business in the State of Ohio to act as the initial Bond Registrar. To the extent it is determined necessary by the Director of Finance in the Certificate of Award, the City Manager and the Director of Finance shall sign and deliver, in the name and on behalf of the City, the Registrar Agreement between the City and the Bond Registrar, in a form as is approved by the City Manager and the Director of Finance and now on file with the City Clerk. The Registrar Agreement is approved, together with any changes or amendments that are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved by the City Manager and the Director of Finance on behalf of the City, all of which shall be conclusively evidenced by the signing of the Registrar Agreement or amendments thereto. The Director of Finance shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Registrar Agreement, except to the extent paid or reimbursed by the Original Purchaser in accordance with the Certificate of Award and, to the extent it is determined necessary by the Director of Finance in the Certificate of Award, the Purchase Agreement (if any), from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond Proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond Proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Director of Finance on behalf of the City. The same person need not sign the certificate of authentication on all of the Bonds.

Section 5. Registration; Transfer and Exchange; Book Entry System.

(a) Bond Register. So long as any of the Bonds remain outstanding, the City will cause the Bond Registrar to maintain and keep the Bond Register at its designated office. Subject to the provisions of Sections 3(d) and 9(c), the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond Proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the City nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the City's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the designated office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the designated office of the Bond Registrar together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the City are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the City. In all cases of Bonds exchanged or transferred, the City shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond Proceedings. The exchange or transfer shall be without charge to the owner, except that the City and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the City, evidencing the same debt, and entitled to the same security and benefit under the Bond Proceedings as the Bonds surrendered upon that exchange or transfer. Neither the City nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) Book Entry System. Notwithstanding any other provisions of this Ordinance, if the Director of Finance determines in the Certificate of Award that it is in the best interest of and financially advantageous to the City, the Bonds may be issued in book entry form in accordance with the following provisions of this Section.

The Bonds may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized: (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity, and, if applicable, each interest rate within a maturity, and registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository or its designated agent for that purpose, which may be the Bond Registrar; (ii) the beneficial owners of Bonds in book entry

form shall have no right to receive Bonds in the form of physical securities or certificates; (iii) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

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

The Director of Finance is hereby authorized and directed, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the City, that the Director of Finance determines to be necessary in connection with a book entry system for the Bonds.

Section 6. Sale of the Bonds to the Original Purchaser. The Director of Finance is authorized to sell the Bonds at private sale to the Original Purchaser at a purchase price, not less than 97% of the aggregate principal amount thereof, as shall be determined by the Director of Finance in the Certificate of Award, plus accrued interest (if any) on the Bonds from their date to the Closing Date, and shall be awarded by the Director of Finance with and upon such other terms as are required or authorized by this Ordinance to be specified in the Certificate of Award, in accordance with law, and the provisions of this Ordinance and, to the extent it is determined necessary by the Director of Finance in the Certificate of Award, the Purchase Agreement. The Director of Finance is authorized, if it is determined to be in the best interest of the City, to combine the issue of Bonds with one or more other bond issues of the City into a consolidated bond issue pursuant to Section 133.30(B) of the Ohio Revised Code in which case a single Certificate of Award may be utilized for the consolidated bond issue if appropriate and consistent with the terms of this Ordinance.

The Director of Finance shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and signed and delivered, together

with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price.

To the extent it is determined necessary by the Director of Finance in the Certificate of Award, the City Manager and the Director of Finance shall sign and deliver, in the name and on behalf of the City, the Purchase Agreement between the City and the Original Purchaser, in a form as is approved by the City Manager and the Director of Finance and now on file with the City Clerk, providing for the sale to, and the purchase by, the Original Purchaser of the Bonds. The Purchase Agreement is approved, together with any changes or amendments that are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved by the City Manager and the Director of Finance on behalf of the City, all of which shall be conclusively evidenced by the signing of the Purchase Agreement or amendments thereto.

The Mayor, the City Manager, the Director of Finance, the City Attorney, the City Clerk and other City officials, as appropriate, each are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance.

Section 7. Provision for Tax Levy. There shall be levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due.

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

annually from such municipal income taxes such amount as is necessary to meet such annual debt charges.

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

Section 8. Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (a) the Bonds will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Code or (ii) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (b) the interest on the Bonds will not be an item of tax preference under Section 57 of the Code.

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

The Director of Finance or any other officer of the City having responsibility for issuance of the Bonds is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the City with respect to the Bonds as the City is permitted to or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties with respect to the Bonds, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments with respect to the Bonds, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the

Bonds, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Bonds. The Director of Finance or any other officer of the City having responsibility for issuance of the Bonds is specifically authorized to designate the Bonds as "qualified tax-exempt obligations" if such designation is applicable and desirable, and to make any related necessary representations and covenants.

Section 9. Official Statement, Rating, Bond Insurance, Continuing Disclosure and Financing Costs.

(a) Primary Offering Disclosure -- Official Statement. The City Manager and the Director of Finance are each authorized and directed, to the extent it is determined necessary by the Director of Finance in the Certificate of Award, on behalf of the City and in their official capacities, to (i) prepare or cause to be prepared, and make or authorize modifications, completions or changes of or supplements to, a disclosure document in the form of an official statement relating to the original issuance of the Bonds in a form as is approved by the City Manager and the Director of Finance and now on file with the City Clerk, (ii) determine, and to certify or otherwise represent, when the official statement is to be "deemed final" (except for permitted omissions) by the City as of its date or is a final official statement for purposes of paragraph (b) of the Rule, (iii) use and distribute, or authorize the use and distribution of those official statements and any supplements thereto in connection with the original issuance of the Bonds, and (iv) complete and sign those official statements and any supplements thereto as so approved, together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of those official statements and any supplements, as they may deem necessary or appropriate.

(b) Application for Rating or Bond Insurance. If, in the judgment of the Director of Finance, the filing of an application for (i) a rating on the Bonds by one or more nationally-recognized rating agencies, or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Bonds, is in the best interest of and financially advantageous to this City, the Director of Finance is authorized to prepare and submit those applications, to provide to each such agency or company such information as may be required for the purpose, and to provide further for the payment of the cost of obtaining each such rating or policy, except to the extent otherwise paid in accordance with the Purchase Agreement (if any), from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. The Director of Finance is hereby authorized, to the extent necessary or required, to enter into any agreements, in the name of and on

behalf of the City, that the Director of Finance determines to be necessary in connection with the obtaining of that bond insurance.

(c) Agreement to Provide Continuing Disclosure. The City Manager and the Director of Finance are each authorized and directed to complete, sign and deliver, to the extent it is determined necessary by the Director of Finance in the Certificate of Award, the Continuing Disclosure Agreement, in the name and on behalf of the City, in a form as is approved by the City Manager and the Director of Finance and now on file with the City Clerk. The Continuing Disclosure Agreement shall be for the benefit of the holders and beneficial owners from time to time of the Bonds, and if executed, the City shall agree to provide or cause to be provided such financial information and operating data, audited financial statements and notices of the occurrence of certain events, in such manner as may be required for purposes of the Rule. The Continuing Disclosure Agreement is approved, together with any changes or amendments that are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved by the City Manager and the Director of Finance on behalf of the City, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement or amendments thereto.

If a Continuing Disclosure Agreement is executed and delivered in accordance with the preceding paragraph, the Director of Finance is further authorized and directed to establish procedures in order to ensure compliance by the City with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Director of Finance shall consult with and obtain legal advice from, as appropriate, the City Attorney and bond or other qualified independent special counsel selected by the City. The Director of Finance, acting in the name and on behalf of the City, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the City of its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

(d) Financing Costs. The expenditure of the amounts necessary to pay any Financing Costs in connection with the Bonds, to the extent not paid by the Original Purchaser in accordance with the Certificate of Award or, to the extent it is determined necessary by the Director of Finance in the Certificate of Award, the Purchase Agreement, is authorized and approved, and the Director of Finance is authorized to provide for the payment of any such amounts and costs from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

Section 10. Bond Counsel. The legal services of the law firm of Squire Patton Boggs (US) LLP are hereby retained. Those legal services shall be in the

nature of legal advice and recommendations as to the documents and the proceedings in connection with the authorization, sale and issuance of the Bonds and rendering at delivery related legal opinions. In providing those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of this City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, any county or municipal corporation or of this City, or the execution of public trusts. For those legal services that firm shall be paid just and reasonable compensation and shall be reimbursed for actual out-of-pocket expenses incurred in providing those legal services. The Director of Finance is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm. The amounts necessary to pay those fees and any reimbursement are hereby appropriated from the proceeds of the Bonds, if available, and otherwise from available moneys in the General Fund.

Section 11. Municipal Advisor. The services of Rockmill Financial Consulting, LLC, as municipal advisor, are hereby retained. The municipal advisory services shall be in the nature of financial advice and recommendations in connection with the issuance and sale of the Bonds. In rendering those municipal advisory services, as an independent contractor, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those municipal advisory services and shall be reimbursed for the actual out-of pocket expenses it incurs in rendering those municipal advisory services. The Director of Finance is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm. The amounts necessary to pay those fees and any reimbursement are hereby appropriated from the proceeds of the Bonds, if available, and otherwise from available moneys in the General Fund.

Section 12. Certification and Delivery of Ordinance and Certificate of Award. The City Clerk is directed to promptly deliver or cause to be delivered a certified copy of this Ordinance and an executed copy of the Certificate of Award to the County Auditor of the County of Delaware, Ohio.

Section 13. Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the City have

been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 7) of the City are pledged for the timely payment of the debt charges on the Bonds; that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds; and that the Bonds are being authorized and issued pursuant to Chapter 133 of the Ohio Revised Code, the Charter of the City, this Ordinance, the Certificate of Award and other authorizing provisions of law.

Section 14. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or any of its committees, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law, including Section 121.22 of the Ohio Revised Code.

Section 15. Effective Date. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that this Ordinance is required to be immediately effective in order to issue and sell the Bonds, which is necessary to enable the City to timely enter into contracts for the construction of the Improvement and to coordinate the sale of the Bonds with other bonds of the City; wherefore, this Ordinance shall be in full force and effect immediately upon its passage.

VOTE ON RULE SUSPENSION: YEAS _____ NAYS _____
ABSTAIN _____

VOTE ON EMERGENCY CLAUSE: YEAS _____ NAYS _____
ABSTAIN _____

PASSED: _____, 2016 YEAS _____ NAYS _____
ABSTAIN _____

ATTEST: _____ _____
CITY CLERK MAYOR

FISCAL OFFICER'S CERTIFICATE

To the City Council of the City of Delaware, Ohio:

As fiscal officer of the City of Delaware, Ohio, I certify in connection with your proposed issue of bonds in the maximum principal amount of $400,000 (the "*Bonds*"), to be issued for the purpose of paying the costs of renovating, rehabilitating and otherwise improving the City's Public Works Building by replacing the roof, together with all necessary appurtenances thereto (the "*Improvement*"), that:

1. The estimated life or period of usefulness of the Improvement is at least five (5) years.

2. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is ten (10) years.

Dated: September 12, 2016

Director of Finance
City of Delaware, Ohio

EST 1808
CITY OF
DELAWARE
OHIO

FACT SHEET

AGENDA ITEM NO: 16 | DATE: 9/26/16

ORDINANCE NO: | RESOLUTION NO: 16-43

READING: SECOND | PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA:

TITLE OF PROPOSED ORDINANCE/RESOLUTION:
A RESOLUTION ADOPTING THE 2017-2021 FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM.

BACKGROUND:
A work session to discuss the CIP has been scheduled for Monday, October 3.

REASON WHY LEGISLATION IS NEEDED:
Pursuant to Section 79 of the Charter, the CIP is to be submitted to City Council by August 15 and adopted no later than October 15. Adoption is scheduled for Council's October 10 meeting.

COMMITTEE RECOMMENDATION:
N/A

FISCAL IMPACT(S):

POLICY CHANGES:
N/A

PRESENTER(S):
R. Thomas Homan, City Manager
Dean Stelzer, Finance Director

RECOMMENDATION:

ATTACHMENT(S)
CIP

RESOLUTION 16-43

A RESOLUTION ADOPTING THE 2017-2021 FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM.

WHEREAS, a revised Five-Year Capital Improvements Program was prepared and submitted to City Council in accordance with Article XVII, Section 79 of the City Charter, and

WHEREAS, City Council has considered the proposed plan and has determined that it shall be the future public improvement plan for the City of Delaware, and

WHEREAS, Article XVII, Section 80 of the City Charter requires that City Council adopt, by resolution, the Five-Year Capital Improvements Program on or before October 15, and

WHEREAS, City Council will review the 2017-2021 CIP at Work Sessions before October 10.

WHEREAS, Council discussed possible amendments to the plan which may be considered as part of adopted the 2016 budget.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That the 2017-2021 Five-Year Capital Improvements Program for the General Fund, Airport, Fire, Police, Public Works, Parks, Equipment Replacement, Technology, Building Maintenance, Water, Sewer, Storm Sewer, Refuse, Parks Impact, Police Impact, and Fire Impact attached hereto as Exhibit A, is hereby adopted as the official plan for future public improvements.

SECTION 2. That this resolution shall take effect and be in force immediately after its passage.

PASSED: _____, 2016 YEAS ____ NAYS ____
ABSTAIN ____

ATTEST: _____ _____
CITY CLERK MAYOR

EST 1808

CITY OF

DELAWARE

OHIO

TO: Mayor Riggle and Members of City Council

FROM: R. Thomas Homan, City Manager

SUBJECT: 2017-2021 Capital Improvement Program

DATE: August 12, 2016

Pursuant to section 79 of the City Charter, submitted herewith is my proposed 2017-2021 Capital Improvement Plan, adoption of which must occur by October 15. The first reading of the Plan will take place Monday, September 12; the second reading on Monday, September 26, and the third reading and adoption on Monday, October 12. Additionally, work sessions should be scheduled, which will allow for more substantive discussion and review.

As with previous Plans, the city's limited general fund resources make it quite challenging to meaningfully address the city's increasing road and transportation needs. This point is underscored by the fact that the city's street resurfacing program in 2018 and 2019 will not include any local streets, with the exception of Community Development Block Grant paving projects. This is due to increased costs of the scheduled paving activity on collector and arterial projects for those years.

This challenge is being addressed as part of the city's Moving Delaware Forward initiative, which will be decided by voters in November. If approved, it will provide a permanent and sustainable source of new revenue dedicated to maintaining and expanding the city's street network.

As Council begins its review of this Plan, the following issues need to be considered, as they have the potential to impact this and future Plans.

Entrepreneurial Center (Gazette Building)

Staff is working with an architectural firm to develop a concept plan for an Entrepreneur Center in the former Gazette Building next to City Hall. This concept plan will include projected renovation costs that will then allow a stakeholder group of public and private partners to develop a funding model for completing the work. Therefore, the proposed CIP does not reflect costs for this project.

20 East William Street/Former Engineering Offices
With the engineering department having completely moved out of this building, a decision needs to be made about its future use, which is in the city's historic overlay district. Options, each of which has tradeoffs, include leasing, selling or demolition to provide additional public parking. What happens with the former Gazette building could also have an impact on re-use options.

Impact Fees
The city's impact fee program, in place since 2002, has helped the city address the impacts of new residential and commercial growth. The last update to the program was undertaken in 2006. Another update is warranted and it is my recommendation that this be undertaken in 2016. Completion of the report will aide greatly in establishing a plan for the future use of these funds, including the purchase of land on the city's southeast side for a community park.

Downtown Parking
As Council is aware, the city retained the firm of MKSK to undertake a comprehensive study of downtown parking needs, focusing on:

- How existing parking supply is used and ways it can be improved
- Identifying ways the parking experience can be enhanced for visitors
- Evaluating where there may be parking shortages and how these can be addressed

The draft study is undergoing a final review by the Steering Committee and staff. It will be reviewed with Council at a future work session.

Economic Development
With the approaching completion of the Sawmill Parkway Extension project, City staff has been working to develop a master plan of the area surrounding Sawmill Parkway, southeast of US42 to encourage economic development that is consistent with our 2014 Economic Development Plan. Such a master plan could allow us to develop a strong cluster park similar to the health and beauty park that has shown tremendous success in New Albany.

To date, we have worked with engineering consultants to assess storm water drainage in this area and potential associated costs. Similarly, Public Utilities have been developing estimated costs associated with providing water and sewer. The engineering report, when competed in 2016, will provide preliminary alignments and pipe sizes with construction costs for water and sanitary sewer mains. Public Works has been assembling costs for potentially needed access roads to allow companies to access Sawmill Parkway and a proposed JEGs Blvd. Once these costs are assembled, Economic Development will develop a finance model for paying for all needed infrastructure through a public and private partnership.

These costs and the draft utilities plans will allow us to develop a request for proposals to select a developer or developers to partner with us to achieve our collective economic development goals for the area. Staff has already had meetings with the largest owner of properties to introduce the concept of partnering with a developer or developers to master plan the area, put the land in contract and market the property to end users.

Separate but related, Economic and Community Development also has started to discuss the master planning of the near East Side Historic District to be able to continue the success of the historic Downtown core. With Downtown Delaware exceeding 95% first-floor occupancy, it is important for us to continue to redevelop this historic East Side to allow for continued options for housing, retail, restaurants and offices.

Parks and Natural Resources also have been part of these discussions because utilizing natural features, such as the Olentangy River, are an important revitalization component.

The city has also engaged the services of a transportation engineering consultant to evaluate traffic movements and access east of US23 to identify improvements that will reduce east side congestion and improve traffic flow.

~~~~~~~~~~~~~~~~~~~~

Over the next several weeks staff and I look forward to reviewing this CIP with City Council. I want to thank my staff for their hard work in putting this document together, in particular, my Executive Assistant Michele Kohler, and Finance Director Dean Stelzer.
~~~~~~~~~~~~~~~~~~~~

City of Delaware
Capital Improvement Plan
2017 - 2021

INDEX

	Page #
General Fund Summary	1
Airport Improvement Fund	2
Street Improvements	5
Grant Projects	8
Park Improvements	12
Equipment Replacement	14
Technology Improvements	17
Building Maintenance	21
Sidewalk Maintenance	24
Park Impact Fee Fund	26
Police Impact Fee Fund	29
Fire Impact Fee Fund	30
Municipal Impact Fee Fund	31
Fire/EMS Fund	32
Water Capacity Fee Fund	35
Water Maintenance Fund	38
Sewer Capacity Fee Fund	41
Sewer Maintenance Fund	43
Storm Sewer Maintenance Fund	45
Utility Equipment Replacement	48
Refuse Fund	49

CITY OF DELAWARE
CAPITAL IMPROVEMENT PLAN
GENERAL FUND SUMMARY
2017 - 2020

	2017	2018	2019	2020	2021
BALANCE FORWARD	**1,500,000**	**837,831**	**226,959**	**193,295**	**121,762**
REVENUES:					
INCOME TAX	1,750,000	1,750,000	1,750,000	1,750,000	1,750,000
BALANCE PLUS REVENUE	**3,250,000**	**2,587,831**	**1,976,959**	**1,943,295**	**1,871,762**
EXPENDITURES:					
DEBT SERVICE					
2012 Streetscape ($2,542,516 through 2022)	282,860	284,058	282,635	269,904	269,904
2016 PW Building Maint. ($450,000 through 2027)	53,410	53,410	53,410	53,410	53,410
Advance from Reserve Fund Payback	150,000	147,452			
TOTAL DEBT SERVICE	486,270	484,920	336,045	323,314	323,314
AMOUNT AVAILABLE FOR CAPITAL IMPROVEMENTS AFTER DEBT	**2,763,730**	**2,102,911**	**1,640,914**	**1,619,981**	**1,548,448**
OTHER EXPENDITURES					
AIRPORT IMPROVEMENTS (pg. 4)	310,587	188,350	65,000	85,442	115,836
STREET IMPROVEMENTS (pg. 8)	191,155	266,527	311,571	525,828	451,440
PARK IMPROVEMENTS (pg. 15)	195,000	115,000	80,000	15,000	30,000
EQUIPMENT REPLACEMENT (pg.18)	650,000	500,000	500,000	525,000	625,000
TECHNOLOGY IMPROVEMENTS (pg. 22)	141,500	439,125	184,220	102,720	102,720
BUILDING MAINTENANCE (pg. 26)	312,657	241,950	181,828	119,229	77,482
SIDEWALK MAINTENANCE (pg. 28)	125,000	125,000	125,000	125,000	125,000
TOTAL OTHER EXPENDITURES	**1,925,899**	**1,875,952**	**1,447,619**	**1,498,219**	**1,527,478**
ENDING BALANCE	**837,831**	**226,959**	**193,295**	**121,762**	**20,970**

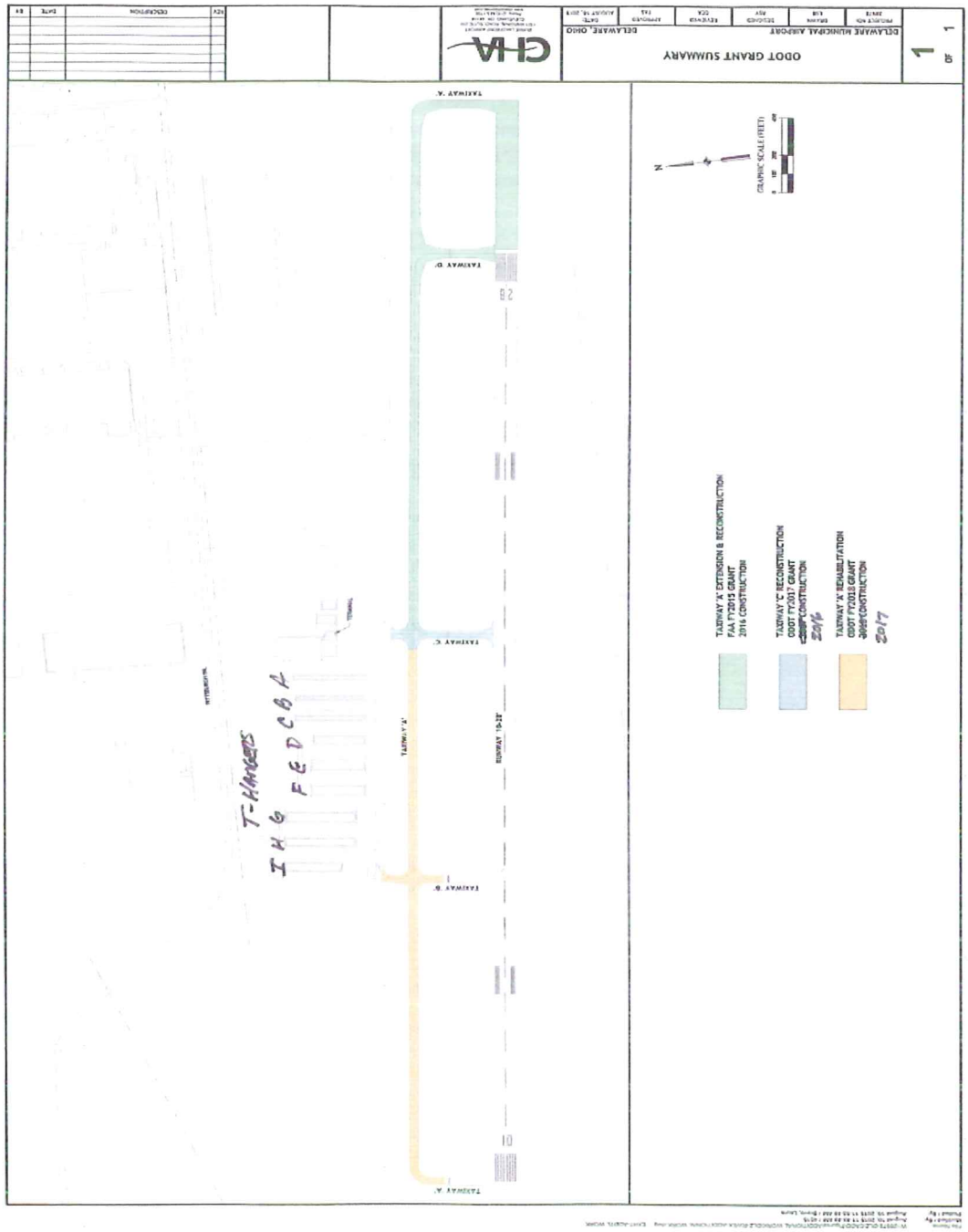
AIRPORT IMPROVEMENTS

Description:
The Delaware Municipal Airport (DLZ) is located in the heart of the Delaware Business Center at 1075 Pittsburgh Drive in Delaware, Ohio. The 315 acre facility is surrounded by the city's vital industrial district and is just three miles southwest of the historic center of Downtown Delaware. The City of Delaware owns, operates, maintains, and manages the airport and its facilities including the administration building, two maintenance hangars, six multi-unit T-hangers and a newly extended 5800 LF Runway 28. The Delaware Municipal Airport serves as a general aviation reliever for OSU's Don Scott Field. Today, the Delaware Municipal Airport has nearly 100 based aircraft including both single and multi-engine aircraft and helicopters, and sees an estimated 40,000 operations per year, including corporate jet activity, recreational, and military flying and flight instruction. The primary users of the airport and its facilities include recreational pilots from Delaware and the surrounding counties. The airport is also home to several area businesses including Jeg's High Performance Auto, Chris Lucas Auto Dealerships, Shamrock Aviation Maintenance, COAR Aerial Survey, Spencer Flight School, and McMichael's Avionics. The airport also serves transient users generally flying in to purchase jet and general aviation fuel.

In 2016, the new 800 LF Runway 28 extension project was completed allowing expanded use of the airport through more adverse weather conditions such as low ceiling. As part of the project, the existing runway was resurfaced along with the east end of taxiway 'A', and a new taxiway 'C' connector was constructed east of the existing connector. Future construction activities at the Airport include resurfacing of Taxiway 'A' to the west, expansion of the corporate ramp to the east, and the proposed paving of the taxi-aisles between the T-hanger units, all of which are pending securing additional state and federal funding.

Both the Airport Improvement Plan (AIP) and Strategic Business Plan are due for updating. The AIP primarily addresses the infrastructure maintenance and expansion needs of the airport, and is closely coordinated with our airport consultant CHA, and the Federal Aviation Administration. A successful Strategic Business Plan will identify the facilities, programs and services that could be offered and operated at the airport to better service local area businesses, and to attract new business and commercial opportunities. Since the major reconstruction of the airport runway fifteen years ago, the city in combination with private development interests, have invested over $11 million in improvements at the airport. Improvements include the construction of corporate and general aviation hangers, pavement expansion, security fencing installation, aviation guidance and system improvements, and general operations equipment.

Primary Strategic Plan Theme/Goals:
Effective Government - Effectively deliver the services that Delaware citizens need, want, and are willing to support
Master Planning Efforts:
2016 – Complete Runway 28 Extension
2017 – Jim Moore Field Business Plan
2018 – AIP Masterplan Update



CAPITAL IMPROVEMENT PLAN
AIRPORT IMPROVEMENT FUND
2017 - 2021

	2017	2018	2019	2020	2021
BALANCE FORWARD	**0**	**0**	**0**	**0**	**0**
REVENUES:					
FAA Entitlement	150,000	150,000	150,000	150,000	150,000
FAA Entitlement - Carryover amount (needs verified)	93,065		150,000		150,000
FAA Discretionary	15,000		870,000		
ODOT - Taxiway A	22,034				
ODOT - Corp Ramp			65,000		
ODOT - Hangar A,B,C,D,E,F		64,182		47,652	
TIF Collections	25,745	25,745	25,745	25,745	25,745
CIP Advance	***150,000***	***147,452***			
CIP Allocation *(pg. 1)*	***160,587***	***40,898***	***65,000***	***85,442***	***115,836***
TOTAL REVENUES	**616,431**	**428,277**	**1,325,745**	**308,839**	**441,581**
EXPENDITURES:					
City Non-Grant					
Payback to General Reserve Fund ($447,452)	150,000	147,452			
Grant Improvements					
Corporate Ramp Expansion			1,300,000		
T-Hangar A, B & C Resurfacing		105,080			
T-Hangar D, E & F Resurfacing				133,094	
Main Parking Area & North Access Driveway					115,836
Taxiway A Design/Construction ($72,000 entitlement)	440,686				
TIF Improvements					
TOTAL EXPENDITURES	**590,686**	**252,532**	**1,300,000**	**133,094**	**115,836**
AIRPORT IMPR. FUND BALANCE	0	**0**	**0**	**0**	**0**

Entitlement Balance	**0**	*150,000*	-	*150,000*	*300,000*
TIF Balance	*63,760*	*89,505*	*115,250*	*140,995*	*166,740*

STREETS

Description:
Pavement maintenance remains the largest component of the Highway Maintenance Plan, and when considering the limited availability of funding, continues to directly compete with other priority highway maintenance needs including crash barrier repairs, street lighting, traffic signals, crack sealing, and signage and striping needs. Identifying additional funds for the city's highway maintenance program has been a primary focus during 2016, culminating with Council's approval of Ordinance 16-46 that proposes a 0.15% income tax levy to be designated for transportation improvements.

This CIP continues to allocate all Ohio Public Works Commission (OPWC) and Community Development Block Grant (CDBG) funds available for capital projects to the resurfacing program. The Delaware County Engineer has supported the City's OPWC applications with $50,000 in matching funding. The OPWC funds are awarded through a competitive application process.

State funds are available for street paving through the ODOT Urban Resurfacing Program which will include US 42 north of William Street in 2017. The Urban Resurfacing Program does require a 20% local match contribution.

CDBG funds have been reduced from prior year levels, allowing for only $60,000 per year to resurface one or more eligible streets. Though CDBG funds are limited to low/moderate income designated areas, the cost of maintaining these streets exceeds the funding available, thus necessitating additional local dollars.

The 2017-2021 Five-Year Resurfacing Program includes an average annual expenditure of $950,000 per year for roadway paving. Of this amount, 60% comes from grants while 40% is from local revenues. The majority of funds, 90%, are directed toward the arterial and collector roads while only 10% is available for local streets, though local streets make up 52% of the total lane miles within the city. This approach is necessary in order to prioritize and maintain the most travelled and visible streets. It should be further noted that the amount of funding available for local street resurfacing drops to zero dollars in 2018 and 2019 to accommodate increased costs of the scheduled paving activity on collector and arterial projects for those years. As the locally funded arterial streets age, all funding will be required to maintain these higher priority streets, leaving no local dollars for residential streets. However, with the successful approval of the proposed income tax levy, funding for residential streets could be increased by an additional $800,000 per year allowing for a program that begins to address the deteriorating condition of many local low-volume residential streets and cul-de-sacs.

Analysis continues to demonstrate the steady rate of pavement deterioration of the local street network with the average pavement condition for local streets

dropping on an annual basis. It is understood that the increasing quantity of new pavements added to the inventory by way of development activity, continues to artificially elevate the local street network pavement rating. When discounting the impact on the overall pavement condition rating from newly constructed streets, the actual pavement rating for the majority of the local street network is currently estimated at D+. While pavement conditions worsen, maintenance costs will increase as repairs continue to be deferred to future years. Various analyses have all yielded similar results when identifying the future funding needs to improve the local street network.

Bridge Improvements continues to be an area where funding limitations prevents the timely maintenance of certain non-critical items on several structures the City is responsible for. Examples include repair to abutment and wing walls, deck repairs, channel improvements and approach transition resurfacing. The City is required to inspect all structures annually and submit results to the State. Reports continue to identify certain repair areas and items that need to be addressed before more serious and critical deterioration occurs. Most recently, the bridge deck surface carrying South Sandusky Street over the Delaware Run was found to be severely deteriorated and in need of repair, which was subsequently completed in July of this year. Considering the number of structures managed by the City, it is anticipated such repairs will be an ongoing responsibility in future budget years.

Two minor projects are included at the request of residents. The first involves installing ADA compliant equipment upgrades to the signal system at the William and Sandusky Street intersection to accommodate a visually impaired student. The second project advances constructing the final phase of lighting improvements along North Houk Road between Jaguar Spur and Lamplight Drive.

<u>Primary Strategic Plan Theme/Goals:</u>
Great Community/Healthy Economy
GC2 - Provide an efficient transportation system with safe and complete streets
HE1 – Build and Maintain a Healthy Economy

<u>Master Planning Efforts:</u>
2016 – Update to the Transportation & Thoroughfare Plan
2016 – Implementation of In-house Pavement Evaluation
2017 – Expansion of resurfacing efforts pending outcome of income tax levy

CAPITAL IMPROVEMENT PLAN
STREET IMPROVEMENTS
2017 - 2020

	2017	2018	2019	2020	2021
REVENUES:					
PERMISSIVE TAX (License Fee Fund)	408,040	412,120	416,242	420,404	424,608
STATE LICENSE FEES	17,852	18,030	18,211	18,393	18,577
STATE GASOLINE TAXES	84,000	84,500	85,000	85,000	85,000
CIP Allocation *(pg. 1)*	***191,155***	***266,527***	***311,571***	***525,828***	***451,440***
TOTAL REVENUE	**701,047**	**781,178**	**831,023**	**1,049,625**	**979,625**
EXPENDITURES:					
DEBT SERVICE					
Bonds - S. Houk Road	31,047	31,178	31,023	29,625	29,625
TOTAL DEBT SERVICE	**31,047**	**31,178**	**31,023**	**29,625**	**29,625**
STREET RESURFACING					
City Grant Match Street Resurfacing	150,000	480,000	500,000	370,000	250,000
ODOT URP Street Resurfacing City Match	100,000				
City Street Resurfacing -					
Network Streets	260,000			550,000	600,000
Administrative/Inspection	50,000	50,000	50,000	50,000	50,000
TOTAL STREET RESURFACING	**560,000**	**530,000**	**550,000**	**970,000**	**900,000**
TRANSPORTATION IMPROVEMENTS					
City Grant Match Transportation Improvements	25,000		200,000		
ADA Improvements	35,000				
North Houk Road Lighting Phase II		150,000			
CSX Improvements (Curtis Street)		20,000			
Bridge Improvements	50,000	50,000	50,000	50,000	50,000
TOTAL TRANSPORTATION IMPROVEMENTS	**110,000**	**220,000**	**250,000**	**50,000**	**50,000**
TOTAL EXPENDITURES	**701,047**	**781,178**	**831,023**	**1,049,625**	**979,625**

GRANTS

Description:
Several key transportation projects are identified in the five year capital plan, all of which are in varying stages of planning efforts. These large initiatives are only possible through access to significant funding opportunities including the Surface Transportation Program (STP), State Highway Safety Program, and Federal Earmark funding. Federal funding generally requires a minimum local 20% matching contribution; however, careful planning and successful lobbying efforts by city staff has yielded 100% funding for two of the three major transportation projects now under construction in 2016, including the US23/SR315 Intersection Improvements and the US23/Pennsylvania Ave. Interchange. Both projects are anticipated to be completed and opened by October of this year. A third project, the E. William Street Corridor Improvement project, continues under design and is expected to advance into right-of-way acquisition in early 2017. The project will be bid and constructed by ODOT in 2019. The William Street Improvements, which was designated as an ODOT LPA project in 2013, is being partially funded through the successful repurposing of the Veteran's Parkway earmark. In addition to those funds, the city's $611,000 available balance in MORPC sub-allocated attributable funds has been allocated toward this project as well. If overall costs can be contained with minimal changes in scope, the project could be completed with limited local match required.

Many significant transportation initiatives are routinely discussed among staff, council, and the public including the Valleyside Drive Extension, Merrick Blvd. extension, Cheshire Rd realignment, Cottswold Drive extension, the Point bridge replacement, and various phases of Glenn Parkway. Other intersection improvements and roadway widening and turn lane projects throughout the community have also been identified and are included in the 2016 Transportation Plan update. Most recently, the need to address the rapidly deteriorating condition of Central Avenue, specifically between the Point and US23 has been gained notable attention.

There is insufficient funding to address all transportation needs in the city. Projects must be prioritized in association with the ongoing Transportation Plan update. The city has realized the successful completion of several large project initiatives over the past ten years including the Houk Road and Glenn Parkway extensions, the Peachblow/Glenn Parkway/US23 intersection, the Point Phase I improvements, the recently completed Houk Road Bikeway, and several smaller intersection and roadway improvement projects. Many of these projects were able to advance through partnerships with the local development community. The Sawmill Parkway project also reached a milestone this year in advancing to construction in the city following the establishment of the city-county construction funding agreement. To address some of the highest priority projects, City Council adopted Ordinance 16-46 in July, approving an income tax levy issue to be placed on the November ballot for voter

consideration. If approved, the 0.15% income tax levy will generate an estimated $2.2 million annually designated toward transportation improvements. The increase in revenue will allow for several priority project initiatives to advance to design beginning in 2017.

Two of the highest priority projects are 'the Point' intersection and the East Central Avenue corridor. Both contribute to daily traffic congestion and delay. Interim improvements were completed to the "Point Intersection" in 2009 to better manage peak hourly volumes of westbound US36/SR37 traffic. Over the past several years however, traffic along the 36/37 corridor has increased to the level where significant traffic delay and congestion is experienced both during morning and afternoon peak hours, especially in the eastbound direction. Delays are approaching several minutes per vehicle as traffic levels exceed the capacity of the intersection and narrow two-lane roadway below the railway bridge. The East Central corridor has been subject to increasing truck traffic leading to rapid deterioration of pavement. Efforts to maintain the pavement have been limited to placing leveling courses of asphalt as the surface continues to rut and break apart. Significant pavement reconstruction is required to address these issues, along with improvements to drainage, lane widths, and intersection geometry.

Detailed analysis under way in 2016 continues to evaluate the traffic patterns and volumes on the road network between US 23 and SR 521. Indications are that significant improvements will be required to manage projected traffic volumes. Common to all conceptual alternatives is the need to widen the existing Norfolk Southern Railway Bridge to accommodate five vehicle lanes with adjacent pedestrian lanes on either side. A project of this magnitude has been estimated to cost $23 million and will require assistance from State and federal funding sources.

The City had prepared and recently submitted two funding applications to request federal funding through MORPC and State transportation funds through the Transportation Review Advisory Council (TRAC). An additional application was submitted for State Safety Funds in August. In total, the city is requesting $17 million in assistance, leaving 6 million to be funded locally through public and private partnering efforts. The local contribution is more feasible with the successful approval of the proposed income tax levy issue. However, if the levy fails, the City will have to investigate alternatives to fund the required local match as the project is too critical to delay any further.

The city is contemplating submitting a similar application in 2018 for MORPC attributable funding for the East Central Corridor improvements project. Ongoing studies this year will aid in identifying several alternative approaches to managing traffic along the Central and William Street corridors, and those improvements which most effectively address these needs. Advancing such a project will necessitate identifying additional local matching funding for construction and funding for preliminary project development.

The city also submitted a federal funding application through MORPC for signal system upgrades to address the aging equipment and operating system initially installed over fifteen years ago. Congestion at certain locations in Delaware can be relieved through improved signal timing coordination. Advances in equipment and operating software allow a coordinated system to operate in a mode more responsive to traffic pattern and volume variations throughout the day in contrast to the limited time of day operation currently utilized in Delaware.

Two significant highway improvement projects have been able to advance, however only through the availability of (NCA) new community authority funding. The first project includes the reconstruction of Glenn Parkway from US36/SR37 to Mill Run Crossing. The second project in the early design stage is the extension of Glenn parkway from Sycamore Drive to Berlin Station Road. Both are available through the NCA funding put in place at the time the large developments were in planning.

Primary Strategic Plan Theme/Goals:
Great Community/Healthy Economy

GC2 - Provide an efficient transportation system with safe and complete streets

GC3 - Provide an effective stewardship of natural resources (parks, open space, Olentangy River, Delaware Run)

HE1 – Build and Maintain a Healthy Economy

Master Planning Efforts:
2014 – The Point Intersection Alternatives Analysis & Review
2015 – Transportation Model & Plan Update
2016 – East Corridor Traffic Analysis and Recommendations
2016 – The Point funding applications
2016 – 0.15% Income Tax Levy

CAPITAL IMPROVEMENT PLAN
GRANT PROJECTS
2017 - 2020

	2017	2018	2019	2020	2021
REVENUES:					
Grant Funds:					
ODOT Earmark E. William St.	350,000		3,000,000		
MORPC - STP Funds -US36/E. William			600,000		
OPWC - Street Rehabilitation	450,000	450,000	450,000	450,000	450,000
County OPWC Project	50,000	50,000	50,000	50,000	50,000
RLF Fund	40,000	50,000	45,000	25,000	30,000
CDBG Rehabilitation	60,000	60,000	60,000	60,000	60,000
City Match Transportation Improvmnts Total *(pg. 3)*	***25,000***		***200,000***		
City Match Street Resurfacing *(pg. 3)*	***150,000***	***480,000***	***500,000***	***370,000***	***250,000***
TOTAL REVENUE	**1,125,000**	**1,090,000**	**4,905,000**	**955,000**	**840,000**
EXPENDITURES:					
Transportation Improvements					
US 36/E. William St. Improvements (Design)	350,000		3,800,000		
The Point Improvements	25,000				
Street Resurfacing					
OPWC Projects					
- London Road	650,000				
- Pittsburgh Drive, Heffner St.		980,000			
- Houk Road (Pittsburgh to Merrick)			1,000,000		
- Liberty Rd., Belle Ave.				870,000	
- Hawthorn & Pennsylvania					750,000
CDBG Grant					
- Harrison St. (East and West)	100,000				
- Wade St., Moore St.		110,000			
- English Terrace, Pumphrey Terrace			105,000		
- Wootring				85,000	
- Flax St.					90,000
TOTAL EXPENDITURES	**1,125,000**	**1,090,000**	**4,905,000**	**955,000**	**840,000**

PARKS IMPROVEMENTS

Description

The Parks Improvement Fund will continue to update and improve parks including playground equipment, wayfinding and site furniture. The play structures are typically replaced on a 15 year rotation depending on how the equipment has aged. Parks and Natural Resource staff will inspect the equipment biannually to determine if the equipment life can be extended. The equipment rotation plan allows us to spread out replacement costs so we can have minimal impact on the Improvements budget.

The City is currently working on a park signage program that will provide updates to park entrance, directional and interpretive signs. This will provide easier access and promote a sign style consistent with the city wide sign standard. The program will be instituted over several years and provides the framework for a replacing outdated signs.

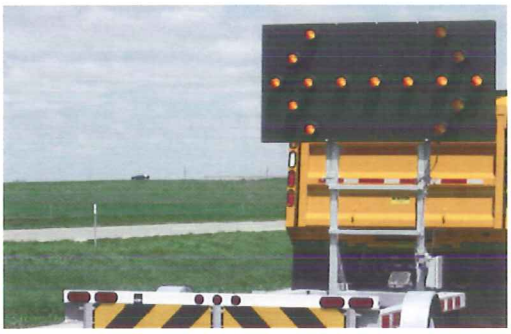
The Parks and Natural Resource staff will also begin a master planning process of all parks. The goal will be to perform assessments of park facilities and infrastructure to determine their expected life span so that we can responsibly plan for options that range from repair to rebuild and include in our planning budget. We will also be looking toward the future to determine what our anticipated athletic field needs will be based on athletic group surveys, national trends and local needs. This overall planning effort will allow us to effectively meet the recreation needs or our community and efficiently adapt to a rapidly changing population in our City.

CAPITAL IMPROVEMENT PLAN
PARKS IMPROVEMENT FUND
2017 - 2021

	2017	2018	2019	2020	2021
BALANCE FORWARD	***205,177***	***8,936***	***8,936***	***8,936***	***8,936***
REVENUES:					
Neighborhood Park Exaction Fees	5,000	5,000	5,000	5,000	0
CIP Allocation *(pg. 1)*	***195,000***	***115,000***	***80,000***	***15,000***	***30,000***
TOTAL REVENUES	**200,000**	**120,000**	**85,000**	**20,000**	**30,000**
EXPENDITURES:					
COMMUNITY PARKS					
- Mingo	180,000	15,000	45,000		
- Smith Park	15,000		30,000		
- Blue Limestone				20,000	
NEIGHBORHOOD PARK IMPROVEMENTS					
- Carson Farms		10,000			
- Cheshire		10,000			
- Eastside		40,000			
- Lexington Glen			10,000		
- Nottingham		25,000			
- Oakhurst					30,000
- Stratford Woods		20,000			
- Willowbrook Park	*138,000*				
- Glen Ross Park	*63,241*				
TOTAL EXPENDITURES	**396,241**	**120,000**	**85,000**	**20,000**	**30,000**
ENDING FUND BALANCE	***8,936***	***8,936***	***8,936***	***8,936***	***8,936***

EQUIPMENT

Description:
The Public Works Fleet Division maintains an estimated 160 individual major pieces of major rolling stock equipment, and additional 100 minor pieces. Major equipment includes all service vehicles and construction equipment, while minor equipment includes lawnmowers, golf carts, generators, etc. The majority of this equipment is serviced by the fleet maintenance staff of the Public Works department. Replacement of equipment is generally a function of age, condition, reliability, safety, engine hours, vehicle miles, cost of repairs, and trade-in values. The Equipment Replacement fund includes vehicles operated by all divisions of the Public Works, Police, Parks and Natural Resources departments. Refuse, Fire and Utility vehicles appear in the CIP under those associated funds.



A critical piece of safety equipment being requested is a trailer mounted impact attenuator. The trailer will be utilized by any department performing infrastructure maintenance operations adjacent to active high speed traffic driving on US 23, US 42, US 36, SR 37 and SR 521. Increasing numbers of serious accidents are occurring between distracted motorists and service workers and equipment. The safety trailer will provide enhanced protection for our City Public Works, Utility and Parks staff.

The Parks and Natural Resources Department follows a comprehensive equipment inventory and replacement schedule that includes all rolling stock and mowing equipment. When replacing mowing equipment, the department continues to trade in mowers after a year of service to maximize trade in values while minimizing equipment service and maintenance cost and downtime.

Historically, police vehicles are decommissioned from police activity after three years of service due to safety and performance concerns. Though the vehicles generally have high mileage when retired from police use, the more substantial SUV's are generally in good condition and acceptable for continued use by other departments. An additional $4,000 per vehicle cost is being included in association with cruiser replacements to provide for replacement of the MDT's (Mobile data terminal) as the units are retired from the fleet. The updates in MDT's are necessary to remain current with the most reliable mobile technology and establish a system to replace older technologies in association with the vehicle replacement cycle. The changes to the police fleet vehicle exterior graphics have rendered the establishment of a uniform fleet appearance no longer possible without significant expense in repainting many vehicles. Nevertheless, the recently completed vehicle logo initiative has aided in maintaining a uniform identify throughout the general fleet.

Primary Strategic Plan Theme/Goals:
Effective Government/Safe City/Effective Government

Master Planning Efforts:
2014 – Comprehensive Update of Equipment Inventory
2015 – Evaluation of Equipment Fueling Procedures and Tracking Practices
2016 – Evaluation of Fleet Service and Parts Management Practices

CAPITAL IMPROVEMENT PLAN
EQUIPMENT REPLACEMENT FUND
2017 - 2021

	2017	2018	2019	2020	2021
BALANCES FORWARD	**6,186**	**22,109**	**122,470**	**91,915**	**16,442**
REVENUES:					
CIP Allocation *(pg. 1)*	***650,000***	***500,000***	***500,000***	***525,000***	***800,000***
TOTAL REVENUE	**650,000**	**500,000**	**500,000**	**525,000**	**800,000**
EXPENDITURES:					
PUBLIC WORKS					
Pickup Trucks			33,800	31,000	73,000
Bucket Truck					130,000
2 Ton Dump Truck			159,959	164,700	192,000
1 Ton Utility Truck	57,000				170,000
Backhoe	84,215			90,000	
Skid Steer			53,100		
Asphalt Recycler		85,000			
Fork Lift	26,500				
Scissor Lift	14,000				
12 Ton Ashpalt Paver Trailer	18,367				
Highway Safety Crash Trailer	22,000				
Utility Van				21,500	
TOTAL PUBLIC WORKS	***222,082***	***85,000***	***246,859***	***307,200***	***565,000***
PARKS AND RECREATION					
Pickup Trucks	32,425	102,139	35,668	37,451	38,574
Skid Steer			45,373		
Park Mowers	34,050	28,500	29,355	30,822	31,747
Flail/Rotary/Woods Mower	7,500	15,000			
Utility Vehicle	11,000				
Bucket Truck				80,000	
45 HP Tractor	31,020				
TOTAL PARKS AND RECREATION	***115,995***	***145,639***	***110,396***	***148,273***	***70,321***
AIRPORT					
Mower			16,000		
GPU		28,000			
Jet A Truck (Used)	115,000				
TOTAL AIRPORT	***115,000***	***28,000***	***16,000***	***0***	***0***
POLICE DEPARTMENT					
Police Cruiser Replacements (3/yr.)	139,000	141,000	143,000	145,000	147,000
Zero Motorcycle	0				
Detective Vehicle	29,000				
TOTAL POLICE	***168,000***	***141,000***	***143,000***	***145,000***	***147,000***
CEMETERY					
Mower Replacement	13,000		14,300		15,730
TOTAL CEMETERY	***13,000***	***0***	***14,300***	***0***	***15,730***
TOTAL EXPENDITURES	**634,077**	**399,639**	**530,555**	**600,473**	**798,051**
CARRY OVER BALANCE	**22,109**	**122,470**	**91,915**	**16,442**	**18,391**

INFORMATION TECHNOLOGY

Description

The City of Delaware Department of Information Technology exists to enable the various City departments to efficiently and effectively achieve their goals by delivering the high-quality services and technologies staff needs, while maintaining the fiscal responsibility our citizens expect. The technology related capital planning for the city can be classified into four major areas:

- Application Software Systems Support
- Internal Infrastructure and Network Services
- External Network Infrastructure
- Equipment Acquisition for End-User Support

Application Software Systems Support:

The major system-wide software systems utilized by the City are:

- Azteca Cityworks (City-wide Computerized Maintenance Management System, & Planning, Permitting, and Licensing)
- ESRI ArcGIS (City-wide Geographic Information System)
- Civica CMI (City-wide Financial and Revenue Collection software "suite" with specific modules for Payroll, Utility Billing, Income Tax Collection, and Financial and Budgetary Accounting)
- SunGard ONESolution (Police Record Management System / Computer Aided Dispatch)
- ZOLL FireRMS, ePCR, etc. (Fire and EMS integrated software)
- Microsoft Exchange (City-wide email, calendaring, and messaging software)

The current five year capital plan includes resources to replace/upgrade several existing software systems including the Police system in 2017 and several finance applications in 2017, 2018, and 2019.

Police Records Management System

The Delaware Police Department currently utilizes a Record Management System / Computer Aided Dispatch software suite that utilizes "green screen" technology dating from the late 1990's, and has existed in its current form since at least 2007.

The current software and support agreements do not include upgrades, and the most recent budgetary quote to move to a 21st century RMS came in at over three hundred thousand dollars. Beginning in 2016, the DPD has started to integrate certain systems (jail booking and control, video surveillance, and predictive policing,) with County systems. Accordingly, the planned 2017 RMS /CAD upgrade will have to strongly consider what direction the County is taking, but as of this writing, implementation of an integrated system is still planned to begin in 2017.

Microsoft Exchange
Beginning in 2018, it is anticipated that pricing on Microsoft's Office 365 products will drop to the point that end-user email and software licensing will be better served as an operational "Software-as-a-Service" cost, and not a capital cost.

Internal Infrastructure and Network Services

Networking Infrastructure

A critical component of the City's server and server hardware operating environment, the network switches and firewalls, are reaching the end of their supported service lives. Therefore, it is anticipated that a complete upgrade of more than 20 network switches and firewalls will be required in 2017.

Virtual Host Replacement

Due to the increased capacities from hardware purchased in 2014, the City will buy hardware warranties that extend at least four years for this hardware. The next projected server replacement should occur in 2018, (if at all: see the comments on hybrid computing for more information.)

Hybrid "Cloud Computing"

As discussed above, the City IT Department will be closely following the trend towards the remote hosting of computing assets and infrastructure, and by the next major hardware refresh cycle in 2019, if not before, it is entirely possible that the majority of the City's server and storage assets will be remotely distributed.

External Network Infrastructure

Fiber Optic Networks

The City has ten miles of fiber optic cable, both under- and above-ground connecting most of the City's assets. In the past the City has attempted to partner with external entities to further extend our fiber system capabilities. Moving forward we would like to take a more pro-active role in identifying fiber needs and opportunities. We hope to prepare a basic strategic plan with some outside contractual assistance in 2016 to identify strategic improvements that benefit not only internal city technology communication needs, but also foster economic development opportunities citywide.

Equipment Acquisition for End-User Support

PC Replacements:

This project has historically attempted to replace as many older and failing computers as possible. The City has increased the life expectancy of deployed machines from 3 to 5 years, and as expected, the trend of moving away from traditional desktops to tablets and mobile technologies began in 2016 with the release of Windows 10. Further trends will see hardware replacement move into a "subscription" model, much like software replacement has done.

Copier/Scanner Replacement
In 2016, the City started a project of replacing the worst of its 29 network-attached, multi-function copiers. This project will continue through 2020, replacing printers based on usage and service call analysis. After that time, it is anticipated that hardware capabilities and costs will have reached a point where this project can run every other year.

Strategic Plan Theme/Goals
Effective Government
(EF1—effectively deliver the services that Delaware citizens need, want, and are willing to support, by maintaining high quality technology.)
Master Planning Efforts
2017—Application Software Systems Support possible integrated Police RMS and CAD software systems upgrade or replacement.
2017—Internal Infrastructure and Network Services network switch and firewall replacements.
2018—Application Software Systems Support improvements with integrated Budgetary Forecasting and Planning software system. Transition to SaaS model for email and "Office" desktop applications.
2018— Internal Infrastructure and Network Services virtual server acquisitions.
2019—Application Software Systems Support improvements with integrated Local Income Tax Collection software systems.
2019—Infrastructure and Network Services improvements (difficult to forecast) probably migration to "cloud-based" Infrastructure as a Service offerings
2017-2021—Equipment Acquisitions for yearly PC Desktop, Laptop, Tablet hardware replacements and Copier / Scanner replacements.
2017-2021—External Network Infrastructure yearly fiber optic network expansion and maintenance.

CAPITAL IMPROVEMENT PLAN
TECHNOLOGY IMPROVEMENTS
2017 - 2021

	2017	2018	2019	2020	2021
REVENUES:					
CIP Allocation *(pg. 1)*	***141,500***	***439,125***	***184,220***	***102,720***	***102,720***
TOTAL REVENUE	**141,500**	**439,125**	**184,220**	**102,720**	**102,720**
EXPENDITURES:					
Equipment Acquisition					
PC Replacement	16,000	16,000	35,000	16,000	16,000
Copier Replacement	22,000	22,000	22,000	22,000	22,000
Internal Network Acquisition					
High Capacity Storage Replacements					
Network Switch and Firewall Replacements	75,000				
Virtual Server Acquisition		40,000			
Migration to Cloud Based Infrastructure			40,000		
External Nework Infrastructure					
Fiber System Expansion	10,000	10,000	10,000	10,000	10,000
Software Application Acquisition/Retention					
Payroll, Human Resource Mgmt.	18,500	18,500	18,500	18,500	18,500
Police Records Management System		302,625	18,220	18,220	18,220
Budgetary Accounting System		30,000	10,500	9,000	9,000
Income Tax Collection System			30,000	9,000	9,000
TOTAL EXPENDITURES	**141,500**	**439,125**	**184,220**	**102,720**	**102,720**

FACILITY MAINTENANCE

Description:
The city maintains multiple facilities, each with complex components, systems and equipment requiring periodic maintenance, adjustment and replacement. The Public Works Department currently manages the maintenance and custodial needs of two of the largest and most visible public buildings in the city being the Justice Center and City Hall. Staff also manages maintenance activities for the former Engineering division building at 20 E William St, the recently acquired Gazette Building, and the Public Works Facility, current facilities on Cherry Street, Ross Street, and the city owned rental units on W. Central Ave. Facilities require a variety of daily, weekly, quarterly, and annual maintenance activities to guarantee the operation of critical systems including building security, back-up power, fire suppression, elevators, heating & cooling, plumbing & electrical, roofing and other related systems. For effective management of the facilities, assessments are performed to develop the appropriate maintenance and cost schedules for each system. Assessments shall include roofing, flooring, painting, and backup power systems. The majority of this work is funded through the Public Works Facility Maintenance operations budget, though certain large expenses, such as HVAC replacements, roof repairs, flooring replacement and facility expansions are managed through the CIP.

In 2014, a comprehensive inspection of the HVAC system at City Hall identified multiple failed components which were attributed to the poor operation and performance of the HVAC systems. In 2015, the first of several major improvements was completed which included the replacement of the 50 ton rooftop chiller unit on City Hall at a cost of $125,000. The second phase of improvements to the HVAC system at City Hall was complete in 2016 including operating systems, controllers, VAV boxes and associated equipment to provide improved monitoring and operation. Similar repairs are required at the Justice Center and are being included as part of the CIP.

Recent improvements to the Public Works Facility include the replacement of the facility's 50 year old roof with a membrane system (2016): Construction of a 2,240 SF administrative addition to accommodate the consolidation of the Engineering Division within the Public Works operation (2015): Construction of the new 3000 ton capacity Salt Storage Barn and associated Brine Production Machine (2014). Several other priority improvements have been identified and include upgrades to the 50-year old fire suppression lines in areas, demolition of the old concrete sawdust silo, and the demolition and replacement of approximately 9000 SF of building space to house the Traffic Division.

As part of the 2013 service operations review, a recommendation to consolidate the Parks & Natural Resources Division at the Public Works Facility was included as a primary goal to improve coordination and cooperation between departments. In order to relocate the department to the Public Works facility,

it is first necessary to construct a new refuse vehicle storage building on site and make improvements to the old refuse vehicle building to accommodate the Parks operations. As part of the new refuse vehicle building project, a new recycling loading facility will also be constructed in order to abandon, and eventually demolish the undersized and deteriorating facility on Cherry Street. The area housing the current recycling facility will be converted to open space adjacent to the new river canoe launch facility. The cost to construct the new facilities and make improvements for the Parks & Natural Resources division is estimated at $2 million. The majority of this cost is shown in the Refuse Fund budget.

Primary Strategic Plan Theme/Goals:
Effective Government
SC1 - Effectively deliver the services that Delaware citizens need, want, and are willing to support

Master Planning Efforts
HVAC Inventory & Assessment
Roofing Inventory & Assessment
Flooring Inventory & Assessment

CAPITAL IMPROVEMENT PLAN
BUILDING MAINTENANCE IMPROVEMENTS
2017 - 2021

	2017	2018	2019	2020	2021
REVENUES:					
CIP Allocation *(pg. 1)*	***312,657***	***241,950***	***181,828***	***119,229***	***77,482***
TOTAL REVENUE	**312,657**	**241,950**	**181,828**	**119,229**	**77,482**
EXPENDITURES:					
Carpet Replacement	10,000	11,000	24,000	0	12,000
City Hall HVAC					
Justice Center HVAC/Other Building Improvements	25,000	150,000	25,000	25,000	25,000
Roof Repairs City Hall, Justice Center	30,000	32,000	35,000	35,000	
Public Works Building					
- Fire Suppression System	40,482		43,983		40,482
- Sign Building	17,175				
- Backup Generator		48,950			
Parks Maintenance Building @ 440 E. William St.	190,000				
Justice Center Generator Replacement			53,845	59,229	
TOTAL EXPENDITURES	**312,657**	**241,950**	**181,828**	**119,229**	**77,482**

SIDEWALK IMPROVEMENTS

Description:
The Safe Walks initiative is included as part of the Highway Maintenance Plan's sidewalk maintenance program. Since its inception in 2006, the Safe Walks program has identified and repaired an estimated 15,000 tripping hazards throughout the community. The value of the 10-year initiative is estimated at $3.25 million with approximately 45 percent of the cost being covered by property owners, and the remaining 55 percent by the city.

The most recent area to be evaluated for repairs is the city's southwest side, including all neighborhoods south of US 36 and west of the CSX railway. Once the final west side phase has been completed, the entire community will have been evaluated and addressed for sidewalk deficiencies. Because it is anticipated that additional deficiencies will arise as sidewalk sections age and street trees grow, it is being recommended as part of an ongoing sidewalk maintenance efforts to continue routine sidewalk evaluations throughout the community to identify additional deficiencies in accordance with the regulations included in Chapter 909 of the City Codified Ordinances. The process by which evaluations are completed however will be adjusted from the practices implemented during the comprehensive Safe Walks initiative. It's being proposed to limit annual evaluations to those streets included with the annual resurfacing effort for that year, and address sidewalk concerns as well as signage, striping, lighting and other related infrastructure needs, concurrently with the paving project.

Sidewalk maintenance improvements, including ADA Ramp repairs, sidewalk infill projects, downtown streetscape paver repairs, and bike network maintenance activities are included as part of the Public Works Street Maintenance and repair budget. Work will be prioritized and managed accordingly based on funding levels and staff availability. Citizen requests for sidewalk repairs will continue to be received and addressed through a demand driven approach.

Primary Strategic Plan Theme/Goals:
GC2 - Provide an efficient transportation system with safe and complete streets

Master Planning Efforts
2016 – Repairs to Northwest Area
2017 - Repairs to Southwest Area
2017 – Evaluation of Downtown sidewalk utility
2018 - Revised evaluation approach coordinating with resurfacing program

CAPITAL IMPROVEMENT PLAN
SAFEWALK SIDEWALK PROGRAM
2017 - 2021

	2017	2018	2019	2020	2021
BALANCES FORWARD	**47,488**	**54,165**	**20,380**	**9,180**	**19,700**
REVENUES:					
Resident Direct Payment	95,000	65,000			
Property Tax Assessments					
Prior Years	18,910				
2012	10,858	9,681			
2013	7,609	7,609			
2014	4,280	4,280	4,280		
2015	27,520	27,520	27,520	27,520	387
2016		15,000	15,000	15,000	15,000
2017			30,000	30,000	30,000
Note Issue	1,050,000	800,000	625,000	475,000	325,000
CIP Allocation Safewalk	125,000	125,000	125,000	125,000	125,000
Total CIP Allocation *(pg. 1)*	***125,000***	***125,000***	***125,000***	***125,000***	***125,000***
TOTAL REVENUE	**1,339,177**	**1,054,090**	**826,800**	**672,520**	**495,387**
EXPENDITURES:					
RESIDENT REPAIR RESPONSIBILITY					
Invoice	150,000	10,000	10,000	10,000	10,000
Assessment	150,000	10,000	10,000	10,000	10,000
CITY REPAIR RESPONSIBILITY					
City Invoice	225,000	10,000	10,000	10,000	10,000
SIDEWALK INSPECTION SERVICES	50,000				
DEBT SERVICE	757,500	1,057,875	808,000	632,000	480,000
Total Safewalk Expenditures	**1,332,500**	**1,087,875**	**838,000**	**662,000**	**510,000**

PARKS IMPACT FEE

Description

The City has opened three new parks in 2016 and added 3/4 miles of trails that have been a tremendous success to the park system. The park system has also experienced increased attendance that has stressed the existing facilities and will require staff to effectively plan for future facilities as populations climb. The growth and demand of the parks and natural resource system will require the City to focus on park operations and recreation planning efforts to maximize the existing parks and open space resources. The parks impact fee will primarily be focused on trail improvements that will be leveraged with grant resources. The City will also be updating the impact fee study which will help guide future CIP planning and address the recreation needs of the community.

The Bikeway Master Plan was completed in 2016 and the City will begin instituting the improvement plan which will initially emphasize the completion of gap projects on W. Central Ave and W. William St. that will greatly improve active transportation safety. The City will simultaneously look at larger active transportation system expansion projects to continue to provide recreational and transportation options for residents. In addition, we will work with local partners to promote safe biking programs and increase awareness in the community. The City will look to leverage CIP spending with state and federal funding to extend the trail system and work with regional partners to provide connections beyond municipal boundaries. The growing trail system will also consider a sustainable trail system that utilizes sound maintenance to extend the trail life.

The completion of gaps along Central Ave. will improve safety and access along heavily traveled route. Gaps between Trotters Circle and Westfield and Houk Rd to Buehlers are main priorities that will involve the majority of 2017 CIP funding. The routes have been engineered and are ready to bid. They involve two stream crossings, challenging slopes and a difficult utility corridors but will provide a much anticipated connections for residents to commercial areas.

Design will begin on several trail segments on William St. and Liberty Road. The William St. connections will fill gaps east of Applegate, west to Houk Rd. and will be a major east-west route in the City. The Liberty Road section design will focus on the segment between London Rd. and Belle Ave. This section of trail will create a vital north-south link and be the initial trail phase to provide connections to the south.

The completion of the Bikeway Plan is extremely important for trail development in the City of Delaware. The plan has a 10 year planning horizon and provides an action plan for Delaware to become a pedestrian and bike friendly city. The plan outlines over $14 million in projects to be implemented

over the next 10 years with a significant amount of funding through park impact fees. The staff will utilize the plan to aid in applying for grants to supplement the trail improvements.

CAPITAL IMPROVEMENT PLAN
PARK IMPACT FEE IMPROVEMENT FUND
2017 - 2021

	2017	2018	2019	2020	2021
BALANCE FORWARD	**777,438**	**13,438**	**13,438**	**38,438**	**63,438**
REVENUES:					
Impact Fees	250,000	225,000	225,000	225,000	225,000
Trail Improvement Grants	150,000				
TOTAL REVENUES	**400,000**	**225,000**	**225,000**	**225,000**	**225,000**
EXPENDITURES:					
COMMUNITY PARK IMPROVEMENTS					
Ross St. Parkland Expansion (bldg. demo)	100,000				
Ross St. Park Improvement		75,000			
COMMUNITY TRAIL IMPROVEMENTS					
SR 37 (Westfield-Trotters)	407,500				
SR 37 (Buehlers-Lexington)	166,500				
SR 37 (Lexington-Houk)	250,000				
Springfield Trail Branch Extension	90,000				
Liberty Road (London-Belle)	75,000				
William St. (east of Applegate to Houk)	75,000				
Other Trail Expansion Projects		150,000	200,000	200,000	200,000
TOTAL IMPACT FEE EXPENDITURES	**1,164,000**	**225,000**	**200,000**	**200,000**	**200,000**
IMPACT FEE BALANCE	**13,438**	**13,438**	**38,438**	**63,438**	**88,438**

CAPITAL IMPROVEMENT PLAN
POLICE IMPACT FEE FUND
2017 - 2021

	2017	2018	2019	2020	2021
BALANCES FORWARD	**253,779**	**268,552**	**267,529**	**268,319**	**269,109**
REVENUES					
Police Impact Fees	75,000	60,000	60,000	60,000	60,000
TOTAL REVENUE	**75,000**	**60,000**	**60,000**	**60,000**	**60,000**
IMPACT FEE EXPENDITURES					
DEBT SERVICE					
Justice Center ($890,000, 19yrs 2.94%, 2032)	60,227	61,023	59,210	59,210	59,210
TOTAL IMPACT FEE EXPENDITURES	**60,227**	**61,023**	**59,210**	**59,210**	**59,210**
IMPACT FEE BALANCE	**268,552**	**267,529**	**268,319**	**269,109**	**269,899**
Debt Balance Outstanding	**673,715**	**628,966**	**583,975**	**539,469**	**493,952**

CAPITAL IMPROVEMENT PLAN
FIRE IMPACT FEE FUND
2017 - 2021

	2017	2018	2019	2020	2021
BALANCES FORWARD	**326,562**	**326,562**	**313,562**	**303,562**	**293,562**
REVENUES:					
Fire Impact Fees	100,000	87,000	90,000	90,000	90,000
TOTAL REVENUE	**100,000**	**87,000**	**90,000**	**90,000**	**90,000**
IMPACT FEE EXPENDITURES:					
DEBT SERVICE					
Station 303/304	100,000	100,000	100,000	100,000	100,000
TOTAL IMPACT FEE EXPENDITURES:	**100,000**	**100,000**	**100,000**	**100,000**	**100,000**
IMPACT FEE BALANCE	**326,562**	**313,562**	**303,562**	**293,562**	**283,562**

CAPITAL IMPROVEMENT PLAN
MUNICIPAL SERVICES IMPACT FEE FUND
2017 - 2021

	2017	2018	2019	2020	2021
BALANCE FORWARD	**436,708**	**494,710**	**538,908**	**579,273**	**619,638**
REVENUES:					
Impact Fees	125,000	110,000	110,000	110,000	110,000
Sewer Fund Reimbursement Cherry St. Facility	65,000	65,000	65,000	65,000	65,000
TOTAL REVENUES	**190,000**	**175,000**	**175,000**	**175,000**	**175,000**
EXPENDITURES:					
DEBT SERVICE					
Public Works Facility ($1,060,000 19yrs, 2.94%, 2031)	71,094	69,094	72,094	72,094	72,094
Justice Center ($900,000, 19yrs 2.94%, 2032)	60,904	61,708	62,541	62,541	62,541
TOTAL EXPENDITURES	**131,998**	**130,802**	**134,635**	**134,635**	**134,635**
IMPACT FEE BALANCE	**494,710**	**538,908**	**579,273**	**619,638**	**660,003**

Debt Outstanding Balance	**1,481,286**	**1,386,034**	**1,285,783**	**1,185,531**	**1,086,048**

FIRE DEPARTMENT

Description

The Fire Department continues to move forward with the plans voters approved with the 2010 Fire Levy. Fire Station 304 will be constructed and operational in the City's southeast quadrant on Cheshire Rd. This will have a significant improvement in response times from the current of 9-12 minutes from the existing fire stations to meeting the goal of 6 minute travel time 90% of the time in that area when the new station is completed. Fire Station 304 will be staffed with 3 personnel and will provide fire and EMS response capability.

Vehicle and apparatus replacement will continue throughout this plan. Police vehicles that are approximately 3 years old will be transitioned into the Fire Department for an additional 5 years being used for the Risk Reduction and Professional Development Divisions and for general station usage, preventing a fire apparatus from being used. The plan also includes the replacement of emergency response staff vehicles in 2017 and 2021. In 2020, the Fire Department will add a 5th paramedic unit that will be housed at Fire Station 304. An engine will also be purchased replacing the 1989 fire engine, thus having 5 engines that includes 1 in a reserve status. Finally, in 2018 the cardiac monitors are scheduled for replacement. These are used on the majority of medical calls to monitor the patient's heart from 12 different views, transmit the ECG to the hospital and perform heart defibrillation and pacing as necessary to sustain life.

CAPITAL IMPROVEMENT PLAN
FIRE/EMS FUND
2017 - 2020

	2017	2018	2019	2020	2021
BALANCES FORWARD	**621,583**	**771,091**	**672,477**	**935,148**	**24,343**
REVENUES:					
Fire/EMS Income Tax	770,000	805,000	840,000	840,000	840,000
Fire Impact Fee Funds	100,000	100,000	100,000	100,000	100,000
Capital Lease Proceeds					
Bond Issue - Station 304	4,000,000				
TOTAL REVENUE	**4,870,000**	**905,000**	**940,000**	**940,000**	**940,000**
EXPENDITURES:					
DEBT SERVICE					
Station 302 ($573,416, 10 yrs, 1.502%, 2022)	63,794	64,064	63,743	60,872	60,872
Station 303 ($2,755,000, 2.94%, 2032)	181,518	176,519	176,518	174,569	174,569
Station 304 ($4,000,000, 20 yrs, 4.0%, 2035)	165,000	292,446	292,446	292,446	292,446
Ladder Truck Lease (1,090,176, 1.83%, 7yrs, 2019)	166,294	166,294	41,573		
EMS Vehicles (3) - (800,000, 10 yrs. 2024)	93,950	92,350	90,750	94,150	94,150
STATION CONSTRUCTION					
Station #304 - Cheshire Rd.	4,000,000				
APPARATUS/VEHICLES					
Engine/Pumper Truck				823,401	
Paramedic Units				392,699	
Staff/Utilility Vehicles	49,936	11,941	12,299	12,668	32,048
EQUIPMENT					
Defibrillators/Cardiac Monitors		200,000			
TOTAL EXPENDITURES:	**4,720,492**	**1,003,614**	**677,329**	**1,850,805**	**654,085**
ENING BALANCE	**771,091**	**672,477**	**935,148**	**24,343**	**310,258**

PUBLIC UTILITIES DEPARTMENT
CAPITAL IMPROVEMENT PROGRAM

Capital Improvement Program

In order to continue to fulfill the Public Utilities Department's vision of continuous delivery of high quality drinking water and wastewater services in compliance with all regulatory requirements, the Department has planned a systematic and responsible multi-year Capital Improvement Program. The plan will provide the necessary upgrades and maintenance needed of the Utility Infrastructure to maintain the service levels expected by the City residents and for the anticipated continued growth of the City.

The Public Utilities Department utilizes the following strategies to develop the Capital Improvement Program.

1. **Quality and Reliability:**
   - Efficiency improvements utilizing proven and improved technology and delivery methods.
   - Decreasing the chance of pipe failures, water service loss and the need for boil orders.
   - Increased reliability of water and wastewater treatment plants.
2. **Regulatory Compliance:**
   - Avoidance of potentially hazardous conditions, adverse environmental and economic development impacts, and fines and penalties.
   - Continued rehabilitation of an aging sewer system to ensure public health.
3. **Environmental Protection:**
   - Prevention of water leaking from the distribution system, allowing the City to continue to be good stewards of one of the City's most precious natural resources.
   - Decreased the chance for sanitary sewer pipe failures that could result in untreated sewage entering the City's waterways.
4. **Economic Expansion and Increased Capacity:**
   - Reduce constraints in the water distribution system and the wastewater collection system to support economic development and revitalization.
   - Increase system capacity for anticipated growth of the City.
5. **Enhanced Fire Protection:**
   - Improved fire protection, reduced water pipe failures and enhanced water pressure as failing or undersized water mains are replaced.
6. **Replacement Costs/Emergency Repairs**
   - Cost savings through proactive replacement. Emergency repairs may restrict procurement options and can cost as much as ten times the cost of planned rehabilitation/replacement.

WATER CAPACITY FUND

The City owns and operates the recently expanded Water Treatment Plant which treats both surface water drawn from the Olentangy River downstream of Delaware Lake and groundwater from wellfield aquifers located at Riverview Park and on Penry Road. In addition to the Water Treatment Plant, the City has four million gallons of water storage with three elevated water tanks located in the City and one million gallons at the Water Plant clearwell.

In 2005, the City began a Water Master Planning process to provide a comprehensive master plan to evaluate raw water resources, future water treatment processes and additional water distribution improvement projects. The Master Plan completed in 2006 by the Floyd Browne Group with a subsequent review by Malcolm Pirnie Inc., recommended the City move forward with the following water capacity enhancement projects:

1. Up to 13 MGD of water treatment capacity is needed for the City's 20-year planning period.
2. An up-ground reservoir will be needed.
3. New surface water intake structures should be constructed.
4. Enhanced water treatment processes are needed to meet EPA regulations.
5. Membranes are proven to be a viable treatment technology.

Dating back for the past ten years, the City identified major water plant upgrades in the five-year CIP. In 2010 the City began the design and in 2012 the construction of the improvements and rehabilitation of the existing plant. The new 7.2 MGD water plant project was completed in 2015 for $30,300,000. The current peak water demand is 5.8 MGD. The water plant has the capability to expand up to 11.2 MGD with the addition of membrane skids and clearwell capacity which should provide adequate treatment capacity for the next 20 years at the City's current growth rate.

In addition to the new water treatment plant, the City has completed several major water capacity projects including the 24-inch westside water transmission main, Penry Road raw water main the 2-million gallon SE Highland water storage tank. These projects provided the City with the necessary infrastructure to support the growth and development of City and in addition of meeting all regulatory requirements.

The City's current water supply consists of 2.5 MGD of groundwater from the Riverview Park and Penry Road wellfields and surface water from the Olentangy River. Per the Army Corps of Engineers, the City is currently permitted to withdraw water when the river flow rate is above the minimum release rate of 3.2 MGD. Over the past 20 years the City has explored several additional options for a safe and secure source of water supply. Options included

additional wellfields, raising Delaware Lake and the construction of an up-ground reservoir. The driving force for additional water supply is water quality and water quantity (drought conditions). The water quality of Delaware Lake and the river remain a concern during times when agricultural runoff negatively impacts the lake and river. The membrane water plant removes the pollutants below the maximum contaminant levels at an increase in operational and maintenance costs. The 2006 Water Master Plan concluded that "raising the summer pool level of Delaware Lake by 2 feet is not a viable alternative and that an up-ground reservoir is a necessary component of the City's future water supply". Therefore, the City should remain committed to the construction of a 450 million gallon reservoir, preferably at the 120 acre Horseshoe Road site owned by the City. The engineering cost estimate for the final design and construction of the reservoir is $18,400,000 which includes the river intake and pump station, transmission mains and the reservoir. The 2017-2021 CIP includes the design of the reservoir in 2020 ($400,000) with construction estimated to commence in 2023 ($18,000,000).

In 2016, the City entered into a contract with an engineering firm to complete an evaluation of alternatives and development of preliminary alignments with construction costs for water and sanitary sewer mains along US Route 42 and Sawmill Parkway in the City's Southwest quadrant. The City is anticipating industrial and commercial growth in this southwest area of the City and the 2017 – 2021 CIP addresses future water capacity extensions for economic development sites in the Southwest Industrial Park corridor.

Additional water capacity projects included in the 2017-2021 CIP include water main extensions with a river crossing on Olentangy Avenue to provide water service to the Pollock/Armstrong Road area and to loop the water main with the construction of the water main for the Terra Alta development by the developer for reliability and water quality. An additional project in the CIP is for the continued extension of a water main on Buttermilk Hill and Troy Roads within the City's service area.

It is also recommended the City update our Water Master Plan in 2021. The last comprehensive plan was completed in 2006 and is becoming outdated as development occurs within the City's existing service area. The plan will include updates for future water transmission and water storage requirements and also water rates and capacity fees.

CAPITAL IMPROVEMENT PROGRAM
WATER FUND CAPACITY PROJECTS
2017 - 2020

	2017	2018	2019	2020	2021
BALANCES FORWARD	**5,448,029**	**4,967,684**	**4,267,339**	**3,897,094**	**3,707,051**
REVENUES:					
Water Capacity Fees	1,350,000	1,200,000	1,200,000	1,200,000	1,200,000
Water Debt Meter Fee Allocation	250,000	255,000	260,100	265,302	270,608
TOTAL REVENUES	**1,600,000**	**1,455,000**	**1,460,100**	**1,465,302**	**1,470,608**
EXPENDITURES:					
DEBT SERVICE					
Westside Trans Line ($2,225,051, 25 yrs, 3.67%, 2036)	136,750	136,750	136,750	136,750	136,750
Penry Rd. Waterline ($1,000,000, 25 yrs, 3.55%, 2037)	62,976	62,976	62,976	62,976	62,976
Kingman Hill Tower ($3,545,000, 25 yrs, 4.51%, 2031)	243,005	243,005	243,005	243,005	243,005
Plant Expansion ($9,600,000, 25yrs., 3.23%, 2039)	562,614	562,614	562,614	562,614	562,614
TOTAL DEBT SERVICE	**1,005,345**	**1,005,345**	**1,005,345**	**1,005,345**	**1,005,345**
WATER SYSTEM IMPROVMENTS					
Water Master Plan					250,000
Water System Financial Plan	75,000				
WATER SUPPLY PROJECTS					
Upground Reservoir Design				400,000	
DISTRIBUTION CAPACITY PROJECTS					
Olentangy Ave. River Crossing		650,000			
Buttermilk Rd./Troy Rd. Waterline			575,000		
New Line Oversizing/Extension	*1,000,000*	*500,000*	*250,000*	*250,000*	*250,000*
TOTAL WATER CAPACITY PROJECTS	**1,075,000**	**1,150,000**	**825,000**	**650,000**	**500,000**
ENDING FUND BALANCE	**4,967,684**	**4,267,339**	**3,897,094**	**3,707,051**	**3,672,314**

WATER MAINTENANCE FUND

The 2017-2021 water maintenance CIP provides a schedule for the design and construction of water rehabilitation and/or replacement infrastructure projects within the existing system or at the water treatment plant. The recommended projects will be needed during the term of the CIP to provide an adequate and dependable supply of treated water to the City's customers.

The City has experienced a high rate of residential, commercial and industrial growth over the past decade. As a result, there have been numerous additions and expansions to the City's distribution systems which require additional maintenance of the system and the replacements of failing and aged infrastructure. The City owns and operates a potable and fire suppression water distribution system consisting of 190 miles of water pipe ranging in size from 2 inches to 24 inches and over 1,900 fire hydrants. The majority of the City's water pipes are in good to fair condition with less than 5 percent of the system demonstrating some type of failure in the past 10 years. Water pipes that are currently in good to fair condition will move towards their replacement in the next 25 years. Water pipes in failed condition typically have had more than three failures whereas pipes in poor condition have only experienced one to two failures. It is likely the water pipes in poor condition will experience additional failures and reach the end of their useful life. Most of the water pipes recommended for replacement are primarily cast iron pipes that were installed from 1940 to 1975. At this time, approximately 25% of the City's water pipes are cast iron pipe. In the last six years the City has replaced approximately 6,000 linear feet of water pipe per year. In addition, the City has averaged 11 water pipe breaks per year or 6 per hundred miles of water pipe for the past 6 years.

The 2009 Water Distribution Master Plan identified water distribution replacement projects totaling over $5,000,000 of planned construction. Many of the projects listed in the report have been completed, including the construction of the Route 23 North, Curtis Street and Park Avenue water lines. The City has in place a Computerized Maintenance Management System (CMMS) that maps and inventories the existing and new water system components, identifies and prioritizes needed replacements or improvements and serves as a tool for planning projects and maintaining funding for these improvements. The replacement of water pipes improve the service levels for City residents, improve fire flow protection, and reduce water quality complaints in addition to the replacement of water mains with a history of failures.

In 2016, the City achieved a major accomplishment with the implementation of a city wide Advanced Metering Infrastructure (AMI) system. The AMI system will significantly improve meter reading and utility billing service levels for City customers by providing real-time water consumption data, eliminating

estimated utility bills, monitoring water meter tampering and water conservation by allowing customers to set water usage alerts via a consumer web-portal. The installation of the system started in July of 2016 and should be fully implemented for all City customers by the 2nd quarter of 2017.

The 2017-2021 CIP recommends funding for the maintenance of water plant equipment and the replacement of several water mains including the Blymer Street water line in 2017 and the rehabilitation of the existing Public Utilities maintenance building on Cherry Street. The painting of the West Water Tank is scheduled for 2018 at the cost of $500,000. The tank was last fully painted in 2002 after the tank raising project in 1997. The painting project will include the repair of rust areas on the tank to strengthen the structural integrity of the tank.

CAPITAL IMPROVEMENT PROGRAM
WATER FUND MAINTENANCE PROJECTS
2017 - 2021

	2017	2018	2019	2020	2021
BALANCES FORWARD	**1,726,214**	**1,473,069**	**1,209,924**	**738,071**	**441,218**
REVENUES:					
Transfer from Water Fund	750,000	775,000	800,000	800,000	800,000
Water Debt Meter Fee Allocation	1,064,620	1,064,620	1,085,912	1,085,912	1,107,630
TOTAL REVENUES	**1,814,620**	**1,839,620**	**1,885,912**	**1,885,912**	**1,907,630**
EXPENDITURES:					
DEBT SERVICE					
Treatment Plant ($22,400,000 - 25 yrs, 3.23%, 2039)	1,312,765	1,312,765	1,312,765	1,312,765	1,312,765
WATER PLANT MAINTENANCE					
WTP Settling Basins Chain & Valve Replacement					
Plant Maintenance	95,000	75,000	75,000	75,000	75,000
Lagoon Cleaning			300,000		
Pressure Filter Media Replacement	75,000				
Well Screen Cleaning				95,000	
Nano and Ultra Filtration Membrane Replacement					600,000
WATER DISTRIBUTION PROJECTS					
West Water Tank Painting		500,000			
Water Tank Maintenance	15,000		15,000		15,000
Large Meter Replacement	25,000		25,000		25,000
Water Line Improvements:					
Small Main/Service Replacement	50,000	50,000	50,000	50,000	50,000
Fire Flow Improvement	75,000	75,000	75,000	75,000	75,000
Campbell St. Waterline					150,000
S. Washington St. Waterline				150,000	
Blymer St. Waterline	150,000				
Pennsylvania Ave. Waterline			475,000		
East St./Fair Ave. Waterline		60,000			
Lincoln Ave. Waterline				425,000	
Utilities Maintenance Bldg. Rehab	165,000				
Equipment Replacement	105,000	30,000	30,000		
TOTAL WATER REPAIR AND MAINT.	**2,067,765**	**2,102,765**	**2,357,765**	**2,182,765**	**2,302,765**
ENDING FUND BALANCE	**1,473,069**	**1,209,924**	**738,071**	**441,218**	**46,083**

SEWER CAPACITY FUND

The City owns and operates the Upper Olentangy Water Reclamation Center for the wastewater treatment of all domestic and industrial wastewater from City customers. The UOWRC was most recently expanded and upgraded in 2007 in two different phases with a daily design flow of 10 MGD and a peak daily flow of 20 MGD. In 2016, the average daily flow has been 5.25 MGD with a peak of over 20 MGD. The plant's effluent discharges into the Olentangy River, a state designated scenic Ohio waterway, with one of the most stringent permit limits in the State of Ohio. The NPDES permit includes an inorganic nitrogen limit of 6.3 mg/l in the summer and 8.1 mg/l in the winter, as well as a total phosphorus limit of 1.0 mg/l year-round. The capacity of the UOWRC should be sufficient for the 15 years.

In addition to the expansion of the UOWRC, a major accomplishment for the City has been the construction of the $18 million dollar SE Highland sewer which provides sanitary sewer service to the City's SE area from the plant to Peachblow Road. The construction of this sewer has enabled major residential growth to occur and provides for future commercial development in the City's SE quadrant. The City is able to recoup the cost of this sewer with capacity fees and a SE Highland sewer ERU fee as sewer permits are approved.

To better meet the future sanitary sewer needs of the City, an update to the City's 2000 sewer master plan is currently being completed. The current capacities of all sewers 10 inches and larger will be determined through flow monitoring to further define areas of the City with insufficient sewer capacity. In addition, tributary areas of the City not currently served by the City will be defined for the expansion of sanitary sewer mains. A sewer capacity model will be populated by the engineering consultant that will be used to determine future capacity requirements of the City with real-time flow data. The master plan when completed before the end of 2016 will contain anticipated future CIP projects with estimated construction costs.

In 2016 the City will complete the upgrade to the Slack Road pump station for additional sanitary sewer capacity for the southwest industrial corridor as recommended in the 2007 Airport Industrial Park Sewer and Water Master Plan report. This upgrade follows the City investment in 2011 to upgrade the Route 42/Route 23 trunk sewers for the necessary downstream improvements to serve the City's southwest corridor.

New sanitary sewer projects programmed for the 2017-2021 include funding for the final design and construction of sanitary sewers to support economic development project sites within the southwest industrial park area including Sawmill Parkway and Route 42 south.

CAPITAL IMPROVEMENT PROGRAM
SEWER FUND CAPACITY PROJECTS
2017 - 2020

	2017	2018	2019	2020	2021
BALANCES FORWARD	**3,003,447**	**2,267,786**	**2,277,983**	**2,155,830**	**1,568,042**
REVENUES:					
Sewer Capacity Fees	1,300,000	1,250,000	1,150,000	1,150,000	1,150,000
SE Highland Sewer ERU Fees	250,000	225,000	200,000	200,000	200,000
Sewer Fees Transfer - 2007,2008,2009	2,099,039	2,099,039	2,099,039	2,141,020	2,141,020
TOTAL REVENUES	**3,649,039**	**3,574,039**	**3,449,039**	**3,491,020**	**3,491,020**
EXPENDITURES:					
DEBT SERVICE					
Land Armstrong Rd. ($2,915,000 10 yrs. 1.49%, 2022)	327,350	324,400	324,400	324,400	324,400
23 North Sewer ($1,000,000, 25 yrs, 4.51%), 2031	67,260	67,260	67,260	67,260	67,260
SE Highland Sewer ($15,000,000, 25 yrs, 4.49%, 2037)	995,771	995,771	995,771	995,771	995,771
SE Highland Sewer ($2,750,000, 20 yrs, 3.59%, 2026)	186,737	187,563	188,418	189,305	189,305
Plant Expansion ($20,882,000, 20 yrs, 3.59%, 2026)	1,417,582	1,423,849	1,430,343	1,437,073	1,437,073
TOTAL DEBT SERVICE	**2,994,700**	**2,998,843**	3,006,192	**3,013,809**	**3,013,809**
SEWER SYSTEM IMPROVEMENTS					
Sewer System Financial Plan	*75,000*				
COLLECTION CAPACITY PROJECTS					
SW New Pump Station				500,000	
Transfer to Sewer Reserve Fund - Oversizing	500,000				
Sewer Oversizing/Extension	*750,000*	*500,000*	*500,000*	*500,000*	*500,000*
Reimbursement for Cherry St. Maint. Facility	65,000	65,000	65,000	65,000	65,000
TOTAL SEWER CAPACITY PROJECTS	**1,390,000**	**565,000**	**565,000**	**1,065,000**	**565,000**
ENDING FUND BALANCE	**2,267,786**	**2,277,983**	**2,155,830**	**1,568,042**	**1,480,253**

SEWER MAINTENANCE FUND

The City's sanitary sewer collection system consists of 180 miles of sewer pipe and over 3,200 manholes. The system has over 16 major trunk sewers 15 inch or larger serving as the backbone of the system. The majority of the pipes within the system are concrete, vitrified clay pipe or plastic (polyvinyl chloride) with the manholes composed of brick or concrete. The sizes of sanitary sewer pipe range in size between 8-inch and 66-inch in diameter. Included in the collection system is the operation and maintenance of 12 sanitary pump stations throughout the City sewer area.

For the past 15 years the City has performed a closed circuit televising program to identify defects in the sewer system such as infiltration and inflow, root intrusion and failures in sewer pipe segments. In the past decade the City has funded nearly $750,000 in an annual sliplining and grouting program of the sewer mains. This program has reduced the number of sanitary sewer overflows in the City to an average of less than two per year and reduced the amount of I&I received at the wastewater treatment plant. In 2014 and 2015 the City conducted a smoke testing study of areas of the sewer system suspected to be of concerned from the review of pipe conditions from the City's CCTV program. Based on these investigations the City's existing collection system the City has been able to complete spot repairs of the sewers and notify residents of private sewer laterals issues for repair by the resident. The City will continue to program funding in the 2017-2021 CIP for the sliplining and grouting of sanitary sewer mains.

Significant CIP projects that will be completed in 2016 include aeration system improvements at the wastewater treatment plant with the installation of two new direct drive turbo blowers and dissolved oxygen monitoring equipment. The new aeration system will replace the existing blowers that have been in operation since 1974 and 1987 and are prone to costly repairs and inefficiencies. These upgrades will reduce overall electric costs at the plant with improved oxygen transfer and energy efficiency. The City will also start the design and equipment selection for a new tertiary treatment process at the wastewater plant. The construction and installation of the new equipment is programmed for 2017. The new tertiary system will aid in the removal of suspended solids and phosphorus to achieve compliance with EPA regulations. The City will also complete the annual sliplining and grouting of approximately 7,500 linear feet of sanitary sewer pipe for the continued reduction of inflow and infiltration in the sewer system.

CAPITAL IMPROVEMENT PROGRAM
SEWER FUND MAINTENANCE PROJECTS
2017 - 2021

	2017	2018	2019	2020	2021
BALANCES FORWARD	**2,372,612**	**1,572,811**	**2,245,172**	**2,800,228**	**3,223,519**
REVENUES:					
Transfer from Sewer Fund	1,391,532	1,419,363	1,447,750	1,476,705	1,506,239
TOTAL REVENUES	**1,391,532**	**1,419,363**	**1,447,750**	**1,476,705**	**1,506,239**
EXPENDITURES:					
DEBT SERVICE					
Plant Rehabilitation ($2,230,000 20 yrs. 3.59%, 2026)	151,333	152,002	152,695	153,414	153,414
TOTAL DEBT SERVICE	**151,333**	**152,002**	**152,695**	**153,414**	**153,414**
WASTEWATER TREATMENT PROJECTS					
Tertiary Filtration System	1,200,000				
Belt Filter Press				500,000	
Plant Maintenance	50,000	75,000	75,000	75,000	75,000
Influent Pump Replacement		25,000			25,000
Settling Tank Upgrades					250,000
Concrete EQ Basin Repairs	115,000		250,000		
Electrical Transformers Upgrades	50,000				
WASTEWATER COLLECTION PROJECTS					
Large Meter Replacement	25,000		25,000		25,000
Inflow/Infiltration Remediation	175,000	175,000	175,000	175,000	175,000
Sanitary Sewer Replacement	75,000		100,000		100,000
Weselyan Woods Sewer Rehav				150,000	
Hayes Colony Sewer Rehab		200,000			
Pump Station Repair/Upgrade	100,000		25,000		25,000
Utilities Maint. Bldg Rehab	165,000				
Equipment Replacement	85,000	120,000	90,000		
TOTAL SEWER REPAIR/MAINTENANCE	**2,191,333**	**747,002**	**892,695**	**1,053,414**	**828,414**
ENDING FUND BALANCE	**1,572,811**	**2,245,172**	**2,800,228**	**3,223,519**	**3,901,344**

STORM WATER FUND

The City's first storm water report was completed in 1990 to review and revise storm water drainage districts and storm water design calculations, develop a priority list of improvements, discuss methods for financing the improvements and prepare an estimate of annual maintenance costs. A storm water task force was established by City Council in 1998 to investigate storm water system conditions and provide recommendation for establishing a mechanism to fund the necessary improvements. In 2001 the City implemented a storm water utility fee for the maintenance, operation and expansion of the City's storm water system. The fund collects approximately $800,000 annually base on a $2.50 per month ERU fee for property owners. The City is also required by OEPA to complete on an annual basis the requirements of our MS4 storm water permit to implement best management practices for the reduction and treatment of storm water prior to discharge into the Olentangy River.

The City has approximately 160 miles of 6-inch to 48-inch storm water pipe including over 80 storm water detention basins. The City provides hydraulic maintenance to approximately 50 of these basins on a as needed basis. The City has over 1,500 catch basin to maintain as part of the system . The City cleans and televises approximately 5 miles of storm water mains per year. Based on CCTV system maintenance, flooding reports, and prior storm water reports the City can program storm water projects. The City is addressing street and yard flooding on a yearly basis. The City has seen the number of flooding events decrease in the past several years as projects are completed.

The City has proactively responded to storm water flooding issues since the 1998 report was prepared. Subsequent storm water update reports have been completed in 2007 and 2012 for existing projects updates and revised construction estimates. Storm water projects completed in recent years to improve drainage and reduce flooding include Curtis Street/London Road, Berne/Kirkland/Spencer Streets, Pennsylvania Avenue, Joy Avenue, Troy Road, Fountain Avenue, South Sandusky Street, Pumphrey Terrace, West Lincoln Avenue and Olentangy Avenue.

Storm water projects that will be completed in 2016 include phase one of the Bernard Avenue corridor project. Phase one is the lining and rehabilitation of the existing storm water pipe from South Sandusky Street to Route 23 through the OWU campus. The 2016 CIP also includes funding for the design and construction of storm water improvements to an open ditch in the rear yards along Dogwood Drive. The current ditch sides slopes have worsen over the past several years from erosion and now dangerous to maintain.

The 2017-2021 CIP includes funding for repairs to storm water culverts under Route 23 and Stratford Road and the rehabilitation of the of the existing Public Utilities maintenance building on Cherry Street.

It is recommended that the City evaluate the initial storm water fee of $2.50 per ERU that was established by Ordinance in 2001 and implemented in 2002. An increase in the fee may allow for the funding of curbs and gutters with the City's street resurfacing program. The current fee is below the average fee of $3.88 for Central Ohio communities. Storm Water Ordinance No. 01-06 states that "subsequent to the initial establishment of Utility Services Charges pursuant to this Ordinance, the Director in each even numbered year shall prepare a Utility report with recommended Utility Service Charges. This report shall contain data utilized in the determination of the recommended Utility Services Charges and shall present to the Council on or before October 1 of each even numbered year for referral to the appropriate committee. The committee shall make a recommendation to Council on or before November 15 of each numbered year concerning the Utility Service Charges to become effective for a two year period beginning January 1 of each odd numbered year." City staff will prepare the report with the possible assistance of a consulting firm.

CAPITAL IMPROVEMENT PLAN
STORM WATER FUND
2017 - 2021

	2017	2018	2019	2020	2021
BALANCES FORWARD	**628,195**	**1,729**	**(557,766)**	**(555,152)**	**(510,284)**
REVENUES:					
Storm Water Fees	348,534	355,505	362,615	369,867	377,264
TOTAL REVENUE	**348,534**	**355,505**	**362,615**	**369,867**	**377,264**
EXPENDITURES:					
Storm Water System Financial Plan	35,000				
Storm Water Repair	100,000	100,000	100,000	100,000	100,000
Storm Water I&I Remediation		125,000		125,000	
Bernard Avenue (Sandusky to Liberty St.)		600,000			
Vernon Ave.				100,000	
Birch Terrace			200,000		
US 23/R 42 ODOT Culvert Repair	400,000				
Chamberlain/Channing St.					350,000
Stratford Rd Culvert Repair	200,000				
Utilities Maintenance Bldg Rehab	165,000				
Equipment Replacement	75,000	90,000	60,000		
TOTAL EXPENDITURES	**975,000**	**915,000**	**360,000**	**325,000**	**450,000**
ENDING FUND BALANCE	**1,729**	**(557,766)**	**(555,152)**	**(510,284)**	**(583,020)**

CAPITAL IMPROVEMENT PLAN
EQUIPMENT REPLACEMENT FUND
2017 - 2020

	2017	2018	2019	2020	2021
REVENUES:					
Water Fund Allocation	105,000	30,000	30,000		
Sewer Fund Allocation	85,000	120,000	90,000		
Storm Water Fund Allocation	75,000	90,000	60,000		
TOTAL REVENUE	**265,000**	**240,000**	**180,000**	**0**	**0**
EXPENDITURES:					
Tandem Axle Dump Truck	135,000				
Sewer Camera Truck		180,000			
Backhoe			120,000		
One-ton Truck - Sewer	40,000				
Utility Truck - Water	60,000				
Pickup Truck - Water		30,000	30,000		
Pickup Truck - Sewer		30,000	30,000		
Pickup Truck - Storm Sewer	30,000				
TOTAL PUBLIC UTILITIES EQUIPMENT	***265,000***	***240,000***	***180,000***	***0***	***0***

REFUSE FUND

Description:
Refuse fees are utilized primarily for supporting the daily operation of the solid waste division of Public Works Department. The city currently provides weekly residential and commercial refuse collection service and recycling service for fiber (newspaper and cardboard) and mixed materials (glass, plastic and aluminum). The city also provides seasonal yard waste collection for eight months of the year. In 2015, the city collected over 15,200 tons of refuse and 3,277 tons of recyclable materials representing a 5% increase over 2014 collections. The combined annual waste collection would fill a football field with a pile of waste over three and a half stories tall.

The refuse collection operation grows with the expansion of the community. The current fleet consists of six "Lodal" side load residential service vehicles, three commercial rear load trucks, and five recycling vehicles. These vehicles are replaced at the end of their respective service life averaging 7-8 years per vehicle. The transition to the residential tipcart "Toter" system in 2001 allows for the city to continue providing a high level of service to community residents and businesses while maintaining low collection rates. Both operations and rates are periodically reviewed and adjusted to continue the efficient refuse service offered the community. The rates and service levels are again being reviewed in 2106 to compare to independent refuse collection costs. Adjustments to rates may be necessary depending on the final cost of proposed refuse facility expansion.

The current refuse operation is dependent on the existence of the County owned and operated solid waste transfer station located directly north of the city on US 42. All residential and commercial waste is delivered to this location. Potential changes to this operation are being closely monitored as the city's operational efficiency or the refuse operation is tied directly to the availability of the local transfer station. Short term contingency plans have been developed this year for a proposed temporary closure of the station for required repairs and improvements.

The city also manages two closed landfills at Cherry Street and Curve Road. Improvements have been completed at both to control leachate breakouts from entering area waterways and drainage systems. In 2015/2016, the leachate collection system at Curve Road was modified by installing a gravity sewer line to direct leachate to an existing sanitary sewer line located approximately 1,750 feet north of the landfill. With this system in place, the Public Works Department will be able to cease the leachate hauling operation and eliminate associated costs estimated to be $100,000 per year.

A design-build contract is currently being contemplated for the construction of a combined recycling processing and vehicle cold storage facility. Originally, two separate buildings to house the operations were considered however site

restrictions concerning buildable footprint area necessitate a single building be constructed and positioned toward the northeast corner of the Public Works facility property. The construction type may also be adjusted so that any new facility could serve dual use should Public Works operations be adjusted and expanded in the future. The existing recycling facility on Cherry Street is undersized for the size of the recycling operation and is in need of significant repair and expansion in order to be maintained at that location. The preference is to relocate the operation to the Public Works Facility so the old building can be demolished and the site returned to natural open space adjacent to the Olentangy River. The CIP includes expenditures for the construction of both facilities.

Strategic Plan Theme/Goals
Safe City

SC2 – Provide safe and reliable drinking water, sewage and solid waste disposal and drainage systems.

Master Planning Efforts

2014 - Refuse Collection Transfer Facility Contingency Plan
2015 - Recycling Service Agreement with Sims Recycling
2016 – Refuse rate and service level review
2017 – Construction of new Refuse Vehicle/Recycling Building
2017 – City/County Task Force on Future of Transfer Station

CAPITAL IMPROVEMENT PLAN
REFUSE FUND
2017 - 2020

	2017	2018	2019	2020	2021
BALANCES FORWARD	**1,000,000**	**320,689**	**326,126**	**273,366**	**286,606**
REVENUES:					
Refuse Fees	600,000	612,000	624,240	624,240	636,725
Bond Revenue	1,500,000				
TOTAL REVENUE	**2,100,000**	**612,000**	**624,240**	**624,240**	**636,725**
EXPENDITURES:					
Debt Service					
Refuse Buildings ($1.5m, 3%, 5 yrs. 2021)	180,000	180,000	180,000	180,000	180,000
Building Improvements					
Refuse Equipment Storage Bldg 18000 sq. ft.	1,400,000				
Recycling Processing Bldg. 8100 sq. ft.	660,000				
Equipment					
Rear Load 20-Yard Packer - Commercial	163,000	169,500		179,000	
Side Load Lease Payments (2 units. 5 yrs., 2.5%)	80,311	20,063			
Side Load Truck	230,000	237,000	245,000	252,000	260,000
Recycling Vehicle - Recycling			252,000		267,000
1 Ton Dump w/liftgate	66,000				
TOTAL EXPENDITURES	**2,779,311**	**606,563**	**677,000**	**611,000**	**707,000**
ENDING FUND BALANCE	**320,689**	**326,126**	**273,366**	**286,606**	**216,331**

TO: Mayor Riggle and Members of Council

FROM: R. Thomas Homan, City Manager

SUBJECT: Miscellaneous Matters

DATE: September 21, 2016

---

1. **Calendar**
   See Attached

2. **Per Section 73 Of The City Charter The City Manager Is To Report Contract Agreements**
   See Attached

3. **Bi-Weekly Meetings**
   September 12
   * Rotary
   * Council meeting

   September 19
   * Finance Committee meeting

   September 24-28
   * ICMA Conference

4. **Required Reading**
   A. August 2016 Fire Department Report

September 2016

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5 Holiday – City Offices Closed	6	7 Planning Commission 7	8	9	10
11	12 Council 7	13	14 NO BZA meeting	15	16	17
18	19	20	21	22 City Offices close at Noon	23	24
25	26 Council 7	27 Shade Tree Commission 7	28 HPC 7	29	30	

CONTRACT APPROVAL – SEPTEMBER 26, 2016			
VENDOR	**EXPLANATION OF AGREEMENT**	**2016 AMOUNT**	**DEPARTMENT**
Central Ohio Rotary Fliers	Maintenance Agreement for Curve Road	$1	CMO
Symmetry II	Stormwater Best Management Practices	$0	Public Works
Rockmill Financial	Municipal Financial Advisor	per issue	Finance

Delaware Fire Department

August 2016 Monthly Report

PERFORMANCE REVIEW	2013 Actual	2014 Actual	2015 Actual	2016 Budget	August Actual	Year-to-Date Actual	% Year to Date Budget	% of Budget Completed	(+/-) Projected for Year
Total number of incidents	4,831	5,173	5,380	5,402	516	3,883	71.88%	67.00%	4.88%
Fire	104	101	126	130	11	57	43.85%	67.00%	-23.15%
Rupture/Explosion	3	3	1	3	0	2	66.67%	67.00%	-0.33%
EMS	3,883	4,047	4,254	4,256	414	3,111	73.10%	67.00%	6.10%
Hazardous Conditions	131	124	135	133	11	95	71.43%	67.00%	4.43%
Service Calls	94	141	155	154	11	83	53.90%	67.00%	-13.10%
Good Intent	165	162	155	166	16	128	77.11%	67.00%	10.11%
False Calls	440	589	541	547	52	399	72.94%	67.00%	5.94%
Severe Weather	3	0	1	1	1	3	300.00%	67.00%	233.00%
Other	8	6	12	12	0	5	41.67%	67.00%	-25.33%
Number of medical transports	2,576	2,586	4,024	3,968	429	3,033	76.44%	67.00%	9.44%
Percent of priority calls w/ response within 6 min	56%	68%	74%	70%	69%	71%	101.43%	67.00%	-30.43%
Percent residential structure fires ERF of 15 FF within 12 minutes	70%	78%	85%	70%	N/A	100%	100.00%	67.00%	70.00%
# Structure Fires		9	13	10	0	7	53.85%	67.00%	-13.15%
# Strucutre with personnel and Times		7	11	7	0	7	63.64%	67.00%	-3.36%
Number of commercial inspections conducted	1,222	1,473	1,365	1,250	43	936	68.57%	67.00%	1.57%
Number of plans reviewed within five days	86%	100%	100%	90%	100%	100%	100.00%	67.00%	100.00%
Number of fires greater than $10,000	13	8	12	8	0	5	41.67%	67.00%	-25.33%
Number of fires of suspicious nature	5	5	6	3	0	2	33.33%	67.00%	-33.67%
Hours of Training	8,831	13,335	10,977	10,000	784	6,713	61.16%	67.00%	-5.84%

Major Incidents

- August 2, Scioto Twp., MVC, Semi & 2 cars
- August 2, Pittsburgh Dr., Hazardous Materials Spill
- August 5, US 23, Hazardous Materials Spill
- August 6, US 23, Semi Overturned
- August 7, Ashley, Structure Fire
- August 21, City, IronMan

Other Activities

- Station Tours
- Hiring Physical Agility
- OWU Resident Assistant Training
- Fire Extinguisher Training. EMS Inc, DeloScrew
- Youth Explosion

2010 Fire Levy Status

- Equipment - Continuing
    - Committee has finalized the specifications of the new Quint Fire Truck. Ordering should take place in September
    - Three new Paramedic trucks were placed in-service and are operating at all of our Fire Stations.
    - Staff cars have been replaced in 2012, 2013, 2014 & 2015. This has included the implementation of retired police vehicles for station and inspector cars.

- The new engine was delivered and placed in-service in April 2013.
- The new paramedic truck was delivered and was placed in-service in January 2013.
- The new ladder truck was delivered and was placed in-service in April 2012.

- Personnel - Continuing
  - Additional Agility Testing took place in August 2016.
  - Testing and an Agility test were completed for Full and Part-time Firefighters. 4-Part-time FFs started their training on August 13.
  - Officer Development Training Continued. All new Lieutenants have completed their Instructor training, Fire Inspector and Fire Officer 1 certifications. They continue to work on their Associates Degree and other required classes.
  - The total amount of new personnel hired since the new levy is 28. Some of these positions have filled open positions.
- New Fire Station 304 - Continuing
  - Lot surveying took place for St 304.
  - Property was purchased in 2011 at 821 Cheshire Rd. The property was leased out and the lease moved out on November 30, 2013. In 2014, we plan to begin the analysis and plans for an anticipated groundbreaking in 2016.
  - The opening of this Station is dependent on the increased staffing. This will be accomplished through the use of Part-Time personnel to supplement the staffing. The Part-Time personnel will be backfilling the open positions caused by personnel scheduled leaves.
- Fire Station 303 - Completed
  - On September 27, 2013 we began operation 24/7. The Fire Station was dedicated on October 19, 2013.

Delaware Fire Department

August 2016 Monthly Report

Council for Older Adults – Monthly Report on the Firehouse Coordinator

First in Response to Seniors

July 2016

Referrals		# new CSP-enrolled clients		Total Contacts (duplicated)		# individuals served during the month		# of new indivduals served	
Month	YTD	Month	YTD	Month	YTD	Month	Average/Mo	New for Month	YTD Unduplicated
32	369	2	12	158	1270	60	72.57	31	331

Contacts: assessment and safety check
CNs removed to avoid duplication

Ref.	32	Math Check
YTD Ref	369	
# Svd	60	
YTD Svd	331	
Svs add	4	
Svs add	27	

Referrals

Direct Referral		Delaware City FD		Genoa Township FD		SP Staff		Orange Township FD	
Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD
22	299	0	28	0	0	7	23	0	0
Liberty Township FD		**Delaware Co. EMS**		**client self ref.**		**Other**			
Month	YTD	Month	YTD	Month	YTD	Month	YTD		
3	15	0	2	0	1	0	1		

City of residence for those served:

Delaware		Galena		Lewis Center		Marysville		Westerville	
Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD
48	291	0	2	1	3	0	0	1	5
Powell		**Sunbury**		**Ashley**		**Other**		**Total**	
Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD
9	24	1	2	0	1	0	3	60	331

Additonal Services

# services added		Home Delivered Meals		Shelf Stable Meals		Emergency Response Unit		Medication Dispenser	
Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD
4	27	0	6	0	1	2	10	0	1
# individuals with new services		**Incontinence Products**		**Durable Medical Equipment**		**In-Home Support**		***Other**	
Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD
2	15	0	0	1	1	1	5	0	3

4

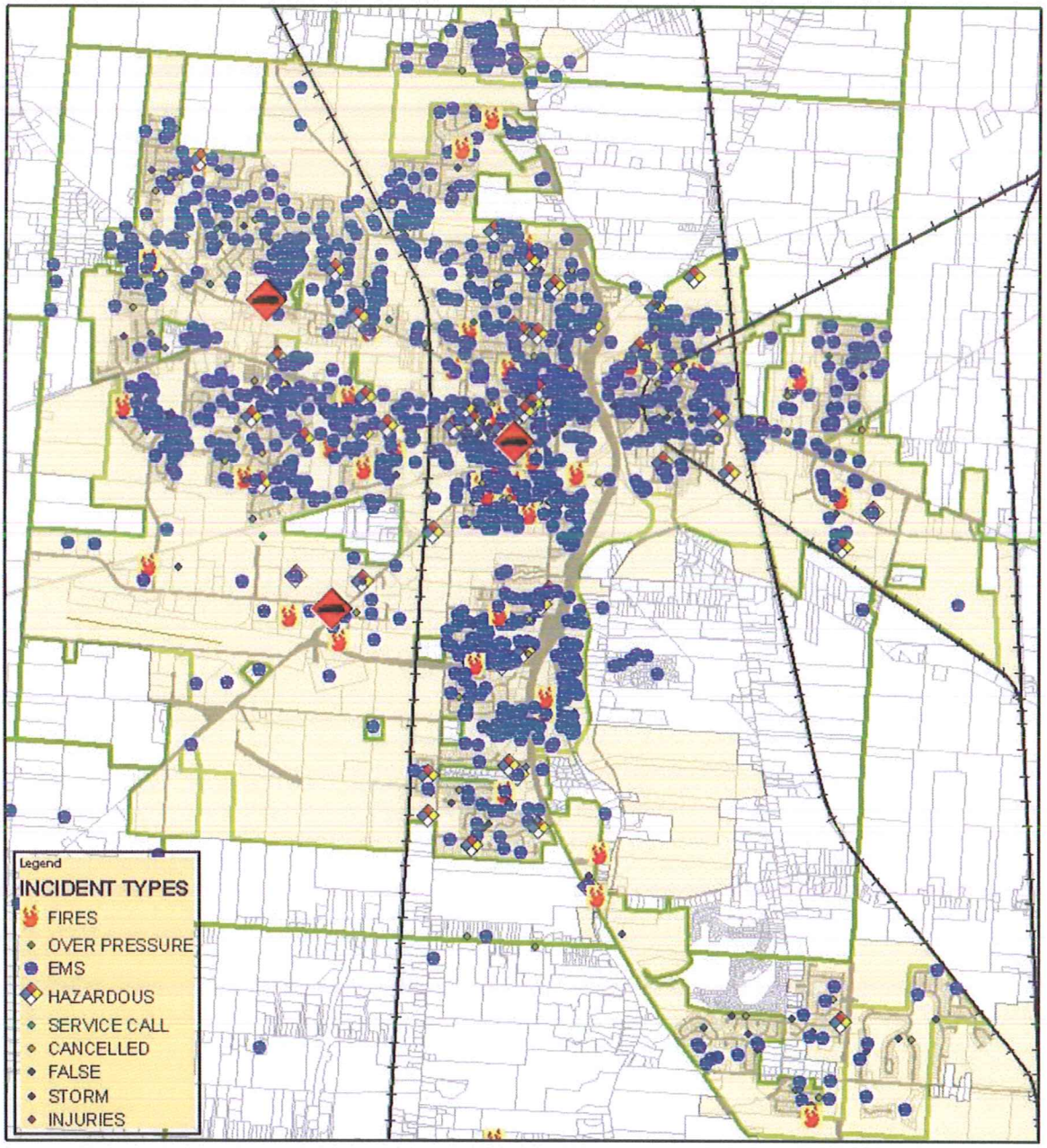
***Other**

n/a

Notes

Additional community contacts were made at events on 7/11, 13, 14, 15 where basic information on FIRST and Delaware County resources were provided to 48 Delaware County older adults

Delaware Fire Department

August 2016 Monthly Report

2016 Incidents