

GROVE CITY, OHIO COUNCIL
LEGISLATIVE AGENDA

February 21, 2023

6:30 Caucus

7:00 p.m. Regular Meeting

Call to Order: President Berry Roll Call: Clerk of Council Approval of Minutes

Welcome & Reading of Agenda: Pres. Berry

LANDS: Mr. Schottke

Ordinance C-63-22 Approve the Rezoning of 144.27± acres located north of S.R. 665 and east of S.R. 104 from SF-1 to PUD-R with zoning text. Second reading and public hearing.
Postponement requested.

Ordinance C-03-23 Rescind the B.M.R. Farms Plat located North of Holton Rd. and East of S.R. 104. Second reading and public hearing.

Ordinance C-04-23 Approve the Plat of Holton Run, Section 4 located S of Demorest Dr. & N of Chancellor Dr. First reading.

Ordinance C-05-23 Approve the Plat of Holton Run, Section 5 located S of Demorest Dr. & N of Chancellor Dr. First reading.

Ordinance C-06-23 Approve a Special Use Permit for a Day Care for Daystarz Child Care LLC located at 5968 Hoover Road. First reading.

Resolution CR-49-22 Approve the Development Plan for Beulah Park, Subarea C, permitting Lennar Homes Venture Collection. **Withdraw requested.**

Resolution CR-56-22 Approve the Development Plan for Communities at Plum Run located north of S.R. 665 and east of S.R. 104. **Postponement requested.**

Resolution CR-06-23 Approve a Certificate of Appropriateness to install Tesla Charging Stations to Meijer's Parking Lot located at 2811 London-Groveport Road.

Resolution CR-07-23 Approve the Development Plan for Courtyards at Mulberry Run located N & S of White Road. **Postponement requested.**

SERVICE: Ms. Houk

Resolution CR-08-23 Authorize the City's Consulting Engineer to Prepare Plans, Specifications and Cost Estimates for the Construction and Repair of Sidewalks on Addison Dr., Angela Dr., Eleanor Ave., Haughn Rd., Kingston Ave., Parlin Dr. and Reaver Ave.

SAFETY: Mr. Sigrist

Resolution CR-09-23 Waive the provisions of Section 529.07(b)3 of the Codified Ordinances for the Wine & Arts Festival on June 16 – 17, 2023 in the Town Center.

Resolution CR-10-23 Waive the provisions of Section 529.07(b)3 of the Codified Ordinances for the Taco's & Tequila Festival on July 15, 2023 in the Town Center.

Resolution CR-11-23 Waive the provisions of Section 529.07(b)3 of the Codified Ordinances for the Craft Distillers Festival on August 12, 2023 in the Town Center.

FINANCE: Mr. Holt

<u>Ordinance C-07-23</u>	Provide for the Issuance and Sale of Bonds in the maximum principal amount of \$9,000,000.00 for the purpose of paying the costs of improving the City's Parks & Recreational facilities by constructing the Beulah Community Park to include, among other improvements, various utility, roadway and pedestrian related improvements, fitness areas together with related equipment, a splash pad, various structures, landscaping, street lighting, signage and parking, together with all other necessary appurtenances thereto.
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Call for New Business	Call for Dept. Reports & Closing Comments	Adjourn
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ON FILE: Minutes of: 02/06 Council & 02/07 Plan. Comm.

Date: 09/12/22
Introduced By: Mr. Schottke
Committee: Lands
Originated By: Plan. Comm.
Approved: _____
Emergency: 30 Days: _____
Current Expense: _____

No.: C-63-22
1st Reading: 09/19/22
Public Notice: 09/20/22
2nd Reading: 11/07/22
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

Postponed
to 12/5
12/19
02/21/23

ORDINANCE C-63-22

AN ORDINANCE FOR THE REZONING OF 144.27+ ACRES LOCATED NORTH OF STATE ROUTE 665 AND EAST OF STATE ROUTE 104 FROM SF-1 TO PUD-R WITH ZONING TEXT

WHEREAS, a petition was filed with the Planning Commission of the City of Grove City praying for the recommendation of said Commission in regard to the rezoning of certain premises hereinafter described; and

WHEREAS, the Planning Commission approved the rezoning on Sept. 06, 2022; and

WHEREAS, a copy of the ordinance, together with a map and plat and the report of the Planning Commission has been on file in the Clerk's office for thirty days for public inspection.

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

SECTION 1. The following described premises are rezoned from SF-1 to PUD-R with zoning text:

Situated in the State of Ohio, County of Franklin, City of Grove City and being a part of Virginia Military Survey 1105 and being all of that tract of land as conveyed to S & W Huggett Ohio LLC, as recorded in Official Records, Instrument No. 200809300146421, Recorder's Office, Franklin County, Ohio, and being more fully described in Exhibit "A" attached hereto and made a part hereof.

SECTION 2. The comprehensive zoning map is hereby amended to conform to the provisions of this ordinance.

SECTION 3. This Ordinance shall take effect at the earliest opportunity allowed by law.

Ted. A. Berry, President of Council

Passed:
Effective:

Richard L. Stage, Mayor

Attest:

Tami K. Kelly, MMC, Clerk of Council

I Certify that this ordinance
is correct as to form.

Stephen J. Smith, Director of Law

Zoning Description

144.27 Acres

Situated in the State of Ohio, County of Franklin, City of Grove City, Virginia Military Survey No. 1105 and being all of that tract of land as conveyed to S & W Huggett Ohio LLC of record in Instrument Number 200809300146421, all deed references refer to the records of the Recorder's Office Franklin County, Ohio and described as follows:

Beginning at the northeasterly corner of said S & W Huggett Ohio LLC tract at the intersection of the southerly line extended of that plat entitled Scioto Meadows Section 1 Part 1 of record in Plat Book 89, Page 3, with the centerline of State Route 665;

Thence South 5°34'09" East with said centerline a distance of 2567.35 feet to an angle point in said centerline;

Thence North 82°15'14" West continuing with said centerline a distance of 2215.35 feet to the southeasterly corner of a 2.204 acre tract as conveyed to Steve M. and Sharon Doersam of record in Instrument Number 201101070004133;

Thence with the perimeter of said 2.204 acre tract the following courses:

North 7°25'40" East a distance of 481.11 feet to a corner thereof;

North 82°34'20" West a distance of 200.00 feet to a corner thereof;

South 7°25'39" West a distance of 480.00 feet to a corner thereof in the centerline of said State Route 665;

Thence North 82°15'14" West with said centerline a distance of 1629.33 feet to the southeasterly corner of a 1.520 acre tract as conveyed to Kip A. and Barbara R. Thompson of record in Instrument Number 200506210120647;

Thence with the perimeter of said 1.520 tract the following courses:

North 7°46'04" East a distance of 290.74 feet to a corner thereof;

North 80°15'21" West a distance of 180.18 feet to a point in the easterly right-of-way line of State Route 104;

Thence North 3°41'08" East with said easterly right-of-way line a distance of 543.33 feet to an angle point in said right-of-way line;

Thence North 86°26'33" West with said easterly right-of-way line a distance of 54.70 feet to a point in the centerline of said State Route 104;

Thence North 3°41'45" East with said centerline a distance of 113.01 feet to a point;

Zoning Description

144.27 Acres

Thence partly with the southerly line of a 1.0614 acre tract as conveyed to Daniel Riffe of record in Instrument Number 200309110290430 and partly with the southerly line of Scioto Meadows Section 1 Part 2 (Plat Book 89, Page 3) the following courses:

North 84°47'39" East a distance of 2928.35 feet to a corner thereof;

North 3°52'11" East a distance of 686.51 feet to a corner thereof;

North 85°01'11" East a distance of 950.27 feet to the **Point of Beginning** and containing **144.27 acres** of land more or less.

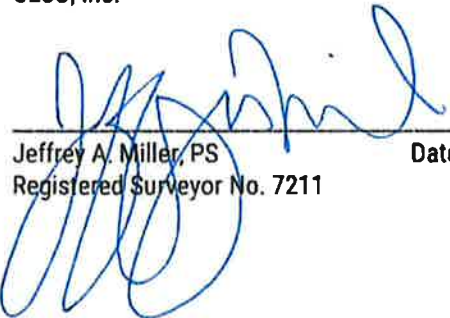
Subject to all covenants, restrictions, reservations, and easements contained in any instrument of record pertaining to the above described tract of land.

This description was prepared for Zoning Purposes only.

The Basis of Bearing for this description is South 05°34'09" East for a portion of State Route 665.



CESO, Inc.


Jeffrey A. Miller, PS
Registered Surveyor No. 7211

9-1-21
Date 09/01/2021





NO. DATE REVISION DESCRIPTION



PULTE HOMES OF OHIO, LLC
COMMUNITIES AT PLUM RUN
(HUGGETT PROPERTY)
FREMONT COUNTY, OH

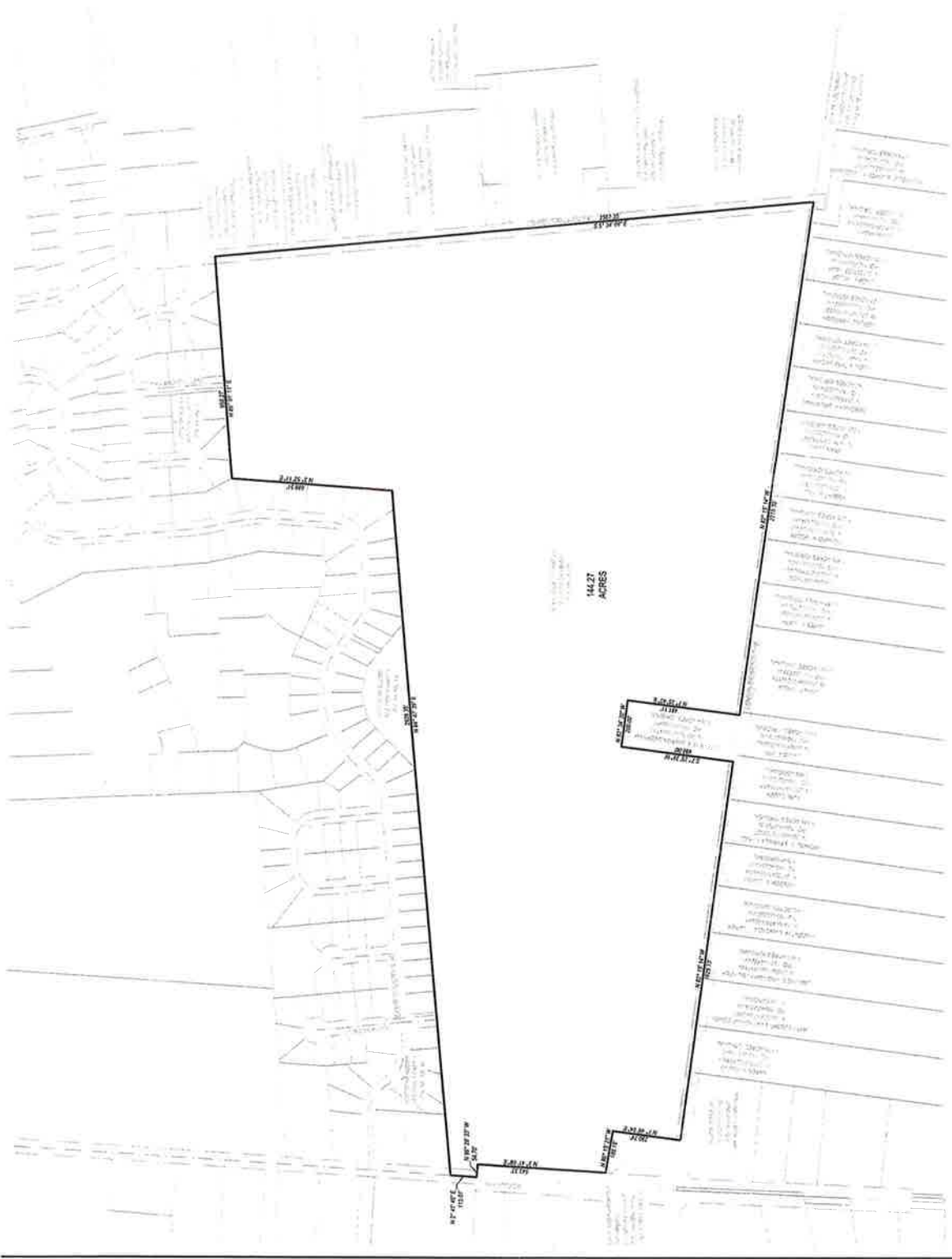
BOUNDARY
EXHIBIT

DATE FOR CONSTRUCTION
DATE
JOB NO.
DESIGN
DRAWN
CHECKED
SHEET NO.



Revised By:
Green City Development
09/25/21

LEGEND
SUBJECT BOUNDARY
EXISTING PROPERTY LINE
EXISTING ROW
EXISTING CENTERLINE



Graphic Scale: 1 inch = 200 feet

05.06.22
PULTE – COMMUNITIES AT PLUM RUN
(Huggett Property)
Development Standards and Zoning Text
Grove City, Ohio

CURRENT ZONING: SF-1 (SINGLE FAMILY)

PROPOSED ZONING: PUD-R
(PLANNED UNIT DEVELOPMENT RESIDENTIAL)

Property Owners: S & W Huggett Ohio LLC
14337 US Rte. 23
Ashville, OH 43103

Applicant: Pulte Homes of Ohio LLC
475 Metro Place S. Ste. 200
Dublin, OH 43017

Authorized Representative: Thomas L. Hart
Painter and Associates
5029 Cemetery Road
Hilliard, OH 43026

I. PROPERTY

The property ("Property") consists of approximately 144.27 acres± acres north and west of London-Groveport Road (S.R. 665) and east of Jackson Pike (S.R. 104) as further described on the attached Final Development Plan, legal description (Exhibit A) and Survey (Exhibit B).

II. INTRODUCTION

The proposed community will consist of a mixture of single-family homes designed for families with children and free-standing patio/condominium homes designed with a minimum of two bedrooms on the first floor and no more than 50% of the first-floor area permitted on the second floor (if a second-floor option is chosen by the customer). The patio/condominium homes are designed for buyers seeking "first floor living" and typically appeal to the active adult consumer who desires community lifestyle services such as lawn/landscape maintenance and snow removal. Patio home lifestyle living is in high demand in the area as active adults continue to downsize but prefer to stay in their own community. The community is designed as an enclave opportunity for this type of living in an area with access to parks and trails in close proximity to children and grandchildren living nearby. The style, size and types of conventional single-family homes are consistent with the adjacent

communities, but include updated home designs, features and enhanced values.

The site plan will activate and allow regional access to the Plum Run stream corridor by providing scenic overlooks as well as by locating the regional multi-use path within the property and near the stream.

III. GENERAL PROVISIONS

- a. The provisions outlined within these development standards zoning text and the Subarea Map/Illustrative Plan(Exhibit C) shall apply to the 144.27 +/- acres of land as described in Exhibit A unless otherwise approved by Grove City Council. Other provisions of the Grove City Code (the "Code"), including the Standard drawings and other policies shall only apply to the extent that this zoning text does not address such matters. Any deviations from the standards outlined in the text may be granted by City Council, through the development plan.
- b. This PUD-R development is divided into three Subareas A, B, and C with applicable standards for each described herein.
- c. All provisions of this text are severable. If a court of competent jurisdiction determines that a word, phrase, clause, sentence, paragraph, subsection section or other provision is invalid or that the application of any part of the provision is invalid, the remaining provisions and the application of those provisions shall not be affected by that decision.
- d. Where there is or appears to be a conflict between the approved text and development plan, the more restrictive requirements shall apply. Where there is or appears to be a conflict between the text and the Code, the zoning text shall control.

IV. PERMITTED AND ACCESSORY USES

- a. The Communities at Plum Run PUD will be a residential neighborhood that shall contain detached single-family homes on public streets (Plum Run Ridge) and detached Patio/Condominium Homes (Plum Run Preserve) on private streets.
- b. A maximum number of detached single-family homes shall be permitted at three-hundred sixty (360) with lot standards and governed by regulations as further provided herein.
- c. Open spaces for the purpose of recreation, stormwater management and stream corridor protection zones, as estimated on plan exhibits and are to be confirmed with final engineering, surveying and construction plan review.

- d. Other permitted uses shall include entry features, site landscape fences or walls, signs, columns, related landscape lighting, multi-use paths and scenic overlooks to incorporate natural views, playground/tot lot, landscaping structures and benches to enhance open space, signage, trees and other plantings, protected natural areas of the stream corridor, model homes and related operations and other features incidental to detached single-family housing.
- e. Accessory uses shall be regulated in accordance with the Grove City Zoning Code.
- f. Model homes under City Code and with standards provided herein. Off- street parking for model homes may be permitted on one or more lots.
- g. Each home in Subareas A and B shall be on fee-simple platted lots. Homes in Subarea C are intended to be owned in a condominium form of ownership under ORC 5311.

V. GENERAL DEVELOPMENT STANDARDS

- a. Density. The density of the site shall not exceed Three Hundred Sixty (360) units, with a maximum gross density of +/-2.50 dwelling units per acre.
- b. Entryways. Landscaped entry features to the site will be located on London-Groveport Road (SR 665, two entrances for single family subareas) and Jackson Pike (SR 104) with lesser landscaping provided at Ravines End Drive and Ann Arundal Lane for the single-family Subareas A and B. . Separate entrances and entry features to the patio homes/condominium Subarea C from London-Groveport Road are also provided. The entrances shall incorporate design elements as depicted on exhibits and site plans and may include fencing, landscaping walls, signage, columns/piers, fountains, and related landscaping and lighting within open spaces. Entry signage is permitted at all entrances off Jackson Pike and London Groveport Road and shall meet signage requirements and setbacks of Chapter 1145 and the landscaping requirements of Section 1136.09(a)(1).
- c. Streets.
 - 1. All Public Streets shall be a minimum of 28 feet in width (as measured from face to face).
 - 2. All Private Streets shall be a minimum of 24 feet in width (as measured from face to face), owned and maintained by the Condominium or Homeowners Association. Private streets shall be permitted to deviate from the public roadway standards as part of the Final Development Plan for the patio/condominium subarea. Such deviations shall be approved as part of the

Final Development Plan.

3. The Developer shall work with the City staff to devise traffic calming measures and strategies to slow traffic on longer street runs, with special attention to Street A, from Jackson Pike and through Subarea A. Review of such traffic calming strategies shall be subject to the city's standards and may include the following: narrowing with mid-block curb "pinch points", especially at key pedestrian crossings, landscape street islands at key mid-street points, raised pavement at pedestrian or other street intersections, and striping techniques that create the driver perception of narrowing at the same pedestrian and street crossings.
- d. Sidewalks and Multi-Use Paths. Each street shall have a path and/or sidewalk on each side. An 8-foot-wide regional path shall be constructed and dedicated for public use to provide recreational opportunity to the residents of the neighborhood as well as the larger community and to access the natural areas bordering Plum Run as depicted on the Final Development Plan. Final sidewalk and path locations shall be approved on the Final Development Plan with allowance for the balancing of aesthetics, construction feasibility, maintaining grade, topography and drainage, and/or existing vegetation.
- e. Open Space. Open space is estimated on plan exhibits and is subject to final engineering, surveying and construction plan review.
 1. Open space is to be reserved for passive activities, as well as recreation, and will include benches and other seating areas, along with connecting paths and sidewalk accesses as generally shown on the Final Development Plan.
 2. Open space calculations may vary from the calculations provided on Final Development Plan Exhibits based on minor site plan adjustments for final engineering, utility and other field location decisions as shown on the final engineering plan/plats provided such final open space calculations meet the requirements of Section 1101.09(b) and such adjustments are approved by the City.
 3. Open space, including stormwater ponds, structures, facilities and paths shall be owned and maintained by the owners' associations, unless otherwise agreed with the City under an approved Development Agreement or if approved by Council at the time of platting.
 4. The Plum Run stream corridor and associated floodplain shall be preserved and may contribute to the required open space per Section 1101.09(b) provided that the area is activated by a path system and scenic overlooks.
- i. Open space amenities and specific open space acreages shall be depicted on the Final Development Plan as determined by final engineering. Open

space shall include Playgrounds and related facilities as depicted on plan exhibits and may also include elements such as bicycle racks and trash receptables for the convenience of homeowners and guests.

- f. **Site Lighting.** Site lighting on the public streets shall meet the current requirements of Grove City Code and the lighting fixtures will match the fixtures in the adjacent community of Scioto Meadows. The Private Street lighting will be similar to the fixtures in the Public Street area but will be owned and maintained by the owners' association (or via a "lease lighting" program entered into by the condominium association and the local utility provider, e.g., AEP). Street intersections shall be lighted with more limited lighting and spacing of lights on streets away from intersections.

g. **Fencing.**

- 1. Site landscape fencing ("off-lot") as depicted in plan exhibits, may be located at entry features and within perimeter setback areas along Jackson Pike and London Groveport Road and is to be white three-rail of a white vinyl, composite or weather resistant material.
- 2. All "on-lot" fencing shall not exceed the following heights: unless otherwise specified: 48" for yard fences. 72" for privacy fences around patios, hot tubs, etc.
- 3. In addition to the standards set forth in this text, all on-lot fence heights and styles are subject to written approval of the owners' association prior to installation.
- 4. Pool fencing shall be as required by applicable governmental rules and regulations and owners' association documents.
- 5. Yard fencing may be permitted within subareas A and B, **Single Family** homes under the following standards:
 - i. All fences must be located on a property owner's property line(s) or setback a minimum of twenty-four inches (24") from the property line. Placement of a fence on the property line constitutes the acknowledgement of the property owner that a fence on a neighboring property may be erected to "tie-in" to such fence so that duplicate, parallel fences on adjacent properties can be avoided.
 - ii. No fence may be erected within four feet (4') of an existing fence on an adjacent property except where such fences "come together" to form a connection point of such fences.
 - iii. If the erection of an approved fence would result in the creation of an area

on a property owner's lot that cannot be accessed for maintenance purposes other than from an adjacent owner's property, a gate must be erected in such fence so that the property owner can maintain his/her entire lot without trespassing/entering upon such neighbor's property.

- iv. No fence may be erected closer to any street than the platted building set-back line relative to such street. In the case of corner lots, the setbacks from BOTH streets shall apply.
 - v. Fences may not be erected to "clip a corner" or otherwise "box out" utility junction boxes that are located on the lot on which the fence is being erected. An Application that has been "Conditionally Approved" and which shows a fence alignment that results in such utility junction boxes being 'outside' of the fenced area of the yard are understood to require a change in alignment, such that the proposed fence follows property lines around the utility junction boxes, or runs parallel to property lines and is adequately set back from property lines to meet all of the foregoing requirements (including the requirement for one or more gates, if appropriate).
 - vi. All fences must be installed 'beauty-side out,' with all structural members (stringers) located on the side of the fence visible from the enclosed part(s) of the lot.
 - vii. Fences are required to comply with any and all height limitations established in City Code or community deed restrictions, whichever is more stringent.
 - viii. Fences must be erected along straight lines at consistent heights so as to provide a clean, professionally installed appearance; and all fence approvals are conditioned upon the duty of the property owner at all times to maintain the condition and appearance of the fence in good condition, including replacement of damaged, broken or missing fence boards, and painting/staining as appropriate from time-to-time (including gate hardware visible from the outside of the fenced yard). The 'standard' for fence maintenance and appearance is the general appearance of other fences and improvements within the same subdivision.
 - ix. Fences intended to enclose the rear yard of a Lot ("Rear-Yard Fencing") shall adhere to the style of fence as depicted on Exhibit F-1 attached hereto or substantially similar to style depicted in Exhibit F-1.
6. Yard fencing may be permitted within Subarea C **Patio Homes** under the following standards:
- i. Fences are required to comply with any and all height limitations

established in City Code or the applicable deed restrictions, whichever limitations are stringent.

- ii. Fences must be erected along straight lines at consistent heights so as to provide a clean, professionally installed appearance; and all fence approvals are conditioned upon the duty of the property owner at all times to maintain the condition and appearance of the fence in good condition, including replacement of damaged, broken or missing fence boards, and painting/staining as appropriate from time-to-time (including gate hardware visible from the outside of the fenced yard). The 'standard' for fence maintenance and appearance is the general appearance of other fences and improvements within the same condominium.
7. Patio privacy fencing may be permitted with subarea C Patio Homes under the following standards:
- i. Privacy screening fences may not fully enclose a lot or patio. The privacy screening fence is only to be installed adjacent to patios and shall only be located along one side of any patio.
 - ii. Privacy screening is not to exceed 6' in height and should not extend longer than 20' beyond the depth of the structure.
 - iii. Unless otherwise permitted by the Design Review Board as established by the owners' association documents, the privacy screening is to be white vinyl with an open lattice style top as generally depicted on Exhibit "F-2".
- h. Retention Ponds. Retention Ponds shall comply and be constructed in accordance with Grove City's Stormwater Design Manual, unless otherwise permitted by this text.
- i. Landscaping, Screening, and Tree Preservation.
- 1. Screening of Service Structures
 - a. Service structures shall be screened per Code (Section 1136.08).
 - 2. Unit Trees
 - a. There shall be three (3) trees planted per single-family residence.
 - b. Trees may be small, medium or large species and shall be a minimum of two (2) inches in caliper at installation or a minimum of six (6) feet in height, if evergreen.
 - c. Multi-stem and evergreen trees are permitted to account for trees required

for Subarea C.

- d. Trees shall be arranged within the front, side or rear yard areas with emphasis on the front facades in all Subareas. In addition, trees required for Subarea C may be located within any open space or setback area of any Subarea.
- e. In the case that trees die, trees shall be re-installed by the developer or the HOA per the final development plan.

3. Foundation Plantings

- a. A minimum of one-third (1/3) of the façade, or facades in the case of corner lots, fronting the public or private street shall be landscaped adjacent to the foundation with a minimum of five (5) shrubs, ground cover or ornamental plantings.
- b. The average height of foundation plantings at installation shall be twenty-four (24) inches minimum.

4. Perimeter Landscape Treatment

- a. A landscape treatment shall be provided in the open space reserve areas between residential lots and London-Groveport Road (SR 665) and Jackson Pike (SR 104) as detailed in the Final Development Plan, including the following:
 - i. Mounding shall vary in height and slope to create a rolling, natural appearance. Mound heights may range up to eight (8) feet, with average heights ranging from four (4) to six (6) feet. Slopes may range from 3:1 to 10:1. Mounding shall be located outside the public right-of-way and shall not obstruct site distance at any driveways or public intersections.
 - ii. Plantings at a rate of seven (7) evergreen trees, two (2) large deciduous trees and one (1) ornamental tree per one hundred (100) linear feet of lot perimeter.
 - iii. Evergreen trees shall be installed at a minimum height of six (6) feet. Deciduous trees shall be installed at a minimum caliper of two and one-half (2½) inches.
 - iv. Ornamental trees shall be installed at a minimum height of seven (7) feet, and shall be a minimum of 1.75" caliper at time of installation.

5. Street Trees

- a. Street trees shall be located along all streets within the Communities at Plum Run development and be spaced per chapter 1136.09(b) of City code. Street trees shall be owned and maintained by the Homeowners/Condominium Association, unless located on owner's lots. If trees die, street trees shall be replaced by the Homeowners/Condominium Association.
- b. Street trees shall vary in species to prevent a monoculture so long as they are in accordance with the City's planting list as approved by the City's Urban Forester. Invasive plant species - as listed by the Ohio Department of Natural Resources (ODNR) shall be prohibited and the use of native plants will be encouraged. The amount and type of trees shall be approved by the City's Urban Forester.
- c. At time of installation, all street trees shall have a clear canopy height of at least five feet (5') above the ground for traffic safety purposes.
- d. The minimum distance between the tree and the back of the street curb shall be two and one-half feet (2-1/2'). In the areas where a sidewalk exists or is proposed, the minimum distance between the tree trunk and both the edge of the street and the sidewalk shall be two feet.
- e. The minimum trunk caliper measured at six inches above the root ball for all street trees shall be no less than two (2) inches.

6. Retention Area Planting

- a. There shall be one (1) tree planted on site for every fifty (50) lineal feet of retention area perimeter. Required trees are not required to be evenly spaced around the perimeter and can be grouped within the reserve containing the retention area provided that design meets the overall design intent of planting requirements and appropriate character for the development.
- b. Retention areas may be planted to provide natural character in areas adjacent to the Plum Run stream corridor in order to maintain and enhance the native character.
- c. Jute matting is permitted as an option for shoreline protection.

7. Preservation of Trees and Wooded Areas

- a. A 'No Disturb Zone' shall be placed on lots over the twenty (20) feet adjacent to the existing Scioto Meadows subdivision. No building or

storage shall be placed and no removal of plantings of any kind shall be permitted, but the clearing of plant material that is dead, dying or posing a hazard or threat may be allowed as determined by the Urban Forester for The City of Grove City. Any portion of those areas designated as a tree preservation zone which do not contain trees or existing vegetation other than grass shall be maintained per the Grove City Property Maintenance Code. Alteration of grade is prohibited, except as approved by the City of Grove City, for utility placement, rear yard storm sewers or structures, path or street placement and in keeping with positive drainage practices and subdivision grading requirements.

- b. Existing healthy trees with a minimum of 4" diameter as measured at DBH within the 100-year floodplain or Stream Corridor Protection Zone of Plum Run shall be preserved with the exception of the need for utilities, pedestrian path, scenic overlooks, accesses and/or road crossings. Ash Trees shall be removed as directed by the City's Urban Forrester.

8. Grass and Groundcover

- a. Any open space along a prominent corridor, such as Jackson Pike and London Groveport Road, shall be maintained as turf grass established by seed. Sod installations and irrigation systems shall be utilized at entries from Jackson Pike and London Groveport Road where such entries include added planting and landscape features as depicted on final development plans.
- b. Other areas of the Development not covered by landscaping shall be planted per Code (Section 1136.11).

j. Parking.

- 1. Four parking spaces shall be provided for each dwelling unit with a minimum of two spaces in an attached garage of each home and two spaces in each driveway.
- 2. On-Street parking will be restricted to one side of the street on public streets (Non-Fire Hydrant side of the street). "No Parking" signs shall be installed as directed by the fire department or public service. On-Street parking shall be prohibited on private streets within Subarea C that are less than 28 feet in width. Parking on one side of the street opposite hydrants shall be allowed in Subarea C where streets are wider than 28 feet.
- 3. The parking or storage of boats, trailers, or recreational vehicles in a driveway within the subdivision shall be prohibited.

k. Signage.

1. Project signage including temporary signage, model home signage, and marketing signage is permitted under this PUD and shall comply with City Code standards, unless otherwise defined/requested with Final Development Plans. Any additional signage not approved with the Final Development Plan proposed on site shall meet code requirements and shall be approved by sign permit.

- l. Utilities. All new utilities shall be located underground except for pedestals for electricity, cable, phone, or similar utilities.

- m. No trash dumpsters shall be used except during construction, alteration, or repair of a home. Each resident shall be responsible for trash pickup and have individual trash containers.

- n. Mailboxes and locations shall meet standard postal service requirements.

1. CBUs shall be located in appropriate areas as depicted on site plans, and/or as determined by the USPS and City during the site construction process.

2. All mailboxes or CBUs shall have a uniform and consistent design. These fixtures shall be decorative in appearance and shall match the quality and theme of other site fixtures within the community.

3. Landscaping shall be installed around CBUs as permitted by the USPS.

- o. Playgrounds are as depicted and located on site plan exhibits.

VI. LOT STANDARDS AND AREA REQUIREMENTS

a. Subarea Standards

Sub-Area	Min. Lot Width*	Ranch / One-Story	1-1/2 & Two-Story	Sample Home Types Anticipated for Each Subarea***
A	70'	2,200	2,400	Greenfield, Hilltop, Riverton, Westchester, Allison II
B	70'	1,600	2,200	Greenfield, Hilltop, Riverton, Westchester, Allison 11, Newberry, Linwood, Mercer, Continental, Prosperity, Mystique
C	52'	1,300		Trailblazer, Discover, Blue Rock, Passport

*Minimum lot widths shall be measured at the building line.

**A minimum of 7% of the lots in the single-family subareas shall accommodate side-

loaded garages.

***The sample home types are provided for illustration and are not the only models to be built. Other models, home elevations, and house plans are approvable subject to Section VIII of this text.

- b. The following standards shall apply to the Subareas A and B single family lots, known as Plum Run Ridge.

Min. Lot size.....	8,400 sf Sub. A and B
Max. building coverage	35%
Max. height	35'
Min. parking	4 spaces, including garages
Min. side yard setback	7.0'
Min. side yard setback adjacent R.O.W.	20'
Min. front yard setback	30' (Subarea A)
Min. front yard setback	25' (Subarea B)
Min. rear yard setback.....	20'

- c. The following standards shall apply to the Subarea C Patio/Condo Homes, known as Plum Run Preserve.

Setback - SR 665 (Existing R/W)	50' Building and Pavement
Setback (Perimeter)	25'
Max. building coverage	25%
Max. height	35'
Min. parking	4 spaces, including garages
Min. setback between units	10' total
Min. building setback from curb.....	6'
Min. building setback from sidewalk.....	4'
Min. rear yard areas	per plan details (+/-25')
Min. square footage	1,200 sf one and two story*

*Patio/condo homes shall include a minimum of two bedrooms on the first floor and no more than 50% of the first floor area shall be permitted on the second floor, where a second floor option is provided for.

VII. BUILDING MATERIALS AND ARCHITECTURE

The architectural character of the homes shall comply with the standards outlined in this text and provide the general character shown in the exhibits entitled ***Pulte Homes Architecture Portfolio prepared for the Communities at Plum Run*** submitted with this application and differentiated per subarea. Final building elevations shall be approved with building permits. Plans and/or elevations in addition to those submitted with this text, and after Final Development Plan approval may be also be approved with such approvals not to be unreasonably withheld, to allow for alterations based on changes in market demand and customer preferences and selections over time, so long as they are consistent with the quality, character

and proportions of the building elevations as submitted with this text and subject to the following standards being met:

- a. Permitted Materials. The exterior of the buildings shall be restricted to the following materials and architectural elements listed below. The primary materials and details used on front elevations of homes shall be carried through to and utilized on all other elevations of the home in a manner that creates continuity, cohesive design and balance among all facades. Primary exterior materials shall be:
 1. LP Smart Side and Trim or an equivalent siding product
 2. Fiber cement siding such as Hardie Plank TM
 3. Aluminum or vinyl soffits and fascia
 4. Stone, cultured stone
 5. Brick, brick veneer
 6. Single or double hung low-e vinyl windows
 7. Dimensional architectural shingles
 8. Vinyl siding premium/architectural grade with a minimum thickness of .044 mills
 9. Wood
- b. Masonry Requirements: Front – All front elevations are to include not less than 25% brick, brick veneer, stone or cultured stone, exclusive of windows, door openings and garage doors. Homes may be permitted without the requirement of 25% masonry on the front elevation provided they are compatible with or complementary to the built environment, include appropriate massing, are traditional in character and design and include a minimum of two architectural elements from the following list; window mullions, window trim wrap, bay window or bay elements, vertical board and batten or shake style siding elements (provided such elements are compatible with the design, style, and character of the home and subject elevation), shutters, or decorative louvers of at least 3 sq. ft.
- c. Trim Requirements: Sides and Rear Windows/Doors – 3 ½” actual minimum trim required, but not if window is bordered by masonry or includes shutters. Trim material for windows front, sides and rear maybe vinyl.
- d. Major roof elements shall have a minimum 6:12 pitch. Secondary or accent roofs may have 3:12 pitch. Roof materials shall be of a medium or dark color.
- e. Garage doors shall be paneled and of one color and material (windows shall be allowed if consistent with architectural character and theme).
- f. Overhangs and Eaves: Required 8” minimum from outside walls.
- g. Exterior Colors

1. Siding colors. Natural earth tones and/or warm neutral colors, including white. High-Chroma colors are not permitted
 2. Trim colors. Natural earth tones and/or warm neutral colors, including white. Complementary or contrasting siding color. High- Chroma colors are not permitted.
 3. Roof Colors. Shingle colors shall be from the color range of natural materials, such as, but not limited to wood shakes, slate, etc.
- h. Basements. All homes in Subarea A shall have partial or full basements, soil conditions permitting.
- i. Garages and driveways. All homes shall have an attached, minimum two-car garage. Garage door openings shall not exceed 45% of the width of the house façade for a two-car garage or 50% of the width of the house façade for a three-car garage, including the garage.
- j. All elevations of the homes shall be articulated in a manner as to represent a similar character on all facades.
- k. Diversity. The same home design with the same front elevation shall not be constructed on lots that are adjacent to or directly across the street from one another. A lot shall be deemed to be directly across the street from any other lot that is located in whole or in part between two imaginary straight-line extensions of the side lot lines for the first lot which extend to the opposite site of the public right-of-way on which the first lot has frontage, as illustrated on and subject to the conditions noted on the Attachment "A" ***Pulte Homes Façade Diversity Standard Exhibit***. On corner lots, the diversity requirement shall be applied to the street on which the home's front façade is located. Houses with the same footprint may be allowed within the distance and parameters described above provided that such houses incorporate substantial differences in the front elevations such as material changes, configuration of front porch, etc. The Development Department shall have the final approval as to whether a change is "substantial."
- l. Accessory Structures. No detached garages, sheds or other accessory structures shall be permitted.
- m. All exposed courses of foundations of all homes shall comply with chapter 1135.10 (E) of City Code.
- n. Deviations to these standards shall be approved by City Council with the Development Plan.

- o. Four-Sided Architecture – the following elements and details shall be considered “design elements” for creating the standards for four-sided architecture. All homes shall have at least one element on each elevation, no blank facades shall be permitted.
 - 1. Doors
 - 2. Porches
 - 3. A window or grouping of windows at least 6 sq. ft.
 - 4. Window mullions
 - 5. Window trim wrap
 - 6. Faux shutters
 - 7. Dormers (active and inactive)
 - 8. Bay window or bay elements
 - 9. Chimney
 - 10. Water table
 - 11. Decorative louvers of at least 3 sq. ft.
 - 12. Other design elements and materials used as accents, including but not limited to accent siding, band boards, brackets, corbels, and/or decorated A-frames; subject to approval of the Development Department.
- p. High Impact and Special Treatment Areas; (See plan exhibit of the same title.)
 - 1. “*High Impact Areas*” – High Impact Area lots are shown on plan exhibits. In such areas, where the front or side elevations of homes are exposed to the adjacent roadways a minimum of two of the design elements from the list under (n) shall be included on each such elevation.
 - 2. “*Special Treatment Areas*” – Mounding and/or landscape screening, consisting of 7 evergreen trees (minimum height of 6 feet at install), 2 deciduous trees (minimum 2 1/2" caliper at install) and 1 ornamental trees (minimum height of 7 feet at install) per 100 linear feet shall be installed in the open space areas adjacent to the sides and rears of homes backing to the Special Treatment Areas as depicted on the plan exhibits. Homes shall include four-sided architectural features as defined in (n).

VIII. PHASING

The property will be developed in phases as depicted on the Final Development Plan, subject to minor revisions necessitated by final engineering and design details.

IX. MODEL HOMES

- a. Model homes shall be permitted under City Code standards and regulations and the following additional standards shall apply:

1. Individual homes may be used as model homes by the Developer(s)/Builder(s) for the purpose of marketing and sale of new homes.
2. Manufactured and/or modular buildings are permitted for use as a sales office during the development of the project and the construction of residential units therein.
3. Model home parking may be established on lots adjacent to model homes for safety and convenience during the sales process.

X. HOMEOWNERS ASSOCIATION AND PATIO/CONDOMINIUM OWNERS ASSOCIATION

- a. Prior to occupancy by any residents in single-family subareas, the developer will establish a private, forced and funded homeowners' association. Control of the association shall be turned over to the residents according to Ohio Law. Association responsibility shall include care for the entryway, required tree installations and all open spaces after the development period and turnover date. All association responsibilities and obligations shall be set forth in the HOA declaration prepared and recorded by the developer prior to occupancy.
- b. Prior to the occupancy by any residents in the patio/condominium subarea the developer will establish a Patio/Condominium Owners' Association. (COA) Control of the association shall be turned over to the residents according to Ohio Law. The Patio/Condominium homeowners will be a member of a Condominium Association for maintenance of the open spaces, required tree installations and the entryway after the development period and turnover date. The Patio/Condominium Owners' Association responsibility shall include private street maintenance; snow plowing, lawn and landscape maintenance, street lighting and other duties as agreed to by members. All association responsibilities and obligations shall be set forth in the COA declaration prepared and recorded by the developer prior to occupancy.

**EXHIBIT - NO DISTURB ZONES,
HIGH IMPACT AREAS, AND
SPECIAL TREATMENT AREAS**

LEGEND



REZONING
THE COMMUNITIES AT PLUM RUN
Grove City, OH
May 2, 2022

Black wrought iron or aluminum:



White vinyl with open lattice style top:

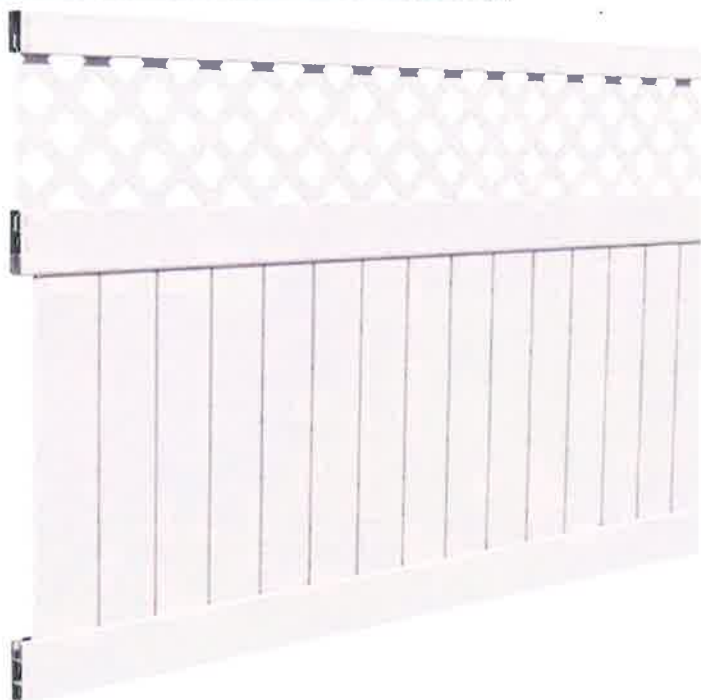
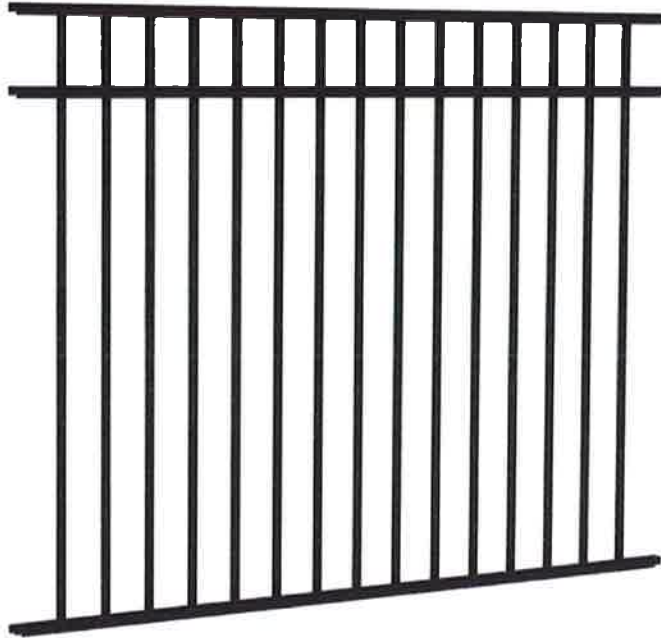


EXHIBIT F-1

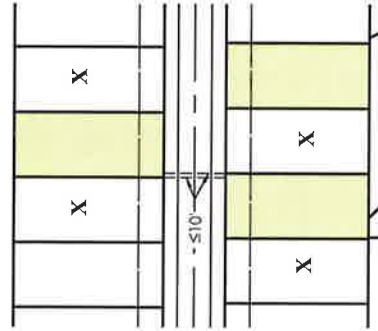
Received By:
Grove City Development
8/29/22

Approved Rear-Yard Fencing:

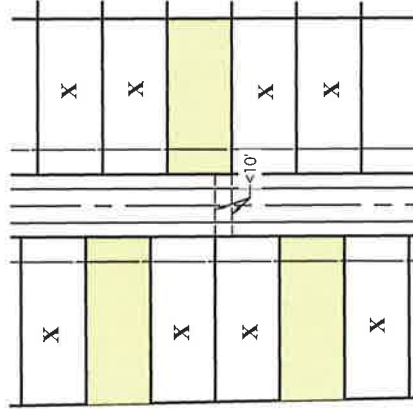
Black wrought iron or aluminum fence style shall adhere to the example below:



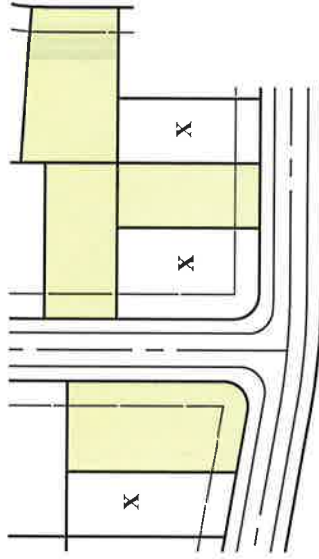
Condition 1
Front to Front
(Lot Offset $\leq 10'$)



Condition 2
Front to Front
(Lot Offset $> 10'$)



Condition 3
(Lot Separated by Street)



LEGEND:



Subject Facade

X Prohibited Same Home Design
with the Same Front Elevation
as Subject Facade

PHOTOGRAPH BY
JENNIFER L. HARRIS



PLUM RUN COMMUNITIES

GROVE CITY, OHIO

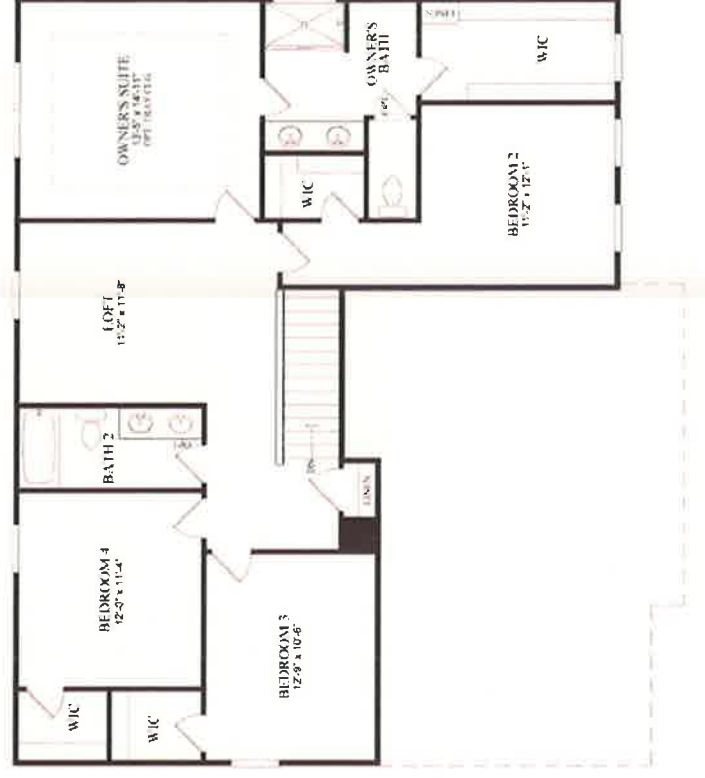
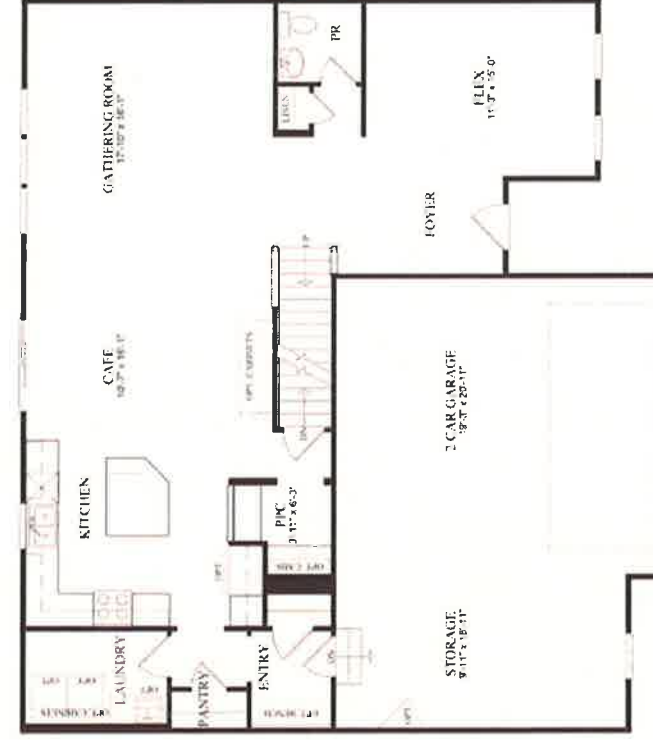
YOUR PLUM RUN RIDGE HOME, GREENFIELD

Greenfield
2,609+ Sq./Ft.
4 Bed, 2.5 Bath



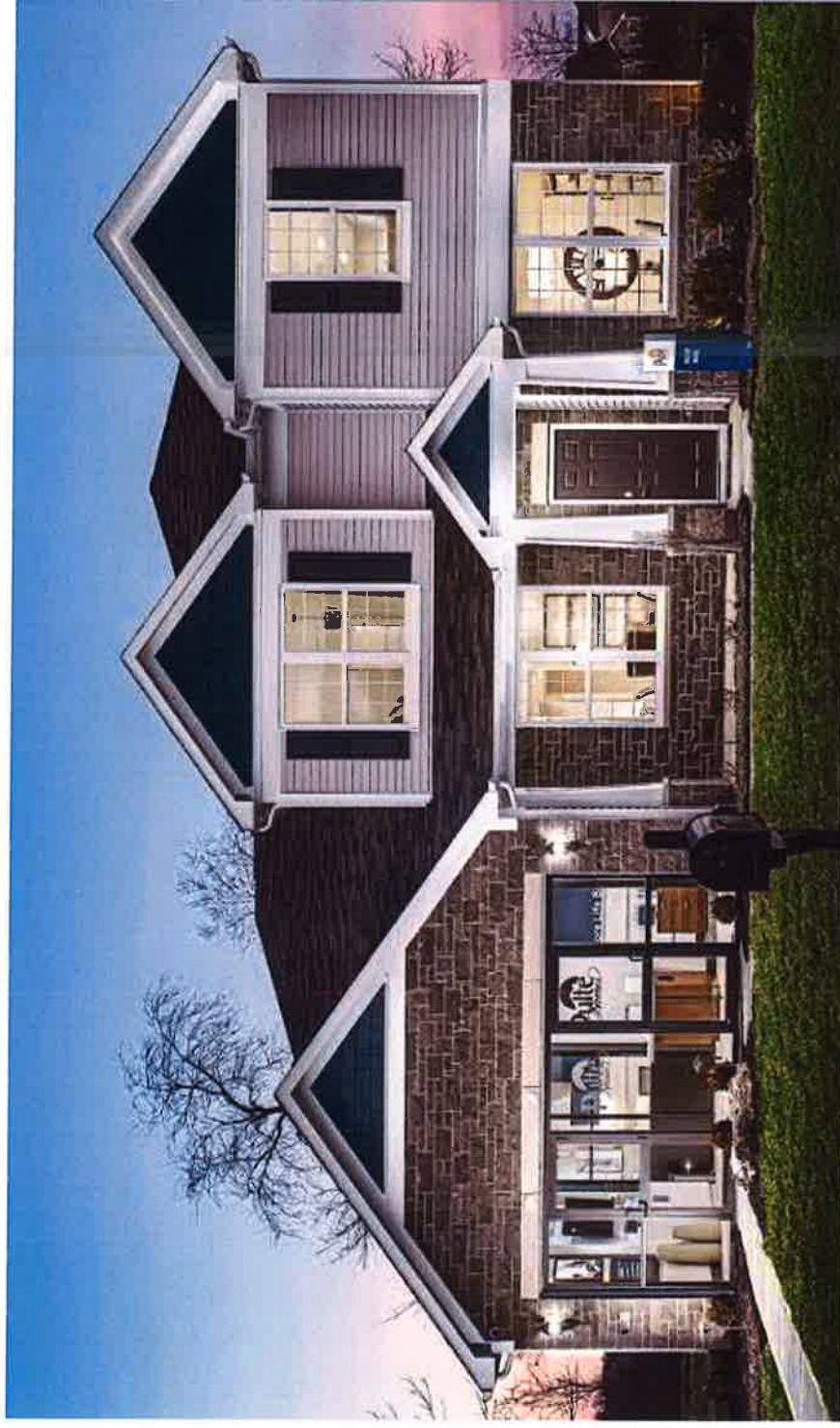
YOUR PLUM RUN RIDGE HOME, GREENFIELD

Greenfield
2,609+ Sq./Ft.
4 Bed, 2.5 Bath



YOUR PLUM RUN RIDGE HOME, HILLTOP

Hilltop
2,889+ Sq./Ft.
4 Bed, 2.5 Bath



YOUR PLUM RUN RIDGE HOME, HILLTOP

Hilltop
2,889+ Sq./Ft.
4 Bed, 2.5 Bath



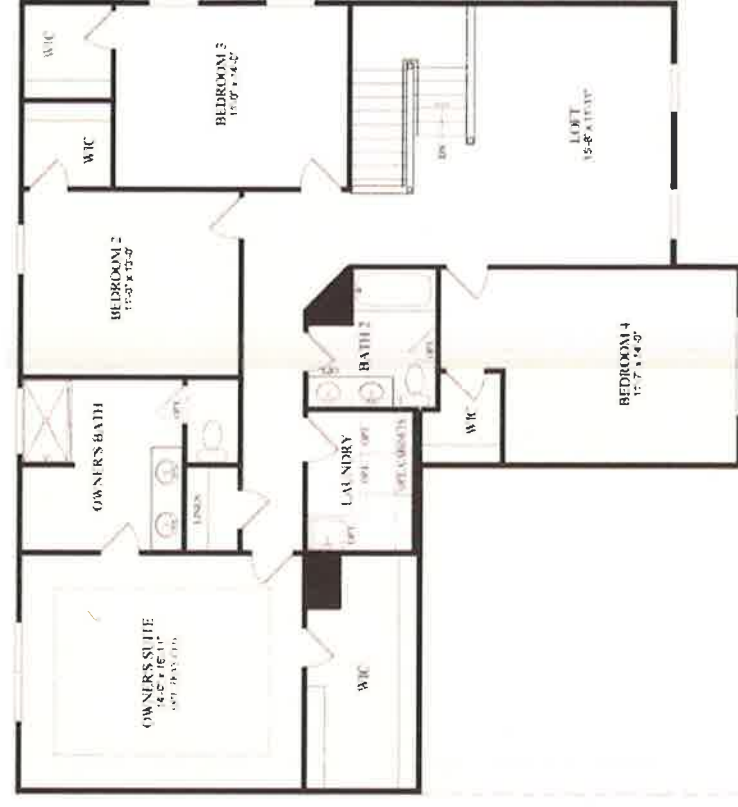
YOUR PLUM RUN RIDGE HOME, RIVERTON

Riverton
3,126+ Sq./Ft.
4 Bed, 2.5 Bath



YOUR PLUM RUN RIDGE HOME, RIVERTON

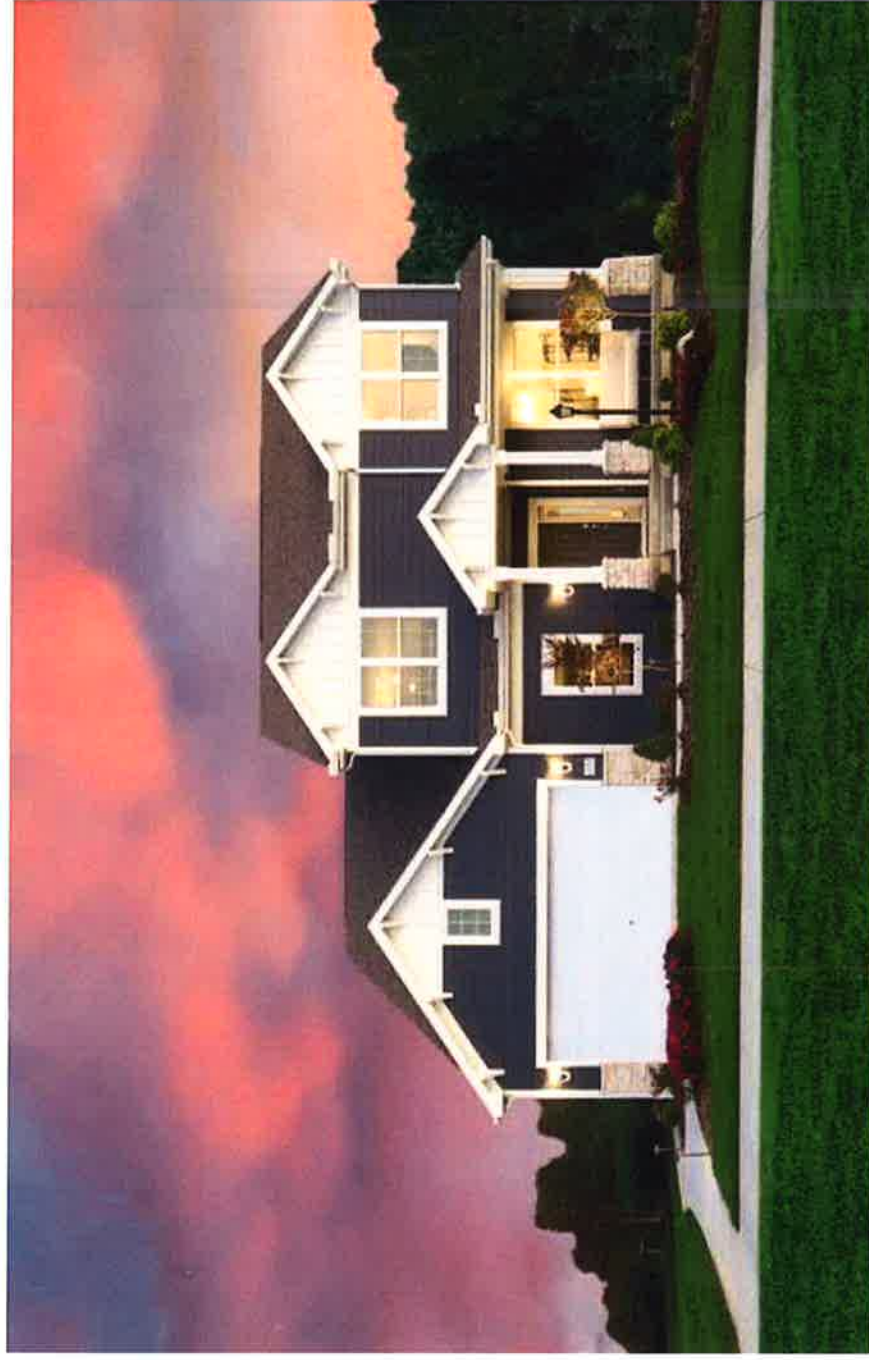
Riverton
3,126+ Sq./Ft.
4 Bed, 2.5 Bath



YOUR PLUM RUN RIDGE HOME, WESTCHESTER

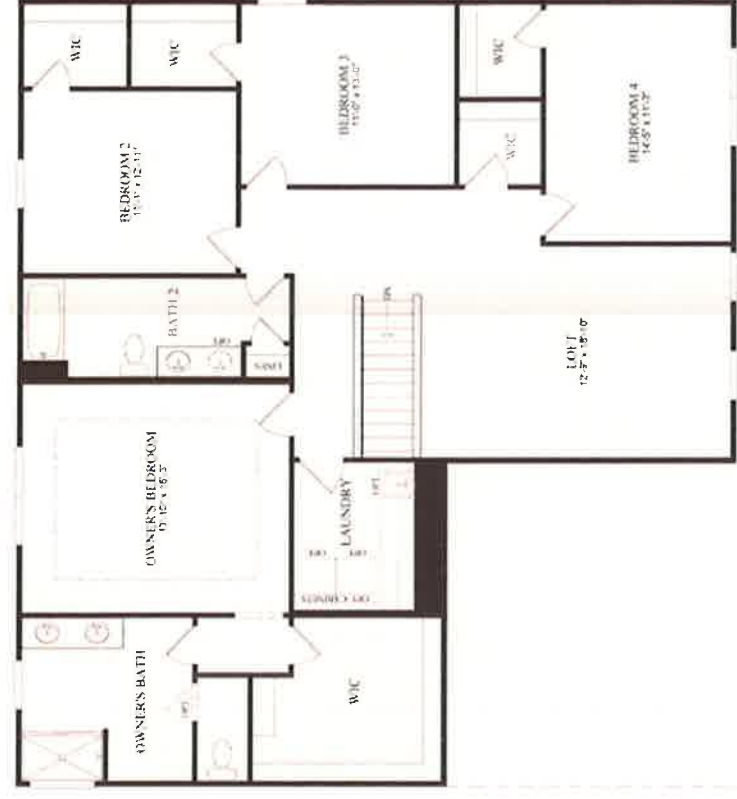
Westchester

3,300+ Sq./Ft.
4 Bed, 2.5 Bath



YOUR PLUM RUN RIDGE HOME, WESTCHESTER

Westchester
3,300+ Sq./Ft.
4 Bed, 2.5 Bath



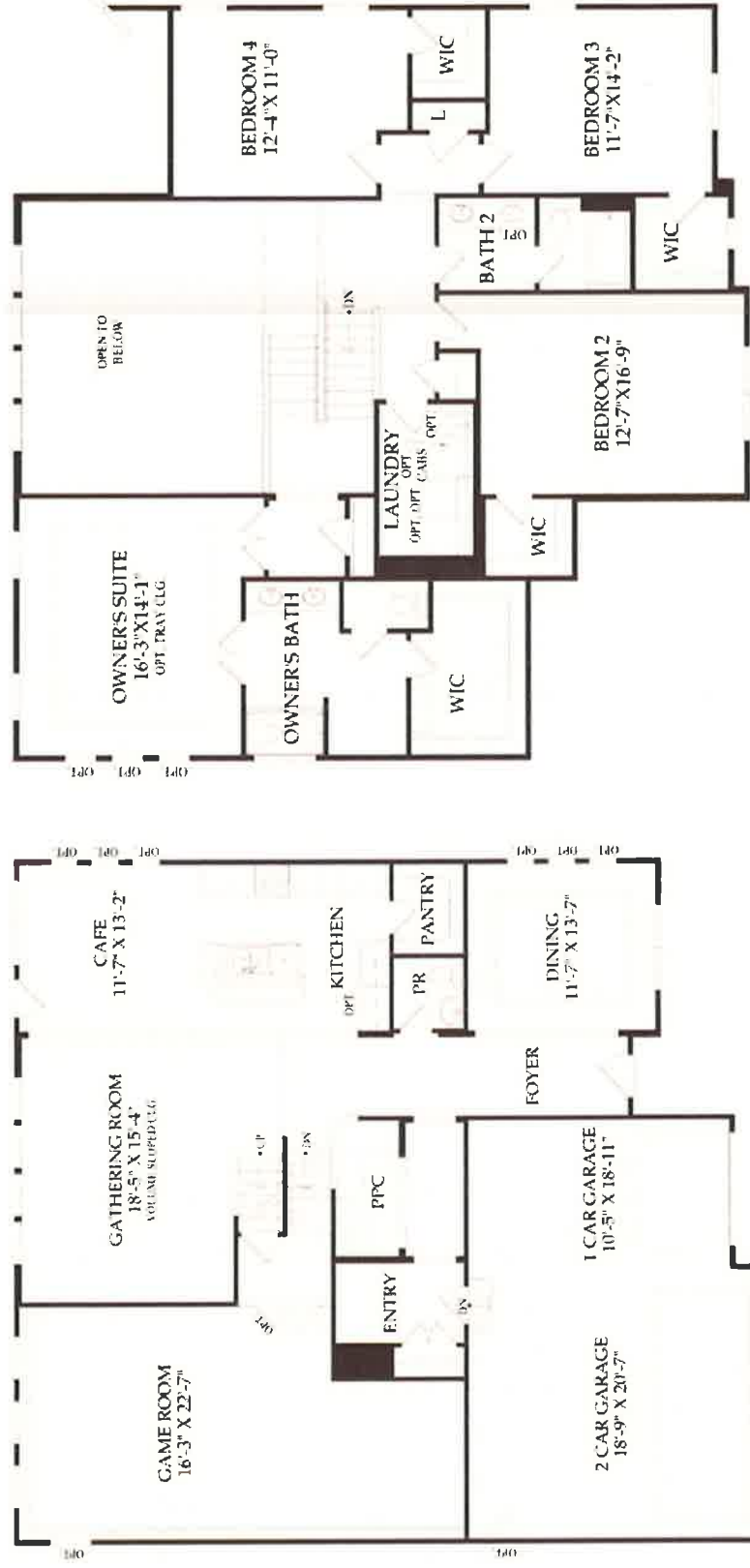
YOUR PLUM RUN RIDGE HOME, ALLISON

Allison
3,337+ Sq./Ft.
4 Bed, 2.5 Bath



YOUR PLUM RUN RIDGE HOME, ALLISON

Allison
3,337+ Sq./Ft.
4 Bed, 2.5 Bath



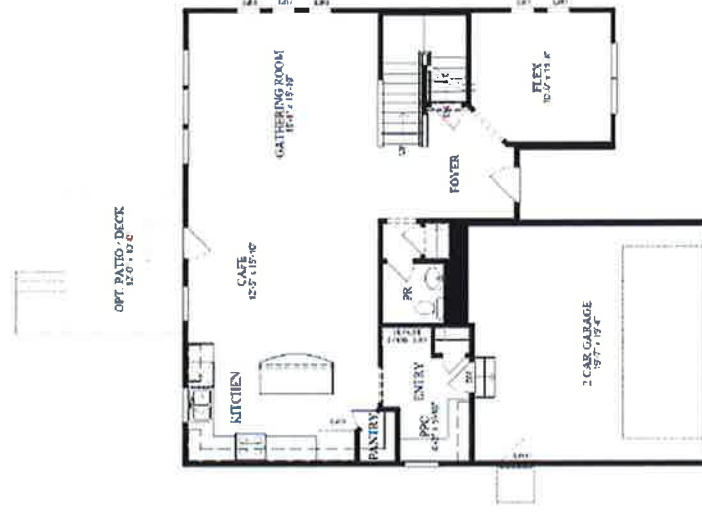
YOUR PLUM RUN RIDGE HOME, NEWBERRY

Newberry
2,376+ Sq./Ft.
4 Bed, 2.5 Bath



YOUR PLUM RUN RIDGE HOME, NEWBERRY

Newberry
2,376+ Sq./Ft.
4 Bed, 2.5 Bath



First Floor



Second Floor

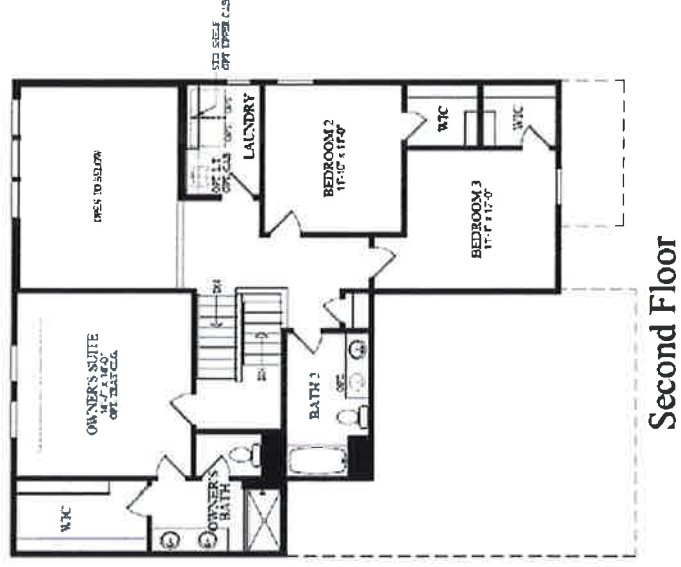
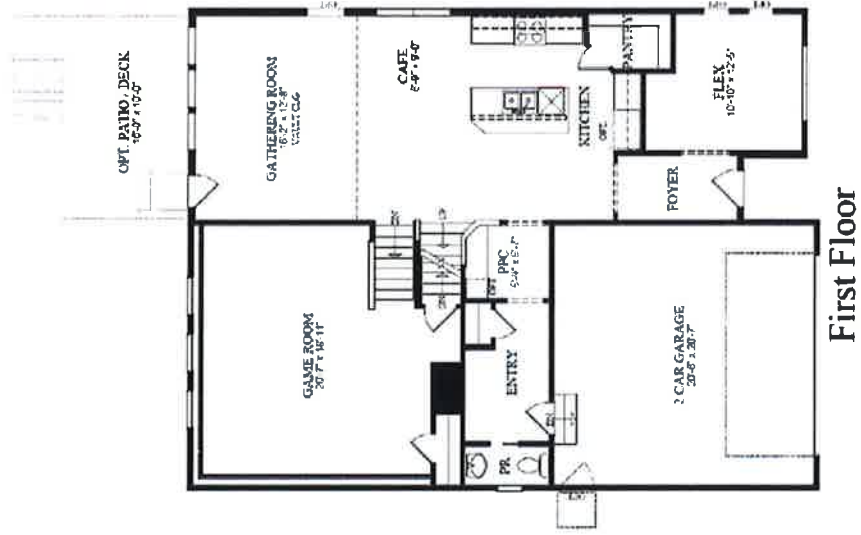
YOUR PLUM RUN RIDGE HOME, LINWOOD

Linwood
2,456+ Sq./Ft.
4 Bed, 2.5 Bath



YOUR PLUM RIDGE RUN HOME, LINWOOD

Linwood
2,456+ Sq./Ft.
4 Bed, 2.5 Bath



YOUR PLUM RUN RIDGE HOME, MERCER

Mercer
2,605+ Sq./Ft.
4 Bed, 2.5 Bath



YOUR PLUM RUN RIDGE HOME, MERCER

Mercer
2,605+ Sq./Ft.
4 Bed, 2.5 Bath



First Floor



Second Floor

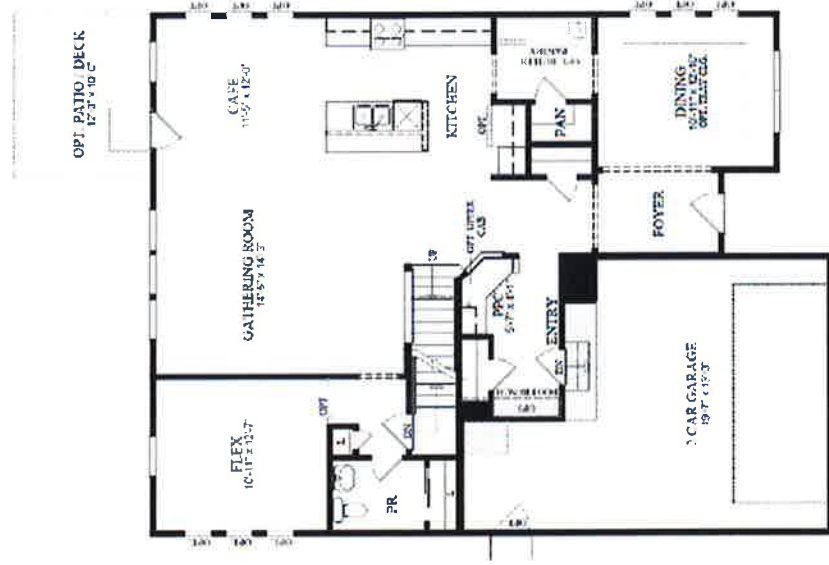
YOUR PLUM RUN RIDGE HOME, CONTINENTAL

Continental
2,873+ Sq./Ft.
4 Bed, 2.5 Bath



YOUR PLUM RIDGE HOME, CONTINENTAL

Continental
2,873+ Sq./Ft.
4 Bed, 2.5 Bath



First Floor



Second Floor

YOUR PLUM RUN RIDGE HOME, PROSPERITY

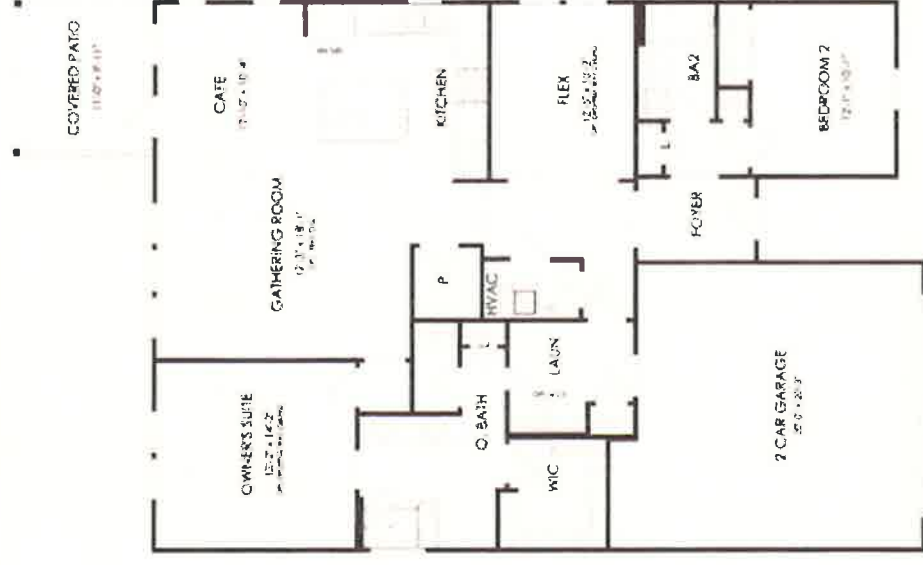
Prosperity

1,646+ Sq./Ft.
2 Bed, 2 Bath



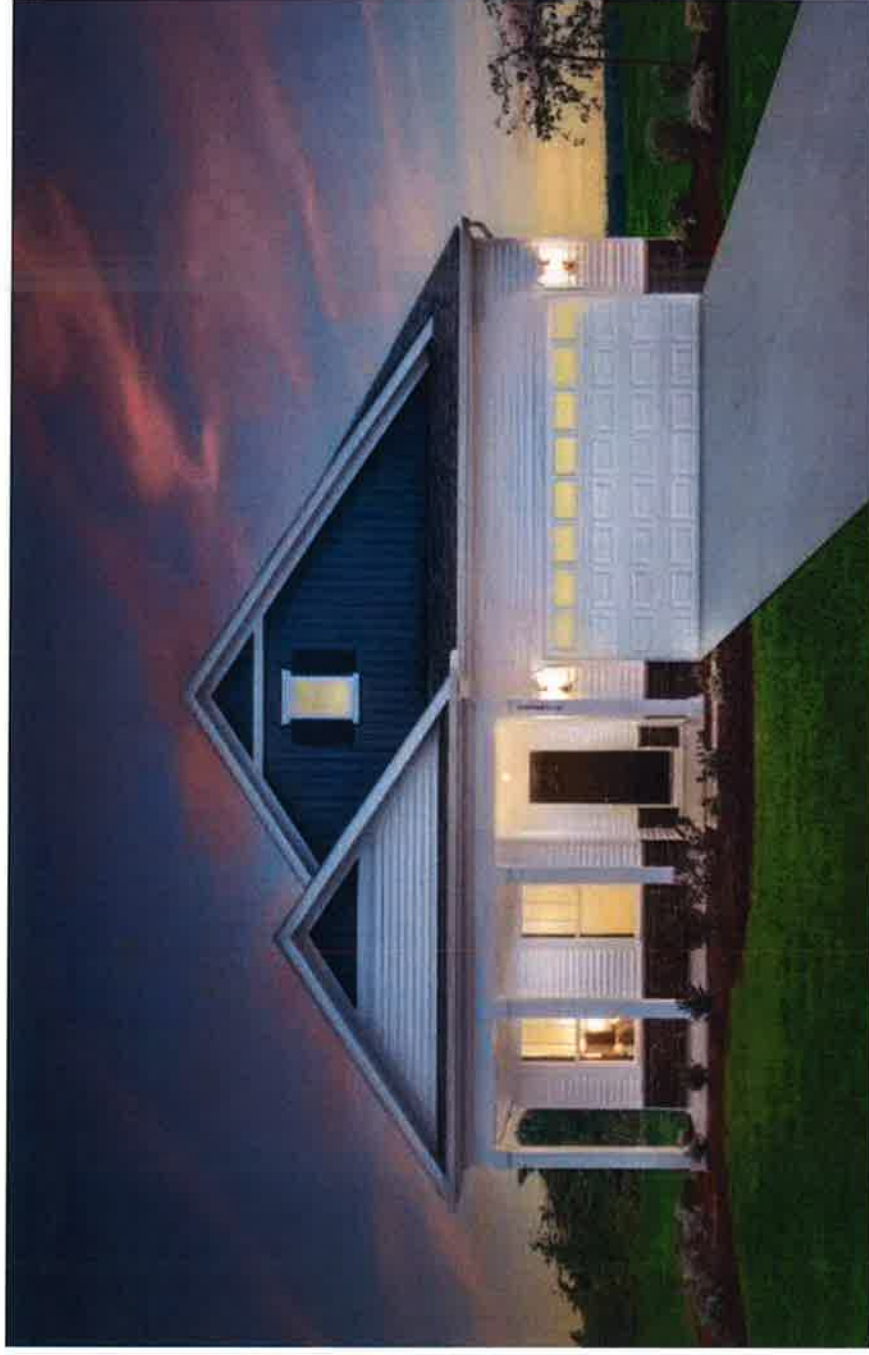
YOUR PLUM RUN RIDGE HOME, PROSPERITY

Prosperity
1,646+ Sq./Ft.
2 Bed, 2 Bath



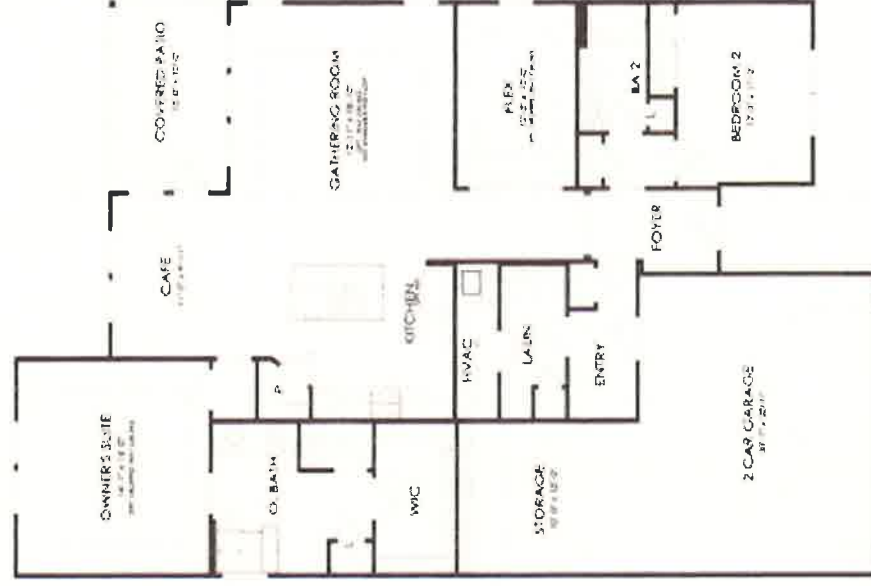
YOUR PLUM RUN RIDGE HOME, MYSTIQUE

Mystique
1,841+ Sq./Ft.
2 Bed, 2 Bath



YOUR PLUM RUN RIDGE HOME, MYSTIQUE

Mystique
1,841+ Sq./Ft.
2 Bed, 2 Bath



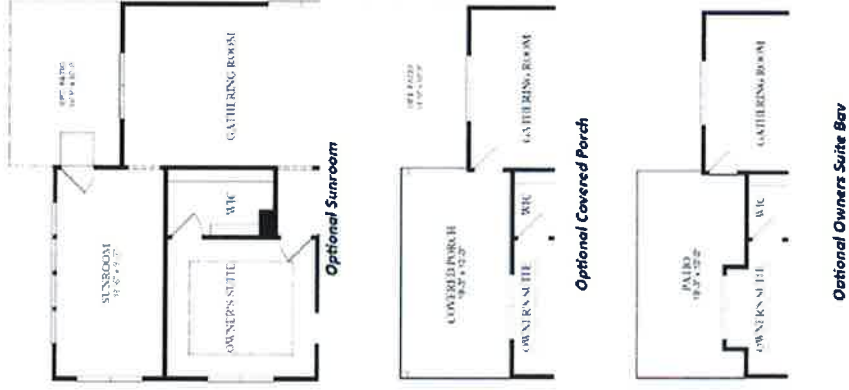
YOUR PLUM RUN PRESERVE HOME, DISCOVER

Discover
1,386+ Sq./Ft.
2 Bed, 2 Bath

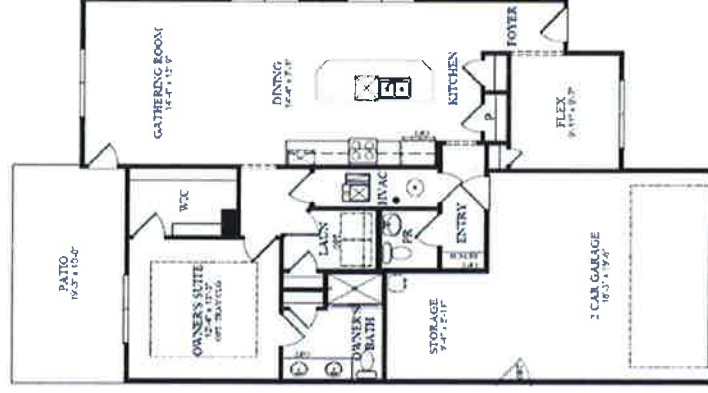


YOUR PLUM RUN PRESERVE HOME, DISCOVER

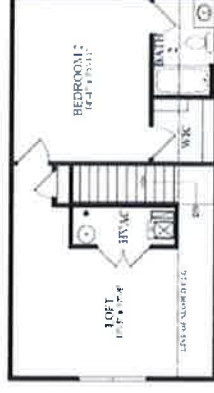
Discover
1,386+ Sq./Ft.
2 Bed, 2 Bath



Floor plans



First Floor



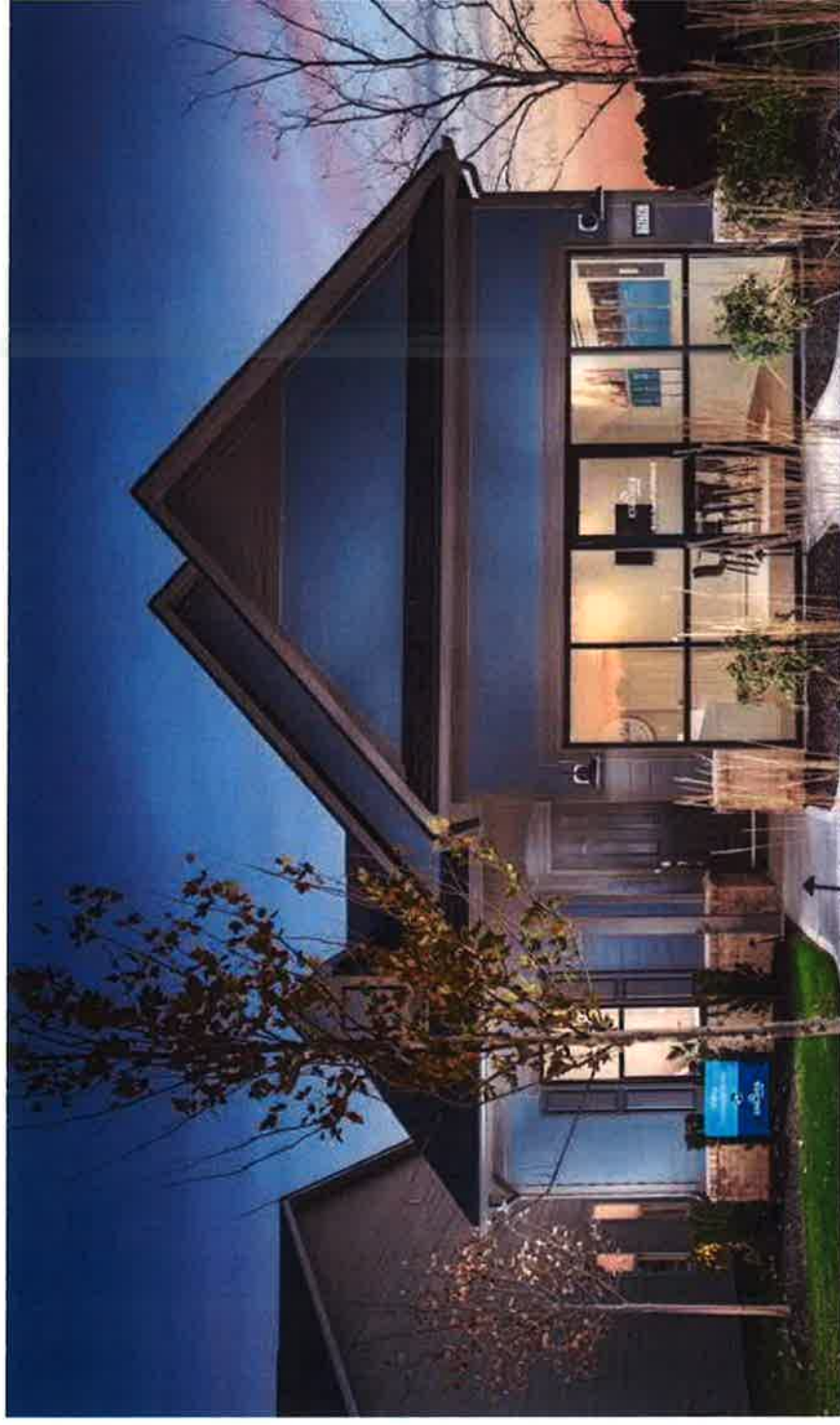
Optional Second Floor



Optional loft

YOUR PLUM RUN PRESERVE HOME, BLUE ROCK

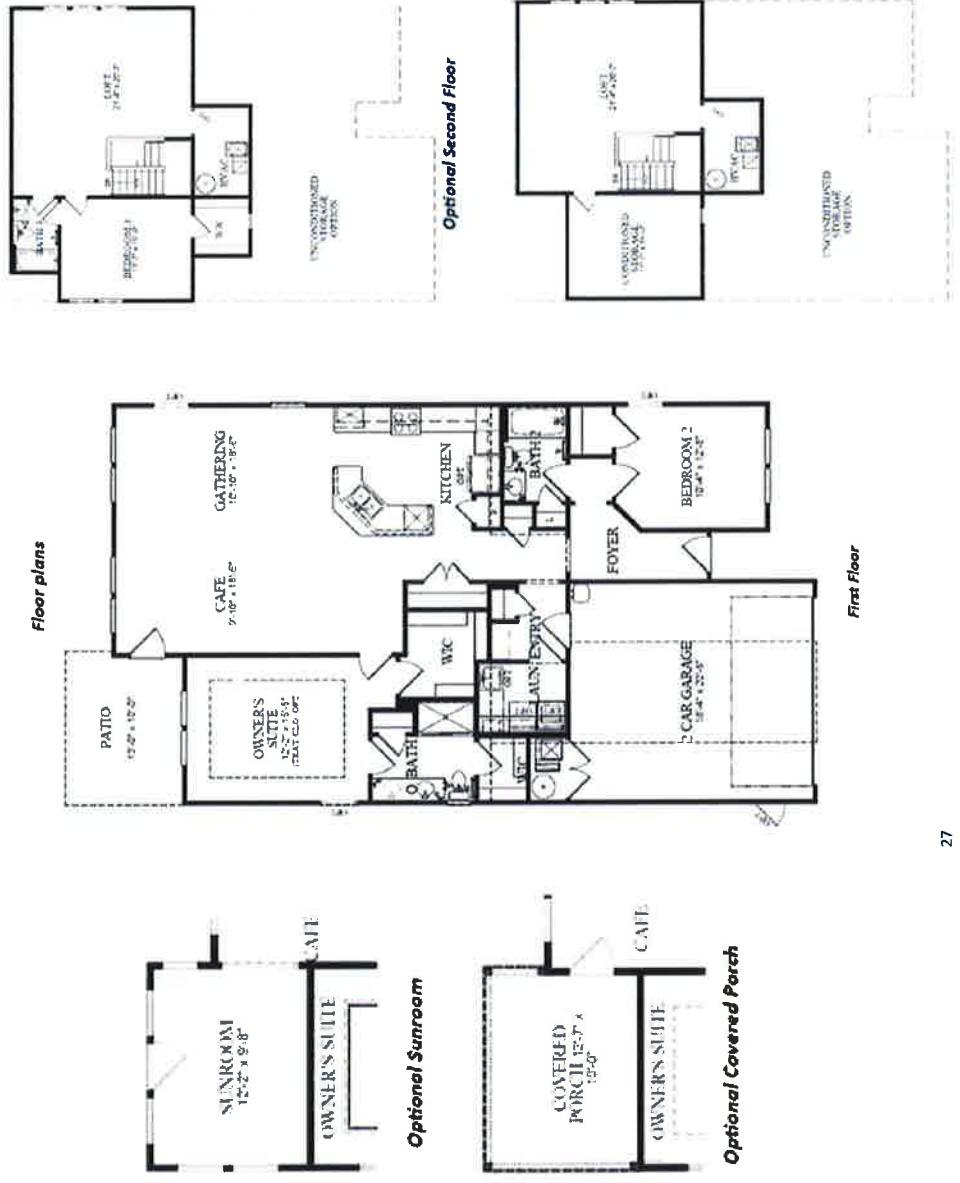
Blue Rock
1,489+ Sq./Ft.
2 Bed, 2 Bath



YOUR PLUM RUN PRESERVE HOME, BLUE ROCK

Blue Rock

1,489+ Sq./Ft.
2 Bed, 2 Bath



YOUR PLUM RUN PRESERVE HOME, PASSPORT

Passport
1,503+ Sq./Ft.
2 Bed, 2 Bath



YOUR PLUM RUN PRESERVE HOME, PASSPORT

Passport
1,503+ Sq./Ft.
2 Bed, 2 Bath



YOUR PLUM RUN PRESERVE HOME, TRAILBLAZER

Trailblazer

1,222+ Sq./Ft.
2 Bed, 2 Bath



DEVELOPMENT DATA

Gross Area:	+/- 144.27
Permitted Uses:	Residential - Detached Single-Family Dwellings Residential - Detached Patio/Condominium Dwellings Parks and Open Space
Total Units:	360
Subarea A (Single-Family 70):	28
Subarea B (Single-Family 70):	238
Subarea C (Patio Homes):	94
Gross Density:	2.49 D.U./AC
Open Space Required*:	+/-19.66 AC.
Open Space Provided**:	+/-21.31 AC.
Other Green Space Provided***:	+/-27.14 AC.
Total Open and Green Space Provided:	+/-48.45 AC.

*Calculated per 1101.09(b)(2)(8)
 **Areas designated to meet 1101.09(b)(1)
 ***Areas provided for additional public benefit beyond minimum standards



0 75 150 300 NORTH
 EX C

Date: 01/31/23
Introduced By: Mr. Schottke
Committee: Lands
Originated By: Mr. Smith
Sponsor: Mr. Schottke
Emergency: 30 Days:
Current Expense:

No.: C-03 -23
1st Reading: 02/06/23
Public Notice: 02/07/23
2nd Reading: 02/21/23
Passed: Rejected:
Codified: Code No:
Passage Publication:

ORDINANCE C-03-23

AN ORDINANCE TO RESCIND THE B.M.R. FARMS PLAT

WHEREAS, in 1965, a Plat was approved for B.M.R. Farms Inc. that included public right-of-way for Melynda Lane, Kathleen Court, Susanne Court, and Melynda Court; and

WHEREAS, no improvements were ever made to pursuant to the B.M.R. Farms Inc. Plat; and

WHEREAS, the public right-of-way on the B.M.R. Farms Inc. Plat is not needed for any municipal purpose; and

WHEREAS, Council is satisfied that there is good cause to rescind the Plat and that it will not be detrimental to the general interest of the public.

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

SECTION 1. The B.M.R. Farms Plat, as depicted in Exhibit A, and found in Franklin County Records PB/38/55 and Instrument 190001010006678 is hereby rescinded.

SECTION 2. This Ordinance shall take effect at the earliest opportunity allowed by law.

Ted A. Berry, President of Council

Passed:

Richard L. Stage, Mayor

Effective:

Attest:

Tami K. Kelly, MMC, Clerk of Council

I certify that this
ordinance is correct as to form.

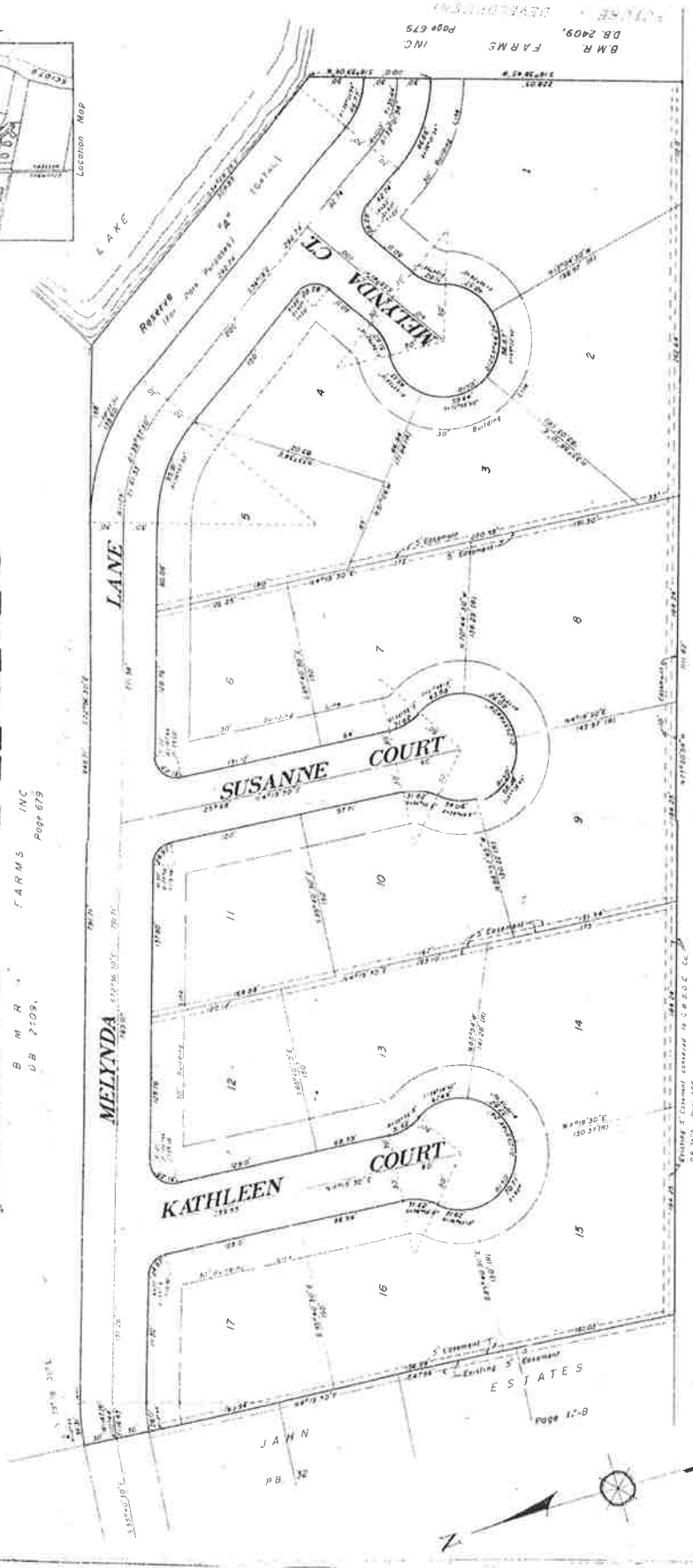
Stephen J. Smith, Director of Law

C-03-23
Exhibit A

B.M.R. FARMS

BOOK 38 PAGE 55

B M R
F A R M S INC
UB 2-103,
Page 679



Situated in the State of Ohio, County of Franklin, Township of Jackson, being a part of Virginia Military Survey No. 478, containing 13.836 Acres of the 62-382, 43rd Tract, conveyed to "B.M.R. FARMS INC." by deed of record in Deed Book 2409, Page 679, Records Office, Franklin County, Ohio

The undersigned, "B.M.R. FARMS INC." by FRANK BENTLEY, President duly authorized in the premises by action of its Board of Directors, does hereby certify that the plat of the above described property, containing 13.836 Acres of the 62-382, 43rd Tract, inclusive and Reserve "A" does hereby accept this plat of some and dedicating to public use as such all or parts of the Lane and Courts shown hereon and not heretofore dedicated.

The undersigned further agrees that any use or improvements made on this land shall be in conformity with all existing valid zoning, planning, health or other lawful rules and regulations including the applicable off-street parking and loading requirements of Franklin County, Ohio, for the benefit of the public and to the satisfaction of the undersigned and through the undersigned.

Improvements are required where indicated on the plat for the construction, location and maintenance of public utility lines, and where necessary are for the drainage, sewerage and maintenance of service easements in adjacent lots and for storm drainage.

In Witness Whereof, FRANK BENTLEY as President of "B.M.R. FARMS INC." has hereunto set his hand this 5th day of August, 1965.

Witnesses

Robert H. P. P. P.
James E. E. E.
James E. E. E.

STATE OF OHIO
COUNTY OF FRANKLIN 55

Before me, a Notary Public in and for said County personally came FRANK BENTLEY as President of the said "B.M.R. FARMS INC." who acknowledging the signing of the foregoing instrument to be his voluntary act and deed and the voluntary corporate act and deed of said "B.M.R. FARMS INC." for the uses and purposes herein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 5th day of August, 1965.

My Commission Expires May 24, 1967

Approved this 11th day of August, 1965

Approved this 12th day of August, 1965

Approved this 13th day of August, 1965

Approved this 14th day of August, 1965

Approved and accepted this 18th day of August, 1965 wherein all or parts of this Lane and Courts herein dedicated to public use is hereby accepted as such for the County of Franklin, State of Ohio

Notary Public, Franklin County, Ohio

EVANS, MECHWART, HAMBLETON & TILTON, INC.
CONSULTING ENGINEERS & SURVEYORS
COLUMBUS, OHIO

We do hereby certify that we have surveyed the above premises and prepared the attached plat and that same is correct.

All measurements are shown in feet and decimal parts thereof. Dimensions on curve are chord measurements.

My Commission Expires May 24, 1967

Date: 02/14/23
Introduced By: Mr. Schottke
Committee: Lands
Originated By: Plan Comm
Approved:
Emergency: 30 Days: X
Current Expense:

No.: C-04-23
1st Reading: 02/21/23
Public Notice: 2/22/23
2nd Reading: 03/06/23
Passed: Rejected:
Codified: Code No:
Passage Publication:

ORDINANCE C-04-23

AN ORDINANCE TO ACCEPT THE PLAT OF HOLTON RUN SECTION 4 LOCATED SOUTH OF DEMOREST DRIVE

WHEREAS, Holton Run, Section 4, a subdivision containing lots 160 – 181 both inclusive, has been submitted to Council for their consideration.

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

SECTION 1. The Plat of Holton Run, Section 4, situated in the State of Ohio, County of Franklin, Township of Jackson, City of Grove City and being part of Virginia Military Survey No. 1383, containing 8.011 acres of land, more or less. Said 8.011 acres being a resubdivision of portions of Lots 5 thru 7 and part of that land conveyed to Homewood Corporation, by deed, all being of record in the Recorder's Office, Franklin County, Ohio, is hereby accepted and this Council accepts for public use the street right of way that is within the boundaries of this subdivision.

SECTION 2. Easements, where indicated on the plat, are hereby accepted for operation and maintenance of public utility services including but not limited to water, sanitary sewers, electricity and telephone, and to companies providing cable television and cable signal transmission services and for storm water drainage systems for the construction, operation and maintenance of the facilities to provide such services and systems above and beneath the ground.

SECTION 3. This ordinance shall take effect at the earliest opportunity allowed by law.

Ted A. Berry, President of Council

Passed:
Effective:

Richard L. Stage, Mayor

Attest:

Tami K. Kelly, MMC, Clerk of Council

I Certify that this ordinance
is correct as to form.

Stephen J. Smith, Director of Law

Date: 02/14/23
Introduced By: Mr. Schottke
Committee: Lands
Originated By: Plan Comm
Approved: _____
Emergency: 30 Days: X
Current Expense: _____

No.: C-05-23
1st Reading: 02/21/23
Public Notice: 2/22/23
2nd Reading: 03/06/23
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

ORDINANCE C-05-23

AN ORDINANCE TO ACCEPT THE PLAT OF HOLTON RUN SECTION 5 LOCATED SOUTH OF DEMOREST DRIVE

WHEREAS, Holton Run, Section 5, a subdivision containing lots 182 – 198 both inclusive, has been submitted to Council for their consideration.

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

SECTION 1. The Plat of Holton Run, Section 4, situated in the State of Ohio, County of Franklin, Township of Jackson, City of Grove City and being part of Virginia Military Survey No. 1383, containing 6.025 acres of land, more or less. Said 6.025 acres being a resubdivision of portions of Lots 5 and 6 part of that land conveyed to Homewood Corporation, by deed, all being of record in the Recorder's Office, Franklin County, Ohio, is hereby accepted and this Council accepts for public use the street right of way that is within the boundaries of this subdivision.

SECTION 2. Easements, where indicated on the plat, are hereby accepted for operation and maintenance of public utility services including but not limited to water, sanitary sewers, electricity and telephone, and to companies providing cable television and cable signal transmission services and for storm water drainage systems for the construction, operation and maintenance of the facilities to provide such services and systems above and beneath the ground.

SECTION 3. This ordinance shall take effect at the earliest opportunity allowed by law.

Ted A. Berry, President of Council

Passed:

Effective:

Richard L. Stage, Mayor

Attest:

Tami K. Kelly, MMC, Clerk of Council

I Certify that this ordinance
is correct as to form.

Stephen J. Smith, Director of Law

Date: 02/15/23
Introduced By: Mr. Schottke
Committee: Lands
Originated By: Plan. Comm.
Sponsor:
Emergency: 30 Days:
Current Expense:

No.: C-06-23
1st Reading: 02/21/23
Public Notice: 2/22/23
2nd Reading: 03/06/23
Passed: Rejected:
Codified: Code No:
Passage Publication:

ORDINANCE C-06-23

AN ORDINANCE TO APPROVE A SPECIAL USE PERMIT FOR A DAY CARE FOR DAYSTARZ CHILD CARE LLC LOCATED AT 5968 HOOVER ROAD

WHEREAS, Daystarz Child Care LLC, applicant, has submitted a request for a Special Use Permit for a Day Care Center located at 5968 Hoover Road; and

WHEREAS, on February 07, 2023, the Planning Commission of the City of Grove City recommended the approval of a Special Use Permit at this location, as submitted.

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

SECTION 1. A Special Use Permit, under Section 1135.09b(12)A1p is hereby issued to Daystarz Child Care LLC located at 5968 Hoover Road, as submitted.

SECTION 2. This ordinance shall take effect at the earliest opportunity allowed by law.

Ted A. Berry, President of Council

Passed:

Richard L. Stage, Mayor

Effective:

Attest:

Tami K. Kelly, MMC, Clerk of Council

I Certify that this ordinance
is correct as to form.

Stephen J. Smith, Director of Law

Date: 08/03/22
Introduced By: Mr. Schottke
Committee: Lands
Originated By: Plan. Comm.
Sponsor: _____
Emergency: 30 Days: _____
Current Expense: _____

No.: CR-49-22
1st Reading: 08/15/22
Public Notice: _____
2nd Reading: _____
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

*Postponed
to 10/3
12/19
02/27/23
Withdraw
Request*

RESOLUTION NO. CR-49-22

A RESOLUTION TO APPROVE THE DEVELOPMENT PLAN FOR BEULAH PARK, SUBAREA C PERMITTING LENNAR HOMES VENTURE COLLECTIONS

WHEREAS, on August 02, 2022, the Planning Commission recommended approval of the Development Plan for Beulah Park, Subarea C, to permit the Lennar Homes Venture Collections in this area, as submitted.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. This Council hereby approves the Development Plan for Beulah Park, Subarea C, to permit the Lennar Homes Venture Collections in this area, as submitted.

SECTION 2. This approval shall be good for 12 months from the date passed, or as otherwise provided in Section 1101.07(b) of the Codified Ordinances of the City of Grove City, Ohio.

SECTION 3. This resolution shall take effect at the earliest opportunity allowed by law.

Ted A. Berry, President of Council

Richard L. Stage, Mayor

Passed:

Effective:

Attest:

Tami K. Kelly, MMC, Clerk of Council

I Certify that this resolution
is correct as to form.

Stephen J. Smith, Director of Law

Date: 09/12/22
Introduced By: Mr. Schottke
Committee: Lands
Originated By: Plan. Comm.
Approved: _____
Emergency: 30 Days: _____
Current Expense: _____

No.: CR-56-22
1st Reading: 09/19/22
Public Notice: _____
2nd Reading: Postponement requested
Passed: _____ Rejected: to 11-07-22
Codified: _____ Code No: _____
Passage Publication: 12-05-22
12-19-22
02-21-23

RESOLUTION NO. CR-56-22

A RESOLUTION TO APPROVE THE DEVELOPMENT PLAN FOR COMMUNITIES AT PLUM RUN LOCATED NORTH OF S.R. 665 AND EAST OF S.R. 104

WHEREAS, on September 06, 2022, the Planning Commission recommended approval of the Development Plan for Communities at Plum Run with the following stipulation:

1. Mounding, 3 to 4 feet in height, shall be installed along the east property line of Subarea C, where adjacent to 790 London-Groveport Road. The mounding shall include one row of evergreen trees planted along the top and one row between the mounding and the property line.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. This Council hereby approves the Development Plan for Communities at Plum Run located North of S.R. 665 and East of S.R. 104, contingent upon the stipulation set by Planning Commission.

SECTION 2. This approval shall be good for 12 months from the date passed, or as otherwise provided in Section 1101.07(b) of the Codified Ordinances of the City of Grove City, Ohio.

SECTION 3. This resolution shall take effect at the earliest opportunity allowed by law.

Ted A. Berry, President of Council

Richard L. Stage, Mayor

Passed:

Effective:

Attest:

Tami K. Kelly, MMC, Clerk of Council

I Certify that this resolution
is correct as to form.

Stephen J. Smith, Director of Law

Date: 02-15-23
Introduced By: Mr. Schottke
Committee: Lands
Originated By: Plan. Comm.
Approved: _____
Emergency: 30 Days: _____
Current Expense: _____

No.: CR-06-23
1st Reading: 02/21/23
Public Notice: _____
2nd Reading: _____
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

RESOLUTION NO. CR-06-23

A RESOLUTION TO APPROVE A CERTIFICATE OF APPROPRIATENESS FOR THE INSTALLATION OF TESLA CHARGING STATIONS TO MEIJER'S PARKING LOT LOCATED AT 2811 LONDON-GROVEPORT ROAD

WHEREAS, Section 1138.05 (a) of the Codified Ordinances states that a Certificate of Appropriateness is required from the Planning Commission prior to any new construction, remodeling, reconstruction or demolition, unless otherwise provided in subsection (c) hereof; and

WHEREAS, on February 07, 2023, the Planning Commission recommended approval of the Certificate of Appropriateness request for the installation of Tesla Charging Stations to the parking lot of Meijer's located at 2811 London-Groveport Road, as submitted.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. This Council hereby approves the Certificate of Appropriateness for the installation of Tesla Charging Stations to the parking lot of Meijer's located at 2811 London-Groveport Road, as submitted.

SECTION 2. This resolution shall take effect at the earliest opportunity allowed by law.

Ted A. Berry, President of Council

Richard L. Stage, Mayor

Passed:

Effective:

Attest:

Tami K. Kelly, MMC, Clerk of Council

I Certify that this resolution
is correct as to form.

Stephen J. Smith, Director of Law

Date: 02/15/23
Introduced By: Mr. Schottke
Committee: Lands
Originated By: Plan. Comm.
Sponsor: _____
Emergency: 30 Days: _____
Current Expense: _____

No.: CR-30723
1st Reading: 02/21/23
Public Notice: _____
2nd Reading: _____
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

RESOLUTION NO. CR-07-23

A RESOLUTION TO APPROVE THE DEVELOPMENT PLAN FOR COURTYARDS AT MULBERRY RUN LOCATED NORTH AND SOUTH OF WHITE ROAD

WHEREAS, on February 07, 2023, the Planning Commission recommended approval of the Development Plan for Courtyards at Mulberry Run with the following deviation and stipulation:

1. A deviation to Section V(B)(5) of the Zoning Text shall be permitted to eliminate the required White Road improvements related to the pedestrian crossing.
2. Screening along the north and east property lines on the northern parcel shall be through landscaping, with two staggered rows of evergreen trees planted 12 feet on center as shown on Sheet C-1.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. This Council hereby approves the Development Plan for Courtyards at Mulberry Run located North and South of White Road, contingent upon the deviation and stipulation set by Planning Commission.

SECTION 2. This approval shall be good for 12 months from the date passed, or as otherwise provided in Section 1101.07(b) of the Codified Ordinances of the City of Grove City, Ohio.

SECTION 3. This resolution shall take effect at the earliest opportunity allowed by law.

Ted A. Berry, President of Council

Richard L. Stage, Mayor

Tami K. Kelly, MMC, Clerk of Council

Stephen J. Smith, Director of Law

Passed:

Effective:

Attest:

I Certify that this resolution
is correct as to form.

Date: 02/13/23
Introduced By: Ms. Houk
Committee: Service
Originated By: Ms. Fitzpatrick
Approved: Mr. Boso
Emergency: 30 Days
Current Expense: _____

No.: CR-08-23
1st Reading: 02/21/23
Public Notice:
2nd Reading:
Passed: _____ Rejected:
Codified: _____ Code No:
Passage Publication:

RESOLUTION CR-08-23

A RESOLUTION TO AUTHORIZE THE CITY'S CONSULTING ENGINEER TO
PREPARE PLANS, SPECIFICATIONS AND COST ESTIMATES FOR THE CONSTRUCTION
AND REPAIR OF SIDEWALKS ON ADDISON DRIVE, ANGELA DRIVE, ELEANOR AVENUE,
HAUGHN ROAD, KINGSTON AVENUE, PARLIN DRIVE AND REAVER AVENUE

WHEREAS, it is necessary for the general welfare of the City of Grove City to provide proper sidewalks in the City; and

WHEREAS, the City conducted a survey of areas missing sidewalks and/or having sidewalks in need of repair and through this survey identified the streets listed in the title of this Resolution; and

WHEREAS, while sidewalks are generally the responsibility of the homeowner, the City is implementing a grant program that will assist homeowners by paying up to fifty percent (50%) of costs for the installation and/or improvement; and

WHEREAS, the remaining portion of the costs not covered by the grant program can be financed, interest free, over a twenty (20) year term; and

WHEREAS, in order to begin the process, the Ohio Revised Code requires that Council authorize the preparation of plans, specifications and cost estimates for the construction and repair of sidewalks in the affected area.

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

SECTION 1. The City's Consulting Engineer is hereby authorized to prepare plans, specifications and cost estimates for the construction and repair of sidewalks on Addison Dr., Angela Dr., Eleanor Ave., Haughn Rd., Kingston Ave., Parlin Dr., and Reaver Ave., as identified in Exhibits 1.1 and 1.3 attached hereto.

SECTION 2. The resolution shall take effect at the earliest opportunity afforded by law.

Ted Berry, President of Council

Passed:

Richard L. Stage, Mayor

Effective:

Attest:

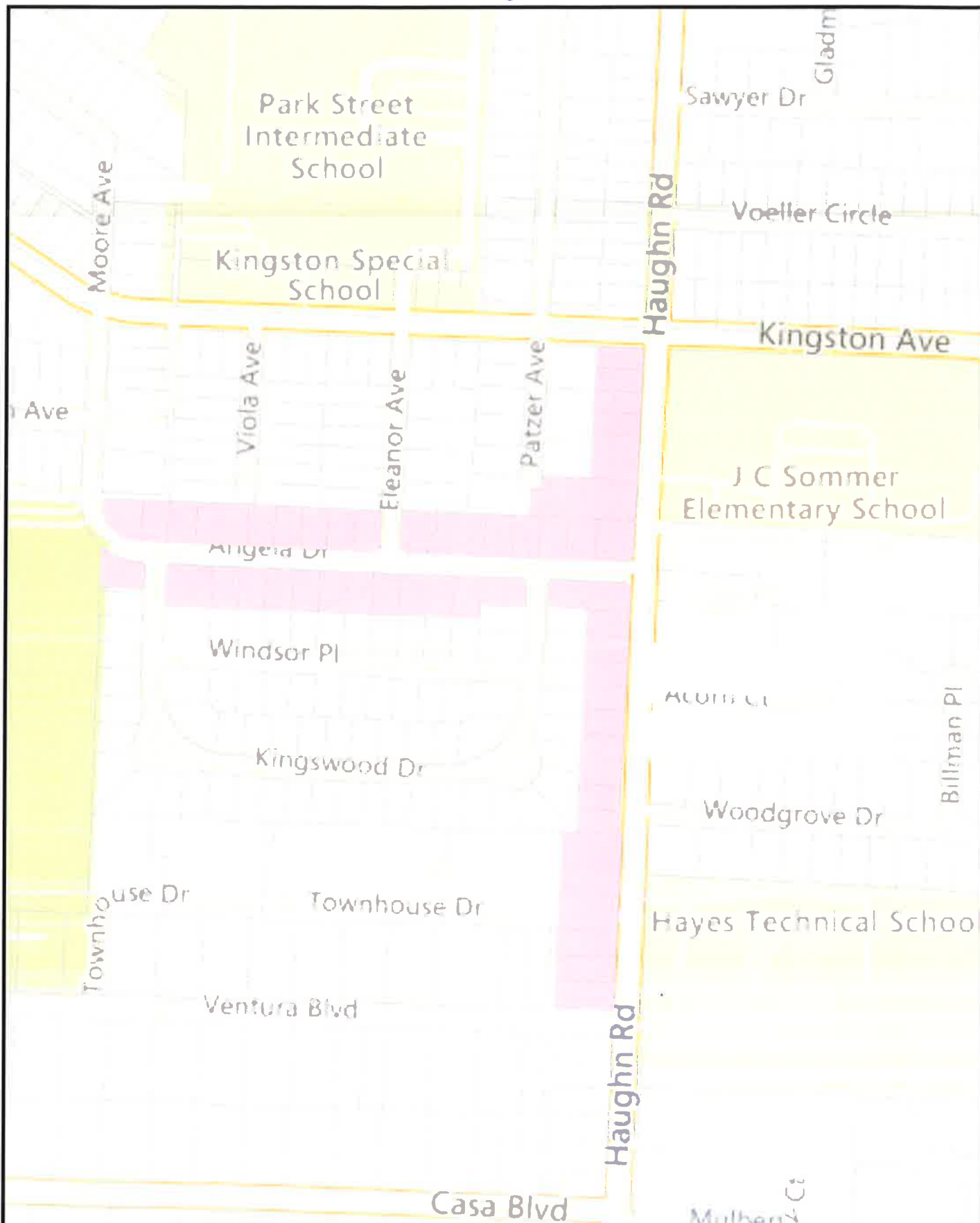
Tami K. Kelly, MMC, Clerk of Council

I certify that this
resolution is correct as to form.

Stephen J. Smith, Director of Law

CL-08-23

Document Path: J:\20210361\Correspondence\Letters\2022 Sidewalk Exhibit\Exhibit 1 - 2022 Sidewalk Program.mxd



Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 888.775.3648

emht.com

SCALE: 1" = 400'



CITY OF GROVE CITY, FRANKLIN COUNTY, OHIO

**Proposed 2023
Sidewalk Program
Exhibit 1.1**



Source: Basemap - Bing Maps

CR-08-23

Document Path: \\cmhdata01\project01\20200290\Correspondence\Letters\2021 Sidewalk Exhibit\GIS\2021 Sidewalk Program.mxd



Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 888.775.3648
emht.com

SCALE: 1" = 400'
0 100 200 400 Feet

CITY OF GROVE CITY, FRANKLIN COUNTY, OHIO

**Proposed 2023
Sidewalk Program
Exhibit 1.3**



Source: Basemap - Bing Maps

Date: 02/21/23
Introduced By: Mr. Sigrist
Committee: Safety
Originated By: Ms. Kelly
Approved: Mr. Schottke
Emergency: 30 Days:
Current Expense:

No.: CR-09-23
1st Reading: 02/21/23
Public Notice:
2nd Reading:
Passed: Rejected:
Codified: Code No:
Passage Publication:

RESOLUTION NO. CR-09-23

A RESOLUTION TO WAIVE THE PROVISIONS OF SECTION 529.07(b)3 OF THE CODIFIED ORDINANCES FOR THE WINE & ARTS FESTIVAL ON JUNE 16 - 17, 2023 IN THE TOWN CENTER

WHEREAS, the 2022 Wine & Arts Festival will be held on the streets of Town Center on June 16 & 17, 2023; and

WHEREAS, Grove City Town Center, Inc./Heart of Grove City wish to have tastings and sell wine during this event; and

WHEREAS, Section 529.07(b)3 of the Codified Ordinances of the City states: No person shall have in his possession an open container of beer or intoxicating liquor in a public place.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. The provisions of Section 529.07(b)3 of the Codified Ordinances that no person shall have in his possession an open container of beer or intoxicating liquor in a public place is hereby waived for this one occasion for the 2023 Wine & Arts Festival on the streets of Town Center on June 16 & 17, 2023.

SECTION 2. The provisions shall only be waived between the hours of 11:00 a.m. to 10:00 p.m. within the areas designated in Exhibit "A" attached hereto and made a part hereof. The pouring of wine shall be from 11:00 a.m. – 9:30 p.m.

SECTION 3. This resolution shall take effect at the earliest opportunity allowed by law.

Ted A. Berry, President of Council

Richard L. Stage, Mayor

Tami K. Kelly, MMC, Clerk of Council

Stephen J. Smith, Director of Law

Passed:

Effective:

Attest:

I Certify that this resolution is correct as to form

Red
bo
stati
t

Park St

Vendo Set-Up
Entrance

Light Tower

20'x20'
Tent

10'x10'
Tents

Light Towers

Arbutus Ave

Light Towers

Food Trucks

Civic Pl

Restrooms

First St

10'x10'
Tents

WINE & ARTS

Seating / Activity Area
Secondary Vendor Infill

Light Tower

Vendor Infill

Date: 02/15/23
Introduced By: Mr. Sigrist
Committee: Safety
Originated By: Ms. Kelly
Approved: Mr. Schottke
Emergency: 30 Days:
Current Expense:

No.: CR-10-23
1st Reading: 02/21/23
Public Notice:
2nd Reading:
Passed: Rejected:
Codified: Code No:
Passage Publication:

RESOLUTION NO. CR-10-23

A RESOLUTION TO WAIVE THE PROVISIONS OF SECTION 529.07(b)3 OF THE CODIFIED ORDINANCES FOR THE TACO'S & TEQUILA FESTIVAL ON JULY 15, 2023 IN THE TOWN CENTER

WHEREAS, the 2023 Tacos & Tequila Festival will be held on the streets of Town Center on July 15, 2023; and

WHEREAS, Grove City Town Center, Inc. wish to have tastings and sell tequila during this event; and

WHEREAS, Section 529.07(b)3 of the Codified Ordinances of the City states: No person shall have in his possession an open container of beer or intoxicating liquor in a public place.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. The provisions of Section 529.07(b)3 of the Codified Ordinances that no person shall have in his possession an open container of beer or intoxicating liquor in a public place is hereby waived for this one occasion for the 2023 Tacos & Tequila Festival on the streets of Town Center on July 15, 2023.

SECTION 2. The provisions shall only be waived between the hours of 11:00 a.m. to 10:00 p.m. within the areas designated in Exhibit "A" attached hereto and made a part hereof. The pouring of tequila shall be from 11:00 a.m. - 9:30 p.m.

SECTION 3. This resolution shall take effect at the earliest opportunity allowed by law.

Ted A. Berry, President of Council

Richard L. Stage, Mayor

Tami K. Kelly, MMC, Clerk of Council

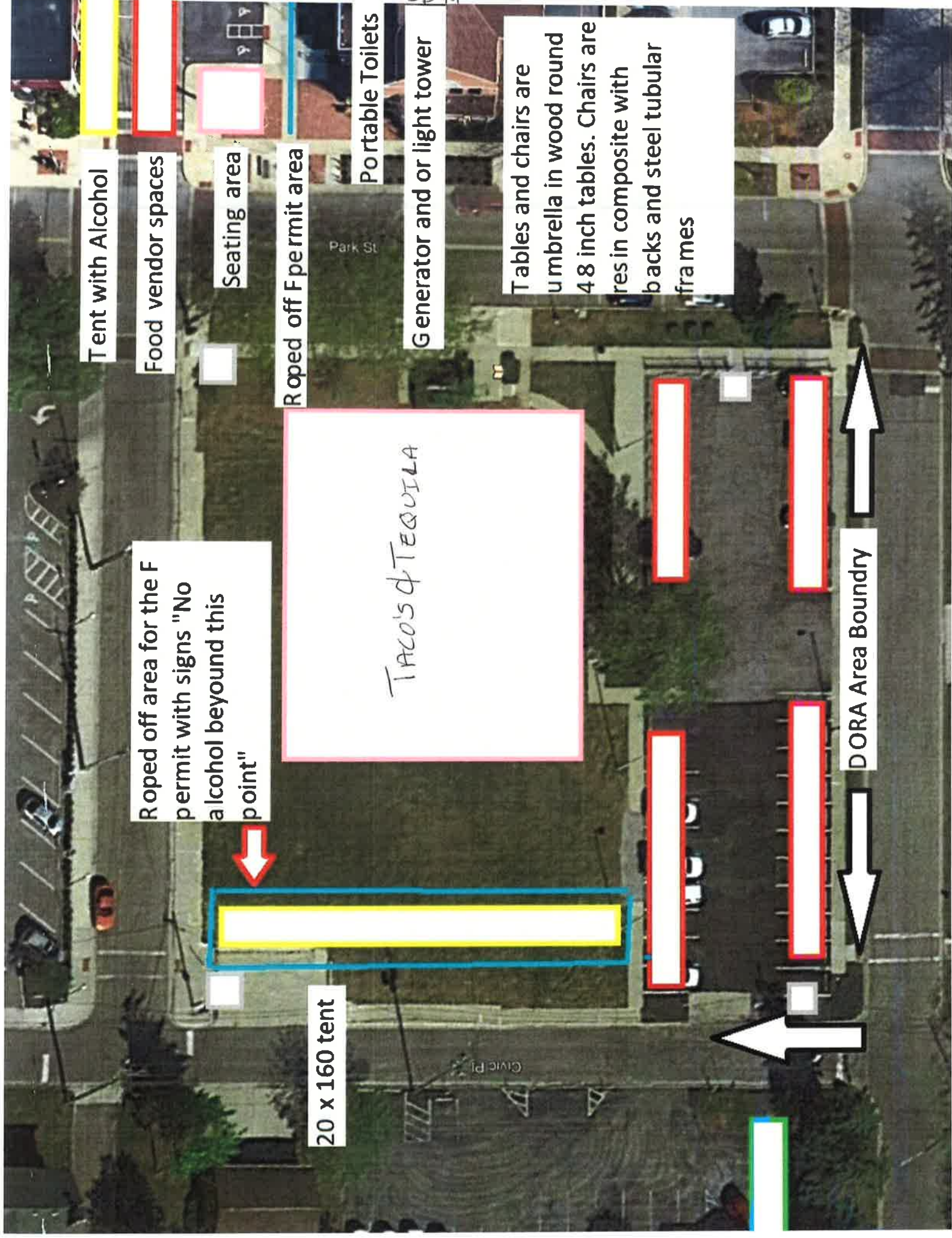
Stephen J. Smith, Director of Law

Passed:

Effective:

Attest:

I Certify that this resolution is correct as to form



Tent with Alcohol

Food vendor spaces

Seating area

Roped off F permit area

Portable Toilets

Generator and or light tower

Tables and chairs are umbrella in wood round 48 inch tables. Chairs are res in composite with backs and steel tubular frames

Roped off area for the F permit with signs "No alcohol beyond this point"

TACO'S & TEQUILA

20 x 160 tent

DORA Area Boundry

Date: 02/15/23
Introduced By: Mr. Sigrist
Committee: Safety
Originated By: Ms. Kelly
Approved: Mr. Schottke
Emergency: 30 Days
Current Expense:

No.: CR-11-23
1st Reading: 02/21/23
Public Notice:
2nd Reading:
Passed: Rejected:
Codified: Code No:
Passage Publication:

RESOLUTION NO. CR-11-23

A RESOLUTION TO WAIVE THE PROVISIONS OF SECTION 529.07(b)3 OF THE CODIFIED ORDINANCES FOR THE CRAFT DISTILLERS FESTIVAL ON AUG. 12, 2023 IN THE TOWN CENTER

WHEREAS, the 2023 Craft Distillers Festival will be held on the streets of Town Center on August 12, 2023; and

WHEREAS, Grove City Town Center, Inc. wish to have tastings and sell bourbon during this event; and

WHEREAS, Section 529.07(b)3 of the Codified Ordinances of the City states: No person shall have in his possession an open container of beer or intoxicating liquor in a public place.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. The provisions of Section 529.07(b)3 of the Codified Ordinances that no person shall have in his possession an open container of beer or intoxicating liquor in a public place is hereby waived for this one occasion for the 2023 Craft Distillers Festival on the streets of Town Center on August 12, 2023.

SECTION 2. The provisions shall only be waived between the hours of 11:00 a.m. to 10:00 p.m. within the areas designated in Exhibit "A" attached hereto and made a part hereof. The pouring of bourbon shall be from 11:00 a.m. – 9:30 p.m.

SECTION 3. This resolution shall take effect at the earliest opportunity allowed by law.

Ted. A. Berry, President of Council

Richard L. Stage, Mayor

Tami K. Kelly, MMC, Clerk of Council

Stephen J. Smith, Director of Law

Passed:

Effective:

Attest:

I Certify that this resolution is correct as to form



The Tent is the F2 Permit area.

40x 160 Tent

CRAFT DISTILLERS

Eating Tent, F2 per

Food Trucks

Seating Area DOR

Barricades

Portable Toilets

Abolus Ave

Park St

Grove City Police Department

© 2013 PI

Date: 02/15/23
Introduced By: Mr. Schottke
Committee: Lands
Originated By: Plan Comm
Approved: _____
Emergency: 30 Days: X
Current Expense: _____

No.: C-07-23
1st Reading: 02/21/23
Public Notice: 2/22/23
2nd Reading: 03/06/23
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

ORDINANCE NO. C-07-23

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$9,000,000, FOR THE PURPOSE OF PAYING THE COSTS OF IMPROVING THE CITY'S PARK AND RECREATIONAL FACILITIES BY CONSTRUCTING THE BEULAH COMMUNITY PARK TO INCLUDE, AMONG OTHER IMPROVEMENTS, VARIOUS UTILITY, ROADWAY AND PEDESTRIAN RELATED IMPROVEMENTS, FITNESS AREAS TOGETHER WITH RELATED EQUIPMENT, A SPLASH PAD, VARIOUS STRUCTURES, LANDSCAPING, STREET LIGHTING, SIGNAGE AND PARKING, TOGETHER WITH ALL OTHER NECESSARY APPURTENANCES THERETO

WHEREAS, pursuant to Ordinance No. C-24-22 passed April 18, 2022, notes in anticipation of bonds in the principal amount of \$9,000,000, dated June 7, 2022 (the "*Outstanding Notes*") were issued for the purpose described in Section 2, to mature on June 6, 2023; and

WHEREAS, this City Council finds and determines that the City should retire the Outstanding Notes with the proceeds of the Bonds described in Section 2 and other funds available to the City; 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 the Improvement is at least five (5) years and that the weighted maximum maturity of the Bonds is twenty-four (24) years;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, 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 denomination of \$5,000 or any integral multiple in excess thereof.

"*Bond Proceedings*" means, collectively, this Ordinance, the Certificate of Award, the Continuing Disclosure Agreement, the Registrar 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.

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

"*Bond Registrar*" 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 4 as the initial

authenticating agent, bond registrar, transfer agent and paying agent for the Bonds under the Registrar Agreement and until a successor Bond Registrar shall have become such pursuant to the provisions of the Registrar Agreement 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*" means the City of Grove City, Ohio.

"*Clerk of Council*" means the Clerk of Council of the City or any person serving in an interim or acting capacity with respect to that office.

"*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, as amended, 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 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 Clerk of Council and executed by the Mayor 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 or any person serving in an interim or acting capacity with respect to that office.

"*Director of Law*" means the Director of Law of the City or any person serving in an interim or acting capacity with respect to that office.

“Financing Costs” shall have the meaning given in Section 133.01 of the Ohio Revised Code.

“Interest Payment Dates” means, unless otherwise specified in the Certificate of Award, June 1 and December 1 of each year that the Bonds are outstanding, commencing on the date 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).

“Mayor” means the Mayor of the City or any person serving in an interim or acting capacity with respect to that office.

“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, unless otherwise specified in the Certificate of Award, December 1 in each of the years from and including 2024 to and including 2047; *provided* that the first Principal Payment Date may be advanced up to one year and the last Principal Payment Date may be advanced by such number of years as determined necessary 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.

“Registrar Agreement” means the Bond Registrar Agreement between the City and the Bond Registrar, as it may be modified from the form on file with the Clerk of Council and executed by the Mayor 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 City 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 \$9,000,000 (the “*Bonds*”) for the purpose of paying the costs of improving the City’s park and recreational facilities by constructing the Beulah Community Park to include, among other

improvements, various utility, roadway and pedestrian related improvements, fitness areas together with related equipment, a splash pad, various structures, landscaping, street lighting, signage and parking, together with all other 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 refunding the Outstanding Notes, 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 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 and in the Registrar Agreement) 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.

(a) Interest Rates and Payment Dates. The Bonds shall bear interest at the rate or rates per year (computed on the basis of a 360-day year consisting of twelve 30-day months) as shall be determined by the Director of Finance, subject to subsection (c) of this Section 3, 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 3, 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 7.00%.

(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 corporate trust 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 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 \$5,000, 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 \$5,000 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 \$5,000 are then outstanding, each \$5,000 unit of principal thereof shall be treated as if it were a separate Bond of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of principal amount represented by a Bond are to be called for redemption, then, upon notice of redemption of a \$5,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (A) for payment of the redemption price of the \$5,000 unit or units of principal amount 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 Mayor 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 a bank or trust company authorized to do business in the State of Ohio to act as the initial Bond Registrar. The Mayor 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 substantially the form as is now on file with the Clerk of Council. 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 Mayor 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 and/or the Bond Registrar pursuant to the Certificate of Award and/or the Registrar Agreement, 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 corporate trust 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 5. 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 corporate trust 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 corporate trust 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 5.

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. 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.

The Mayor, the City Administrator, the Director of Finance, the Director of Law, the Clerk of Council and other City officials, as appropriate, are each 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. The actions of the Mayor, the City Administrator, the Director of Finance, the Director of Law, the Clerk of Council or other City official, as appropriate, in doing any and all acts necessary in connection with the issuance and sale of the Bonds are hereby ratified and confirmed.

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 four-mill limitation imposed by the Charter of the City, 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 City's 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.

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 Mayor and the Director of Finance are each authorized and directed, 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 substantially the form as is now on file with the Clerk of Council, (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 or reimbursed pursuant to the Certificate of Award and/or the Registrar Agreement, 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.** For the benefit of the holders and beneficial owners from time to time of the Bonds, the City agrees 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 Mayor and the Director of Finance are each authorized and directed to complete, sign and deliver the Continuing Disclosure Agreement, in the name and on behalf of the City, in substantially the form as is now on file with the Clerk of Council. 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 Mayor 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.

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 Director of Law 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 or reimbursed by the Original Purchaser and/or the Bond Registrar pursuant to the Certificate of Award and/or the Registrar 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, all as set forth in the form of engagement letter from that firm which is now on file in the office of the Clerk of Council. In providing those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of this City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State of Ohio, any county or municipal corporation or of this City, or the execution of public trusts. For those legal services, that firm shall be paid just and reasonable compensation and shall be reimbursed for actual out-of-pocket expenses incurred in providing those legal services. To the extent they are not paid or reimbursed pursuant to the Registrar Agreement, 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 Baker Tilly Municipal Advisors, 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 of Ohio, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those municipal advisory services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those municipal advisory services. To the extent they are not paid or reimbursed pursuant to the Registrar Agreement, 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 Clerk of Council 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 Franklin County, Ohio.

SECTION 13. Satisfaction of Conditions for Bond Issuance. This City 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, constitutional or charter 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 City Council finds and determines that all formal actions of this City Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Council or any of its committees, and that all deliberations of this City 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 and the Charter of the City.

SECTION 15. Effective Date. This Ordinance shall be in full force and effect on the earliest date permitted by law.

Ted A. Berry, President of Council

Passed:

Richard L. Stage, Mayor

Effective:

Attest:

Tami K. Kelly, MMC, Clerk of Council

I certify that this
ordinance is correct as to form.

Stephen J. Smith, Director of Law