ORDINANCE NO. ____-23

AN ORDINANCE AMENDING CHAPTER 1507 OF THE CODIFIED ORDINANCES OF THE CITY OF PAINESVILLE, OHIO, TITLED, "GENERAL PROVISIONS", AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PAINESVILLE, THE COUNTY OF LAKE, AND THE STATE OF OHIO:

SECTION I. That Chapter 1507 of the Codified Ordinances of the City of Painesville, Ohio, titled, "General Provisions"; specifically, establishing Section 1507.05, titled, "Electric Vehicle Charging Stations (EVCS)", is hereby amended to read and provide as follows:

1507.05 ELECTRIC VEHICLE CHARGING STATIONS (EVCS).

For purpose of this section, an EVCS shall mean a public parking space that is served by battery charging station equipment for the purpose of transferring electrical energy (by conductive or inductive means) to a battery or other energy storage device within an electric vehicle.

(a) General Requirements.

(1) These requirements pertain to all EVCS that are either a Level 2 or Level 3 charger. If a charging station has more than (1) one port, each port shall count as a charging station.

(2) The designated parking space(s) for an EVCS shall be above the minimum number of parking spaces required for the site in accordance with Chapter 1125.

(3) The recommended parking space dimensions for an EVCS are a minimum of ten (10) feet wide by twenty (20) feet long when new spaces are installed for such use. An additional five (5) feet in width shall be required for ADA accessible locations.

(4) The charging station and equipment shall be protected by wheel stops and bollards in accordance with Ohio Fire Code Section 312.

(5) Each parking space designated for EVCS shall be clearly identified as reserved for EV Charging Only.

(6) Charging station equipment shall not exceed eight (8) feet in height.

(7) Charging stations shall not include overhead canopies.

(8) Charging Stations shall not be installed inside parking garages or parking structures.

(9) The EVCS shall comply with the current National Electric Code (NEC) and shall be inspected once a year and proof of inspection shall be made available to the authority having jurisdiction.

(10) An EVCS shall be installed in a location as follows:

A. Ten (10) feet from property lines.

B. Thirty (30) feet or more from buildings having combustible exterior wall surfaces.

C. Fifteen (15) feet or more from buildings having a one-hour fire resistive exterior surface.

D. Fifteen (15) feet or more from combustible awnings or canopies.

(11) EVCS shall be designed and constructed in accordance with state and local building codes and this ordinance.

(12) EVCS shall be constructed, operated, and maintained based on manufacturer instructions.

(13) Any attendants shall be trained in the operation of the EVCS system and able to supervise and respond to emergencies.

(14) EVCS shall be provided with one or more clearly identified shutoff device or electrical disconnect with an approved sign stating, "Emergency Electrical Vehicle Charging System Shutoff'.

(15) EVCS shall have emergency instructions conspicuously posted in the area and shall include the following:

A. Use of Emergency shutoff button/disconnection device.

B. Report incident by calling 911.

C. Report location to emergency services.

(16) Emergency shutoff devices or electrical disconnects shall be installed in an approved location accessible to patrons but not less than twenty (20) feet, or more than thirty (30) feet, from the EVCS.
(17) Resetting from an emergency shutoff condition shall require manual intervention.
(18) Lighting shall be selected and installed in accordance with applicable building codes and local ordinances and shall be sufficient for safe operation and security.
(19) At least one (1) portable fire extinguisher for each group of EVCS shall be provided and shall not exceed a travel distance of seventy-five (75) feet.

(b) Motor Fuel Dispensing Facilities. Additional EVCS installation requirements:
(1) Twenty (20) feet or more in all directions from dispensing devices for flammable or combustible liquids.
(2) Ten (10) feet in all directions from above ground/underground tanks, tank fill connections, remote/submersible pump transfer equipment, vapor recovery equipment and vents.
(3) Twenty-five (25) feet in all directions from the location of tank vehicles while filling and transferring flammable or combustible liquids.
(4) EVCS shall be designed so that the pooling of flammable or combustible liquids cannot occur in the charging area.
(5) At attended locations and motor fuel dispensing facilities, an additional emergency shutoff or electrical disconnect shall be located at the attendant's location.

SECTION II. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION III. That this Ordinance is passed as an emergency measure for the protection and preservation of the peace, health, safety and general welfare of the inhabitants of the City of Painesville, the emergency being the immediate necessity to amend Chapter 1507 General Provisions, to safeguard against the occurrences of fires due to the charging of Electric Vehicles and therefore, this Ordinance shall be effective immediately.

PASSED:

EFFECTIVE:

_____
Christine Shoop
President of Council

ATTEST:

_____
Samantha Danielson
Clerk of Council

ORDINANCE NO. ___-23

ORDINANCE AMENDING THE DISTRICT MAP AND THE SETBACK MAP REFERRED TO IN SECTION 1113.03 OF THE PAINESVILLE CODE OF 1998 REZONING PERMANENT PARCEL NUMBERS 15C-001-0-00-001-0 & 15C-001-0-00-026-0, LOCATED AT 100 S. PARK PLACE AND 66 SOUTH ST. CLAIR STREET, RESPECTIVELY, FROM B-3, CENTRAL BUSINESS DISTRICT TO DD, DOWNTOWN DEVELOPMENT DISTRICT, AND DECLARING AN EMERGENCY.

WHEREAS, an application has been received from the Vic Place, LLC and the City of Painesville, to rezone the property at 100 S. Park Place and 66 South St. Clair St. from B-3, Central Business to DD, Downtown Development District with Covenants, Conditions and Restrictions; and

WHEREAS, a public hearing was held by the Planning Commission on May 4, 2023 to hear the application for rezoning; and

WHEREAS, the Planning Commission made a favorable recommendation to City Council to rezone the property by a vote of 4-0; and

WHEREAS, Section 1111.11 of the Unified Development Code requires City Council to consider the Planning Commission's recommendation and vote on the amendment after holding a public hearing.

NOW, THERFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PAINESVILLE, LAKE COUNTY OHIO:

SECTION I. That the District Map referred to in Section 1113.03 of the Painesville Code of 1998 is hereby amended to rezone the property located at 100 S. Park Place, Permanent Parcel Number, 15C-001-0-00-001-0, and the property located at 66 South St. Clair St. Permanent Parcel Number 15C-001-0-00-026-0**,** from B-3, CENTRAL BUSINESS DISTRICT to DD, DOWNTOWN DEVELOPMENT DISTRICT.

SECTION II. That the Covenants, Conditions and Restrictions are hereby approved and shall be recorded as deed restrictions on the property located at 100 S. Park Place, Permanent Parcel Number, 15C-001-0-00-001-0 to establish permitted uses and conditions for redevelopment of the property prior to final project approval.

SECTION III. That this Ordinance is passed and adopted for the protection and preservation of the peace, health, safety, and general welfare of the inhabitants of the City of Painesville, the necessity being to provide the highest and best use of the land described herein and therefore, this Ordinance shall be effective at the earliest date allowed by law.

PASSED:

EFFECTIVE DATE:

_____

Christine Shoop
President of Council

ATTEST:

_____

Samantha Danielson
Clerk of Council

ORDINANCE NO.

AN ORDINANCE AMENDING APPROPRIATIONS AND TO
AUTHORIZE ADDITIONAL INTER-FUND TRANSFERS
FOR THE CURRENT EXPENSES AND EXPENDITURES
OF THE CITY OF PAINESVILLE, STATE OF OHIO
FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2023
AND ADOPTING THE OPERATING BUDGET,
AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PAINESVILLE, LAKE COUNTY, OHIO:

		Original	February Amended	Amended
SECTION I.	That there be appropriated from the GENERAL FUND, FUND NO. 101:			
GENERAL GOVERNMENT:				
LEGISLATIVE:				
COUNCIL:				
FUNCTION NO. 1110:				
PERSONNEL SERVICES		$ 11,691.00	$ 11,691.00	$ 11,691.00
MATERIALS AND SUPPLIES		$ 200.00	$ 200.00	$ 200.00
SERVICES AND CHARGES		$ 4,090.00	$ 4,090.00	$ 4,090.00
TOTAL -	COUNCIL:	$ 15,981.00	$ 15,981.00	$ 15,981.00
CLERK OF COUNCIL:				
FUNCTION NO. 1120:				
PERSONNEL SERVICES		$ 8,097.00	$ 8,097.00	$ 8,097.00
MATERIALS AND SUPPLIES		$ 242.00	$ 242.00	$ 242.00
SERVICES AND CHARGES		$ 5,110.00	$ 5,110.00	$ 5,110.00
TOTAL -	CLERK OF COUNCIL:	$ 13,449.00	$ 13,449.00	$ 13,449.00
TOTAL -	LEGISLATIVE:	$ 29,430.00	$ 29,430.00	$ 29,430.00
JUDICIAL - MUNICIPAL COURT:				
MUNICIPAL COURT:				
FUNCTION NO. 1210:				
PERSONNEL SERVICES		$ 245,203.00	$ 245,203.00	$ 245,203.00
TOTAL -	MUNICIPAL COURT:	$ 245,203.00	$ 245,203.00	$ 245,203.00
CLERK OF COURT:				
FUNCTION NO. 1220:				
PERSONNEL SERVICES		$ 693,817.00	$ 693,817.00	**$ 696,412.00**
SERVICES AND CHARGES		$ 28,387.00	$ 28,387.00	$ 28,387.00
TOTAL -	CLERK OF COURT:	$ 722,204.00	$ 722,204.00	**$ 724,799.00**
PROBATION:				
FUNCTION NO. 1230:				
PERSONNEL SERVICES		$ 228,126.00	$ 228,126.00	**$ 228,931.00**
TOTAL -	PROBATION:	$ 228,126.00	$ 228,126.00	**$ 228,931.00**
TOTAL -	JUDICIAL - MUNICIPAL COURT:	$ 1,195,533.00	$ 1,195,533.00	**$ 1,198,933.00**
EXECUTIVE:				
CITY MANAGER:				
FUNCTION NO. 1310:				
PERSONNEL SERVICES		$ 74,852.00	$ 74,852.00	$ 74,852.00
MATERIALS AND SUPPLIES		$ 1,360.00	$ 1,360.00	$ 1,360.00
SERVICES AND CHARGES		$ 7,187.00	$ 7,187.00	$ 7,187.00
TOTAL -	CITY MANAGER:	$ 83,399.00	$ 83,399.00	$ 83,399.00
INFORMATION TECHNOLOGY:				
FUNCTION NO. 1320:				
SERVICES AND CHARGES		$ 14,740.00	$ 14,740.00	$ 14,740.00
TOTAL -	INFORMATION TECHNOLOGY:	$ 14,740.00	$ 14,740.00	$ 14,740.00
COMMUNICATIONS:				
FUNCTION NO. 1330:				
PERSONNEL SERVICES		$ 13,093.00	$ 13,093.00	$ 13,093.00
MATERIALS AND SUPPLIES		$ 350.00	$ 350.00	$ 350.00
SERVICES AND CHARGES		$ 12,857.00	$ 12,857.00	$ 12,857.00
TOTAL -	COMMUNICATIONS:	$ 26,300.00	$ 26,300.00	$ 26,300.00

GENERAL FUND (CONTINUED)
GENERAL GOVERNMENT (CONTINUED)

ECONOMIC DEVELOPMENT:
FUNCTION NO. 1340:

PERSONNEL SERVICES		$ 27,178.00	$ 27,178.00	$ 27,178.00
MATERIALS AND SUPPLIES		$ 802.00	$ 802.00	$ 802.00
SERVICES AND CHARGES		$ 15,020.00	$ 15,020.00	**$ 19,020.00**
TOTAL -	ECONOMIC DEVELOPMENT:	$ 43,000.00	$ 43,000.00	**$ 47,000.00**

HUMAN RESOURCES:
FUNCTION NO. 1350:

PERSONNEL SERVICES		$ 47,421.00	$ 47,421.00	$ 47,421.00
MATERIALS AND SUPPLIES		$ 365.00	$ 365.00	$ 365.00
SERVICES AND CHARGES		$ 32,019.00	$ 32,019.00	$ 32,019.00
TOTAL -	HUMAN RESOURCES:	$ 79,805.00	$ 79,805.00	**$ 79,805.00**
TOTAL -	EXECUTIVE:	$ 247,244.00	$ 247,244.00	**$ 251,244.00**

FINANCE:
FINANCE DEPARTMENT:
FUNCTION NO. 1410:

PERSONNEL SERVICES		$ 91,669.00	$ 91,669.00	**$ 106,444.00**
MATERIALS AND SUPPLIES		$ 1,010.00	$ 1,010.00	$ 1,010.00
SERVICES AND CHARGES		$ 34,206.00	$ 34,206.00	**$ 44,506.00**
TOTAL -	FINANCE DEPARTMENT:	$ 126,885.00	$ 126,885.00	**$ 151,960.00**

INCOME TAX COLLECTION:
FUNCTION NO. 1420:

SERVICES AND CHARGES		$ 261,000.00	$ 337,609.00	$ 337,609.00
TOTAL -	INCOME TAX COLLECTION:	$ 261,000.00	$ 337,609.00	$ 337,609.00

CENTRAL WAREHOUSE
FUNCTION NO. 1430:

SERVICES AND CHARGES		$ 650.00	$ 650.00	$ 650.00
TOTAL -	CENTRAL WAREHOUSE	$ 650.00	$ 650.00	$ 650.00
TOTAL -	FINANCE:	$ 388,535.00	$ 465,144.00	**$ 490,219.00**

LAW:
ADMINISTRATION:
FUNCTION NO. 1510:

PERSONNEL SERVICES		$ 52,372.00	$ 52,372.00	$ 52,372.00
TOTAL -	LAW:	$ 52,372.00	$ 52,372.00	$ 52,372.00

ENGINEERING:
ENGINEERING DEPARTMENT:
FUNCTION NO. 1610:

PERSONNEL SERVICES		$ 86,021.00	$ 86,021.00	$ 86,021.00
MATERIALS AND SUPPLIES		$ 2,474.00	$ 2,474.00	$ 2,474.00
SERVICES AND CHARGES		$ 9,745.00	$ 9,745.00	$ 9,745.00
TOTAL -	ENGINEERING:	$ 98,240.00	$ 98,240.00	$ 98,240.00

PUBLIC LANDS AND BUILDINGS:
BUILDING OPERATIONS:
FUNCTION NO. 1710:

PERSONNEL SERVICES		$ 12,613.00	$ 12,613.00	$ 12,613.00
MATERIALS AND SUPPLIES		$ 2,590.00	$ 2,590.00	$ 2,590.00
SERVICES AND CHARGES		$ 51,759.00	$ 51,759.00	$ 51,759.00
TOTAL -	PUBLIC LANDS AND BUILDINGS:	$ 66,962.00	$ 66,962.00	$ 66,962.00

MISCELLANEOUS:
INSURANCE:
FUNCTION NO. 1910:

SERVICES AND CHARGES		$ 49,286.00	$ 49,286.00	$ 49,286.00
TOTAL -	INSURANCE:	$ 49,286.00	$ 49,286.00	$ 49,286.00

GENERAL FUND (CONTINUED)
GENERAL GOVERNMENT (CONTINUED)

TAX SETTLEMENT DEDUCTIONS:
FUNCTION NO. 1920:

SERVICES AND CHARGES		$ 7,090.00	$ 7,090.00	$ 7,090.00
TOTAL -	TAX SETTLEMENT DEDUCTIONS:	$ 7,090.00	$ 7,090.00	$ 7,090.00
TOTAL -	MISCELLANEOUS:	$ 56,376.00	56,376.00	56,376.00
TOTAL -	GENERAL GOVERNMENT:	$ 2,134,692.00	$ 2,211,301.00	**$ 2,243,776.00**

PUBLIC SAFETY :
POLICE:
POLICE DEPARTMENT
FUNCTION NO. 2110:

PERSONNEL SERVICES		$ 3,669,776.00	$ 3,669,776.00	$ 3,669,776.00
TOTAL -	POLICE DEPARTMENT	$ 3,669,776.00	$ 3,669,776.00	$ 3,669,776.00

POLICE DEPARTMENT - OTHER
FUNCTION NO. 2120:

PERSONNEL SERVICES		$ 425,067.00	$ 425,067.00	$ 425,067.00
MATERIALS AND SUPPLIES		$ 125,825.00	$ 125,825.00	$ 125,825.00
SERVICES AND CHARGES		$ 124,481.00	$ 124,481.00	$ 124,481.00
TOTAL -	POLICE DEPARTMENT - OTHER	$ 675,373.00	$ 675,373.00	$ 675,373.00
TOTAL -	POLICE:	$ 4,345,149.00	$ 4,345,149.00	$ 4,345,149.00

FIRE:
FIRE DEPARTMENT:
FUNCTION NO. 2210:

PERSONNEL SERVICES		$ 2,492,770.00	$ 2,492,770.00	$ 2,492,770.00
MATERIALS AND SUPPLIES		$ 27,850.00	$ 27,850.00	$ 27,850.00
SERVICES AND CHARGES		$ 50,885.00	$ 50,885.00	**$ 53,908.00**
TOTAL -	FIRE DEPARTMENT:	$ 2,571,505.00	$ 2,571,505.00	**$ 2,574,528.00**

FIRE DEPARTMENT - OTHER:
FUNCTION NO. 2220:

PERSONNEL SERVICES		$ 40,677.00	$ 40,677.00	$ 40,677.00
TOTAL -	FIRE DEPARTMENT - OTHER:	$ 40,677.00	$ 40,677.00	$ 40,677.00
TOTAL -	FIRE:	$ 2,612,182.00	$ 2,612,182.00	**$ 2,615,205.00**

POLICE AND FIRE COMMUNICATIONS:
DISPATCH:
FUNCTION NO. 2310:

SERVICES AND CHARGES		$ 618,200.00	$ 618,200.00	$ 618,200.00
TOTAL -	DISPATCH:	$ 618,200.00	$ 618,200.00	$ 618,200.00
TOTAL -	PUBLIC SAFETY :	$ 7,575,531.00	$ 7,575,531.00	**$ 7,578,554.00**

HIGHWAYS AND STREETS:
PUBLIC WORKS:
PW STREET CONSTRUCTION REPAIR:
FUNCTION NO. 3110:

PERSONNEL SERVICES		$ 91,399.00	$ 91,399.00	$ 91,399.00
MATERIALS AND SUPPLIES		$ 35,750.00	$ 35,750.00	$ 35,750.00
SERVICES AND CHARGES		$ 26,643.00	$ 26,643.00	$ 26,643.00
TOTAL -	PW STREET CONSTRUCTION REPAIR:	$ 153,792.00	$ 153,792.00	$ 153,792.00

PW BLDG AND EQUIP MAINTENANCE:
FUNCTION NO. 3130:

PERSONNEL SERVICES		$ 34,027.00	$ 34,027.00	$ 34,027.00
MATERIALS AND SUPPLIES		$ 143,150.00	$ 143,150.00	$ 143,150.00
SERVICES AND CHARGES		$ 37,445.00	$ 37,445.00	$ 37,445.00
TOTAL -	PW BLDG AND EQUIP MAINTENANCE:	$ 214,622.00	$ 214,622.00	$ 214,622.00

PW MAINTENANCE WORKERS
FUNCTION NO. 3140:

PERSONNEL SERVICES		$ 270,945.00	$ 270,945.00	$ 270,945.00
TOTAL -	PW MAINTENANCE WORKERS	$ 270,945.00	$ 270,945.00	$ 270,945.00
TOTAL -	PUBLIC WORKS:	$ 639,359.00	$ 639,359.00	$ 639,359.00

GENERAL FUND (CONTINUED)

TRAFFIC SIGNS SIGNALS:				
FUNCTION NO. 3210:				
PERSONNEL SERVICES		$ 35,990.00	$ 35,990.00	$ 35,990.00
MATERIALS AND SUPPLIES		$ 19,500.00	$ 19,500.00	$ 19,500.00
SERVICES AND CHARGES		$ 6,205.00	$ 6,205.00	$ 6,205.00
TOTAL -	TRAFFIC SIGNS SIGNALS:	$ 61,695.00	$ 61,695.00	$ 61,695.00
PARKING:				
FUNCTION NO. 3310:				
MATERIALS AND SUPPLIES		$ 600.00	$ 600.00	$ 600.00
SERVICES AND CHARGES		$ 7,200.00	$ 7,200.00	$ 7,200.00
TOTAL -	PARKING:	$ 7,800.00	$ 7,800.00	$ 7,800.00
TOTAL -	HIGHWAYS AND STREETS:	$ 708,854.00	$ 708,854.00	$ 708,854.00
PUBLIC HEALTH AND WELFARE:				
ASSISTANCE TO NEEDY/AGED:				
INDIGENT BURIALS:				
FUNCTION NO: 4110:				
SERVICES AND CHARGES		$ 300.00	$ 300.00	$ 300.00
TOTAL -	INDIGENT BURIALS:	$ 300.00	$ 300.00	$ 300.00
TOTAL -	ASSISTANCE TO NEEDY/AGED:	$ 300.00	$ 300.00	$ 300.00
HEALTH DISTRICT:				
FUNCTION NO. 4310:				
SERVICES AND CHARGES		$ 180,504.00	$ 180,504.00	$ 180,504.00
TOTAL -	HEALTH DISTRICT:	$ 180,504.00	$ 180,504.00	$ 180,504.00
CULTURE-RECREATION:				
PARKS:				
PARKS OPERATIONS:				
FUNCTION NO. 5110:				
PERSONNEL SERVICES		$ 433,427.00	$ 433,427.00	$ 433,427.00
MATERIALS AND SUPPLIES		$ 47,150.00	$ 47,150.00	$ 47,150.00
SERVICES AND CHARGES		$ 62,219.00	$ 62,219.00	$ 62,219.00
TOTAL -	PARKS OPERATIONS:	$ 542,796.00	$ 542,796.00	$ 542,796.00
SIDEWALKS SNOW REMOVAL:				
FUNCTION NO. 5120:				
MATERIALS AND SUPPLIES		$ 400.00	$ 400.00	$ 400.00
TOTAL -	SIDEWALKS SNOW REMOVAL:	$ 400.00	$ 400.00	$ 400.00
MORSE AVE COMM CENTER:				
FUNCTION NO. 5130:				
SERVICES AND CHARGES		$ 7,150.00	$ 7,150.00	$ 7,150.00
TOTAL -	MORSE AVE COMM CENTER:	$ 7,150.00	$ 7,150.00	$ 7,150.00
TOTAL -	PARKS:	$ 550,346.00	$ 550,346.00	$ 550,346.00
RECREATION DEPARTMENT:				
FUNCTION NO. 5210:				
PERSONNEL SERVICES		$ 172,894.00	$ 172,894.00	$ 172,894.00
MATERIALS AND SUPPLIES		$ 2,340.00	$ 2,340.00	$ 2,340.00
SERVICES AND CHARGES		$ 7,600.00	$ 7,600.00	$ 7,600.00
TOTAL -	RECREATION DEPARTMENT:	$ 182,834.00	$ 182,834.00	$ 182,834.00
LEISURE TIME ACTIVITIES:				
COMMUNITY FUNCTIONS:				
FUNCTION NO. 5320:				
SERVICES AND CHARGES		$ 28,000.00	$ 28,000.00	$ 28,000.00
TOTAL -	COMMUNITY FUNCTIONS:	$ 28,000.00	$ 28,000.00	$ 28,000.00
TOTAL -	LEISURE TIME ACTIVITIES:	$ 28,000.00	$ 28,000.00	$ 28,000.00
TOTAL -	CULTURE-RECREATION:	$ 761,180.00	$ 761,180.00	$ 761,180.00

GENERAL FUND (CONTINUED)

COMMUNITY ENVIRONMENT:
PLANNING COMMISSION:
FUNCTION NO. 6110:

MATERIALS AND SUPPLIES		$ 75.00	$ 75.00	$ 75.00
SERVICES AND CHARGES		$ 640.00	$ 640.00	$ 640.00
TOTAL -	PLANNING COMMISSION:	$ 715.00	$ 715.00	$ 715.00

DEMOLITION:
FUNCTION NO. 6210:

SERVICES AND CHARGES		$ 3,100.00	$ 3,100.00	$ 3,100.00
TOTAL -	DEMOLITION:	$ 3,100.00	$ 3,100.00	$ 3,100.00

PLANNING AND DEVELOPMENT:
FUNCTION NO. 6310:

PERSONNEL SERVICES		$ 29,917.00	$ 29,917.00	**$ 41,162.00**
MATERIALS AND SUPPLIES		$ 223.00	$ 223.00	$ 223.00
SERVICES AND CHARGES		$ 9,705.00	$ 9,705.00	**$ 15,705.00**
TOTAL -	PLANNING AND DEVELOPMENT:	$ 39,845.00	$ 39,845.00	**$ 57,090.00**

HOUSING AND BUILDING CODE ENFORCEMENT:
COMMUNITY DEVELOPMENT:
FUNCTION NO. 6410:

PERSONNEL SERVICES		$ 39,891.00	$ 39,891.00	**$ 44,516.00**
MATERIALS AND SUPPLIES		$ 1,775.00	$ 1,775.00	$ 1,775.00
SERVICES AND CHARGES		$ 4,909.00	$ 4,909.00	$ 4,909.00
TOTAL -	COMMUNITY DEVELOPMENT:	$ 46,575.00	$ 46,575.00	**$ 51,200.00**

WEED CONTROL:
FUNCTION NO. 6510:

SERVICES AND CHARGES		$ 14,000.00	$ 14,000.00	$ 14,000.00
TOTAL -	WEED CONTROL:	$ 14,000.00	$ 14,000.00	$ 14,000.00
TOTAL -	TREE CARE AND WEED CONTROL:	$ 14,000.00	$ 14,000.00	$ 14,000.00
TOTAL -	COMMUNITY ENVIRONMENT:	$ 104,235.00	$ 104,235.00	$ 126,105.00

TRANSFERS:
FUNCTION NO. 9100:

OPERATING TRANSFERS/RESERVES		$ 100,000.00	$ 100,000.00	$ 100,000.00
TOTAL -	TRANSFERS:	$ 100,000.00	$ 100,000.00	$ 100,000.00

NON-DEPARTMENTAL:
FUNCTION NO. 9700:

PERSONNEL SERVICES		$ 2,414,598.00	$ 2,414,598.00	$ 2,414,598.00
SERVICES AND CHARGES		$ 18,000.00	$ 18,000.00	$ 18,000.00
TOTAL -	NON-DEPARTMENTAL:	$ 2,432,598.00	$ 2,432,598.00	$ 2,432,598.00
TOTAL -	GENERAL FUND	$ 13,997,894.00	**$ 14,074,503.00**	**$ 14,131,871.00**

SECTION II. That there be appropriated from the COMPENSATION BALANCE RESERVE, FUND NO. 154:

NON-DEPARTMENTAL:
FUNCTION NO. 9700:

PERSONNEL SERVICES		$ 200,000.00	$ 200,000.00	$ 200,000.00
TOTAL -	COMPENSATED BALANCE RESERVE	$ 200,000.00	$ 200,000.00	$ 200,000.00

SECTION III. That there be appropriated from the ST CONST, MAINT & REPAIR FUND, FUND NO. 201:

ENGINEERING DEPARTMENT:
FUNCTION NO. 1610:

CAPITAL OUTLAY		$ 721,500.00	$ 721,500.00	$ 721,500.00
TOTAL -	ENGINEERING DEPARTMENT:	$ 721,500.00	$ 721,500.00	$ 721,500.00

PUBLIC WORKS:
PW STREET CONSTRUCTION REPAIR:
FUNCTION NO. 3110:

PERSONNEL SERVICES		$ 258,725.00	$ 258,725.00	$ 258,725.00
MATERIALS AND SUPPLIES		$ 4,050.00	$ 4,050.00	$ 4,050.00
SERVICES AND CHARGES		$ 3,500.00	$ 3,500.00	$ 3,500.00
TOTAL -	PW STREET CONSTRUCTION REPAIR:	$ 266,275.00	$ 266,275.00	$ 266,275.00

ST CONST, MAINT & REPAIR FUND (CONTINUED)

PW SNOW REMOVAL:
FUNCTION NO. 3120:

MATERIALS AND SUPPLIES		$ 111,735.00	$ 111,735.00	$ 111,735.00
SERVICES AND CHARGES		$ 79,400.00	$ 79,400.00	$ 79,400.00
TOTAL -	PW SNOW REMOVAL:	$ 191,135.00	$ 191,135.00	$ 191,135.00
TOTAL -	PUBLIC WORKS:	$ 457,410.00	$ 457,410.00	$ 457,410.00

DEBT SERVICE-UNVOTED:
FUNCTION NO. 8010:

DEBT SERVICE		$ 37,741.00	$ 37,741.00	$ 37,741.00
TOTAL -	DEBT SERVICE	$ 37,741.00	$ 37,741.00	$ 37,741.00

NON-DEPARTMENTAL:
FUNCTION NO. 9700:

PERSONNEL SERVICES		$ 75,829.00	$ 75,829.00	$ 75,829.00
TOTAL -	NON-DEPARTMENTAL:	$ 75,829.00	$ 75,829.00	$ 75,829.00
TOTAL -	ST CONST, MAINT & REPAIR FUND	$ 1,292,480.00	$ 1,292,480.00	$ 1,292,480.00

SECTION IV. That there be appropriated from the STATE HIGHWAY IMPROVEMENT FUND, FUND NO. 202:

PUBLIC WORKS:
STATE HIGHWAY MAINTENANCE:
FUNCTION NO. 3150:

SERVICES AND CHARGES		$ 54,000.00	$ 54,000.00	$ 54,000.00
TOTAL -	STATE HIGHWAY IMPROVEMENT FUND	$ 54,000.00	$ 54,000.00	$ 54,000.00

SECTION V. That there be appropriated from the CEMETERIES FUND, FUND NO. 204:

CEMETERIES:
CEMETERIES DEPARTMENT:
FUNCTION NO. 4210:

PERSONNEL SERVICES		$ 381,373.00	$ 381,373.00	$ 381,373.00
MATERIALS AND SUPPLIES		$ 23,080.00	$ 23,080.00	$ 23,080.00
SERVICES AND CHARGES		$ 25,322.00	$ 25,322.00	$ 25,322.00
TOTAL -	CEMETERIES DEPARTMENT:	$ 429,775.00	$ 429,775.00	$ 429,775.00

NON-DEPARTMENTAL:
FUNCTION NO. 9700:

PERSONNEL SERVICES		$ 109,656.00	$ 109,656.00	$ 109,656.00
TOTAL -	NON-DEPARTMENTAL:	$ 109,656.00	$ 109,656.00	$ 109,656.00
TOTAL -	CEMETERIES FUND	$ 539,431.00	$ 539,431.00	$ 539,431.00

SECTION VI. That there be appropriated from the POLICE PENSION TRANSFER FUND, FUND NO. 208:

TAX SETTLEMENT DEDUCTIONS:
FUNCTION NO. 1920:

SERVICES AND CHARGES		$ 1,000.00	$ 1,000.00	$ 1,000.00

POLICE DEPARTMENT
FUNCTION NO. 2110:

PERSONNEL SERVICES		$ 100,000.00	$ 100,000.00	$ 100,000.00
TOTAL -	POLICE PENSION TRANSFER FUND	$ 101,000.00	$ 101,000.00	$ 101,000.00

SECTION VII. That there be appropriated from the FIRE PENSION TRANSFER FUND, FUND NO. 209:

TAX SETTLEMENT DEDUCTIONS:
FUNCTION NO. 1920:

SERVICES AND CHARGES		$ 1,000.00	$ 1,000.00	$ 1,000.00

FIRE DEPARTMENT:
FUNCTION NO. 2210:

PERSONNEL SERVICES		$ 100,000.00	$ 100,000.00	$ 100,000.00
TOTAL -	FIRE PENSION TRANSFER FUND	$ 101,000.00	$ 101,000.00	$ 101,000.00

SECTION VIII. That there be appropriated from the MUNICIPAL MOTOR VEHICLE LICENSE FUND, FUND NO. 215:

PW STREET CONSTRUCTION REPAIR:
TRANSFERS:
FUNCTION NO. 9100:

OPERATING TRANSFERS/RESERVES		$ 35,000.00	$ 35,000.00	$ 35,000.00
TOTAL -	MUNICIPAL MOTOR VEHICLE LICENSE TAX FUND	$ 35,000.00	$ 35,000.00	$ 35,000.00

SECTION IX. That there be appropriated from the INDIGENT DRIVRS ALCHL TRTMT FD, FUND NO. 217:

GENERAL GOVERNMENT:
MUNICIPAL COURT:
FUNCTION NO. 1210:

SERVICES AND CHARGES		$ 25,000.00	$ 25,000.00	$ 25,000.00
TOTAL -	INDIGENT DRIVRS ALCHL TRTMT FD	$ 25,000.00	$ 25,000.00	$ 25,000.00

SECTION X. That there be appropriated from the ENFORCEMENT AND EDUCATION FUND, FUND NO. 218:

POLICE DEPARTMENT - OTHER
FUNCTION NO. 2120:

MATERIALS AND SUPPLIES		$ 3,000.00	$ 3,000.00	$ 3,000.00
CAPITAL OUTLAY		$ 13,500.00	$ 13,500.00	$ 13,500.00
TOTAL -	ENFORCEMENT AND EDUCATION FUND	$ 16,500.00	$ 16,500.00	$ 16,500.00

SECTION XI. That there be appropriated from the CITY MOTOR VEH LICENSE TAX FD, FUND NO. 219:

TRANSFERS:
FUNCTION NO. 9100:

OPERATING TRANSFERS/RESERVES		$ 67,000.00	$ 67,000.00	$ 67,000.00
TOTAL -	CITY MOTOR VEH LICENSE TAX FD	$ 67,000.00	$ 67,000.00	$ 67,000.00

SECTION XII. That there be appropriated from the FIRE LEVY FUND, FUND NO. 220:

TAX SETTLEMENT DEDUCTIONS:
FUNCTION NO. 1920:

SERVICES AND CHARGES		$ 1,500.00	$ 1,500.00	$ 1,500.00
TOTAL -	TAX SETTLEMENT DEDUCTIONS:	$ 1,500.00	$ 1,500.00	$ 1,500.00

FIRE DEPARTMENT - OTHER:
FUNCTION NO. 2220:

MATERIALS AND SUPPLIES		$ 11,000.00	$ 11,000.00	$ 11,000.00
SERVICES AND CHARGES		$ 500.00	$ 500.00	$ 500.00
CAPITAL OUTLAY		$ 92,000.00	$ 92,000.00	$ 92,000.00
TOTAL -	FIRE DEPARTMENT - OTHER:	$ 103,500.00	$ 103,500.00	$ 103,500.00
TOTAL -	FIRE LEVY FUND	$ 105,000.00	$ 105,000.00	$ 105,000.00

SECTION XIII. That there be appropriated from the PROBATION SERVICES FUND, FUND NO. 222:

JUDICIAL - MUNICIPAL COURT:
PROBATION:
FUNCTION NO. 1230:

PERSONNEL SERVICES		$ 75,603.00	$ 75,603.00	**$ 75,878.00**
MATERIALS AND SUPPLIES		$ 16,000.00	$ 16,000.00	$ 16,000.00
SERVICES AND CHARGES		$ 37,000.00	$ 37,000.00	$ 37,000.00
TOTAL -	PROBATION:	$ 128,603.00	$ 128,603.00	**$ 128,878.00**

NON-DEPARTMENTAL:
FUNCTION NO. 9700:

PERSONNEL SERVICES		$ 18,445.00	$ 18,445.00	$ 18,445.00
TOTAL -	NON-DEPARTMENTAL:	$ 18,445.00	$ 18,445.00	$ 18,445.00
TOTAL -	PROBATION SERVICES FUND	$ 147,048.00	$ 147,048.00	**$ 147,323.00**

SECTION XIV. That there be appropriated from the COPS FUND, FUND NO. 223:

POLICE DEPARTMENT - OTHER
FUNCTION NO. 2120:

CAPITAL OUTLAY		$ -	$ 55,261.00	$ 55,261.00
TOTAL -	COPS FUND	$ -	$ 55,261.00	$ 55,261.00

SECTION XV. That there be appropriated from the FIRE SPECIAL REVENUE FUND, FUND NO. 227:

FIRE:				
FIRE DEPARTMENT - OTHER:				
FUNCTION NO. 2220:				
MATERIALS AND SUPPLIES		$ 3,000.00	$ 3,000.00	$ 3,000.00
TOTAL -	FIRE DEPARTMENT - OTHER:	$ 3,000.00	$ 3,000.00	$ 3,000.00
TOTAL -	FIRE SPECIAL REVENUE FUND	$ 3,000.00	$ 3,000.00	$ 3,000.00

SECTION XVI. That there be appropriated from the EMERGENCY MEDICAL SERVICES FUND, FUND NO. 229:

FIRE DEPARTMENT:				
FUNCTION NO. 2210:				
PERSONNEL SERVICES		$ 541,000.00	$ 541,000.00	$ 541,000.00
MATERIALS AND SUPPLIES		$ 11,000.00	$ 11,000.00	$ 11,000.00
SERVICES AND CHARGES		$ 37,698.00	$ 37,698.00	$ 37,698.00
TOTAL -	FIRE DEPARTMENT:	$ 589,698.00	$ 589,698.00	$ 589,698.00
FIRE DEPARTMENT - OTHER:				
FUNCTION NO. 2220:				
PERSONNEL SERVICES		$ 35,625.00	$ 35,625.00	$ 35,625.00
TOTAL -	FIRE DEPARTMENT - OTHER:	$ 35,625.00	$ 35,625.00	$ 35,625.00
NON-DEPARTMENTAL:				
FUNCTION NO. 9700:				
PERSONNEL SERVICES		$ 101,246.00	$ 101,246.00	$ 101,246.00
TOTAL -	NON-DEPARTMENTAL:	$ 101,246.00	$ 101,246.00	$ 101,246.00
TOTAL -	EMERGENCY MEDICAL SERVICES FD	$ 726,569.00	$ 726,569.00	$ 726,569.00

SECTION XVII. That there be appropriated from the MUNICIPAL COURT COMPUTERIZATION FUND, FUND NO. 230:

CLERK OF COURT:				
FUNCTION NO. 1220:				
PERSONNEL SERVICES		$ 64,646.00	$ 64,646.00	**$ 64,886.00**
SERVICES AND CHARGES		$ 32,000.00	$ 32,000.00	$ 32,000.00
TOTAL -	CLERK OF COURT:	$ 96,646.00	$ 96,646.00	**$ 96,886.00**
NON-DEPARTMENTAL:				
FUNCTION NO. 9700:				
PERSONNEL SERVICES		$ 22,186.00	$ 22,186.00	$ 22,186.00
TOTAL -	NON-DEPARTMENTAL:	$ 22,186.00	$ 22,186.00	$ 22,186.00
TOTAL -	MUNICIPAL COURT COMPUTERIZATION FUND	$ 118,832.00	$ 118,832.00	**$ 119,072.00**

SECTION XVIII. That there be appropriated from the SHAMROCK BUSINESS CENTER TIF, FUND NO. 231:

DEBT SERVICE-UNVOTED:				
FUNCTION NO. 8010:				
DEBT SERVICE		$ 546,379.00	$ 546,379.00	$ 546,379.00
NON-DEPARTMENTAL:				
FUNCTION NO. 9700:				
SERVICES AND CHARGES		$ 200,000.00	$ 223,913.00	$ 223,913.00
CAPITAL OUTLAY		$ 341,501.00	$ 341,501.00	$ 341,501.00
		$ 541,501.00	$ 565,414.00	$ 565,414.00
TOTAL -	SHAMROCK BUSINESS CENTER TIF	$ 1,087,880.00	$ 1,111,793.00	$ 1,111,793.00

SECTION XIX. That there be appropriated from the BROWNFIELD GRANT FUND, FUND NO. 233:

ECONOMIC DEVELOPMENT GRANT:				
FUNCTION NO. 1370:				
SERVICES AND CHARGES		$ 563,413.00	$ 563,413.00	$ 563,413.00
TOTAL -	BROWNFIELD GRANT FUND	$ 563,413.00	$ 563,413.00	$ 563,413.00

SECTION XX. That there be appropriated from the VICTIM'S ADVOCATE GRANT FUND, FUND NO. 234:

CLERK OF COURT:				
FUNCTION NO. 1220:				
PERSONNEL SERVICES		$ 29,362.00	$ 29,362.00	$ 29,362.00
NON-DEPARTMENTAL:				
FUNCTION NO. 9700:				
PERSONNEL SERVICES		$ 280.00	$ 280.00	$ 280.00
TOTAL -	VICTIM'S ADVOCATE GRANT FUND	$ 29,642.00	$ 29,642.00	$ 29,642.00

SECTION XXI. That there be appropriated from the FIRE IMPROVEMENT LEVY FUND, FUND NO. 236:

TAX SETTLEMENT DEDUCTIONS:				
FUNCTION NO. 1920:				
SERVICES AND CHARGES		$ 4,500.00	$ 4,500.00	$ 4,500.00
FIRE DEPARTMENT - OTHER:				
FUNCTION NO. 2220:				
MATERIALS AND SUPPLIES		$ 55,500.00	$ 55,500.00	$ 55,500.00
SERVICES AND CHARGES		$ 97,500.00	$ 97,500.00	$ 97,500.00
CAPITAL OUTLAY		$ 135,000.00	$ 135,000.00	$ 135,000.00
DEBT SERVICE		$ 68,357.00	$ 68,357.00	$ 68,357.00
TOTAL -	FIRE DEPARTMENT - OTHER:	$ 356,357.00	$ 356,357.00	$ 356,357.00
TOTAL -	FIRE IMPROVEMENT LEVY FUND	$ 360,857.00	$ 360,857.00	$ 360,857.00

SECTION XXII. That there be appropriated from the ROAD IMPROVEMENT LEVY FUND, FUND NO. 237:

ENGINEERING DEPARTMENT:				
FUNCTION NO. 1610:				
CAPITAL OUTLAY		$ 779,000.00	$ 779,000.00	$ 779,000.00
TAX SETTLEMENT DEDUCTIONS:				
FUNCTION NO. 1920:				
SERVICES AND CHARGES		$ 9,000.00	$ 9,000.00	$ 9,000.00
TOTAL -	ROAD IMPROVEMENT LEVY FUND	$ 788,000.00	$ 788,000.00	$ 788,000.00

SECTION XXIII. That there be appropriated from the POLICE LEVY FUND, FUND NO. 238:

TAX SETTLEMENT DEDUCTIONS:				
FUNCTION NO. 1920:				
SERVICES AND CHARGES		$ 8,700.00	$ 8,700.00	$ 8,700.00
TOTAL -	TAX SETTLEMENT DEDUCTIONS:			
POLICE DEPARTMENT				
FUNCTION NO. 2110:				
PERSONNEL SERVICES		$ 539,037.00	$ 539,037.00	$ 539,037.00
SERVICES AND CHARGES		$ 13,750.00	$ 13,750.00	$ 13,750.00
CAPITAL OUTLAY		$ 86,040.00	$ 86,040.00	$ 86,040.00
TOTAL -	POLICE DEPARTMENT	$ 638,827.00	$ 638,827.00	$ 638,827.00
POLICE DEPARTMENT - OTHER				
FUNCTION NO. 2120:				
PERSONNEL SERVICES		$ 26,991.00	$ 26,991.00	$ 26,991.00
TOTAL -	POLICE LEVY FUND	$ 674,518.00	$ 674,518.00	$ 674,518.00

SECTION XXIV. That there be appropriated from the LAKE ERIE COLLEGE TUITION ASSISTANCE FUND, FUND NO. 240:

LEC TUITION PROGRAM:				
FUNCTION NO. 1130:				
SERVICES AND CHARGES		$ 35,000.00	$ 35,000.00	$ 35,000.00
TOTAL -	LAKE ERIE COLLEGE TUITION ASSISTANCE FUND	$ 35,000.00	$ 35,000.00	$ 35,000.00

SECTION XXV. That there be appropriated from the ECONOMIC DEVELOPMENT FUND, FUND NO. 241:

ECONOMIC DEV. BUSINESS ASSISTANCE:				
FUNCTION NO. 1380:				
SERVICES AND CHARGES		$ 32,500.00	$ 32,500.00	$ 32,500.00
TOTAL -	ECONOMIC DEVELOPMENT FUND	$ 32,500.00	$ 32,500.00	$ 32,500.00

SECTION XXVI. That there be appropriated from the AMERICAN RESCUE PLAN FUND, FUND NO. 242:

NON-DEPARTMENTAL:				
FUNCTION NO. 9700:				
SERVICES AND CHARGES		$ 134,000.00	$ 134,000.00	$ 134,000.00
CAPITAL OUTLAY		$ 1,106,338.00	$ 1,106,338.00	**$ 1,136,138.00**
TOTAL -	AMERICAN RESCUE PLAN FUND	$ 1,240,338.00	$ 1,240,338.00	**$ 1,270,138.00**

SECTION XXVII. That there be appropriated from the IDIAM FUND, FUND NO. 243:

PROBATION:				
FUNCTION NO. 1230:				
SERVICES AND CHARGES		$ 6,000.00	$ 6,000.00	$ 6,000.00
TOTAL -	IDIAM FUND	$ 6,000.00	$ 6,000.00	$ 6,000.00

SECTION XXVIII. That there be appropriated from the OPIODID FUND, FUND NO. 244:

POLICE DEPARTMENT
FUNCTION NO. 2110:

SERVICES AND CHARGES		$ -	$ -	**$ 16,024.00**
TOTAL -	OPIODID FUND	$ -	$ -	**$ 16,024.00**

SECTION XXIX. That there be appropriated from the GENERAL BOND RETIREMENT FUND, FUND NO. 301:

TAX SETTLEMENT DEDUCTIONS:
FUNCTION NO. 1920:

SERVICES AND CHARGES		$ 800.00	$ 800.00	$ 800.00
TOTAL -	GENERAL BOND RETIREMENT FUND	$ 800.00	$ 800.00	$ 800.00

SECTION XXX. That there be appropriated from the SPECIAL ASSMNT BOND RET FUND, FUND NO. 303:

TAX SETTLEMENT DEDUCTIONS:
FUNCTION NO. 1920:

SERVICES AND CHARGES		$ 3,000.00	$ 3,000.00	$ 3,000.00

DEBT SERVICE-UNVOTED:
FUNCTION NO. 8010:

DEBT SERVICE		$ 83,150.00	$ 83,150.00	$ 83,150.00

NON-DEPARTMENTAL:
FUNCTION NO. 9700:

SERVICES AND CHARGES		$ 18,200.00	$ 18,200.00	$ 18,200.00
TOTAL -	SPECIAL ASSMNT BOND RET FUND	$ 104,350.00	$ 104,350.00	$ 104,350.00

SECTION XXXI. That there be appropriated from the MUNI COURT CAPITAL PROJECTS FUND, FUND NO. 415:

GENERAL GOVERNMENT:
MUNICIPAL COURT:
FUNCTION NO. 1210:

CAPITAL OUTLAY		$ 10,000.00	$ 10,000.00	$ 10,000.00
TOTAL -	MUNICIPAL COURT:	$ 10,000.00	$ 10,000.00	$ 10,000.00

CLERK OF COURT:
FUNCTION NO. 1220:

CAPITAL OUTLAY		$ 30,000.00	$ 30,000.00	$ 30,000.00
TOTAL -	CLERK OF COURT:	$ 30,000.00	$ 30,000.00	$ 30,000.00
TOTAL -	MUNI COURT CAPITAL PROJECTS FD	$ 40,000.00	$ 40,000.00	$ 40,000.00

SECTION XXXII. That there be appropriated from the CAPITAL IMPROVEMENT FUND, FUND NO. 424:

ENGINEERING DEPARTMENT:
FUNCTION NO. 1610:

CAPITAL OUTLAY		$ 250,000.00	$ 250,000.00	$ 250,000.00
TOTAL -	ENGINEERING DEPARTMENT:	$ 250,000.00	$ 250,000.00	$ 250,000.00

CEMETERIES DEPARTMENT:
FUNCTION NO. 4210:

CAPITAL OUTLAY		$ 96,000.00	$ 96,000.00	$ 96,000.00
TOTAL -	CEMETERIES DEPARTMENT:	$ 96,000.00	$ 96,000.00	$ 96,000.00

PARKS OPERATIONS:
FUNCTION NO. 5110:

CAPITAL OUTLAY		$ 152,270.00	$ 152,270.00	$ 152,270.00
TOTAL -	PARKS OPERATIONS:	$ 152,270.00	$ 152,270.00	$ 152,270.00

FINANCING SOURCES - GOVT:
FUNCTION NO. 9010:

DEBT SERVICE		$ 40,496.00	$ 40,496.00	$ 40,496.00
TOTAL -	FINANCING SOURCES - GOVT:	$ 40,496.00	$ 40,496.00	$ 40,496.00
TOTAL -	CAPITAL IMPROVEMENT FUND	$ 538,766.00	$ 538,766.00	$ 538,766.00

SECTION XXXIII. That there be appropriated from the JACKSON ST INTERCHANGE IMP FUND, FUND NO. 427:

ENGINEERING DEPARTMENT:
FUNCTION NO. 1610:

CAPITAL OUTLAY		$ 1,250,000.00	$ 1,250,000.00	$ 1,250,000.00
TOTAL -	JACKSON ST INTERCHANGE IMP FD	$ 1,250,000.00	$ 1,250,000.00	$ 1,250,000.00

SECTION XXXIV. That there be appropriated from the MUNI COURT SPECIAL PROJECTS FD, FUND NO. 429:

GENERAL GOVERNMENT:				
MUNICIPAL COURT:				
FUNCTION NO. 1210:				
PERSONNEL SERVICES		$ 56,135.00	$ 56,135.00	**$ 56,315.00**
MATERIALS AND SUPPLIES		$ 8,500.00	$ 8,500.00	$ 8,500.00
SERVICES AND CHARGES		$ 23,500.00	$ 23,500.00	$ 23,500.00
TOTAL -	MUNICIPAL COURT:	$ 88,135.00	$ 88,135.00	**$ 88,315.00**
CLERK OF COURT:				
FUNCTION NO. 1220:				
PERSONNEL SERVICES		$ 25,388.00	$ 25,388.00	$ 25,388.00
MATERIALS AND SUPPLIES		$ 20,500.00	$ 20,500.00	$ 20,500.00
SERVICES AND CHARGES		$ 49,200.00	$ 49,200.00	$ 49,200.00
TOTAL -	CLERK OF COURT:	$ 95,088.00	$ 95,088.00	$ 95,088.00
NON-DEPARTMENTAL:				
FUNCTION NO. 9700:				
PERSONNEL SERVICES		$ 14,065.00	$ 14,065.00	$ 14,065.00
TOTAL -	NON-DEPARTMENTAL:	$ 14,065.00	$ 14,065.00	$ 14,065.00
TOTAL -	MUNI COURT SPECIAL PROJECTS FD	$ 197,288.00	$ 197,288.00	**$ 197,468.00**

SECTION XXXV. That there be appropriated from the CAPITAL EQUIPMENT FUND, FUND NO. 430:

CITY MANAGER:				
FUNCTION NO. 1310:				
CAPITAL OUTLAY		$ 5,000.00	$ 5,000.00	$ 5,000.00
TOTAL -	CITY MANAGER:	$ 5,000.00	$ 5,000.00	$ 5,000.00
HUMAN RESOURCES:				
FUNCTION NO. 1350:				
CAPITAL OUTLAY		$ 3,000.00	$ 3,000.00	$ 3,000.00
TOTAL -	HUMAN RESOURCES:	$ 3,000.00	$ 3,000.00	$ 3,000.00
FINANCE DEPARTMENT:				
FUNCTION NO. 1410:				
CAPITAL OUTLAY		$ 3,000.00	$ 112,000.00	$ 112,000.00
TOTAL -	FINANCE DEPARTMENT:	$ 3,000.00	$ 112,000.00	$ 112,000.00
ENGINEERING DEPARTMENT:				
FUNCTION NO. 1610:				
CAPITAL OUTLAY		$ 250,625.00	$ 315,625.00	$ 315,625.00
TOTAL -	ENGINEERING DEPARTMENT:	$ 250,625.00	$ 315,625.00	$ 315,625.00
POLICE DEPARTMENT - OTHER				
FUNCTION NO. 2120:				
CAPITAL OUTLAY		$ 114,838.00	$ 114,838.00	$ 114,838.00
TOTAL -	POLICE DEPARTMENT - OTHER	$ 114,838.00	$ 114,838.00	$ 114,838.00
CEMETERIES DEPARTMENT:				
FUNCTION NO. 4210:				
CAPITAL OUTLAY		$ 84,000.00	$ 84,000.00	$ 84,000.00
TOTAL -	CEMETERIES DEPARTMENT:	$ 84,000.00	$ 84,000.00	$ 84,000.00
PARKS OPERATIONS:				
FUNCTION NO. 5110:				
CAPITAL OUTLAY		$ 55,000.00	$ 55,000.00	$ 55,000.00
TOTAL -	PARKS OPERATIONS:	$ 55,000.00	$ 55,000.00	$ 55,000.00
PLANNING AND DEVELOPMENT:				
FUNCTION NO. 6310:				
CAPITAL OUTLAY		$ 4,000.00	$ 4,000.00	$ 4,000.00
TOTAL -	PLANNING AND DEVELOPMENT:	$ 4,000.00	$ 4,000.00	$ 4,000.00
COMMUNITY DEVELOPMENT:				
FUNCTION NO. 6410:				
CAPITAL OUTLAY		$ 4,000.00	$ 4,000.00	$ 4,000.00
TOTAL -	COMMUNITY DEVELOPMENT:	$ 4,000.00	$ 4,000.00	$ 4,000.00
TOTAL -	CAPITAL EQUIPMENT FUND	$ 523,463.00	$ 697,463.00	$ 697,463.00

SECTION XXXVI. That there be appropriated from the DEPOSIT TRUST FUND, FUND NO. 601:

CITY MANAGER:
FUNCTION NO. 1310:

SERVICES AND CHARGES		$ 2,500.00	$ 2,500.00	$ 2,500.00
TOTAL -	CITY MANAGER:	$ 2,500.00	$ 2,500.00	$ 2,500.00

ECONOMIC DEVELOPMENT:
FUNCTION NO. 1340:

NON-OPERATING CHARGES		$ 2,500.00	$ 2,500.00	$ 2,500.00
TOTAL -	ECONOMIC DEVELOPMENT:	$ 2,500.00	$ 2,500.00	$ 2,500.00

ENGINEERING DEPARTMENT:
FUNCTION NO. 1610:

SERVICES AND CHARGES		$ -	$ -	**$ 80,000.00**
TOTAL -	ENGINEERING DEPARTMENT:	$ -	$ -	**$ 80,000.00**

PW STREET CONSTRUCTION REPAIR:
FUNCTION NO. 3110:

SERVICES AND CHARGES		$ 10,000.00	$ 10,000.00	$ 10,000.00
TOTAL -	PW STREET CONSTRUCTION REPAIR:	$ 10,000.00	$ 10,000.00	$ 10,000.00

CEMETERIES DEPARTMENT:
FUNCTION NO. 4210:

SERVICES AND CHARGES		$ 10,000.00	$ 10,000.00	$ 10,000.00
TOTAL -	CEMETERIES DEPARTMENT:	$ 10,000.00	$ 10,000.00	$ 10,000.00

COMMUNITY DEVELOPMENT:
FUNCTION NO. 6410:

NON-OPERATING CHARGES		$ 3,000.00	$ 3,000.00	$ 3,000.00
TOTAL -	COMMUNITY DEVELOPMENT:	$ 3,000.00	$ 3,000.00	$ 3,000.00
TOTAL -	DEPOSIT TRUST FUND	$ 28,000.00	$ 28,000.00	**$ 108,000.00**

SECTION XXXVII. That there be appropriated from the PLAN REVIEW TRUST FUND, FUND NO. 602:

ENGINEERING DEPARTMENT:
FUNCTION NO. 1610:

SERVICES AND CHARGES		$ 15,000.00	$ 15,000.00	$ 15,000.00
TOTAL -	ENGINEERING DEPARTMENT:	$ 15,000.00	$ 15,000.00	$ 15,000.00
TOTAL -	PLAN REVIEW TRUST FUND	$ 15,000.00	$ 15,000.00	$ 15,000.00

SECTION XXXVIII. That there be appropriated from the ZONING APPLICATION TRUST FUND, FUND NO. 603:

COMMUNITY ENVIRONMENT:
ZONING APPLICATION:
FUNCTION NO. 6120:

SERVICES AND CHARGES		$ 225.00	$ 225.00	$ 225.00
TOTAL -	ZONING APPLICATION TRUST FUND	$ 225.00	$ 225.00	$ 225.00

SECTION XXXIX. That there be appropriated from the CEMETERY TRUST - OPERATIONS FUND, FUND NO. 605:

CEMETERIES:
CEMETERIES DEPARTMENT:
FUNCTION NO. 4210:

SERVICES AND CHARGES		$ 100.00	$ 100.00	$ 100.00
TOTAL -	CEMETERIES DEPARTMENT:	$ 100.00	$ 100.00	$ 100.00
TOTAL -	CEMETERY TRUST - OPERATIONS FUND	$ 100.00	$ 100.00	$ 100.00

SECTION XL. That there be appropriated from the SPECIAL ENDOWMENT-OPERS FUND, FUND NO. 606:

CEMETERIES DEPARTMENT:
FUNCTION NO. 4210:

SERVICES AND CHARGES		$ 100.00	$ 100.00	$ 100.00
TOTAL -	SPECIAL ENDOWMENT - OPERS FUND	$ 100.00	$ 100.00	$ 100.00

SECTION XLI. That there be appropriated from the LAW ENFORCEMENT TRUST FUND, FUND NO. 613:

POLICE:
POLICE DEPARTMENT - OTHER
FUNCTION NO. 2120:

MATERIALS AND SUPPLIES		$ 5,000.00	$ 5,000.00	$ 5,000.00
TOTAL -	LAW ENFORCEMENT TRUST FUND	$ 5,000.00	$ 5,000.00	$ 5,000.00

SECTION XLII. That there be appropriated from the WATER OPERATING FUND, FUND NO. 710:

WATER SERVICE:				
POLICE DEPARTMENT				
FUNCTION NO. 2110:				
PERSONNEL SERVICES		$ 41,707.00	$ 41,707.00	$ 41,707.00
TOTAL -	POLICE DEPARTMENT	$ 41,707.00	$ 41,707.00	$ 41,707.00
PW STREET CONSTRUCTION REPAIR:				
FUNCTION NO. 3110:				
MATERIALS AND SUPPLIES		$ 10,450.00	$ 10,450.00	$ 10,450.00
TOTAL -	PW STREET CONSTRUCTION REPAIR:	$ 10,450.00	$ 10,450.00	$ 10,450.00
PW SNOW REMOVAL:				
FUNCTION NO. 3120:				
MATERIALS AND SUPPLIES		$ 13,590.00	$ 13,590.00	$ 13,590.00
TOTAL -	PW SNOW REMOVAL:	$ 13,590.00	$ 13,590.00	$ 13,590.00
WATER ADMINISTRATION:				
FUNCTION NO. 7110:				
PERSONNEL SERVICES		$ 943,049.00	$ 943,049.00	**$ 981,359.00**
MATERIALS AND SUPPLIES		$ 15,400.00	$ 15,400.00	$ 15,400.00
SERVICES AND CHARGES		$ 254,850.00	$ 254,850.00	**$ 280,225.00**
TOTAL -	WATER ADMINISTRATION:	$ 1,213,299.00	$ 1,213,299.00	**$ 1,276,984.00**
WATER UTILITIES OFFICE:				
FUNCTION NO. 7120:				
PERSONNEL SERVICES		$ 151,783.00	$ 151,783.00	$ 151,783.00
MATERIALS AND SUPPLIES		$ 3,655.00	$ 3,655.00	$ 3,655.00
SERVICES AND CHARGES		$ 33,875.00	$ 36,000.00	$ 36,000.00
TOTAL -	WATER UTILITIES OFFICE:	$ 189,313.00	$ 191,438.00	$ 191,438.00
WATER PLANT OPERATIONS:				
FUNCTION NO. 7130:				
PERSONNEL SERVICES		$ 679,709.00	$ 679,709.00	$ 679,709.00
MATERIALS AND SUPPLIES		$ 214,180.00	$ 214,180.00	$ 214,180.00
SERVICES AND CHARGES		$ 517,975.00	$ 517,975.00	$ 517,975.00
TOTAL -	WATER PLANT OPERATIONS:	$ 1,411,864.00	$ 1,411,864.00	$ 1,411,864.00
WATER DISTRIBUTION:				
FUNCTION NO. 7140:				
PERSONNEL SERVICES		$ 860,359.00	$ 860,359.00	$ 860,359.00
MATERIALS AND SUPPLIES		$ 195,930.00	$ 195,930.00	$ 195,930.00
SERVICES AND CHARGES		$ 245,520.00	$ 259,908.00	$ 259,908.00
TOTAL -	WATER DISTRIBUTION:	$ 1,301,809.00	$ 1,316,197.00	$ 1,316,197.00
TOTAL -	WATER SERVICE:	$ 4,182,032.00	$ 4,198,545.00	**$ 4,262,230.00**
FINANCING SOURCES - PROP				
FUNCTION NO. 9020:				
DEBT SERVICE		$ 283,406.00	$ 283,406.00	$ 283,406.00
TOTAL -	FINANCING SOURCES - PROP	$ 283,406.00	$ 283,406.00	$ 283,406.00
NON-DEPARTMENTAL:				
FUNCTION NO. 9700:				
PERSONNEL SERVICES		$ 634,541.00	$ 634,541.00	$ 634,541.00
SERVICES AND CHARGES		$ 143,728.00	$ 143,728.00	$ 143,728.00
TOTAL -	NON-DEPARTMENTAL:	$ 778,269.00	$ 778,269.00	$ 778,269.00
RESERVES:				
FUNCTION NO. 9990:				
RESERVES		$ 100,000.00	$ 100,000.00	$ 100,000.00
TOTAL -	WATER OPERATING FUND	$ 5,343,707.00	$ 5,360,220.00	**$ 5,423,905.00**

SECTION XXXVII. That there be appropriated from the WATER DEPOSIT FUND, FUND NO. 711:

FINANCING SOURCES - PROP				
FUNCTION NO. 9020:				
NON-OPERATING CHARGES		$ 28,000.00	$ 28,000.00	$ 28,000.00
TOTAL -	WATER DEPOSIT FUND	$ 28,000.00	$ 28,000.00	$ 28,000.00

SECTION XLIV. That there be appropriated from the WATER CONSTRUCTION FUND, FUND NO. 712:

WATER PLANT OPERATIONS:				
FUNCTION NO. 7130:				
CAPITAL OUTLAY		$ 150,000.00	$ 150,000.00	$ 150,000.00
TOTAL -	WATER PLANT OPERATIONS:	$ 150,000.00	$ 150,000.00	$ 150,000.00
WATER DISTRIBUTION:				
FUNCTION NO. 7140:				
CAPITAL OUTLAY		$ 1,225,800.00	$ 4,027,283.00	$ 4,027,283.00
TOTAL -	WATER DISTRIBUTION:	$ 1,225,800.00	$ 4,027,283.00	$ 4,027,283.00
DEBT SERVICE-UNVOTED:				
FUNCTION NO. 8010:				
DEBT SERVICE		$ 3,959,090.00	$ 3,959,090.00	$ 3,959,090.00
TOTAL -	DEBT SERVICE-UNVOTED:	$ 3,959,090.00	$ 3,959,090.00	$ 3,959,090.00
TOTAL -	WATER CONSTRUCTION FUND	$ 5,334,890.00	$ 8,136,373.00	$ 8,136,373.00

SECTION XLV. That there be appropriated from the SEWER OPERATING FUND, FUND NO. 720:

SANITARY SEWER SERVICE:				
POLICE DEPARTMENT				
FUNCTION NO. 2110:				
PERSONNEL SERVICES		$ 124,864.00	$ 124,864.00	$ 124,864.00
TOTAL -	POLICE DEPARTMENT	$ 124,864.00	$ 124,864.00	$ 124,864.00
PW SNOW REMOVAL:				
FUNCTION NO. 3120:				
MATERIALS AND SUPPLIES		$ 4,530.00	$ 4,530.00	$ 4,530.00
TOTAL -	PW SNOW REMOVAL:	$ 4,530.00	$ 4,530.00	$ 4,530.00
SEWER ADMINISTRATION:				
FUNCTION NO. 7210:				
PERSONNEL SERVICES		$ 717,402.00	$ 717,402.00	**$ 748,047.00**
MATERIALS AND SUPPLIES		$ 12,450.00	$ 12,450.00	$ 12,450.00
SERVICES AND CHARGES		$ 203,800.00	$ 203,800.00	**$ 224,100.00**
TOTAL -	SEWER ADMINISTRATION:	$ 933,652.00	$ 933,652.00	**$ 984,597.00**
SEWER UTILITIES OFFICE:				
FUNCTION NO. 7220:				
PERSONNEL SERVICES		$ 151,783.00	$ 151,783.00	$ 151,783.00
MATERIALS AND SUPPLIES		$ 3,655.00	$ 3,655.00	$ 3,655.00
SERVICES AND CHARGES		$ 33,875.00	$ 36,000.00	$ 36,000.00
TOTAL -	SEWER UTILITIES OFFICE:	$ 189,313.00	$ 191,438.00	$ 191,438.00
WPCP OPERATIONS:				
FUNCTION NO. 7230:				
PERSONNEL SERVICES		$ 96,630.00	$ 96,630.00	$ 96,630.00
MATERIALS AND SUPPLIES		$ 3,600.00	$ 3,600.00	$ 3,600.00
SERVICES AND CHARGES		$ 5,250.00	$ 5,250.00	$ 5,250.00
TOTAL -	WPCP OPERATIONS:	$ 105,480.00	$ 105,480.00	$ 105,480.00
WPCP COLLECTIONS:				
FUNCTION NO. 7240:				
PERSONNEL SERVICES		$ 894,583.00	$ 894,583.00	$ 894,583.00
MATERIALS AND SUPPLIES		$ 231,025.00	$ 231,025.00	$ 231,025.00
SERVICES AND CHARGES		$ 498,225.00	$ 498,225.00	$ 498,225.00
TOTAL -	WPCP COLLECTIONS:	$ 1,623,833.00	$ 1,623,833.00	$ 1,623,833.00
PW SANITARY SEWER				
FUNCTION NO. 7250:				
PERSONNEL SERVICES		$ 197,977.00	$ 197,977.00	$ 197,977.00
MATERIALS AND SUPPLIES		$ 6,500.00	$ 6,500.00	$ 6,500.00
SERVICES AND CHARGES		$ 20,900.00	$ 20,900.00	$ 20,900.00
TOTAL -	PW SANITARY SEWER	$ 225,377.00	$ 225,377.00	$ 225,377.00
TOTAL -	SANITARY SEWER SERVICE:	$ 3,207,049.00	$ 3,209,174.00	**$ 3,260,119.00**
FINANCING SOURCES - PROP				
FUNCTION NO. 9020:				
DEBT SERVICE		$ 18,898.00	$ 18,898.00	$ 18,898.00
TOTAL -	FINANCING SOURCES - PROP	$ 18,898.00	$ 18,898.00	$ 18,898.00

SEWER OPERATING FUND (CONTINUED)

TRANSFERS:
FUNCTION NO. 9100:

OPERATING TRANSFERS/RESERVES		$ 300,000.00	$ 300,000.00	$ 300,000.00
TOTAL -	TRANSFERS:	$ 300,000.00	$ 300,000.00	$ 300,000.00

NON-DEPARTMENTAL:
FUNCTION NO. 9700:

PERSONNEL SERVICES		$ 640,061.00	$ 640,061.00	$ 640,061.00
SERVICES AND CHARGES		$ 134,509.00	$ 134,509.00	$ 134,509.00
TOTAL -	NON-DEPARTMENTAL:	$ 774,570.00	$ 774,570.00	$ 774,570.00

RESERVES:
FUNCTION NO. 9990:

RESERVES		$ 150,000.00	$ 150,000.00	$ 150,000.00
TOTAL -	RESERVES:	$ 150,000.00	$ 150,000.00	$ 150,000.00
TOTAL -	SEWER OPERATING FUND	$ 4,450,517.00	$ 4,452,642.00	**$ 4,503,587.00**

SECTION XLVI. That there be appropriated from the SEWER CONSTRUCTION FUND, FUND NO. 722:

ENGINEERING DEPARTMENT:
FUNCTION NO. 1610:

CAPITAL OUTLAY		$ 100,000.00	$ 100,000.00	$ 100,000.00

WPCP COLLECTIONS:
FUNCTION NO. 7240:

CAPITAL OUTLAY		$ 2,085,000.00	$ 2,085,000.00	**$ 2,113,600.00**

DEBT SERVICE-UNVOTED:
FUNCTION NO. 8010:

DEBT SERVICE		$ 237,163.00	$ 237,163.00	$ 237,163.00
TOTAL -	SEWER CONSTRUCTION FUND	$ 2,422,163.00	$ 2,422,163.00	**$ 2,450,763.00**

SECTION XLVII. That there be appropriated from the ELECTRIC OPERATING FUND, FUND NO. 730:

ELECTRIC SERVICE:
ENGINEERING DEPARTMENT:
FUNCTION NO. 1610:

SERVICES AND CHARGES		$ 4,700.00	$ 4,700.00	$ 4,700.00
TOTAL -	ENGINEERING DEPARTMENT:	$ 4,700.00	$ 4,700.00	$ 4,700.00

ELECTRIC SERVICE:
POLICE DEPARTMENT
FUNCTION NO. 2110:

PERSONNEL SERVICES		$ 249,553.00	$ 249,553.00	$ 249,553.00
TOTAL -	POLICE DEPARTMENT	$ 249,553.00	$ 249,553.00	$ 249,553.00

FIRE DEPARTMENT:
FUNCTION NO. 2210:

PERSONNEL SERVICES		$ 161,128.00	$ 161,128.00	$ 161,128.00
TOTAL -	FIRE DEPARTMENT:	$ 161,128.00	$ 161,128.00	$ 161,128.00

PW SNOW REMOVAL:
FUNCTION NO. 3120:

MATERIALS AND SUPPLIES		$ 21,139.00	$ 21,139.00	$ 21,139.00
TOTAL -	PW SNOW REMOVAL:	$ 21,139.00	$ 21,139.00	$ 21,139.00

TRAFFIC SIGNS SIGNALS:
FUNCTION NO. 3210:

PERSONNEL SERVICES		$ 132,477.00	$ 132,477.00	$ 132,477.00
MATERIALS AND SUPPLIES		$ 3,300.00	$ 3,300.00	$ 3,300.00
SERVICES AND CHARGES		$ 45,300.00	$ 45,300.00	$ 45,300.00
TOTAL -	TRAFFIC SIGNS SIGNALS:	$ 181,077.00	$ 181,077.00	$ 181,077.00

ELECTRIC ADMINISTRATION:
FUNCTION NO. 7310:

PERSONNEL SERVICES		$ 1,237,249.00	$ 1,237,249.00	**$ 1,290,874.00**
MATERIALS AND SUPPLIES		$ 21,825.00	$ 21,825.00	$ 21,825.00
SERVICES AND CHARGES		$ 359,100.00	$ 359,100.00	**$ 394,625.00**
TOTAL -	ELECTRIC ADMINISTRATION:	$ 1,618,174.00	$ 1,618,174.00	**$ 1,707,324.00**

ELECTRIC OPERATING FUND (CONTINUED)

ELECTRIC UTILITIES OFFICE:
FUNCTION NO. 7320:

PERSONNEL SERVICES		$ 455,299.00	$ 455,299.00	$ 455,299.00
MATERIALS AND SUPPLIES		$ 10,965.00	$ 10,965.00	$ 10,965.00
SERVICES AND CHARGES		$ 101,625.00	$ 108,000.00	$ 108,000.00
TOTAL -	ELECTRIC UTILITIES OFFICE:	$ 567,889.00	$ 574,264.00	$ 574,264.00

ELECTRIC PLANT OPERATIONS:
FUNCTION NO. 7330:

PERSONNEL SERVICES		$ 1,827,678.00	$ 1,827,678.00	$ 1,827,678.00
MATERIALS AND SUPPLIES		$ 253,485.00	$ 253,485.00	$ 253,485.00
SERVICES AND CHARGES		$ 885,472.00	$ 885,472.00	$ 885,472.00
NON-OPERATING CHARGES		$ 763,000.00	$ 763,000.00	$ 763,000.00
TOTAL -	ELECTRIC PLANT OPERATIONS:	$ 3,729,635.00	$ 3,729,635.00	$ 3,729,635.00

FUEL AND PURCHASED POWER:
FUNCTION NO. 7340:

MATERIALS AND SUPPLIES		$ 225,000.00	$ 225,000.00	$ 225,000.00
SERVICES AND CHARGES		$ 19,432,000.00	$ 19,432,000.00	$ 19,432,000.00
TOTAL -	FUEL AND PURCHASED POWER:	$ 19,657,000.00	$ 19,657,000.00	$ 19,657,000.00

ELECTRIC DISTRIBUTION:
FUNCTION NO. 7350:

PERSONNEL SERVICES		$ 1,805,776.00	$ 1,805,776.00	$ 1,805,776.00
MATERIALS AND SUPPLIES		$ 302,250.00	$ 302,250.00	**$ 457,250.00**
SERVICES AND CHARGES		$ 128,504.00	$ 128,504.00	**$ 193,504.00**
TOTAL -	ELECTRIC DISTRIBUTION:	$ 2,236,530.00	$ 2,236,530.00	**$ 2,456,530.00**
TOTAL -	ELECTRIC SERVICE:	$ 28,426,825.00	**$ 28,433,200.00**	**$ 28,742,350.00**

FINANCING SOURCES - PROP
FUNCTION NO. 9020:

DEBT SERVICE		$ 12,596.00	$ 12,596.00	$ 12,596.00
TOTAL -	FINANCING SOURCES - PROP	$ 12,596.00	$ 12,596.00	$ 12,596.00

TRANSFERS:
FUNCTION NO. 9100:

OPERATING TRANSFERS/RESERVES	$ -	$ 135,000.00	$ 135,000.00

NON-DEPARTMENTAL:
FUNCTION NO. 9700:

PERSONNEL SERVICES		$ 1,893,480.00	$ 1,893,480.00	$ 1,893,480.00
SERVICES AND CHARGES		$ 574,765.00	$ 574,765.00	$ 574,765.00
TOTAL -	NON-DEPARTMENTAL:	$ 2,468,245.00	$ 2,468,245.00	$ 2,468,245.00

RESERVES:
FUNCTION NO. 9990:

RESERVES		$ 200,000.00	$ 200,000.00	$ 200,000.00
TOTAL -	ELECTRIC OPERATING FUND	$ 31,107,666.00	$ 31,249,041.00	**$ 31,558,191.00**

SECTION XLVIII. That there be appropriated from the ELECTRIC DEPOSIT FUND, FUND NO. 731:

FINANCING SOURCES - PROP
FUNCTION NO. 9020:

NON-OPERATING CHARGES		$ 20,000.00	$ 20,000.00	$ 20,000.00
TOTAL -	ELECTRIC DEPOSIT FUND	$ 20,000.00	$ 20,000.00	$ 20,000.00

SECTION XLIX. That there be appropriated from the ELECTRIC CONSTRUCTION FUND, FUND NO. 732:

FINANCE DEPARTMENT:
FUNCTION NO. 1410:

CAPITAL OUTLAY		$ -	$ 109,000.00	$ 109,000.00
TOTAL -	FINANCE DEPARTMENT:	$ -	$ 109,000.00	$ 109,000.00

ENGINEERING DEPARTMENT:
FUNCTION NO. 1610:

CAPITAL OUTLAY		$ 301,625.00	$ 366,625.00	$ 366,625.00
TOTAL -	ENGINEERING DEPARTMENT:	$ 301,625.00	$ 366,625.00	$ 366,625.00

ELECTRIC CONSTRUCTION FUND (CONTINUED)

ELECTRIC UTILITIES OFFICE:
FUNCTION NO. 7320:

CAPITAL OUTLAY		$ 41,000.00	$ 41,000.00	$ 41,000.00
TOTAL -	ELECTRIC UTILITIES OFFICE:	$ 41,000.00	$ 41,000.00	$ 41,000.00

ELECTRIC PLANT OPERATIONS:
FUNCTION NO. 7330:

CAPITAL OUTLAY		$ 1,305,000.00	$ 1,305,000.00	$ 1,305,000.00
TOTAL -	ELECTRIC PLANT OPERATIONS:	$ 1,305,000.00	$ 1,305,000.00	$ 1,305,000.00

ELECTRIC DISTRIBUTION:
FUNCTION NO. 7350:

CAPITAL OUTLAY		$ 3,280,000.00	$ 3,280,000.00	$ 3,280,000.00
TOTAL -	ELECTRIC DISTRIBUTION:	$ 3,280,000.00	$ 3,280,000.00	$ 3,280,000.00

NON-DEPARTMENTAL:
FUNCTION NO. 9700:

CAPITAL OUTLAY		$ 367,500.00	$ 367,500.00	$ 367,500.00
TOTAL -	NON-DEPARTMENTAL:	$ 367,500.00	$ 367,500.00	$ 367,500.00
TOTAL -	ELECTRIC CONSTRUCTION FUND	$ 5,295,125.00	$ 5,469,125.00	$ 5,469,125.00

SECTION L. That there be appropriated from the ELECTRIC REPLACEMENT AND IMPROVEMENT FUND, FUND 733:

ELECTRIC PLANT OPERATIONS:
FUNCTION NO. 7330:

SERVICES AND CHARGES		$ -	$ 206,914.00	$ 206,914.00
CAPITAL OUTLAY		$ -	$ 25,000.00	$ 25,000.00
TOTAL -	ELECTRIC REPLACEMENT AND IMPROVEMENT FUND	$ -	$ 231,914.00	$ 231,914.00

SECTION LI. That there be appropriated from the ELECTRIC RESERVE FUND, FUND NO. 734:

TRANSFERS:
FUNCTION NO. 9100:

OPERATING TRANSFERS/RESERVES		$ 1,000,000.00	$ 1,000,000.00	$ 1,000,000.00
TOTAL -	ELECTRIC RESERVE FUND	$ 1,000,000.00	$ 1,000,000.00	$ 1,000,000.00

SECTION LII. That there be appropriated from the REFUSE FUND, FUND NO. 740:

REFUSE UTILITY OFFICE:
FUNCTION NO. 7420:

SERVICES AND CHARGES		$ 1,200.00	$ 1,200.00	$ 1,200.00
TOTAL -	REFUSE UTILITY OFFICE:	$ 1,200.00	$ 1,200.00	$ 1,200.00
TOTAL -	REFUSE FUND	$ 1,200.00	$ 1,200.00	$ 1,200.00

SECTION LIII. That there be appropriated from the PARKING GARAGE FUND, FUND NO. 750:

PARKING:
FUNCTION NO. 3310:

SERVICES AND CHARGES		$ 4,025.00	$ 4,025.00	$ 4,025.00
TOTAL -	PARKING:	$ 4,025.00	$ 4,025.00	$ 4,025.00
TOTAL -	PARKING GARAGE FUND	$ 4,025.00	$ 4,025.00	$ 4,025.00

SECTION LIV. That there be appropriated from the STORM WATER UTILITY FUND, FUND NO. 760:

ENGINEERING DEPARTMENT:
FUNCTION NO. 1610:

CAPITAL OUTLAY		$ 200,000.00	$ 200,000.00	$ 200,000.00

STORM WATER UTILITY SERVICE:
STORM WATER OPERATIONS:
FUNCTION NO. 7610:

PERSONNEL SERVICES		$ 108,706.00	$ 108,706.00	$ 108,706.00
MATERIALS AND SUPPLIES		$ 7,100.00	$ 7,100.00	$ 7,100.00
SERVICES AND CHARGES		$ 16,850.00	$ 16,850.00	$ 16,850.00
TOTAL -	STORM WATER OPERATIONS:	$ 132,656.00	$ 132,656.00	$ 132,656.00

STORM WATER UTILITY FUND (CONTINUED)

DEBT SERVICE-UNVOTED:
FUNCTION NO. 8010:

DEBT SERVICE		$ 135,338.00	$ 135,338.00	$ 135,338.00
NON-DEPARTMENTAL:				
FUNCTION NO. 9700:				
PERSONNEL SERVICES		$ 40,423.00	$ 40,423.00	$ 40,423.00
TOTAL -	NON-DEPARTMENTAL:	$ 40,423.00	$ 40,423.00	$ 40,423.00
TOTAL -	STORM WATER UTILITY FUND	$ 508,417.00	$ 508,417.00	$ 508,417.00

SECTION LV. That there be appropriated from the RECREATION FUND, FUND NO. 770:

RECREATION CAMP:
FUNCTION NO. 7710:

PERSONNEL SERVICES		$ 19,712.00	$ 19,712.00	$ 19,712.00
MATERIALS AND SUPPLIES		$ 3,500.00	$ 3,500.00	$ 3,500.00
SERVICES AND CHARGES		$ 16,800.00	$ 16,800.00	$ 16,800.00
TOTAL -	RECREATION CAMP:	$ 40,012.00	$ 40,012.00	$ 40,012.00

RECREATION SPECIAL EVENTS:
FUNCTION NO. 7720:

MATERIALS AND SUPPLIES		$ 2,000.00	$ 2,000.00	**$ 10,500.00**
SERVICES AND CHARGES		$ 5,500.00	$ 5,500.00	**$ 14,500.00**
TOTAL -	RECREATION SPECIAL EVENTS:	$ 7,500.00	$ 7,500.00	**$ 25,000.00**

DOG PARK:
FUNCTION NO. 7730:

SERVICES AND CHARGES		$ 13,000.00	$ 13,000.00	$ 13,000.00
TOTAL -	DOG PARK:	$ 13,000.00	$ 13,000.00	$ 13,000.00

FARMERS MARKET
FUNCTION NO. 7740:

PERSONNEL SERVICES		$ 2,230.00	$ 2,230.00	$ 2,230.00
MATERIALS AND SUPPLIES		$ 2,000.00	$ 2,000.00	$ 2,000.00
TOTAL -	FARMERS MARKET	$ 4,230.00	$ 4,230.00	$ 4,230.00

NON-DEPARTMENTAL:
FUNCTION NO. 9700:

PERSONNEL SERVICES		$ 1,035.00	$ 1,035.00	$ 1,035.00
TOTAL -	NON-DEPARTMENTAL:	$ 1,035.00	$ 1,035.00	$ 1,035.00
TOTAL -	RECREATION FUND	$ 65,777.00	$ 65,777.00	**$ 83,277.00**

SECTION LVI. That there be appropriated from the SUPPLIES ROTARY FUND, FUND NO. 802:

ROTARY SUPPLIES:
FUNCTION NO. 7820:

MATERIALS AND SUPPLIES		$ 21,544.00	$ 21,544.00	$ 21,544.00
TOTAL -	SUPPLIES ROTARY FUND	$ 21,544.00	$ 21,544.00	$ 21,544.00

SECTION LVII. That there be appropriated from the HEALTH INSURANCE FUND, FUND NO. 803:

ROTARY CONTRACT SERVICES:
FUNCTION NO. 7810:

PERSONNEL SERVICES		$ 4,407,632.00	$ 4,407,632.00	$ 4,407,632.00
SERVICES AND CHARGES		$ 1,026,368.00	$ 1,026,368.00	$ 1,026,368.00
TOTAL -	HEALTH INSURANCE FUND	$ 5,434,000.00	$ 5,434,000.00	$ 5,434,000.00

SECTION LVIII. That there be appropriated from the WORKERS COMPENSATION FUND, FUND NO. 805:

ROTARY CONTRACT SERVICES:
FUNCTION NO. 7810:

PERSONNEL SERVICES		$ 291,500.00	$ 291,500.00	$ 291,500.00
SERVICES AND CHARGES		$ 220,000.00	$ 220,000.00	$ 220,000.00
TOTAL -	WORKERS COMPENSATION FUND	$ 511,500.00	$ 511,500.00	$ 511,500.00

SECTION LIX. That there be appropriated from the PAYROLL WITHHOLDING FUND, FUND NO. 806:

ROTARY PAYROLL
FUNCTION NO. 7840

SERVICES AND CHARGES		$ 3,513,255.00	$ 3,513,255.00	$ 3,513,255.00
TOTAL -	PAYROLL WITHHOLDING FUND	$ 3,513,255.00	$ 3,513,255.00	$ 3,513,255.00

SECTION LX. That there be appropriated from the P-CARD ROTARY FUND, FUND NO. 810:

ROTARY PURCHASE CARD FUNCTION NO. 7840				
SERVICES AND CHARGES		$ 2,200,000.00	$ 2,200,000.00	$ 2,200,000.00
TOTAL -	P-CARD ROTARY FUND	$ 2,200,000.00	$ 2,200,000.00	$ 2,200,000.00

SECTION LXI. That there be appropriated from the STATE PATROL TRANSFER FUND, FUND NO. 952:

FINANCING SOURCES - GOVT: FUNCTION NO. 9010:				
NON-OPERATING CHARGES		$ 45,000.00	$ 45,000.00	$ 45,000.00
TOTAL -	STATE PATROL TRANSFER FUND	$ 45,000.00	$ 45,000.00	$ 45,000.00

SECTION LXII. That there be appropriated from the C.D.B.G. FUND, FUND NO. 955:

ENGINEERING DEPARTMENT: FUNCTION NO. 1610:				
SERVICES AND CHARGES		$ 60,000.00	$ 81,000.00	$ 81,000.00
TOTAL -	ENGINEERING DEPARTMENT:	$ 60,000.00	$ 81,000.00	$ 81,000.00
PLANNING AND DEVELOPMENT: FUNCTION NO. 6310:				
SERVICES AND CHARGES		$ -	$ 60,000.00	$ 60,000.00
TOTAL -	PLANNING AND DEVELOPMENT:	$ -	$ 60,000.00	$ 60,000.00
COMMUNITY DEVELOPMENT: FUNCTION NO. 6410:				
SERVICES AND CHARGES		$ -	$ 75,000.00	$ 75,000.00
TOTAL -	COMMUNITY DEVELOPMENT:	$ -	$ 75,000.00	$ 75,000.00
TOTAL -	C.D.B.G. FUND	$ 60,000.00	$ 216,000.00	$ 216,000.00
***GRAND TOTAL -	ALL FUNDS	$ 92,417,780.00	$ 96,270,973.00	**$ 96,924,740.00**

SECTION LXIII. That this ordinance is hereby declared to be and is passed as an emergency measure for the protection and preservation of the peace, health, safety and general welfare of the inhabitants of the City of Painesville, the emergency being that it is necessary that an appropriations ordinance be immediately passed in order to maintain the finances of said City, and therefore, this ordinance shall become effective immediately upon its passage.

PASSED:

Christine Shoop
President of Council

ATTEST:

Samantha Danielson
Clerk of Council

ORDINANCE NO. _____-23

AN ORDINANCE DECLARING THE IMPROVEMENT TO CERTAIN PARCELS OF REAL PROPERTY WITHIN THE CITY TO BE A PUBLIC PURPOSE AND EXEMPT FROM TAXATION PURSUANT TO ORC SECTION 5709.41; PROVIDING FOR THE COLLECTION AND DEPOSIT OF SERVICE PAYMENTS; SPECIFYING THE PURPOSES FOR WHICH THOSE SERVICE PAYMENTS MAY BE EXPENDED; AND AUTHORIZING SCHOOL COMPENSATION PAYMENTS.

WHEREAS, this Council previously approved a Memorandum of Understanding as to Proposed Development Agreement dated July 2, 2022 (as amended, the "Development Agreement"), between the City and Vic Place LLC (the "Developer") for the urban redevelopment of the real property located shown on the map attached hereto as Exhibit A (the "Parcels") into a mixed-use residential and commercial project consisting of no less than seventy (70) and no more than eighty (80) residential apartment units, approximately sixty-eight thousand, seven hundred and fifty (68,750) square feet of commercial space, and approximately five thousand, seven hundred and ninety-eight 5,798 square feet of restaurant space (the "Project"); and

WHEREAS, pursuant to the Development Agreement, the City agreed to provide tax increment financing for the Project in order to enable the redevelopment of the Parcels and the development of the Project; and

WHEREAS, Ohio Revised Code ("ORC") 5709.41, 5709.42 and 5709.43 (collectively, the "TIF Act") authorize this Council to declare the improvement to the Parcels to be a public purpose and exempt from taxation, require the owner of the Parcels to make service payments in lieu of taxes, establish an urban redevelopment tax increment equivalent fund for the deposit of those service payments, and specify the purposes for which money in that fund will be expended; and

WHEREAS, as required by the TIF Act and authorized by Resolution 12-23 passed by this Council on February 21, 2023, the City acquired fee title to the Parcels prior to enacting this Ordinance for urban redevelopment purposes; and

WHEREAS, the City desires to implement a tax increment financing program for the Parcels pursuant to the TIF Act to enable the City to fulfill its obligations under the Development Agreement and to pay costs of the urban redevelopment of the Parcels and the development of the Project; and

WHEREAS, the City and the Painesville City Local School District have entered into a Modified School Compensation Agreement dated as of February 13, 2023, as amended, with respect to the Parcels and the Project, whereby the School District approved the exemption to be provided by this Ordinance and waived notice of this Ordinance in exchange for school compensation payments from the Project (the "School Compensation Agreement"); and

WHEREAS, the City and the Painesville City Local School District have entered into an amendment to the School Compensation Agreement to provide additional financing options to the Developer in support of the Project; and

WHEREAS, notice of this proposed Ordinance has been delivered to the Board of Education of the Auburn Career Center in accordance with and within the time periods prescribed in ORC 5709.40 and 5709.83;

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

SECTION I: Parcels**.** The real property subject to this Ordinance is identified and depicted in Exhibit A attached hereto (as currently or subsequently configured, the "Parcels", with each individual tax parcel a "Parcel"). This Council finds that the City acquired the Parcels while engaged in urban redevelopment.

SECTION II: Urban Redevelopment Costs. This Council finds and determines that the City acquired title to the Parcels prior to adopting this Ordinance pursuant to the City's urban

redevelopment plan for the Parcels as evidenced by the Development Agreement and other City documents. Money deposited into the TIF Fund (as defined in Section 5) may be used to pay or reimburse any costs incurred by the City for improvements that are part of its urban redevelopment efforts, including, without limitation, the costs of improvements to be made in connection with the Project as further described in the Development Agreement (including, but not limited to, those costs listed in ORC 133.15(B)), together with any other costs hereafter designated by Ordinance (the "Urban Redevelopment Costs").

SECTION III: Exemption. This Council hereby finds and determines that 100% of the increase in assessed value of each Parcel subsequent to the effective date of this Ordinance (which increase in assessed value is hereinafter referred to as the "*Improvement*" as defined in ORC 5709.41) is hereby declared to be a public purpose and will be exempt from taxation for a period commencing on the date an Improvement to that Parcel, on a parcel by parcel basis, first appears on the tax list and duplicate were it not for the exemption granted by this Ordinance and ending on the earlier of (a) 30 years after such commencement or (b) the date on which the City can no longer require service payments in lieu of taxes, all in accordance with the requirements of the TIF Act. The exemption provided by this Ordinance is senior to any exemption for a Parcel granted pursuant to ORC 5709.40(C).

SECTION IV: Service Payments. During the exemption for each Parcel granted by this Ordinance, and as provided in ORC 5709.42, the owner of each Parcel is hereby required to make service payments in lieu of taxes with respect to the Improvement allocable to each Parcel to the Lake County Treasurer (the "County Treasurer") on or before the final dates for payment of real property taxes. The service payments in lieu of taxes will be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and collected against that Improvement if it were not exempt from taxation pursuant to Section 3, including any penalties and interest (collectively, the "*Service Payments*"). The Service Payments, and any other payments with respect to each Improvement that are received in connection with the reduction required by ORC 319.302, 321.24, 323.152 and 323.156, as the same may be amended from time to time, or any successor provisions thereto as the same may be amended from time to time (the "*Property Tax Rollback Payments*"), will be deposited and distributed in accordance with Section 6.

SECTION V: TIF Fund. This Council establishes, pursuant to and in accordance with the provisions of ORC 5709.43, the Victoria Place Urban Redevelopment Tax Increment Equivalent Fund (the "*TIF Fund*"), into which the Service Payments and Property Tax Rollback Payments collected with respect to the Parcels will be deposited. The TIF Fund will be maintained in the custody of the City. The City may use amounts deposited into the TIF Fund only for the purposes authorized in the TIF Act and this Ordinance (as it may be amended). The TIF Fund will remain in existence so long as the Service Payments and Property Tax Rollback Payments are collected and used for the aforesaid purposes, after which time the TIF Fund will be dissolved and any surplus funds remaining therein transferred to the City's General Fund, all in accordance with ORC 5709.43.

SECTION VI: Distribution of Funds. Pursuant to the TIF Act, the County Treasurer is requested to distribute the Service Payments and Property Tax Rollback Payments to the City for further deposit into the TIF Fund and shall be used to pay or reimburse the Urban Redevelopment Costs, including, without limitation, payment of reimbursements to the City's General Fund or other City funds, or payment of debt charges on any notes or bonds of the City or its designee and issued to pay or reimburse the Urban Redevelopment Costs, to make school compensation payments authorized pursuant to Section 6, and any other lawful purpose. All distributions required under this Section are requested to be made at the same time and in the same manner as real property tax distributions.

SECTION VII: School Compensation Agreement and Payments. This Council hereby authorizes (a) an amendment to the School Compensation Agreement, in the form on file with the Clerk of Council and approved by the City Manager, to provide additional financing options to the Developer and (b) the making of school compensation payments to the Painesville City Local School District pursuant to the terms of the School Compensation Agreement between the City and the School District for the Project, and Service Payment sharing payments required thereunder, as the same may be amended from time to time. This Council hereby further authorizes any compensation payments required to be made to the Auburn Career Center as required by law.

SECTION VIII: Further Authorizations. This Council hereby authorizes and directs the City Manager, the Director of Finance, the Director of Law, the Clerk of Council or other appropriate officers of the City to make such arrangements as are necessary and proper for collection of the Service Payments and the Property Tax Rollback Payments. This Council further hereby authorizes and directs the City Manager, the Director of Finance, the Director of Law, the Director of Development, the Clerk of Council or other appropriate officers of the City to prepare and sign all documents and instruments and to take any other actions as may be appropriate to implement this Ordinance.

SECTION IX: Filings with Ohio Department of Development. Pursuant to ORC 5709.41(E), the City Manager is hereby directed to deliver a copy of this Ordinance to the Director of the Ohio Department of Development within fifteen days after its effective date. Further, and on or before March 31 of each year that the tax exemption authorized by Section 3 remains in effect, the Director of Finance or other authorized officer of the City is directed to prepare and submit to the Director of the Ohio Department of Development the status report required under ORC Section 5709.41(E).

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

SECTION XI: Effective Date. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED:

EFFECTIVE:

_____
Christine Shoop
President of Council

ATTEST:

_____
Samantha Danielson
Clerk of Council

EXHIBIT A

IDENTIFICATION AND MAP OF THE PARCELS

The enclosed area on the map below identifies and depicts the Parcels and constitutes part of this **EXHIBIT A**.

100 South Park Place

ORDINANCE NO. _____-23

AN ORDINANCE DECLARING THE IMPROVEMENT TO CERTAIN PARCELS OF REAL PROPERTY WITHIN THE CITY TO BE A PUBLIC PURPOSE AND EXEMPT FROM TAXATION PURSUANT TO ORC SECTION 5709.41; PROVIDING FOR THE COLLECTION AND DEPOSIT OF SERVICE PAYMENTS; SPECIFYING THE PURPOSES FOR WHICH THOSE SERVICE PAYMENTS MAY BE EXPENDED; AND AUTHORIZING SCHOOL COMPENSATION PAYMENTS

WHEREAS, this Council previously approved a Memorandum of Understanding as to Proposed Development Agreement dated July 1, 2022 (as amended, the "Development Agreement"), between the City and Grand River Walk LLC (the "Developer") for the urban redevelopment of the real property located shown on the map attached hereto as Exhibit A (the "Parcels") into a mixed-use residential and commercial project consisting of 120 residential apartment units, approximately 17,031 square feet of commercial space (the "Project"); and

WHEREAS, pursuant to the Development Agreement and Resolution No. 27-23 approved by this Council on March 6, 2023, the City intends to provide tax increment financing for the Project in order to enable the redevelopment of the Parcels and the development of the Project; and

WHEREAS, Ohio Revised Code ("ORC") 5709.41, 5709.42 and 5709.43 (collectively, the "TIF Act") authorize this Council to declare the improvement to the Parcels to be a public purpose and exempt from taxation, require the owner of the Parcels to make service payments in lieu of taxes, establish an urban redevelopment tax increment equivalent fund for the deposit of those service payments, and specify the purposes for which money in that fund will be expended; and

WHEREAS, as required by the TIF Act, the City acquired fee title to the Parcels prior to enacting this Ordinance for urban redevelopment purposes; and

WHEREAS, the City desires to implement a tax increment financing program for the Parcels pursuant to the TIF Act to enable the City to fulfill its obligations under the Development Agreement and to pay costs of the urban redevelopment of the Parcels and the development of the Project; and

WHEREAS, the City and the Painesville City Local School District have entered into a Modified School Compensation Agreement dated as of February 13, 2023, as amended, with respect to the Parcels and the Project, whereby the School District approved the exemption to be provided by this Ordinance and waived notice of this Ordinance in exchange for school compensation payments from the Project (the "School Compensation Agreement"); and

WHEREAS, the City and the Painesville City Local School District have entered into an amendment to the School Compensation Agreement to provide additional financing options to the Developer in support of the Project; and

WHEREAS, notice of this proposed Ordinance has been delivered to the Board of Education of the Auburn Career Center in accordance with and within the time periods prescribed in ORC 5709.40 and 5709.83;

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

SECTION I: Parcels. The real property subject to this Ordinance is identified and depicted in Exhibit A attached hereto (as currently or subsequently configured, the "Parcels", with each individual tax parcel a "Parcel"). This Council finds that the City acquired the Parcels while engaged in urban redevelopment.

SECTION II: Urban Redevelopment Costs. This Council finds and determines that the City acquired title to the Parcels prior to adopting this Ordinance pursuant to the City's urban redevelopment plan for the Parcels as evidenced by the Development Agreement and other City documents. Money deposited into the TIF Fund (as defined in Section 5) may be used to pay or

reimburse any costs incurred by the City for improvements that are part of its urban redevelopment efforts, including, without limitation, the costs of improvements to be made in connection with the Project as further described in the Development Agreement (including, but not limited to, those costs listed in ORC 133.15(B)), together with any other costs hereafter designated by Ordinance (the "Urban Redevelopment Costs").

SECTION III: Exemption. This Council hereby finds and determines that 100% of the increase in assessed value of each Parcel subsequent to the effective date of this Ordinance (which increase in assessed value is hereinafter referred to as the "*Improvement*" as defined in ORC 5709.41) is hereby declared to be a public purpose and will be exempt from taxation for a period commencing on the date an Improvement to that Parcel, on a parcel by parcel basis, first appears on the tax list and duplicate were it not for the exemption granted by this Ordinance and ending on the earlier of (a) 30 years after such commencement or (b) the date on which the City can no longer require service payments in lieu of taxes, all in accordance with the requirements of the TIF Act. The exemption provided by this Ordinance is senior to any exemption for a Parcel granted pursuant to ORC 5709.40(C).

SECTION IV: Service Payments. During the exemption for each Parcel granted by this Ordinance, and as provided in ORC 5709.42, the owner of each Parcel is hereby required to make service payments in lieu of taxes with respect to the Improvement allocable to each Parcel to the Lake County Treasurer (the "County Treasurer") on or before the final dates for payment of real property taxes. The service payments in lieu of taxes will be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and collected against that Improvement if it were not exempt from taxation pursuant to Section 3, including any penalties and interest (collectively, the "*Service Payments*"). The Service Payments, and any other payments with respect to each Improvement that are received in connection with the reduction required by ORC 319.302, 321.24, 323.152 and 323.156, as the same may be amended from time to time, or any successor provisions thereto as the same may be amended from time to time (the "*Property Tax Rollback Payments*"), will be deposited and distributed in accordance with Section 6.

SECTION V: TIF Fund. This Council establishes, pursuant to and in accordance with the provisions of ORC 5709.43, the Grand River Walk Urban Redevelopment Tax Increment Equivalent Fund (the "*TIF Fund*"), into which the Service Payments and Property Tax Rollback Payments collected with respect to the Parcels will be deposited. The TIF Fund will be maintained in the custody of the City. The City may use amounts deposited into the TIF Fund only for the purposes authorized in the TIF Act and this Ordinance (as it may be amended). The TIF Fund will remain in existence so long as the Service Payments and Property Tax Rollback Payments are collected and used for the aforesaid purposes, after which time the TIF Fund will be dissolved and any surplus funds remaining therein transferred to the City's General Fund, all in accordance with ORC 5709.43.

SECTION VI: Distribution of Funds. Pursuant to the TIF Act, the County Treasurer is requested to distribute the Service Payments and Property Tax Rollback Payments to the City for further deposit into the TIF Fund and shall be used to pay or reimburse the Urban Redevelopment Costs, including, without limitation, payment of reimbursements to the City's General Fund or other City funds, or payment of debt charges on any notes or bonds of the City or its designee and issued to pay or reimburse the Urban Redevelopment Costs, to make school compensation payments authorized pursuant to Section 6, and any other lawful purpose. All distributions required under this Section are requested to be made at the same time and in the same manner as real property tax distributions.

SECTION VII: School Compensation Agreement and Payments. This Council hereby authorizes (a) an amendment to the School Compensation Agreement, in the form on file with the Clerk of Council and approved by the City Manager, to provide additional financing options to the Developer and (b) the making of school compensation payments to the Painesville City Local School District pursuant to the terms of the School Compensation Agreement between the City and the School District for the Project, and Service Payment sharing payments required thereunder, as the same may be amended from time to time. This Council hereby further authorizes any compensation payments required to be made to the Auburn Career Center as required by law.

SECTION VIII: Further Authorizations. This Council hereby authorizes and directs the City Manager, the Director of Finance, the Director of Law, the Clerk of Council or other appropriate officers of the City to make such arrangements as are necessary and proper for

collection of the Service Payments and the Property Tax Rollback Payments. This Council further hereby authorizes and directs the City Manager, the Director of Finance, the Director of Law, the Director of Development, the Clerk of Council or other appropriate officers of the City to prepare and sign all documents and instruments and to take any other actions as may be appropriate to implement this Ordinance.

SECTION IX: Filings with Ohio Department of Development. Pursuant to ORC 5709.41(E), the City Manager is hereby directed to deliver a copy of this Ordinance to the Director of the Ohio Department of Development within fifteen days after its effective date. Further, and on or before March 31 of each year that the tax exemption authorized by Section 3 remains in effect, the Director of Finance or other authorized officer of the City is directed to prepare and submit to the Director of the Ohio Department of Development the status report required under ORC Section 5709.41(E).

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

SECTION XI: Effective Date. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED:

EFFECTIVE:

_____
Christine Shoop
President of Council

ATTEST:

_____
Samantha Danielson
Clerk of Council

EXHIBIT A

IDENTIFICATION AND MAP OF THE PARCELS

The enclosed area on the map below identifies and depicts the Parcels (ID#: 15-A-012-0-00-012-0) and constitutes part of this **EXHIBIT A**.

The Parcel ID# is provided for convenience purposes only and does not limit the area subject to the TIF Ordinance.

257 East Main Street

ORDINANCE NO. __-23

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF MUNICIPAL AND ECONOMIC DEVELOPMENT REVENUE NOTES OF THE CITY UNDER SECTION 13, ARTICLE VIII OF THE OHIO CONSTITUTION AND CHAPTER 165 OF THE OHIO REVISED CODE TO PAY COSTS OF A "PROJECT" AS DEFINED IN SECTION 165.01 OF THE OHIO REVISED CODE, FOR THE PURPOSE OF CREATING OR PRESERVING JOBS AND EMPLOYMENT OPPORTUNITIES AND IMPROVING THE ECONOMIC WELFARE OF THE CITY AND ITS RESIDENTS AND THE STATE OF OHIO; PROVIDING FOR THE PLEDGE FOR THAT PURPOSE OF CERTAIN NONTAX REVENUES; ESTABLISHING CERTAIN FUNDS OF THE CITY; APPROVING RELATED DOCUMENTS; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Painesville is authorized by virtue of the laws of the State of Ohio, including, without limitation, Section 13 of Article VIII, Ohio Constitution, and Chapter 165 of the Ohio Revised Code (the "Act"), among other things, to (i) issue bonds, and notes in anticipation of those bonds, to acquire, construct, equip, or improve a "project" as defined in Section 165.01 of the Ohio Revised Code, for the purpose of creating or preserving jobs and employment opportunities and improving the economic welfare of the City and its residents and of the State of Ohio, and (ii) secure such notes and bonds by a pledge of nontax revenues, as provided herein; and

WHEREAS, for the purpose of creating or preserving jobs and employment opportunities and improving the economic welfare of the people of the City, pursuant to Ordinance No. 20-2022, passed on October 17, 2022 (the "2022 Approving Ordinance"), the City issued its $2,870,000 Economic Development Nontax Revenue Notes, Series 2022 (Federally Taxable), issued in anticipation of bonds, which mature on August 10, 2023 (the "Outstanding Notes"), and were issued to pay the City's direct and indirect costs of purchasing certain property (the "Property"), which such Property is to be used for the furthering of economic development of the City (the "Project"); and

WHEREAS, to create and preserve jobs and employment opportunities, the City has determined to issue economic development revenue bond anticipation notes (the "Notes") pursuant to the Act to pay (i) the costs of refunding the Outstanding Notes, including interest, and (ii) the costs of issuance of the Notes;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Painesville, County of Lake, Ohio, that:

SECTION 1. Definitions. In addition to the words and terms elsewhere defined in this Ordinance, the following words and terms as used in this Ordinance shall have the meanings set forth below.

"Certificate of Award" means the certificate authorized by Section 3 to be signed by the Director of Finance or by the City Manager, setting forth and determining those terms or other matters pertaining to the Notes and their issuance, sale and delivery as this Ordinance requires or authorizes to be set forth or determined therein.

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

"Debt charges" means the principal of and interest on the Notes.

"Debt Retirement Fund" means the Debt Retirement Fund established pursuant to Section 8.

"Nontax Revenues" means all money of the City that is not money raised by taxation, to the extent available for deposit in the Debt Retirement Fund as provided in this Ordinance, including, but not limited to the following: (a) grants from the United States of America and the State of Ohio;

(b) payments in lieu of taxes now or hereafter authorized by State statute to the extent not pledged to pay debt charges on other City indebtedness; (c) fines and forfeitures that are deposited in the City's General Fund; (d) fees deposited in the City's General Fund from properly imposed licenses and permits; (e) investment earnings on the City's General Fund and that are credited to the City's General Fund; (f) investment earnings on other funds of the City that are credited to the City's General Fund; (g) proceeds from the sale of assets that are deposited in the City's General Fund; (h) rental income that is deposited in the City's General Fund; (i) gifts and donations; and (j) Project Revenues.

"Notes" means the City's economic development revenue bond anticipation notes described in and the issuance of which is authorized by Section 2.

"Original Purchaser" means the original purchaser designated by the Director of Finance in the Certificate of Award.

"Parity Obligations" means any bonds, notes or other obligations of or guaranties by the City payable from Nontax Revenues on a parity with or prior to the Notes.

"Pledged Nontax Revenues" means (i) all Project Revenues, (ii) proceeds of notes otherwise to be available to pay debt charges on the Notes, (iii) proceeds of bonds issued to retire the Notes, (iv) all money in the Debt Retirement Fund and (v) all income and profit from the investment of the foregoing money.

"Project Revenues" means any revenues, payments, repayments, and moneys derived from the Project, including any proceeds from the sale of all or a portion of the Property.

"Tax-Exempt Obligation" means obligations the interest on which is exempt from federal income tax.

"Year" means the calendar year, unless otherwise specified.

The captions and headings in this Ordinance are solely for convenience of reference and do not define, limit or describe the scope or intent of any provisions or Sections of this Ordinance.

Unless otherwise indicated, any reference to a Section is a reference to a Section of this Ordinance.

SECTION 2. Determinations by City Council. This City Council finds and determines that:

(a) The Project is a "project" as defined in the Act and is consistent with the purposes of Section 13, Article VIII of the Ohio Constitution and the utilization of the Project is in furtherance of the purposes of the Act and will benefit the people of the City and of the State by creating and preserving jobs and employment opportunities and improving the economic welfare of the people of the City and of the State.

(b) It is necessary and proper and in the best interest of the City to, and the City shall, issue the Bonds to retire the Notes, the proceeds of which will be issued to pay direct and indirect costs of the Project. The Bonds shall be dated approximately June 1, 2024, shall bear interest payable semiannually on June 1 and December 1 of each year, at the estimated rate of 7.5% per year, and shall be payable as to principal in no more than 30 installments on June 1 of each year, commencing June 1, 2025, in such amounts that the debt charges on the Bonds due in each year that principal is payable are substantially equal, or such other dates and methods as then determined by the City Council and the Director of Finance.

(c) This Council also determines it to be necessary to issue, and the City shall, issue, sell and deliver, as provided and authorized herein the Notes, in anticipation of the issuance of Bonds, in an aggregate principal amount not to exceed $3,005,000 for the purpose of paying (i) the costs of refunding the Outstanding Notes, including interest, and (ii) the costs of issuance of the Notes. The Notes shall be designated "Economic Development Nontax Revenue Bond Anticipation Notes, Series 2023 (Property Acquisition Project)", or as otherwise designated by the Director of Finance in the Certificate of Award. The Notes may be combined with any other series of similar notes of the City into one sale and issue.

The Notes shall be dated the date of issuance and shall mature nine months from the date of issuance; provided that the Director of Finance may, if it is determined to be necessary or advisable to the sale of the Notes, establish a maturity date that is any date six months or up to one year from the date of issuance by setting forth that maturity date in the Certificate of Award. The Notes shall bear interest at a rate not to exceed 7.00% per year (computed on the basis of a 360 day year consisting of 12 30-day months), payable at maturity and until the principal amount is paid or payment is provided for. The aggregate principal amount of and rate of interest on the Notes shall be determined by the Director of Finance in the Certificate of Award.

SECTION 3. Sale of Notes. The Notes shall be awarded and sold at private sale to the Original Purchaser at a purchase price of not less than par, as determined in the Certificate of Award, and in accordance with law and the provisions of this Ordinance. The Director of Finance shall sign the Certificate of Award evidencing that sale to the Original Purchaser. Consistent with the Director of Finance's determination of the best interest of and financial advantages to the City, the Certificate of Award shall also specify (i) the date or dates on which the Notes shall be stated to mature, (ii) the rate or rates of interest payable on the Notes and the date or dates upon which interest shall be paid, (iii) the paying agent and bond registrar, (iv) whether the Notes are Tax-Exempt Obligations, and (v) the terms, if any, upon which the Notes are subject to prepayment or redemption. The Notes shall be negotiable instruments in accordance with the Act, and the Notes shall express on their faces the purpose for which they are issued and such other statements or legends as may be required by law. The City Manager, the Director of Finance, the Director of Law, the Clerk of the City Council and other City officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments, including a purchase agreement or placement agreement, and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance, and all actions heretofore taken by these officers and officials in connection with the Project and the Notes are hereby certified, ratified and approved.

The Director of Finance is authorized to (i) engage the services of an arranger or placement agent and (ii) request a rating for the Notes from one or more nationally recognized rating services in connection with the sale and issuance of the Notes. The expenditure of the amounts necessary to engage an arranger, placement agent and/or secure those rating(s) and to pay the other financing costs in connection with the Notes 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 Notes to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

SECTION 4. Payment. The debt charges on the Notes shall be payable in lawful money of the United States of America and shall be payable, without deduction for services of the City's Paying Agent, at the principal corporate trust office of a bank or trust company designated by the Director of Finance, after determining that the payment at that bank or trust company will not endanger the funds or securities of the City and that proper procedures and safeguards are available for that purpose, or at the office of the Director of Finance if agreed to by the Director of Finance and the Original Purchaser. If the interest on the Notes is due other than at maturity, interest shall be payable on each interest payment date by check mailed to the person in whose name the Bond was registered on the 15th day of the calendar month next preceding that interest payment date.

SECTION 5. Signing, Denominations and Form. The Notes shall be signed by the City Manager and the Director of Finance, in the name of the City and in their official capacities, provided that both of those signatures may be a facsimile. The Notes shall be issued in the denominations and numbers as requested by the Original Purchaser and approved by the Director of Finance, provided no Note shall be issued in a denomination less than $100,000; and the entire principal amount may be represented by a single note. The Notes may be issued as fully registered securities (for which the Director of Finance, or a bank or trust company designated by the Director of Finance, may serve as bond registrar), and may be issued in book entry or other uncertificated form in accordance with Section 9.96 of the Revised Code if it is determined by the Director of Finance that issuance of fully registered securities in that form will facilitate the sale and delivery of the Notes. The Notes shall not have coupons attached, shall be numbered as determined by the Director of Finance and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Ordinance. As used in this Section and this Ordinance:

"Book entry form" or "book entry system" means a form or system under which (i) the ownership of beneficial interests in the Notes and the principal of, and interest on, the Notes may be transferred only through a book entry, and (ii) a single physical Bond certificate is issued by the City and payable only to a Depository or its nominee, with such Notes "immobilized" in the custody of the Depository or its agent for that purpose. The book entry maintained by others than the City is the record that identifies the owners of beneficial interests in the Notes and that principal and interest.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in the Notes or the principal of, and interest on, the Notes and to effect transfers of the Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

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

The Notes may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (i) the Notes may be issued in the form of a single Bond made payable to the Depository or its nominee and immobilized in the custody of the Depository or its agent for that purpose; (ii) the beneficial owners in book entry form shall have no right to receive the Notes 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 Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book entry system, the 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 Notes from the Depository, and shall cause the Notes in bearer or payable to order form to be signed by the officers authorized to sign the Notes and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

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

SECTION 6. Application of Proceeds. The proceeds from the sale of the Notes shall be paid into the proper fund or funds and those proceeds are appropriated and shall be used for the purpose for which the Notes are being issued. The par value to be received from the sale of the Notes or and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used to pay the debt charges on the Notes and are pledged for that purpose.

SECTION 7. Bond Counsel. This City Council hereby approves the retention of the law firm of Squire Patton Boggs (US) LLP as bond counsel. The expenditure of the amounts necessary to pay reasonable compensation to such law firm for the services rendered and for reimbursement of expenses incurred by such law firm is authorized and approved, and the Director of Finance is authorized to provide for the payment of such compensation and expenses from the proceeds of the Notes to the extent available and otherwise from any other funds lawfully available that are or shall be appropriated for that purpose.

SECTION 8. This City Council hereby approves the retention of the firm of Sudsina & Associates, LLC in order to furnish financial advisory services in connection with the issuance and sale of the Notes and other matters related thereto and hereby authorizes the Finance Director to pay

such fees and out-of-pocket expenses of such financial advisory firm in rendering such services as are approved by the Finance Director and the Law Director. In rendering those financial advisory services, as an independent contractor and in a financial advisory relationship with the City, that firm shall not exercise any administrative discretion on behalf of this City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, any county, municipality or other political subdivision, or of this City, or the execution of public trusts.

SECTION 9. Nontax Revenues; Debt Retirement Fund. The Notes and the Bonds shall be special obligations of the City, and the debt charges on the Notes, and the debt charges on any Bonds issued to retire the Notes, shall be payable solely from the Nontax Revenues, and such payment is secured by a pledge of the Pledged Nontax Revenues pursuant to this Ordinance. The Notes and any Bonds issued to retire the Notes are not and shall not be secured by an obligation or pledge of any money raised by taxation. The Notes and any Bonds issued to retire the Notes do not and shall not represent or constitute a debt or pledge of the faith and credit or taxing power of the City, and the owners thereof have and shall have no right to have taxes levied by the City for the payment of debt charges on the Notes. The Notes shall contain a statement to that effect and to the effect that they are payable solely from the Nontax Revenues and are not secured by an obligation or pledge of any money raised by taxation.

The City will, solely from the proceeds of the Notes, the Bonds issued to retire the Notes, or from Nontax Revenues, pay or cause to be paid the debt charges on the Notes on the dates, at the places and in the manner provided herein and in the Notes. For that purpose, this City Council, after providing for the payment of debt charges payable on the City's general obligation securities in that year from sources available for that purpose, will appropriate and maintain Nontax Revenues at such times and in such amounts as will be sufficient, together with other funds available for the purpose, including but not limited to the proceeds of Bonds issued to retire the Notes, to pay the debt charges on the Notes as if the Notes had been issued without the prior issuance of the Notes, which Nontax Revenues are hereby selected by the City pursuant to Section 165.12 of the Revised Code as moneys that are not raised by taxation. Further, this City Council will give effect to such appropriations in all ordinances it passes thereafter in that year appropriating money for expenditure and encumbrance and limit the other appropriations of Nontax Revenues in that year to the amount available after deducting the amount required for the payment of debt charges payable on the City's general obligation securities and to pay those debt charges on the Notes.

There is hereby created by the City a separate fund or account designated as the "2023 Property Acquisition Project Debt Retirement Fund", or such other designation that may be provided pursuant to Section 13 hereof (the Debt Retirement Fund), into which shall be deposited (i) any Project Revenues upon receipt, and (ii) proceeds of any Bonds to retire the Notes, and (iii) other Nontax Revenues on or prior to the date on which any debt charges on the Notes are due in an amount sufficient to pay those debt charges.

Nothing herein shall be construed as requiring the City to use or apply to the payment of debt charges on the Notes any funds or revenues from any source other than Nontax Revenues. Nothing herein, however, shall be deemed to prohibit the City, of its own volition, from using, to the extent that it is authorized by law to do so, any other resources for the fulfillment of any of the terms, conditions or obligations of this Ordinance or of the Notes.

SECTION 10. Additional Covenants of the City. In addition to other representations and warranties of the City contained in this Ordinance, the City covenants and agrees that:

(a) Parity Obligations. The City covenants that, so long as any of the Notes are outstanding, it shall not issue any Parity Obligations unless, prior to passage of the ordinance authorizing such Parity Obligations, the Director of Finance shall have certified to this City Council that the average annual Nontax Revenues received by the City during the preceding two years, adjusted to reflect, if necessary, changes in the rates or charges resulting in the Nontax Revenues, aggregate in amount not less than 100% of the highest amount of (a) Bond debt charges and (b) required payments on such proposed Parity Obligations and any outstanding Parity Obligations due in any succeeding calendar year.

(b) Performance of Covenants and City Actions. The City will at all times faithfully observe and perform all agreements, covenants, undertakings, stipulations and provisions to be

performed on its part under this Ordinance and the Notes and under all proceedings of this City Council pertaining thereto. The City represents that (i) it is a municipal corporation, duly organized and existing under and by virtue of the laws of the State; (ii) it is, and upon delivery of the Notes covenants that it will be, duly authorized by the Constitution and laws of the State including particularly and without limitation the Act, and its Charter, to issue the Notes and to provide the security for payment of the debt charges on the Notes in the manner and to the extent set forth herein and in the Notes; (iii) all actions on its part for the issuance of the Notes have been or will be taken duly and effectively; and (iv) the Notes will be valid and enforceable special obligations of the City according to their terms. Each obligation of the City required to be undertaken pursuant to the Ordinance and the Notes is binding upon the City, and upon each officer or employee of the City as may from time to time have the authority under law to take any action on behalf of the City as may be necessary to perform all or any part of such obligation, as a duty of the City and of each of those officers and employees resulting from an office, trust or station within the meaning of Section 2731.01 of the Revised Code, providing for enforcement by writ of mandamus.

(c) Inspection of Project Books. All non-privileged books and documents in the City's possession relating to the Project and the Nontax Revenues shall be open at all times during the City's regular business hours to inspection by such accountants or other agents of the owners of the Notes as they may from time to time designate.

(d) Transcript of Proceedings. The Clerk of the City Council, or another appropriate officer of the City, shall furnish to the Original Purchaser a true transcript of proceedings, certified by that officer, of all proceedings had with reference to the issuance of the Notes along with such information from the records as is necessary to determine the regularity and validity of the issuance of the Notes.

SECTION 11. Taxable Status of Notes. The following section is only applicable to the Notes if the Finance Director determines in the Certificate of Award that the Notes will be Tax-Exempt Obligations.

The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent as may be necessary so that (a) the Notes will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the Code) or (ii) be treated other than as bonds to which Section 103(a) of the Code applies, and (b) the interest on the Notes will not be an item of tax preference under Section 57 of the Code.

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

The amount of the Notes (such amount being the issue price of the Notes less accrued interest, if any, as determined under the Code), if designated as Tax-Exempt Obligations, is hereby designated as "qualified tax exempt obligations" for purposes of Section 265(b)(3) of the Code. In that connection, the City hereby represents and covenants that it, together with all its subordinate entities or entities that issue obligations on its behalf, or on behalf of which it issues obligations, in or during the calendar year in which the Notes are issued, (i) have not issued and will not issue tax exempt obligations designated as "qualified tax exempt obligations" for purposes of Section 265(b)(3) of the Code, including the aforesaid amount of the Notes, in an aggregate amount in excess of $10,000,000, and (ii) have not issued, do not reasonably anticipate issuing, and will not issue, tax exempt obligations (including the aforesaid amount of the Notes, but excluding obligations, other than qualified 501(c)(3) bonds as defined in Section 145 of the Code, that are private activity bonds as defined in Section 141 of the Code and excluding refunding obligations that are not advance refunding obligations as defined in Section 149(d)(5) of the Code to the extent that the amount of the refunding obligations does not exceed the outstanding principal amount of the refunded obligations) in an aggregate amount exceeding $10,000,000, unless the City first obtains a

written opinion of nationally recognized bond counsel that such designation or issuance, as applicable, will not adversely affect the status of the Notes as "qualified tax exempt obligations."

Further, the City represents and covenants that, during any time or in any manner as might affect the status of the Notes as "qualified tax exempt obligations," it has not formed or participated in the formation of, or benefitted from or availed itself of, any entity in order to avoid the purposes of subparagraph (C) or (D) of Section 265(b)(3) of the Code, and will not form, participate in the formation of, or benefit from or avail itself of, any such entity. The City further represents that the Notes are not being issued as part of a direct or indirect composite issue that combines issues or lots of tax-exempt obligations of different issuers.

The Finance Director as the fiscal officer, or any other officer of the City having responsibility for issuance of the Notes is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the City with respect to the Notes as the City is permitted to or required to make or give under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, 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, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes, and (c) to give one or more appropriate certificate of the City, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Notes.

Each covenant made in this Section with respect to the Notes is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Notes (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 Notes 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 Notes.

SECTION 12. Discharge of Covenants. If the City shall pay or cause to be paid and discharged the Notes, the covenants, agreements and other obligations of the City hereunder and in the Notes shall be discharged and satisfied.

SECTION 13. Multiple Series. If, in the judgment of the Director of Finance or the City Manager, it is in the best interest of and financially advantageous to the City to sell a portion of the Notes separately from another portion of the Notes, the Director of Finance or City Manager may provide for such separate sales and the provisions of this Ordinance shall apply to each such sale and designation, and references to "Paying Agent", "Certificate of Award", "Closing Date", "Debt Retirement Fund", and "Original Purchaser" shall include the Paying Agent, Certificate of Award, Closing Date, Debt Retirement Fund and Original Purchaser for the Notes sold separately pursuant to this Section 13, along with any other terms deemed appropriate in each Certificate of Award.

SECTION 14. City Council Determination. This City Council determines that all acts and conditions necessary to be performed by the City or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding special obligations of the City have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

SECTION 15. Severability. Each section of this Ordinance and each subdivision or paragraph of any section thereof is declared to be independent and the finding or holding of any section or any subdivision or paragraph of any section thereof to be invalid or void shall not be deemed or held to affect the validity of any other section, subdivision or paragraph of this Ordinance.

SECTION 16. Open Meetings. This City Council finds and determines that all formal actions of this City Council concerning and relating to the passage of this ordinance were taken in an open meeting of this City Council and that all deliberations of this City Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 17. Emergency Measure; Effective Date. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of this City, and for the further reason that this Ordinance is required to be immediately effective in order to issue and sell the Notes, which is necessary to timely meet the City's obligation to pay the debt service on the Outstanding Notes and thereby preserve the City's credit; wherefore, this Ordinance shall be in full force and effect immediately upon its passage.

ADOPTED:

EFFECTIVE:

_____
Christine Shoop
President of Council

ATTEST:

_____
Samantha Danielson,
Clerk of Council

RESOLUTION NO.

RESOLUTION ACCEPTING THE PETITION OF LANDOWNER AND BUSINESS OWNER SEEKING TO BE INCLUDED IN THE CONCORD TOWNSHIP-CITY OF PAINESVILLE JOINT ECONOMIC DEVELOPMENT DISTRICT CONTRACT (JEDD) FILED BY PETITIONERS NORMANDY PROPERTIES LIMITED PARTNERSHIP, OWNER OF PERMANENT PARCEL NUMBER 08-A-020-0-00-053-0 AND SHEETZ, INC BUSINESS TO BE LOCATED ON CAPITAL PARKWAY LOCATED IN CONCORD TOWNSHIP, AMENDING THE JEDD CONTRACT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Painesville and Concord Township have entered into a contract to create a Joint Economic Development Agreement in 2008; and

WHEREAS, the City of Painesville and Concord Township have received a petition from a property owner within the prescribed territory of the JEDD to join said District; and

WHEREAS, pursuant to Section 5 of the JEDD Contract, Concord and Painesville may amend the JEDD Contract and any amendments enacted thereafter to add areas to the JEDD District, now in accordance with and pursuant to Ohio Revised Code Section 715.72; and

WHEREAS, the expansion of the property included in the Joint Economic Development District will provide the potential for additional economic benefit to both the City of Painesville and Concord Township.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PAINESVILLE, OHIO LAKE COUNTY, STATE OF OHIO:

SECTION I. That the "Petition of Landowner Seeking to be included in the JEDD" described in attached "Exhibit A" by Normandy Properties Limited Partnership, owner of Permanent Parcel Number 08-A-020-0-00-053-0 located on Capital Parkway and Sheetz, Inc. business to located on said parcel in Concord Township within Lake County, Ohio be and is hereby accepted and amending the JEDD Contract.

SECTION II. The City Manager is hereby authorized to execute the sixth amendment, in a form substantially similar to Exhibit B attached hereto, to the Concord Township-City of Painesville Joint Economic Development Contract.

SECTION III. That this Resolution is hereby passed as an emergency measure for the immediate preservation of the public peace, health and/or safety and for the welfare of the citizens of the City of Painesville; the emergency being that the immediate passage is necessary to comply with Ohio Revised Code Section 715.72 and to enhance the economic vitality and growth of the City of Painesville, Concord Township and the County of Lake, and therefore, this resolution shall be effective immediately upon its passage by the City Council.

PASSED:

_____
Christine Shoop
President of Council

ATTEST:

_____
Samantha Danielson
Clerk of Council

Petition of a Business
Seeking to be Included in a JEDD

Now comes the undersigned petitioner, Sheetz. Inc., owner of a business at **Permanent Parcel Number 08-A-020-0-00-053-0**, respectfully requests the Concord Township Board of Trustees and the City of Painesville to include his/her business within a Joint Economic Development District between Concord Township and the City of Painesville. This petition is circulated pursuant to 715.72 of the Ohio Revised Code.

We believe inclusion of our business in a Joint Economic Development District would increase the value of the land and further promote economic development within both communities. We respectfully urge that the land and our business be included within a Joint Economic Development District.

All the documents described in 715.72 (I)(1)(a) to (c) of the Revised Code are available for public inspection in the office of the Clerk of Painesville City Council, and in the office of the Concord Township Fiscal Officer. Those items include a signed copy of the Contract; a description of the areas included within the District, including a map denoting the specific boundaries of the District; the economic development plan certified copies of ordinances and resolutions of the City of Painesville and Concord Township, respectively, relating to the Contract and District, and a schedule for the collection of income tax.

The petitioner also acknowledges that the creation of this Joint Economic Development District is proposed at the request of a majority of the owners of businesses included within the JEDD.

Each Petitioner represents and warrants with regard to the business described or named next to the signature of the Petitioner (the "Business"):

1) The Petitioner is authorized signatory of the Business.

2) The Business is accurately described or named below;

3) The Business is located within the Township and within the proposed District.

This Petition, which may be signed in counterparts (all of which shall constitute one Petition), is signed by a majority of the owners of businesses located within the area or areas to be included in the District.

PETITIONER

SHEETZ, INC., a Pennsylvania corporation

By:_____

Name: Steven P. Augustine

Title: Vice President of Store Development

Date: March 7, 2023

PP#: 08-A-020-0-00-053-0

Petition of a Business
Seeking to be Included in a JEDD

Now comes the undersigned petitioner, **NORMANDY PROPERTIES LIMITED PARTNERSHIP**, an Ohio limited partnership, with an address of 7865 Auburn Road, Painesville, OH 44077 (the "Petitioner"), as the owner of a parcel of land known as Lake County Ohio **Permanent Parcel 08-A-020-0-00-053-0**, (collectively, the "Property") respectfully requests the Concord Township Board of Trustees and the City of Painesville to include the above referenced Property within a Joint Economic Development District between Concord Township and the City of Painesville (hereinafter referred to as the "District"). This petition is circulated pursuant to 715.72 of the Ohio Revised Code.

Petitioner believes inclusion of our Property in the District would increase the value of the Property and further promote economic development within both communities. Petitioner respectfully urges that the Property be included within the District.

All the documents described in 715.72 (I)(1)(a) to (c) of the Revised Code are available for public inspection in the office of the Clerk of Painesville City Council, and in the office of the Concord Township Fiscal Officer. Those items include a signed copy of the Contract; a description of the areas included within the District, including a map denoting the specific boundaries of the District; the economic development plan certified copies of ordinances and resolutions of the City of Painesville and Concord Township, respectively, relating to the Contract and District, and a schedule for the collection of income tax.

The Petitioner also acknowledges that the creation of this District is proposed at the request of a majority of the property owners and businesses included within the District.

Petitioner represents and warrants with regard to the Property described or named next to the signature of the Petitioner:

1) The Petitioner is owner of the Property.

2) The Property accurately described or named below;

3) The Property is located within the Township and within the proposed District.

This Petition, which may be signed in counterparts (all of which shall constitute one Petition), is signed by a majority of the owners of the Property located within the area or areas to be included in the District.

PETITIONER:

NORMANDY PROPERTIES LIMITED PARTNERSHIP
an Ohio limited partnership

Jonathan J. Smyke, General Partner
March 10, 2023

EXHIBIT A

NEFF & ASSOCIATES

Civil Engineers + Landscape Architects + Planners + Surveyors
Traffic Engineers + Environmental Engineers

Legal Description
Sheetz Parcel
Concord Township, Ohio
File No. 14650-001-LD002
Page 1 of 2

Situated in the Township of Concord, County of Lake, State of Ohio and known as being part of Original Lot No. 11, Tract No. 3 and is further bounded and described as follows:

Beginning at a 1" iron pin monument found at the intersection of the center line of Auburn Road (Width Varies) and the center line of Capital Parkway, Dedication Plat Volume 70, Page 12 of Lake County Records (Width Varies), said monument has a C/L Station of 40+62.46 Auburn Road & 202+45.21 Capital Parkway, as shown in the LAK Auburn-Crile Connector Road Right of Way Plans;

Thence North 89°53'55" East, along the center line of said Capital Parkway, a distance of 69.53 feet to a 1" iron pin monument at a point of curvature;

Thence Northeasterly, by the arc of curve continuing along the center line of said Capital Parkway, deflecting to the left, a distance of 60.94 feet to a 1" iron pin monument at a point of reverse curvature. Said curve having a radius of 400.00 feet, central angle of 08°43'45" and a chord which bears North 85°31'14" East, a distance of 60.88 feet;

Thence Northeasterly, by the arc of curve continuing along the center line of said Capital Parkway, deflecting to the right, a distance of 270.47 feet to a 1" iron pin monument at a point of reverse curvature. Said curve having a radius of 1994.00 feet, central angle of 07°46'18" and a chord which bears North 85°02'14" East, a distance of 270.26 feet;

Thence Northeasterly, by the arc of curve continuing along the center line of said Capital Parkway, deflecting to the left, a distance of 114.99 feet to a 1" iron pin monument at a point of tangency. Said curve having a radius of 2018.00 feet, central angle of 03°15'53" and a chord which bears North 87°17'24" East, a distance of 114.97 feet;

Thence North 85°39'27" East, continuing along the centerline of said Capital Parkway, a distance of 95.94 feet;

Thence South 04°20'33" East, a distance of 50.00 feet to a 5/8" iron pin set on the Southerly right of way line of said Capital Parkway and the Principal Place of Beginning;

6405 York Road
Parma Heights, OH 44130
Tel: 440.884.3100
www.Neff-Assoc.com
Fax: 440.884.3104

Course 1 Thence North 85°39'27" East, along the Southerly right of way for said Capital Parkway, a distance of 335.04 feet to a 5/8" iron pin set at the intersection of the said Southerly right of way and the Westerly limited access line of State Route 44;

Course 2 Thence Southeasterly by the arc of a curve along the Westerly limited access line for said State Route 44, deflecting to the right, a distance of 423.57 feet to a 5/8" iron pin set at the Northeasterly corner of a parcel of land conveyed to Capra Business Center LLC by deed recorded in Instrument No, 2002R066555 of Lake County Records, PIN 08-A-020-0-00-020-0. Said curve having a radius of 4172.18 feet, central angle of 05°49'00" and a chord which bears South 02°59'06" East, a distance of 423.38 feet;

Course 3 Thence South 86°28'02" West, along the Northerly line of said Capra Business Center LLC and the Northerly line of Capra Business Center Condominiums as shown in recorded Plat Volume 68, Page 41 of Lake County Records, a distance of 325.04 feet to a 5/8" iron pin set;

Course 4 Thence North 04°20'33" West, a distance of 418.67 feet to the Principal Place of Beginning and containing 3.2236 Acres (140,419 Square Feet) of land, of which 1.7060 Acres is in PIN 08-A-020-0-00-006-0 and 1.5176 Acres in is PIN 08-A-020-0-00-027-0, according to a survey made by Steven J. Metcalf, Registered Surveyor No. 8622-Ohio in July 12, 2022.

Be the same more or less, but subject to all legal highways and easements of record.

Basis of bearings for this survey is Grid North of NAD83 (CORS96) Ohio State Plane Coordinate System, North Zone (3401) and is used to denote angles only.

Monuments described as "iron pin set" are 5/8" x 30" rebar capped "Neff & Assoc #8622".

PRE-APPROVED
Lake County Engineer
Tax Map Department

Steven J. Metcalf
Registered Survey No. 8622-Ohio

STATE OF OHIO
STEVEN J. METCALF
S-8622
REGISTERED
PROFESSIONAL SURVEYOR

Approved no plat required by Lake County Planning Commission as a remainder of:

___ **Lot Split #** 5101 CO

___ **Large Lot #** _____

___ **Property Division #** _____

By _____ **Date** 12/20/22

Legal Description Approved
For Transfer
Lake County Engineer

By _____ **Date** 12-20-2022

EXHIBIT B

SIIXTH AMENDMENT TO THE CONCORD TOWNSHIP- CITY OF PAINESVILLE JOINT ECONOMIC DEVELOPMENT DISTRICT CONTRACT, *NUNC PRO TUNC* AMENDMENT TO THE CONTRACT, SECOND AMENDMENT, THIRD AMENDMENT, FOURTH AMENDMENT, AND FIFTH AMENDMENT TO THE CONTRACT.

This Sixth Amendment to the Concord Township-City of Painesville Joint Economic Development District Contract (the "Contract"), and the Contract's subsequent *Nunc Pro Tunc* Amendment, Second Amendment, Third Amendment, Fourth Amendment, and Fifth Amendment respectively, is made and entered into as of the ____ day of _____, 20____, by and between the Township of Concord (the "Township"), and the City of Painesville (the "City"), in accordance with the terms and provisions set forth herein.

RECITALS

A. The Township and the City entered into a Contract on or about on August 22, 2008, to create and provide for the operation of the Concord Township-City of Painesville Joint Economic Development District (the "District"), in accordance with Sections 715.72 through 715.83 of the Revised Code, then in effect, and for their mutual benefit and for the benefit of the residents of the State of Ohio (the "State"), and the Township and the City;

B. A *Nune Pro Tunc* Amendment to the Concord Township-City of Painesville Joint Economic Development District Contract *("Nune Pro Tunc* Amendment") was thereafter adopted by the Township on September 12, 2008, and by the City on September 15, 2008, in order to retroactively correct statutory citations originally within the Contract.

C. A Second Amendment to the Contract and *Nunc Pro Tunc* Amendment was thereafter adopted by the Township and the City on March 18, 2015 ("Second Amendment") in order to include additional property into the Contract's District;

D. A Third Amendment to the Contract and *Nunc Pro Tunc* Amendment was thereafter adopted by the Township on December 7, 2016 and the City on December 5, 2016 ("Third Amendment") in order to include additional property into the Contract's District;

E. A Fourth Amendment to the Contract and *Nunc Pro Tunc* Amendment was thereafter adopted by the Township on November 7, 2018 and by the City on November 5, 2018 ("Fourth Amendment") in order to include additional property into the Contract's District;

F. A Fifth Amendment to the Contract and *Nunc Pro Tunc* Amendment was thereafter adopted by the Township on November 16, 2022 and by the City on November 21, 2022 (Fifth Amendment) in order to include additional property in to the Contract's Distrcit;

G. A Sixth Amendment to the Contract and *Nunc Pro Tunc* Amendment was hereby adopted by the Township on May 17, 2023 and by the City on May 15, 2023 (Sixth Amendment) in order to include

additional property in to the Contract's district;

H. The parties to the JEDD now wish to further amend the JEDD Contract in order to include further additional property into the Contract's District.

I. Section 5 of the JEDD Contract states as follows:

> **Addition and Removal of Areas from District.** In the manner prescribed by the Act, and upon agreement by the City and Township, this Contract, including Appendix A hereto, may be amended from time to time to add certain property within the Township to the territory of the District. Upon agreement by the City and Township, this contract, including Appendix A hereto, may also be amended from time to time to remove property from the territory of the District.

J. The existing territorial boundaries of the District and the additional areas that are being added to the District by way of this Sixth Amendment are identified in Appendix A-2023 and incorporated herein.

K. The legislative authorities of the Township and the City, respectively, have each authorized and directed the Township and the City to make and enter into this Sixth Amendment to the District Contract, *Nunc Pro Tunc*, Amendment, Second Amendment, Third Amendment, Fourth Amendment and Fifth Amendment by and through their respective officers in accordance with Resolution No, 2023-_____enacted by the City of Painesville Council on the _15th___day of _May, 2018, and Resolution No,. 2023-_____ enacted by the Concord Township Board of Trustees on the 17th_ day of _May, 2023.

NOW, THEREFORE, IN CONSIDERATION of the mutual promises and covenants set forth herein, the Township and the City further amend the Contract, *Nunc Pro Tunc* Amendment, Second Amendment and Third Amendments as follows:

1. The Contract, *Nune Pro Tunc* Amendment Second Amendment, Third Amendment, Fourth Amendment and Fifth Amendment are amended by adding additional areas to the JEDD District and the additional areas that are being added to the District are listed on Appendix A-2023 that is attached hereto and made a part of this Sixth Amendment and part of the Contract, *Nune Pro Tunc* Amendment, Second Amendment, Third Amendment, Fourth Amendment, and Fifth Amendment respectively. The territorial boundaries of the District are now described in the annexed Exhibit A Map and in Appendix A that was attached to the original Contract, Appendix A-2015 annexed to the Second Amendment, Appendix A-2016 annexed to this Third Amendment, and Appendix-A 2018 to the Fourth Amendment, and Appendix A-2022 to the Fifth Amendment respectively.

In all other respects, the Contract remains as written and approved by all parties on August 22, 2008, and by the *Nune Pro Tunc* Amendment as written and approved by the Township on September 12, 2008, and by the City on September 15, 2008, by the Second Amendment written and approved by the Township and the City with an effective date of March 18, 2015 and by the Third

Amendment written and approved by the Township and the City with an effective date of December 7, 2016 and by the Fourth Amendment written and approved by the Township and the City with an effective date of November 8, 2018 and the Fifth Amendment written and approved by the township and City with and effective date of November 21, 2022.

The contracting parties to this Sixth Amendment agree to cooperate with one another and to use their best efforts to implement this Sixth Amendment and sign or cause to be signed in a timely fashion, all other necessary instruments and documents, and to take such action in order to effectuate the purposes of this Sixth Amendment.

IN WITNESS WHEREOF, the Township and the City have caused this Contract to be signed in their respective names by their duly authorized officers as of the date hereinbefore set forth.

WITNESS

_____

_____

_____

_____

_____

_____

CONCORD TOWNSHIP

_____
Morgan McIntosh, Trustee Chairman

_____
Carl Dondorfer, Trustee Vice Chairperson

_____
Amy Lucci, Trustee

WITNESS

_____

_____

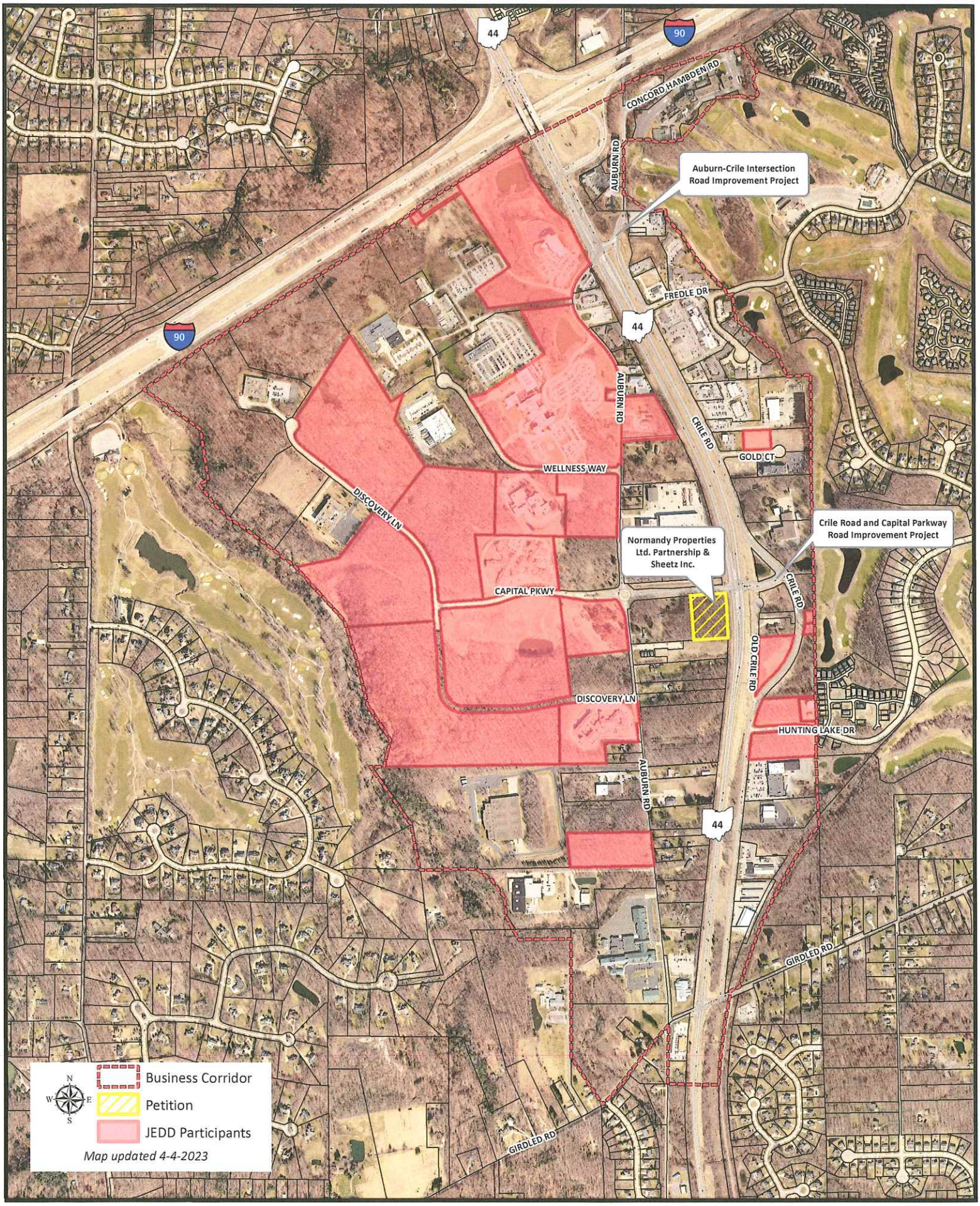
CITY OF PAINESVILLE

_____
Douglas L. Lewis, City Manager

_____
Approved as to form and correctness
JAMES LYONS
City of Painesville Law Director

_____
Approved as to form and correctness
MICHAEL C. LUCAS
Legal Advisor for Concord Township

JEDD PARTICIPANTS



RESOLUTION NO. ___-23

RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPLY FOR AND ACCEPT FINANCIAL ASSISTANCE FROM THE OHIO DEPARTMENT OF NATURAL RESOURCES NATURE WORKS GRANT TO BE USED TOWARDS THE INSTALLATION OF FENCING FOR A DOG PARK, AND DECLARING AN EMERGENGY

WHEREAS, the Ohio Department of Natural Resources Nature Works Grant administers financial assistance to enhance economic development and for public recreation purposes, through the State of Ohio Nature Works grant program; and

WHEREAS, Department of Natural Resources is accepting applications until June 1, 2023; and

WHEREAS, the City of Painesville wishes to submit an application for funding in order to authorize the Department of Public Lands and Recreation to make application for funds for the installation of fencing for a dog park located at Kiwanis Recreation Park, 301 Latimore Street; and

WHEREAS, the City will utilize these funds to help cover the final cost of the installation of the fencing to complete a dog park in Kiwanis Recreation Park, 301 Latimore Street;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Painesville, Lake County, Ohio:

SECTION I: That the City Council hereby authorizes and directs the City Manager to execute and file an application with the Department of Natural Resource Nature Works Program and to provide all information and necessary documentation required to become eligible for possible funding assistance.

SECTION II: That this Resolution is declared to be an emergency measure necessary for the immediate protection and preservation of the public peace, health, safety and general welfare of the inhabitants of the City of Painesville, and for the further need to submit this Resolution with the Nature Works Grant Application due June 1, 2023.

PASSED:

EFFECTIVE

_____

Christine Shoop
President of Council

ATTEST:

_____

Samantha Danielson
Clerk of Council

RESOLUTION NO. _____-23

A RESOLUTION DECLARING IT NECESSARY TO RENEW AN EXISTING 2.5 MILL TAX LEVY IN EXCESS OF THE TEN (10) MILL LIMITATION FOR THE PURPOSE OF HIRING NEW OFFICERS, POLICE CAPITAL EXPENSES, POLICE OPERATING EXPENSES, AND POLICE WAGES AND BENEFITS USED DIRECTLY IN THE OPERATION OF A POLICE DEPARTMENT, PURSUANT TO SECTIONS 5705.03 AND 5705.19 OF THE REVISED CODE, AND ASKING THE LAKE COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE CITY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY SAID LEVY, AND DECLARING AN EMERGENCY.

WHEREAS, at an election on November 5, 2019, the electors of the City of Painesville approved a 2.5-mill tax levy pursuant to Section 5705.19 of the Revised Code for the purpose of hiring new officers, police capital expenses, police operating expenses, and police wages and benefits used directly in the operation of a police department for a period of five years; and

WHEREAS, the authority to levy that 2.5-mill tax will expire with the levy on the 2023 duplicate for collection in calendar year 2024; and

WHEREAS, this Council finds that the amount of taxes which may be raised within the ten-mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the necessary requirements of the City and that it is necessary to renew a 2.5-mill levy for the purpose stated in the first preamble above; and

WHEREAS, in accordance with Section 5705.03(B)(1), the resolution of this Council as described immediately above must state all of the following, as applicable to the levy: (a) the proposed rate of the tax, expressed in mills for each one dollar of taxable value, or the dollar amount of revenue to be generated by the proposed levy; (b) the purpose of the tax; (c) whether the tax is an additional levy, a renewal or a replacement of an existing tax, a renewal or replacement of an existing tax with an increase or a decrease, a reduction or decrease of an existing tax, or extension of an existing tax to additional territory; (d) the Section of the Revised Code authorizing the submission of the question of the tax; (e) the term of years of the tax or that it is for a continuing period of time; (f) that the tax is to be levied upon the entire territory of the City; (g) the date of the election at which the question of the tax shall appear on the ballot; (h) that the ballot measure shall be submitted to the entire territory of the City; (i) the tax year in which the tax will first be levied and the calendar year in which it will be first collected; and (j) each county in which the City has territory; and

WHEREAS, in accordance with Section 5705.03(B)(2), upon receipt of a certified copy of a resolution of this Council as described immediately above, the County Auditor is to certify each of the following, as applicable to the levy: (a) the total current tax valuation of the City; (b) the number of mills for each one dollar of taxable value that is required to generate a specified amount of revenue; (c) either of the following, calculated using the tax list for the current year, and if this is not determined, the estimated amount submitted by the County Auditor to the County Budget Commission: (i) if the levy is to renew, renew and increase, renew and decrease, reduce or decrease, or extend to additional territory an existing levy that is subject to reduction under Section 319.01 of the Revised Code, the levy's estimated effective rate, calculated using the rate described in Section 5705.03(B)(2)(b) or (d), expressed in dollars, rounded to the nearest dollar, for each one hundred thousand dollars of the County Auditor's appraised value, or (ii) for all other levies, the levy's rate, described in Section 5705.03(B)(2)(b) or (d), expressed in dollars, rounded to the nearest dollar, for each one hundred thousand dollars of the County Auditor's appraised value; (d) the dollar amount of revenue, rounded to the nearest dollar, that would be generated by a specified number of mills for each one dollar of taxable value; and (e) an estimate of the levy's annual collections, rounded to the nearest one thousand dollars, which shall be calculated assuming that the amount of the tax list of the City remains throughout the life of the levy the same as the amount of the tax list for the current year, and if this is not determined, the estimated amount submitted by the County Auditor to the County Budget Commission;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Painesville, County of Lake, State of Ohio, that:

SECTION 1. As used in this Resolution and in accordance with Section 5705.03(B)(1)(a) of the Revised Code, "mills" refers to mills for each one dollar of taxable value.

SECTION 2. This Council hereby finds, determines and declares that (i) the amount of taxes which may be raised within the ten-mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the necessary requirements of the City, (ii) it is necessary to renew, for five years, an existing 2.5-mill tax levy outside of the ten-mill limitation in excess of such limitation for the purpose of hiring new officers, police capital expenses, police operating expenses, and police wages and benefits used directly in the operation of a police department, (iii) it intends to submit the question of the renewal of that levy to its electors at an election on November 7, 2023, as authorized by Sections 5705.19 of the Revised Code, and (iv) the City has territory only in the County of Lake. If approved, that tax will be levied upon the entire territory of the City for five years, commencing in tax year 2024, for first collection in calendar year 2025.

SECTION 3. This Council requests the Lake County Auditor to certify to it and the City the certifications set forth in Section 5705.03(B)(2), as applicable to the proposed renewal levy.

SECTION 4. The Clerk of Council of this City is authorized and directed to deliver promptly to the Lake County Auditor a certified copy of this Resolution.

SECTION 5. This Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the adoption of this Resolution were taken, and that all deliberations of this Council and of any of its committees that resulted in such formal action were held, in meetings open to the public, in compliance with the law.

SECTION 6. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, welfare and safety of the City and for the further reason that it is necessary that this Resolution be effective immediately in order to permit the City to obtain required certifications from the County Auditor and timely complete additional proceedings necessary for the submission of the question of this levy at an election on November 7, 2023; therefore, this Resolution shall be in full force and effect immediately upon its adoption by the required number of votes and approval by the Mayor.

PASSAGE:

EFFECTIVE:

_____
Christine Shoop
President of Council

ATTEST:

_____
Samantha Danielson
Clerk of Council

RESOLUTION NO. _____-23

A RESOLUTION DECLARING IT NECESSARY TO RENEW AN EXISTING 2.5 MILL TAX LEVY IN EXCESS OF THE TEN (10) MILL LIMITATION FOR THE PURPOSE OF HIRING NEW OFFICERS, POLICE CAPITAL EXPENSES, POLICE OPERATING EXPENSES, AND POLICE WAGES AND BENEFITS USED DIRECTLY IN THE OPERATION OF A POLICE DEPARTMENT, PURSUANT TO SECTIONS 5705.03 AND 5705.19 OF THE REVISED CODE, AND ASKING THE LAKE COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE CITY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY SAID LEVY, AND DECLARING AN EMERGENCY.

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WHEREAS, the authority to levy that 2.5-mill tax will expire with the levy on the 2023 duplicate for collection in calendar year 2024; and

WHEREAS, this Council finds that the amount of taxes which may be raised within the ten-mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the necessary requirements of the City and that it is necessary to renew a 2.5-mill levy for the purpose stated in the first preamble above; and

WHEREAS, in accordance with Section 5705.03(B)(1), the resolution of this Council as described immediately above must state all of the following, as applicable to the levy: (a) the proposed rate of the tax, expressed in mills for each one dollar of taxable value, or the dollar amount of revenue to be generated by the proposed levy; (b) the purpose of the tax; (c) whether the tax is an additional levy, a renewal or a replacement of an existing tax, a renewal or replacement of an existing tax with an increase or a decrease, a reduction or decrease of an existing tax, or extension of an existing tax to additional territory; (d) the Section of the Revised Code authorizing the submission of the question of the tax; (e) the term of years of the tax or that it is for a continuing period of time; (f) that the tax is to be levied upon the entire territory of the City; (g) the date of the election at which the question of the tax shall appear on the ballot; (h) that the ballot measure shall be submitted to the entire territory of the City; (i) the tax year in which the tax will first be levied and the calendar year in which it will be first collected; and (j) each county in which the City has territory; and

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PASSAGE:

EFFECTIVE:

_____
Christine Shoop
President of Council

ATTEST:

_____
Samantha Danielson
Clerk of Council