

5/4/2026 | 6:00 PM

**Municipal Services Center, Council Chamber
3600 Tremont Road**

- 1. Call to Order/Roll Call**
- 2. Pledge of Allegiance Led By Council Member John Kulewicz**
- 3. Consent Agenda**
 - a. Approve April 20, 2026 City Council Meeting Minutes
 - b. Resolution No. 5-2026 - To Authorize the City's Participation in the Ohio Department of Transportation Cooperative Contract Program for Rock Salt
- 4. Reports/Presentations**
 - a. Recognition of UAHS BearBots for Their Tournament Championship Win
 - b. Community Development Department Update, Presented by Director Chad Gibson
- 5. Legislative Items for First Reading/Public Hearing/Council Action**
 - a. Resolution No. 6-2026 - To Request the Franklin County Auditor to Certify the Current Tax Valuation and the Amount of Revenue That Would Be Generated by a Renewal Tax Levy of a Specified Number of Mills for the Police and Fire Pension Fund (*Walter*)
 - b. Resolution No. 7-2026 - To Authorize the Issuance of a City Permit to Common Greens Farmers Market for the Sale of Alcohol on Public Property Throughout the 2026 Season (*Fortkamp*)
- 6. Legislative Items for First Reading/Public Hearing**
 - a. Ordinance No. 18-2026 - To Authorize the City Manager to Enter into Contract with Duke's Services for Sanitary Sewer Inspection and Cleaning Services
 - b. Ordinance No. 19-2026 - To Authorize the City Manager to Enter Into Contract with Newcomer Concrete for Construction-Related Services for the 2026 Sidewalk Maintenance Program

- c. Ordinance No. 20-2026 - To Authorize the City Manager to Enter Into an Economic Development Incentive Agreement with Frazier Financial Advisors
- d. Ordinance No. 21-2026 - To Amend Various Sections of Part 1 - Administrative Code, Part 4 - Schedule of Fees, and Part 13 - Building Code, of the Upper Arlington Code of Ordinances

This item is scheduled for a maximum 45-minute discussion for First Reading/Public Hearing.

7. City Manager Update

8. Adjournment

April 20, 2026

City Council met in regular session in the Council Chamber of the Municipal Services Center, 3600 Tremont Road, and the meeting was called to order by President Awakessien Jeter at 6:00 p.m.

Members Present: President Ukeme Awakessien Jeter, Vice President Heidi Munc, Nic Fortkamp, John Kulewicz, Laura Oldham, Ben Tracy, and Todd Walter

Staff Present: City Manager Steven Schoeny, City Attorney Darren Shulman, City Clerk Krystal Grove, Assistant City Manager Jackie Thiel, Finance Director Brent Lewis, IT Director Ross Morrow, Community Development Director Chad Gibson, Parks & Recreation Director Debbie McLaughlin, Parks & Recreation Deputy Director Jeff Anderson, Recreation Superintendent Matt Leber, Community Affairs Director Emma Speight, Public Service Director Gary Wilfong, City Engineer Aaron Scott, Assistant Fire Chief Mike Bell, and Police Chief Keith Hall

Pledge of Allegiance

The Pledge of Allegiance was led by Troop 555.

Consent Agenda

- a. **Approve April 13, 2026, City Council Meeting Minutes**
- b. **Ordinance No. 14-2026 - To Authorize the City Manager to Enter into Contract with Axis Civil Construction for the replacement of Pedestrian Bridges at Miller Park and Smith Nature Park**

Mr. Kulewicz moved, seconded by Mr. Walter, to approve the Consent Agenda. The motion carried with the following vote:

Voting Aye: Vice President Munc, Fortkamp, Kulewicz, Oldham, Tracy, Walter, and President Awakessien Jeter

Reports/Presentations

a. Bob Crane Community Center Year One Operations Update, Presented by Parks & Recreation Director Debbie McLaughlin

Recreation Superintendent Matt Leber and Parks & Recreation Director Debbie McLaughlin provided an update on Bob Crane Community Center operations given its one-year anniversary (presentation attached as Exhibit A).

The facility achieved 12,545 paid memberships as of March 31st, significantly surpassing the original projections of 3,650 members. Of these, 11,060 were residents, with 2,698 members coming from Medicare supplement programs (SilverSneakers and Renew Active). The breakdown showed 8,375 members aged 3-59 and 1,027 seniors aged 60+.

Member visits totaled 443,639 throughout the year, with the highest single-day attendance reaching 2,571 visitors on January 2nd. Peak usage occurred between 8-11 a.m. (primarily seniors and patients) and 4-7 p.m. (when youth activities dominated). The facility also recorded 13,356 guest and day passes, generating \$138,863 in day pass revenue.

Detailed occupancy data showed well-distributed usage across all five levels of the facility. The pool reached peak capacity of 64 users simultaneously in January, while fitness areas, lounges, and recreational spaces maintained comfortable usage levels. The auxiliary gym proved particularly popular for pickleball, and the fifth-floor track provided scenic views that users appreciated.

The community center achieved financial success with total revenue of \$3.6 million against expenses of \$2.7 million, resulting in 131% cost recovery¹. This far exceeded budget projections of 80% cost recovery for 2025 and 86% for 2026. Membership fees comprised 79% of revenue at \$2.8 million, with daily admissions, rentals, and programs contributing the remainder.

The facility enabled a 64% increase in indoor programming and 43% increase in enrollment compared to pre-community center operations. Popular new offerings included year-round swimming lessons, aqua aerobics, TRX fitness classes, and expanded pickleball programming. The center hosted 603 rentals generating \$143,000 in revenue, with the event center leading at \$86,572. Party rentals proved especially popular, with weekend slots typically booked from open to close.

Staff made several operational improvements based on user feedback, including transitioning child watch from a reservation-based to a flexible drop-in system and modifying fitness class structures to a more flexible pass model rather than requiring series enrollment.

¹ After the meeting expense totals and cost recovery were subsequently revised to approximately \$3.29 million in expenses and 110% cost recovery, as referenced in Exhibit A, pg. 28.

Child watch operated at a loss with \$31,941 in revenue against \$216,832 in expenses, though staff emphasized its importance as a "loss leader" that enables parents to use other facility services. Esports similarly ran at a deficit with \$3,836 revenue versus \$51,906 expenses, prompting discussion of potential model changes including fee elimination to increase utilization.

Ms. McLaughlin outlined upcoming initiatives including a member survey, evaluation of underutilized mezzanine space, preparation for warranty expiration requiring increased maintenance responsibilities, rebidding custodial services with enhanced specifications based on actual usage patterns, and planning a performance series concert on the community center grounds in July.

City Manager Steven Schoeny emphasized the exceptional nature of these results, noting that community centers typically don't break even, much less achieve 30% gross margins in their first year. He attributed success to thoughtful planning, strategic location, and exceptional staff performance.

Mr. Fortkamp inquired about conversion rates from day passes to full-time memberships and whether any tracking was taking place. Mr. Leber acknowledged that while they had not tracked this data point previously, it was an area they could potentially work on to gain insights. He mentioned that visitors who purchase a day pass have the opportunity to convert their \$20 fee into a membership fee if they decide to sign up that day, providing a "try before you buy" approach.

Mr. Walter emphasized the importance of reserve planning given the higher-than-expected usage of the facility, suggesting the need to consider reserve balances for equipment and facilities that could face increased wear and tear due to exceptional utilization levels. Mr. Schoeny agreed, acknowledging that the facility would likely not maintain its 30% margin for the full five years due to the need for higher expenditure on maintenance. He pointed out that the exceptional utilization meant that some of the equipment might reach its end-of-life sooner than anticipated, but the current reserve fund put them in a strong position to handle such eventualities.

Ms. McLaughlin noted that operationally, they are now better placed to analyze and utilize the new data to evaluate and make adjustments in staffing, maintenance, and operational needs, and are already looking into re-evaluating cleaning contracts and staff roles based on the first year's use patterns. Mr. Leber reiterated the community center's commitment to maintaining an excellent standard for their services and facilities, ensuring that all operational aspects are continually monitored and tuned based on feedback and observed usage patterns.

b. Police and Fire Pension Levy Update, Presented by Finance Director Brent Lewis

Finance Director Brent Lewis provided an update on proposed changes to the Police and Fire Pension Levy coming from the state level (presentation attached as Exhibit B). Mr. Lewis

presented the city's approach to renewing the police and fire pension levy, emphasizing that this presentation was informational and based on current law and models.

The city is statutorily required to contribute 19.5% of gross wages for police pensions and 24% for fire pensions, while employees contribute 12.25%. These departments represent approximately 50% of the city's budget and full-time employees. The current annual pension obligation is about \$3.4 million in 2026, projected to reach \$4.1 million over the next five years.

Police and fire pensions are funded through three property tax levies: two permanent levies totaling 0.6 mills generating about \$1.7 million annually, and one voter-approved levy generating approximately \$1.5 million. The voter levy is designed to collect a specific dollar amount rather than a fixed millage rate, meaning as property values increase, the effective millage decreases.

Mr. Lewis recommended decreasing the voted millage from 0.89 mills to 0.75 mills. Due to increased property valuations, this adjustment would increase annual revenue from approximately \$1.5 million to \$2.2 million. This represents an increase of about \$7.51 per \$100,000 of home value, or roughly \$38 annually for a \$500,000 home. The existing levy costs about \$15.31 per \$100,000 of home value (approximately \$77 annually for a \$500,000 home), which would increase to about \$23 per \$100,000 under the proposed levy.

The proposed levy structure maintains approximately one year of reserves to provide flexibility for unexpected costs or staffing changes. If the levy fails, the city would need to supplement pension obligations from the general fund, potentially impacting other services, including the swimming pool subsidy, economic development programs, and capital improvements.

Mr. Lewis also noted the importance of maintaining the current levy's state rollback provision, which covers 10% of collections. If the levy lapses and must be re-established as a new levy rather than a renewal, taxpayers would permanently lose this subsidy. Potential state legislation that would increase police pension contribution rates from 19.5% to 24% (matching fire rates) was analyzed but not incorporated into the proposal. If enacted, the change would reduce reserve balances but remain manageable within the proposed levy structure.

The resolution for county auditor certification will be presented to Council at the May 4 meeting. Ballot language must be certified in June ahead of the August deadline, as Council does not meet in July.

In response to a question from Mr. Tracy regarding the reserve strategy, Mr. Lewis reiterated the importance of maintaining approximately one year of reserves to ensure flexibility for unforeseen pension obligations or staffing changes. He confirmed that the financial model could accommodate potential increases in contribution rates, though with reduced reserves.

President Awakessien Jeter expanded the discussion to address the broader political climate surrounding property taxes, noting increased voter sensitivity to tax increases and ongoing

citizen-led initiatives aimed at eliminating property taxes. She emphasized the importance of a strong public education campaign to clearly communicate the purpose and necessity of the levy, particularly given potential competition from other ballot measures, such as those from local school districts.

c. Finance Director Report - March 2026

Mr. Lewis presented the Finance Director Report for 2026 (attached as Exhibit C). Mr. Lewis provided a brief first-quarter financial report, indicating that all city operations were performing within budget expectations, with income tax revenues slightly exceeding projections. He noted some timing differences in utility funds, particularly solid waste, attributed to previous year fee waivers affecting comparative calculations, but characterized these as mathematical rather than substantive concerns.

Legislative Items for Second Reading/Public Hearing/Council Action

a. Resolution No. 4-2026- To Authorize Participation in the 2026 World Cities Summit and Designate the City's Head of Delegation

In response to President Awakessien Jeter's invitation to speak, there were no questions or comments from the public relative to Resolution No. 4-2026.

President Awakessien Jeter explained that this resolution addresses ethics compliance for her attendance at the World Cities Summit in Singapore, with all expenses covered by summit organizers including the Center for Livable Cities (established by Singapore's Ministry of National Development) and Singapore Airlines.

City Attorney Darren Shulman clarified that while the invitation was not from an "improper source" under ethics laws, the resolution provides transparency by declaring the trip a public purpose rather than a personal gift.

Mr. Kulewicz requested amendments to clarify that airfare, and all expenses are covered with no cost to the city. Mr. Tracy raised concerns about ensuring genuine public benefit rather than serving as "a fig leaf for a gift" and suggested separating the designation of the head of delegation from automatic assumption that it should be the mayor. Mr. Tracy recommended that staff or Vice President Munc be considered.

Ms. Oldham expressed concerns about potential "greenwashing" given corporate sponsors including data center companies, noting that "when there is no cost to the city, you are the product." She worried about lobbying efforts targeting Midwestern cities for data center development.

President Awakessien Jeter noted that the invitation was to a mayor forum, so it makes sense that the delegate be the Mayor, but that the Mayor may invite up to two additional attendees. If additional representatives of the city attended, it would be a cost to the city.

Mr. Kulewicz moved, seconded by Vice President Munc, to pass Resolution No. 4-2026.

Mr. Kulewicz moved, seconded by Vice President Munc, to amend the resolution to:

“WHEREAS, the Summit provides hotel accommodation, airfare, airport transport, and meals to the head of delegation for participating cities, meaning there is no cost for any expense or reimbursement to the City of Upper Arlington to send a delegate.”

The motion carried with the following vote:

Voting Aye: Vice President Munc, Fortkamp, Kulewicz, Oldham, Tracy, Walter, and President Awakessien Jeter

Mr. Walter moved, seconded by Vice President Munc, to further amend the resolution to:

“SECTION 2. ~~Participation in the 2026 World Cities Summit is a public purpose such that the City can accept the accommodation, transport to and from the airport, and meals for its delegate.~~ The head of delegation will attend the Summit for a public purpose and it is understood that accommodation, transport, and meals will be provided by the Summit organizers.”

The motion carried with the following vote:

Voting Aye: Vice President Munc, Fortkamp, Kulewicz, Oldham, Tracy, Walter, and President Awakessien Jeter

President Awakessien Jeter called for a vote to pass the resolution as amended.

The motion carried with the following vote:

Voting Aye: Vice President Munc, Fortkamp, Kulewicz, Oldham, Tracy, Walter, and President Awakessien Jeter

- b. Ordinance No. 15-2026- To Authorize the City Manager to Enter into Contract with Strawser Paving Company for Construction-related Services for the 2026 Waterline Replacement Project**

In response to President Awakessien Jeter's invitation to speak, there were no questions or comments from the public relative to Ordinance No. 15-2026.

City Engineer Aaron Scott provided updates to the staff report, noting that rejection of this contract would require shifting waterline and street projects to the following year, which would not be budget-neutral due to different project sizes. He clarified the project breakdown: Beverly Road comprises about one-third of costs, Zollinger Road about 55-56%, and Leer Road approximately 12%.

Council Member Tracy inquired about potential impacts on grant-funded Zollinger Road improvements. Mr. Scott indicated that while he couldn't guarantee zero impact, the main risk would be timing if rebidding extends into the compressed end-of-construction season. He noted that given oil market instability, contractors indicate no expectation of price reductions in future bidding cycles.

Vice President Munc moved, seconded by Mr. Fortkamp, to adopt Ordinance No. 15-2026. The motion carried with the following vote:

Voting Aye: Vice President Munc, Fortkamp, Kulewicz, Oldham, Tracy, Walter, and President Awakessien Jeter

c. Ordinance No. 16-2026- To Authorize the City Manager to Enter into Contract with Breck's Paving Company for Construction-related Services for the 2026 Street Maintenance Program and Stormwater Improvements Construction Project

In response to President Awakessien Jeter's invitation to speak, there were no questions or comments from the public or Council relative to Ordinance No. 16-2026.

Ms. Oldham moved, seconded by Vice President Munc, to adopt Ordinance No. 16-2026. The motion carried with the following vote:

Voting Aye: Vice President Munc, Fortkamp, Kulewicz, Oldham, Tracy, Walter, and President Awakessien Jeter

d. Ordinance No. 17-2026- To Authorize the City Manager to Enter into Contract with Strawser Paving Company for Construction-related Services for the 2026 Street Reconstruction Program Construction Contract

In response to President Awakessien Jeter's invitation to speak, there were no questions or comments from the public or Council relative to Ordinance No. 17-2026.

Mr. Tracy moved, seconded by Mr. Fortkamp, to adopt Ordinance No. 17-2026. The motion carried with the following vote:

Voting Aye: Vice President Munc, Fortkamp, Kulewicz, Oldham, Tracy, Walter, and President Awakessien Jeter

Legislative Items for First Reading/Public Hearing

a. Resolution No. 5-2026- To Authorize the City’s Participation in the Ohio Department of Transportation Cooperative Contract Program for Rock Salt

In response to President Awakessien Jeter’s invitation to speak, there were no questions or comments from the public relative to Resolution No. 5-2026.

Public Service Director Gary Wilfong explained that this annual program with ODOT allows the city to purchase road salt approximately one year in advance. The city is currently receiving about 1,000 tons from last year’s approval and seeking authorization for next winter’s salt purchase.

Mr. Kulewicz asked about supply shortage risks experienced by northern Ohio cities. Mr. Wilfong expressed confidence in adequate supplies while acknowledging weather variability. Mr. Tracy inquired about environmental alternatives to rock salt. Mr. Wilfong explained that the city employs "sensible salting" practices using less salt than historically, incorporates beet juice for pre-treatment, and considers weather data to optimize application timing and amounts.

President Awakessien Jeter advised that the Second Reading/Public Hearing/Council Action will occur on May 4, 2026.

City Manager Update

Mr. Schoeny provided a brief update, noting continued work on the Golden Bear site with City Attorney assistance and otherwise normal business operations.

Council Liaison Report

Mr. Fortkamp encouraged residents to check UA Insight and city communications for numerous spring events for all ages.

* * *

There being no further business to come before City Council, President Awakessien Jeter called for a motion to adjourn the meeting. Mr. Walter moved to adjourn, seconded by Mr. Tracy. The motion carried unanimously, and the meeting adjourned at 8:40 p.m.



Bob Crane Community Center Annual Report – April 20, 2026



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City of Upper Arlington

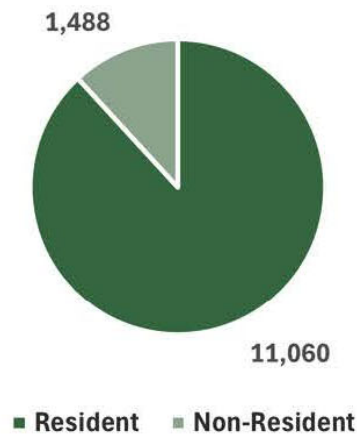
Membership



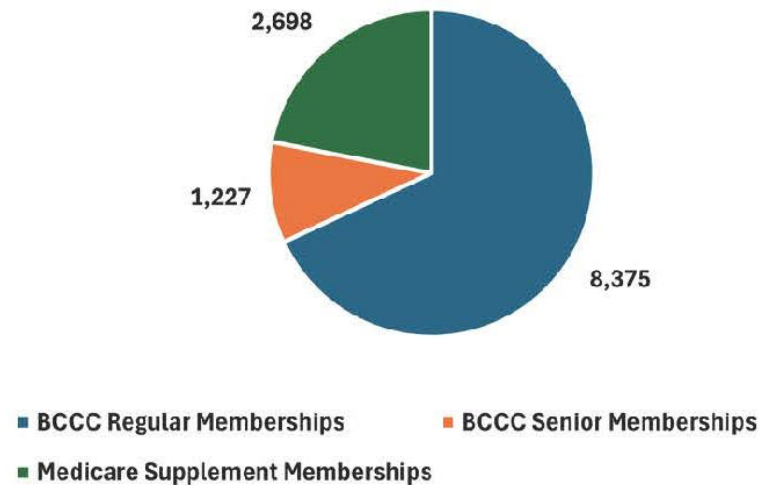
Membership

12,545 Active Paid Memberships as of March 31, 2026

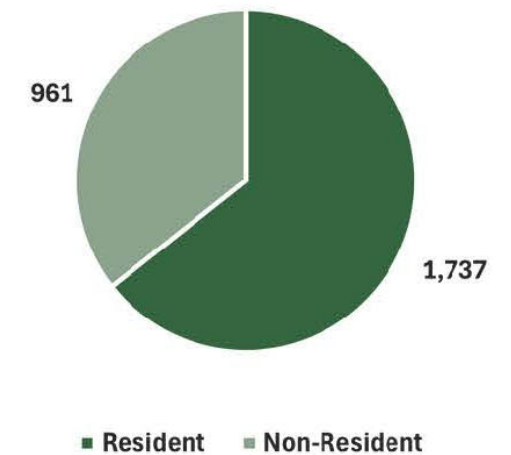
Total Paid Memberships by Resident Status
March 31, 2026



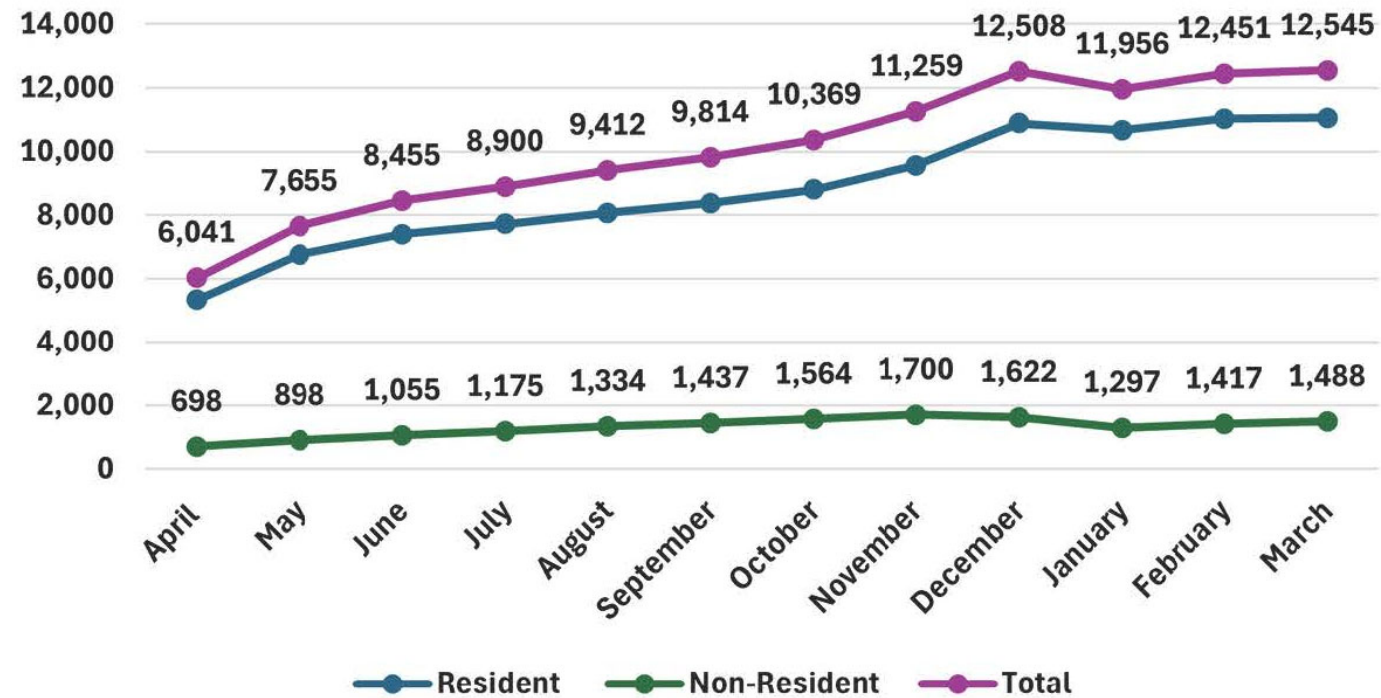
Membership Demographics



Medicare Supplement Memberships - 3/31/2026
(Resident vs Non-Resident)

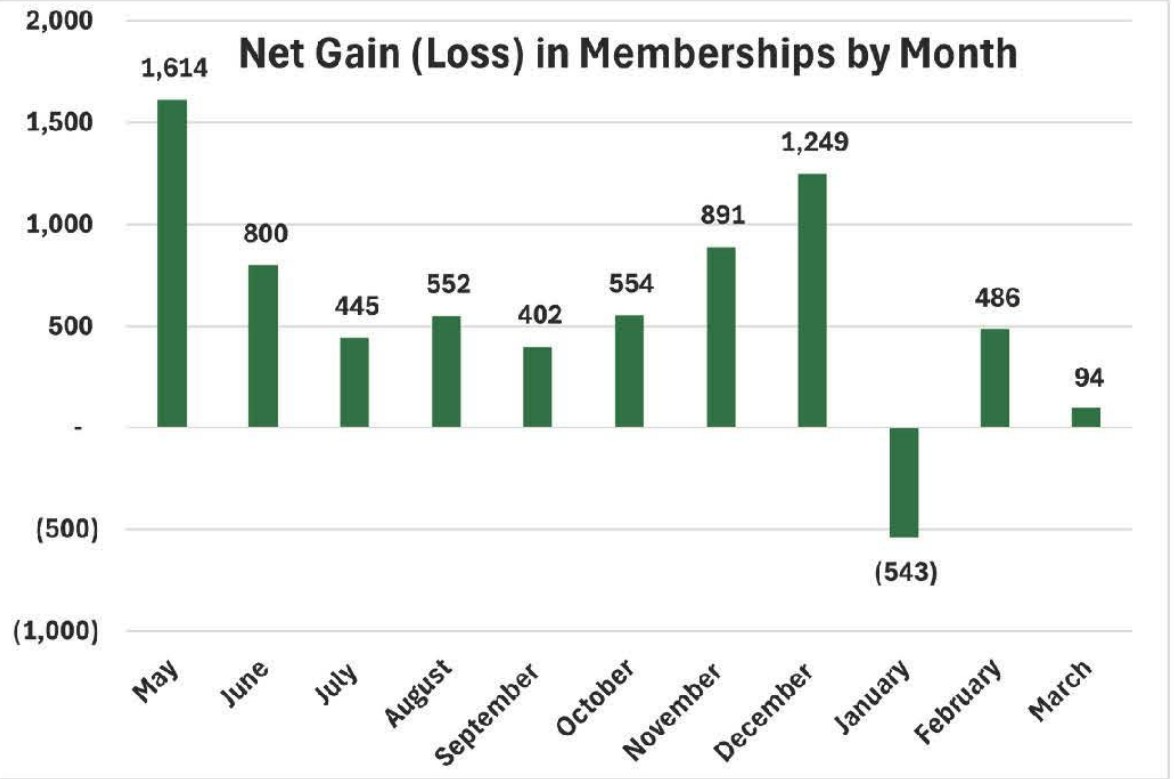


Membership by Month



Membership Gain, Loss and Net

Memberships Gained and Lost by Month



Note: Medicare and Play UA Memberships automatically expire on 12/31. These memberships must be renewed by the member.



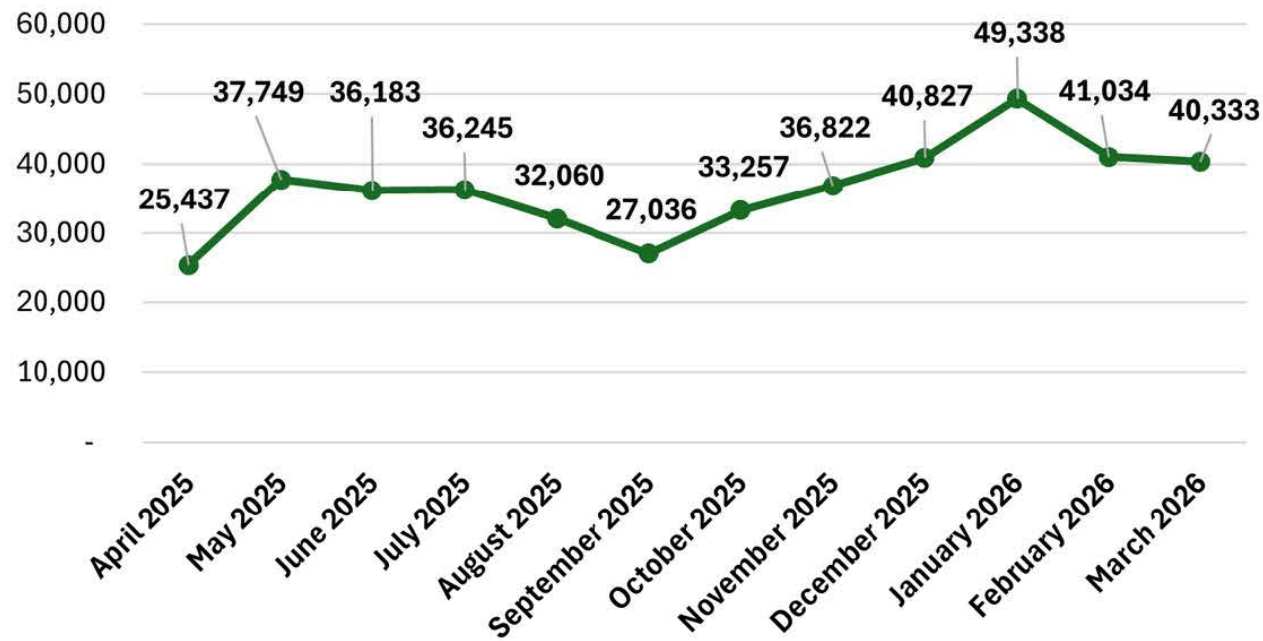
Attendance



Attendance

435,639 Member Visits

Monthly Member Visits



Avg. Daily Visits	Median Daily Visits	Highest Daily Visits	Lowest Daily Visits
1,220	1,231	2,571	566
		01/02/2026	08/30/2026

Member Visits do not include Program Participants, Rental Attendees and OSUWMC

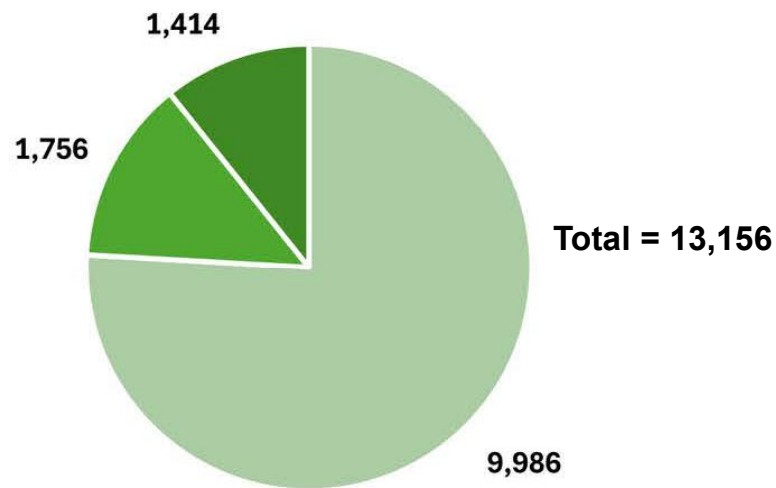


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Attendance

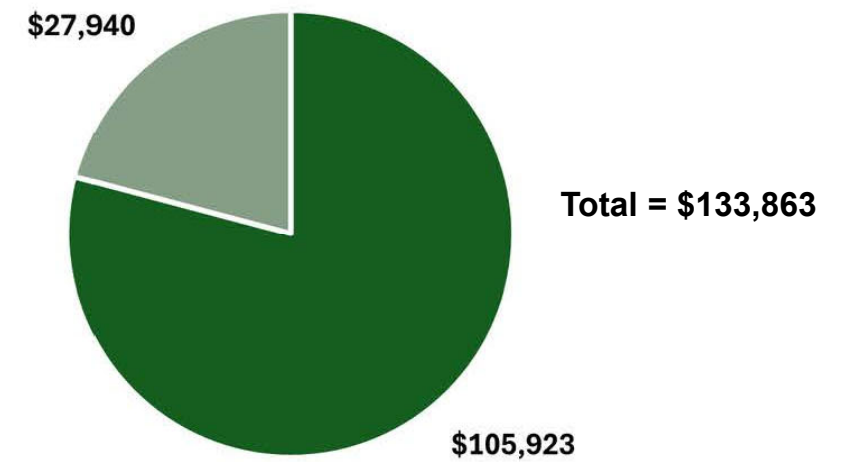
Day Passes

Day Passes and Guest Passes



■ Resident Day Passes ■ Non-Resident Day Passes ■ Guest Passes

Day Pass Revenue by Resident Status



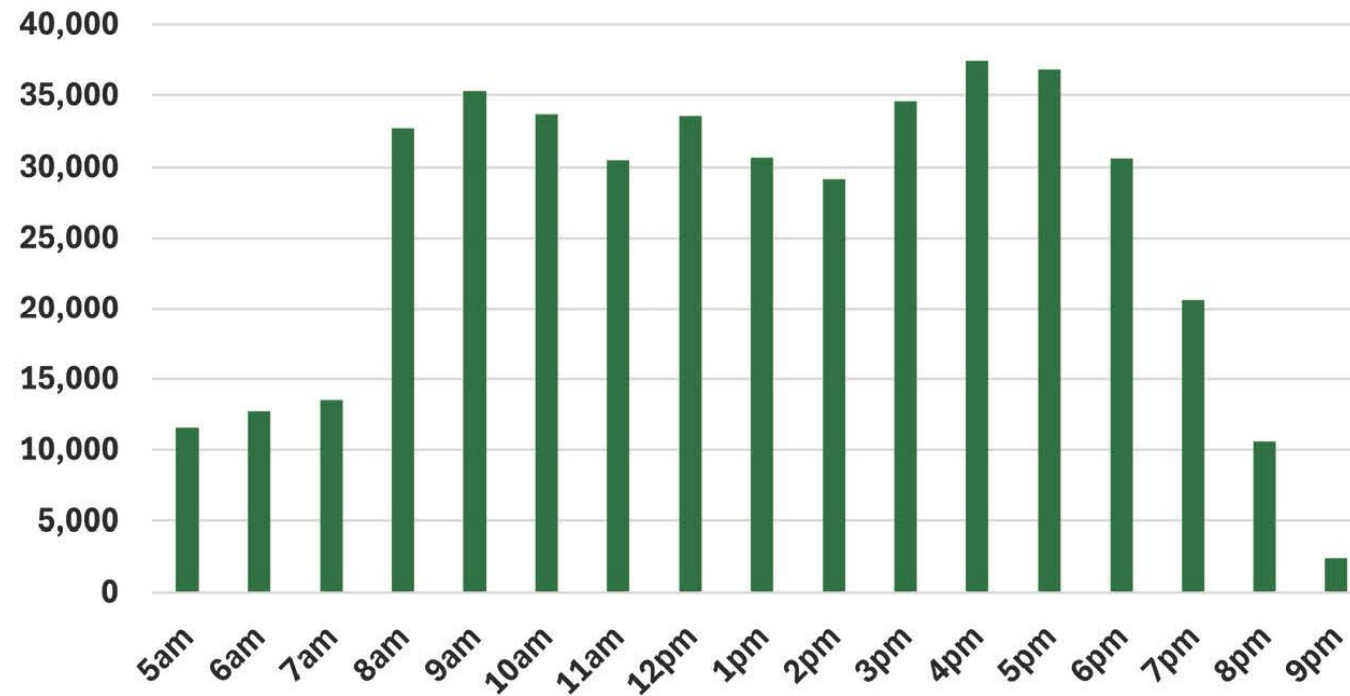
■ Resident Day Pass Revenue ■ Non-Resident Day Pass Revenue



Attendance

Time of Day

Membership Swipes by Hour



Attendance

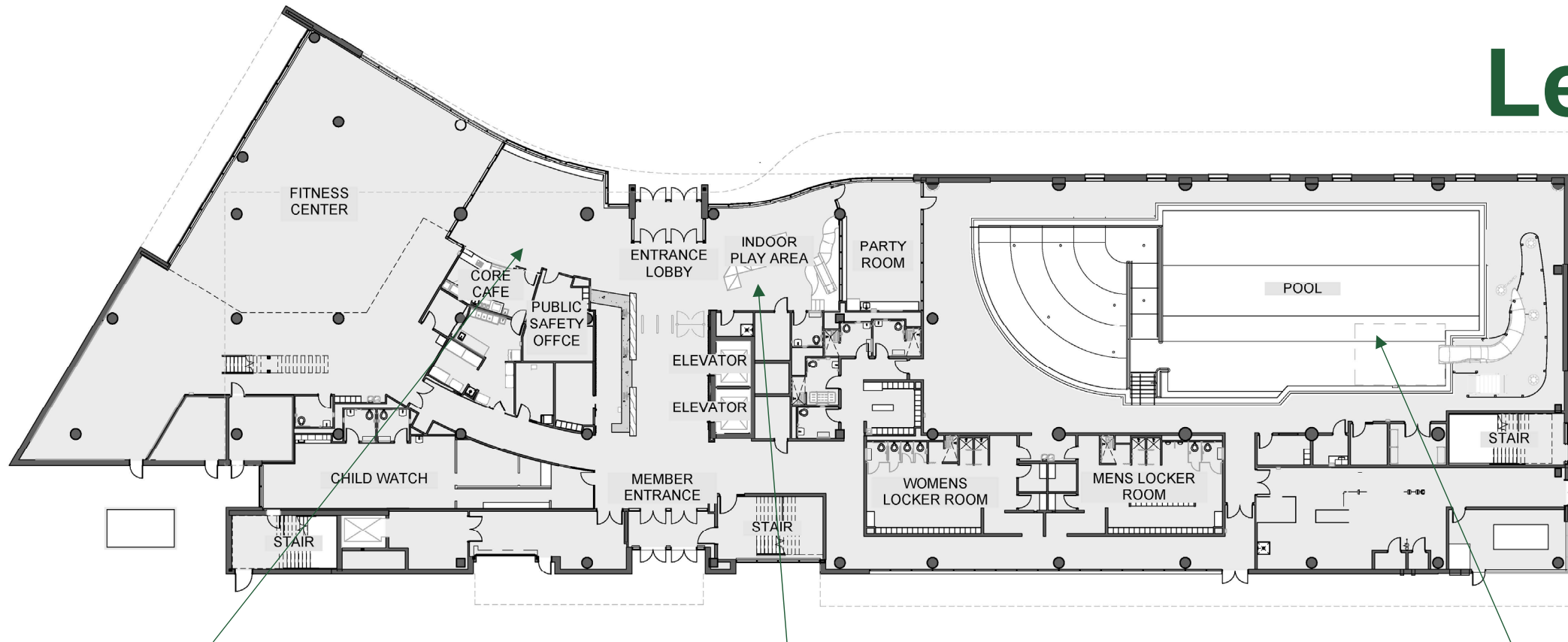
52,919 visits from OSUWMC patients and program participants from April 2025 to March 2026

Placer AI Data – Kingsdale Center

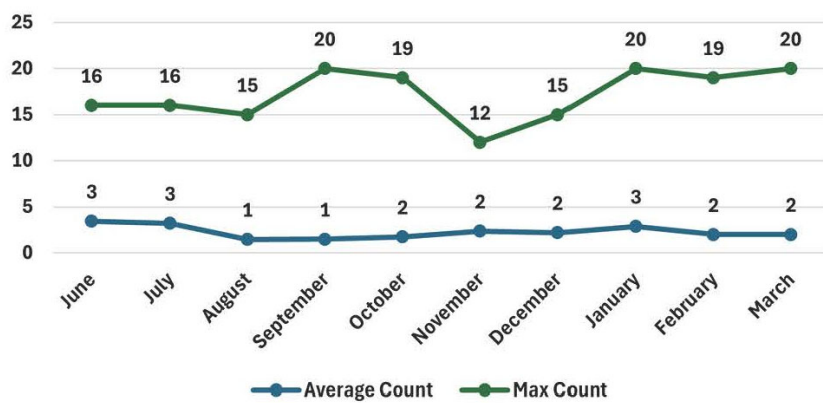
Total Unique Visitors	Average Dwell Time	YoY Increase in Kingsdale Center Traffic
32,200	74 Minutes	19.1%



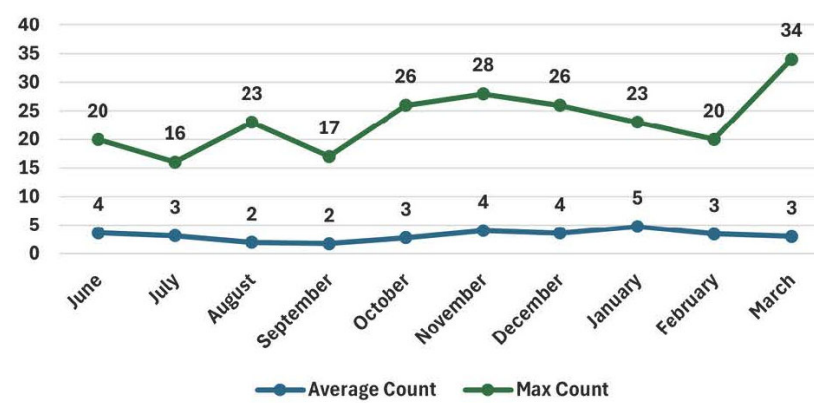
Level 1



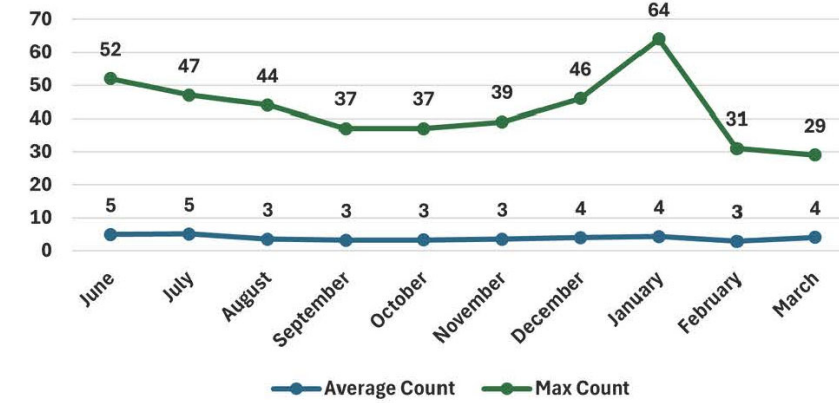
Cafe Lobby



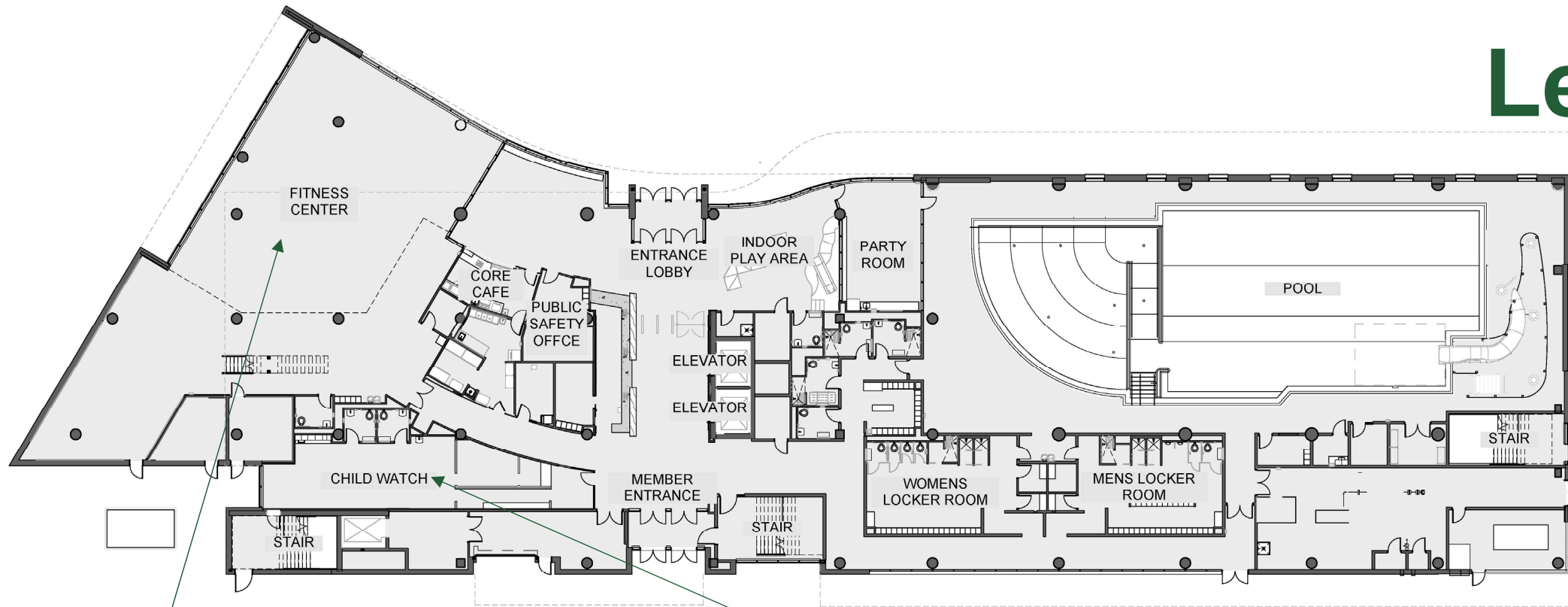
Indoor Play Area



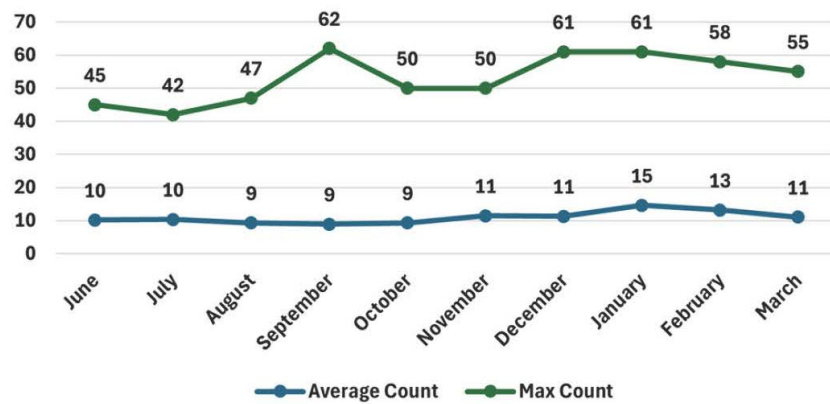
Pool



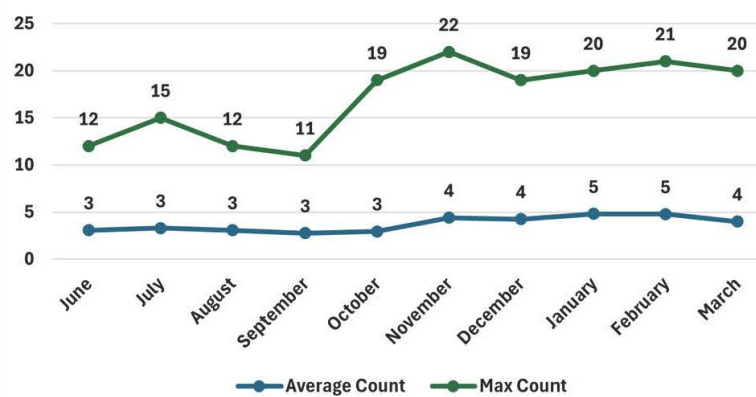
Level 1



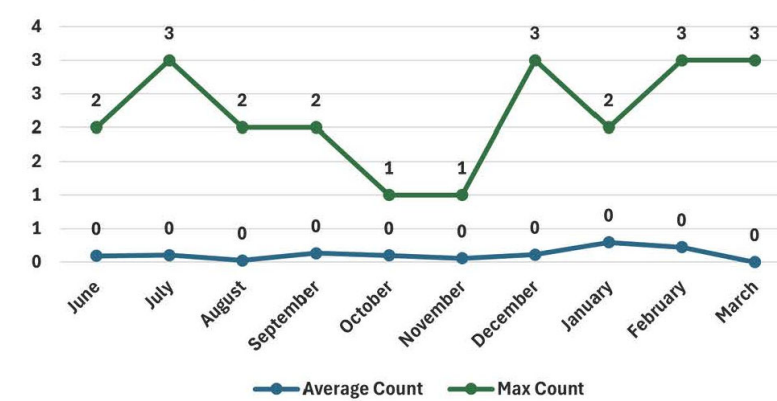
First Floor Fitness Area



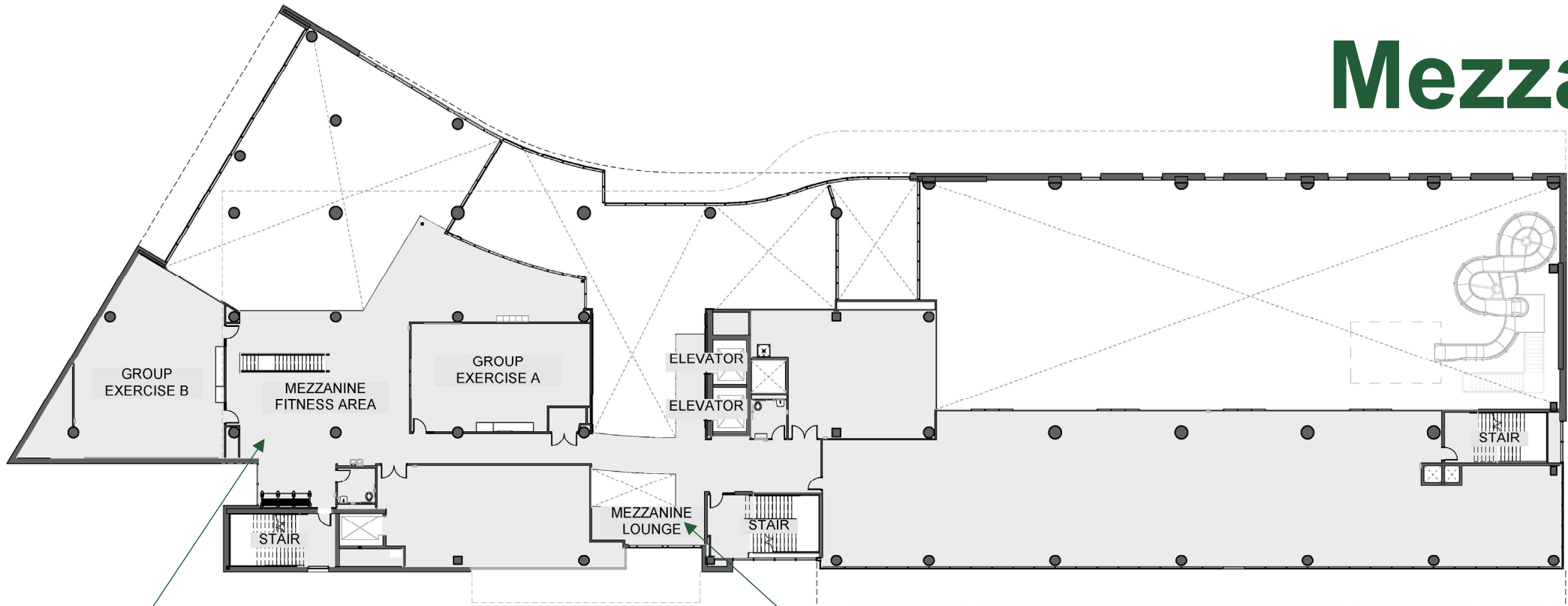
Child Watch Room - Non-Infants



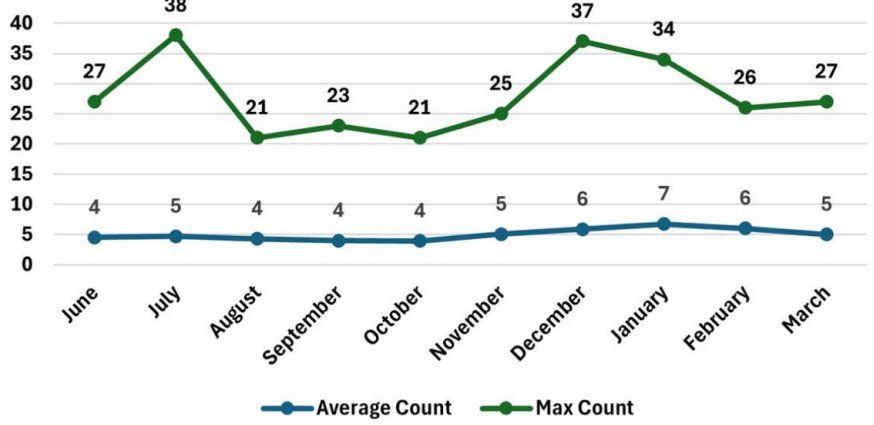
Child Watch Room - Infants



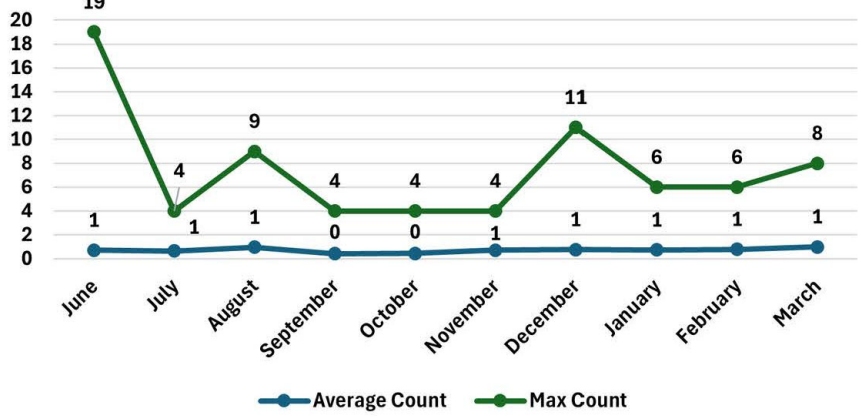
Mezzanine



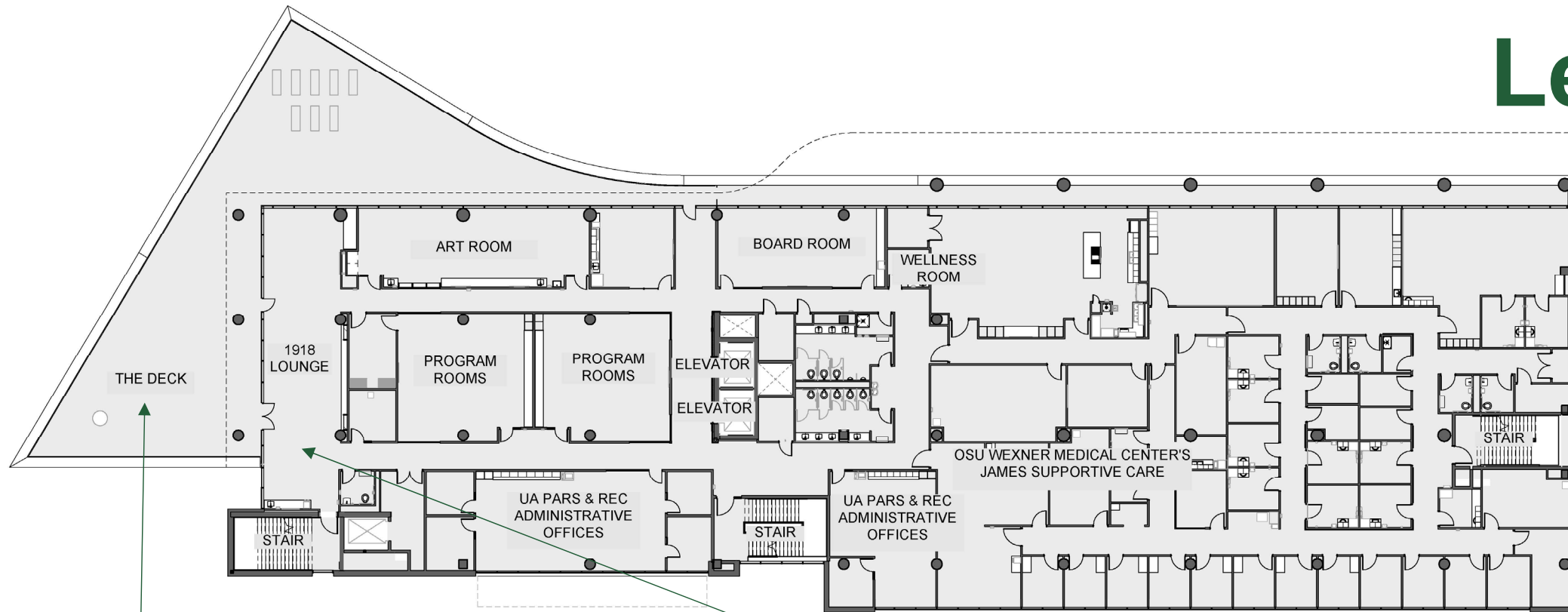
Mezzanine Fitness Center



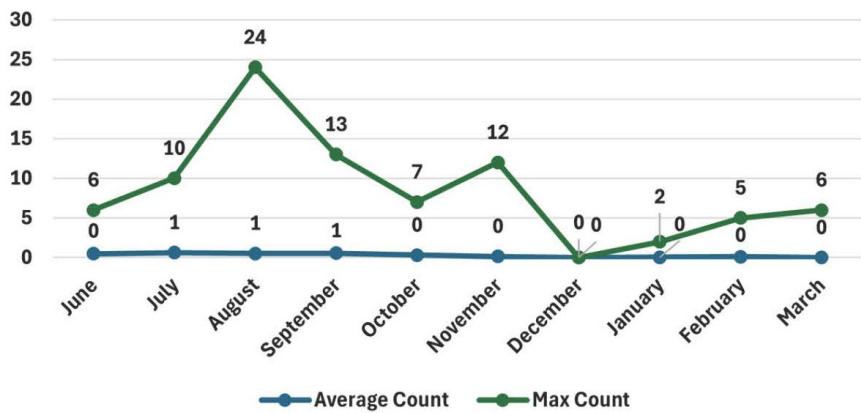
Mezzanine Lounge



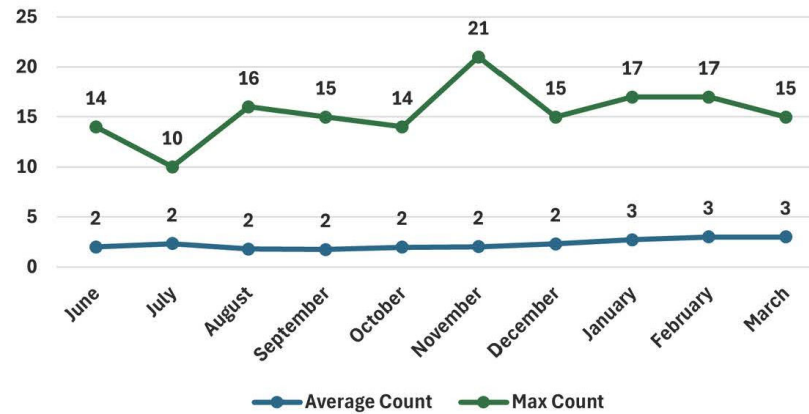
Level 2



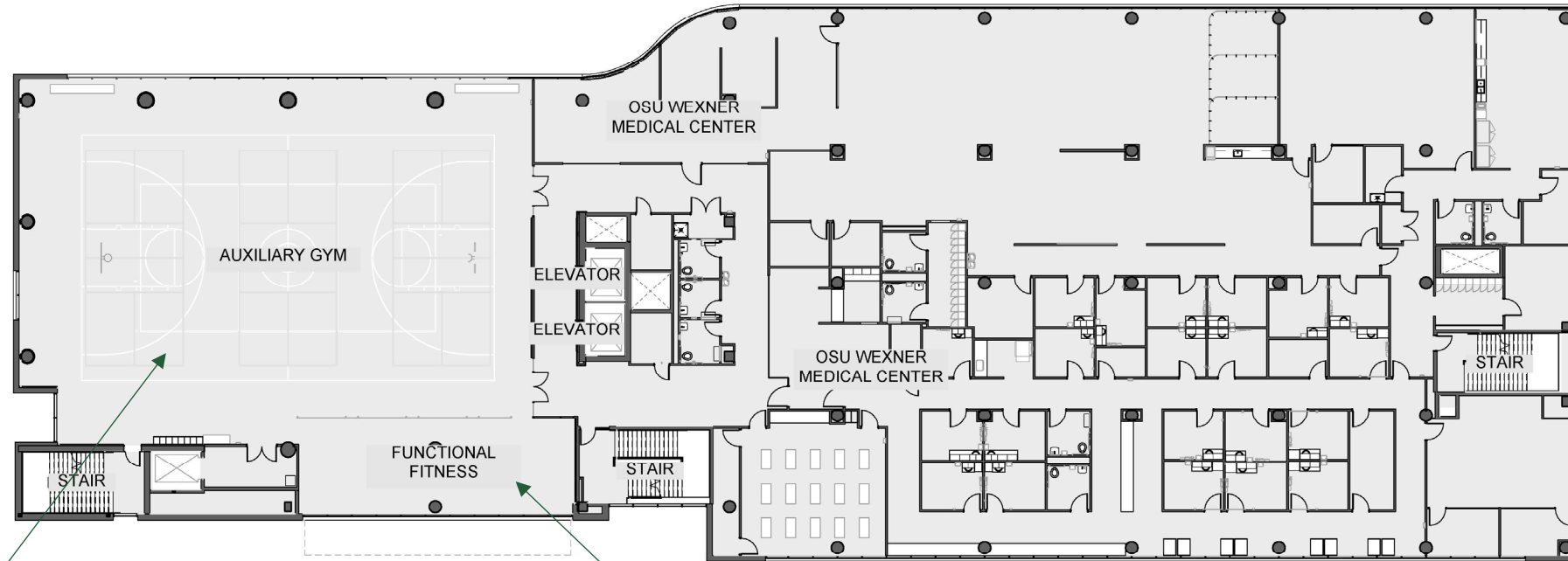
The Deck (Second Floor)



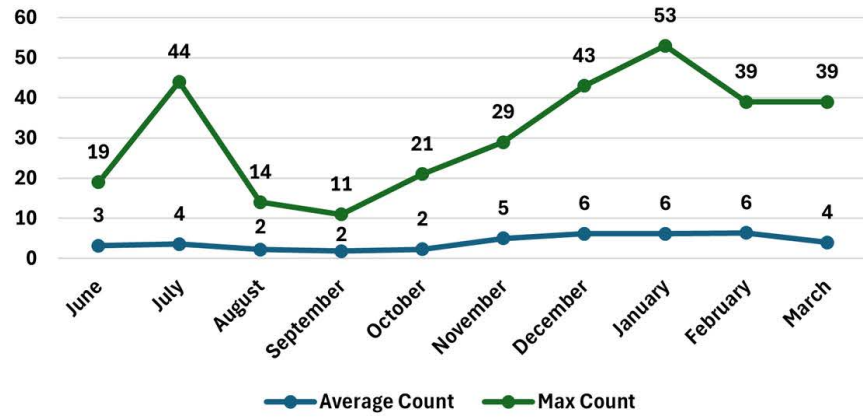
1918 Lounge



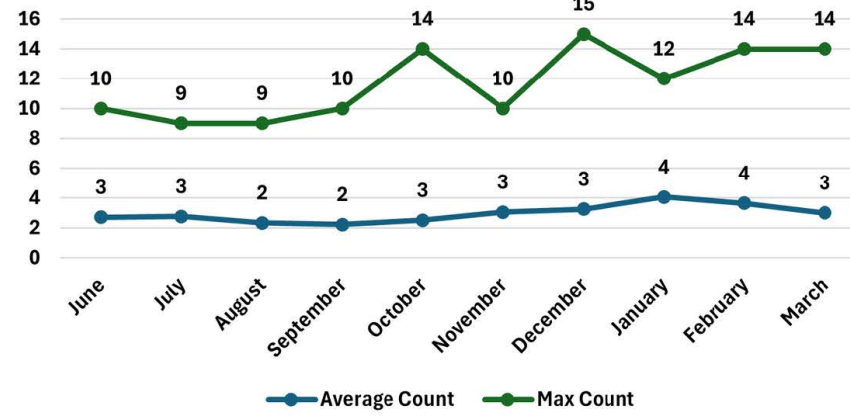
Level 3



Auxiliary Gym

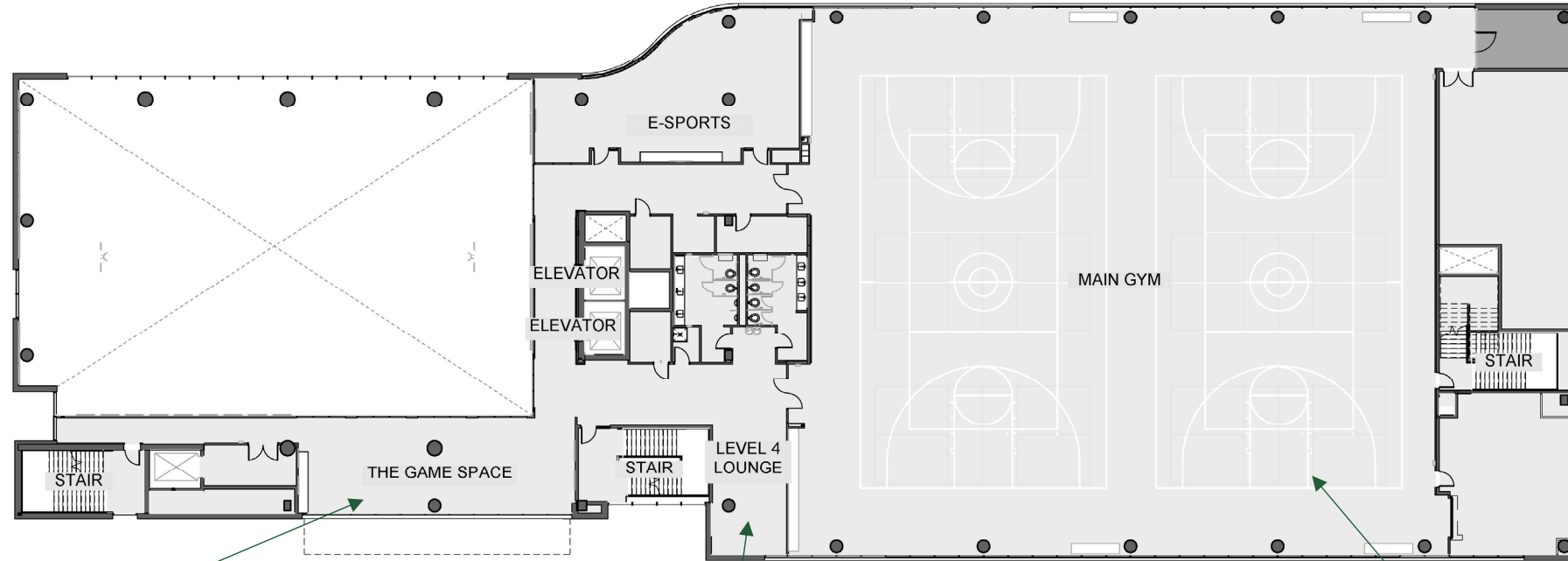


Functional Fitness

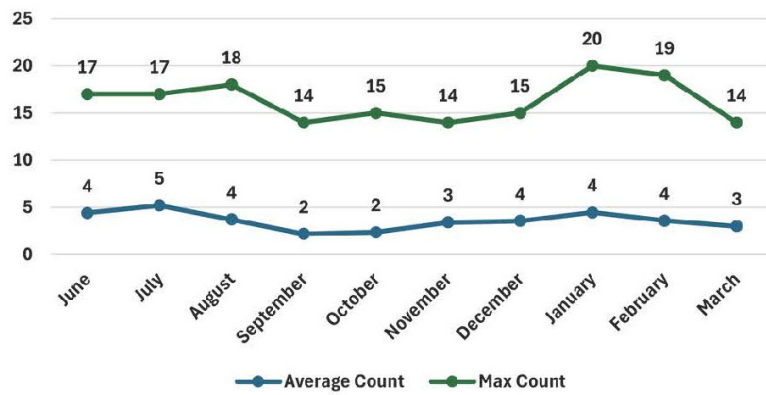


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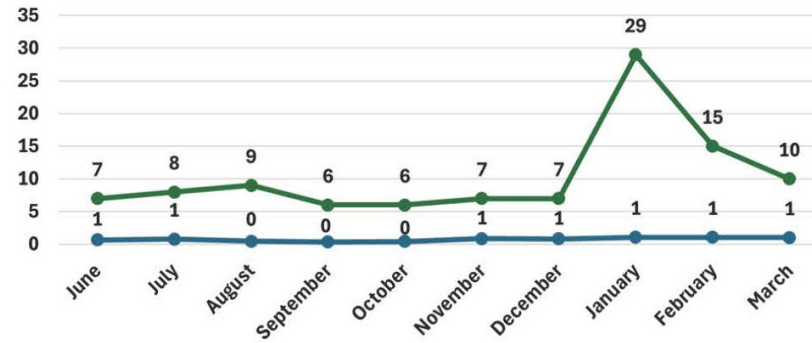
Level 4



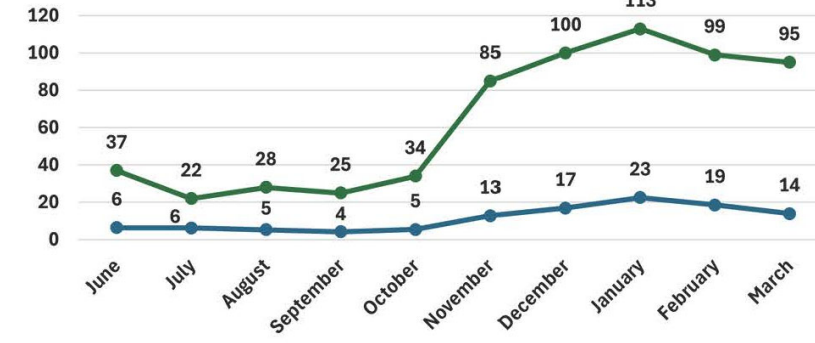
The Game Space



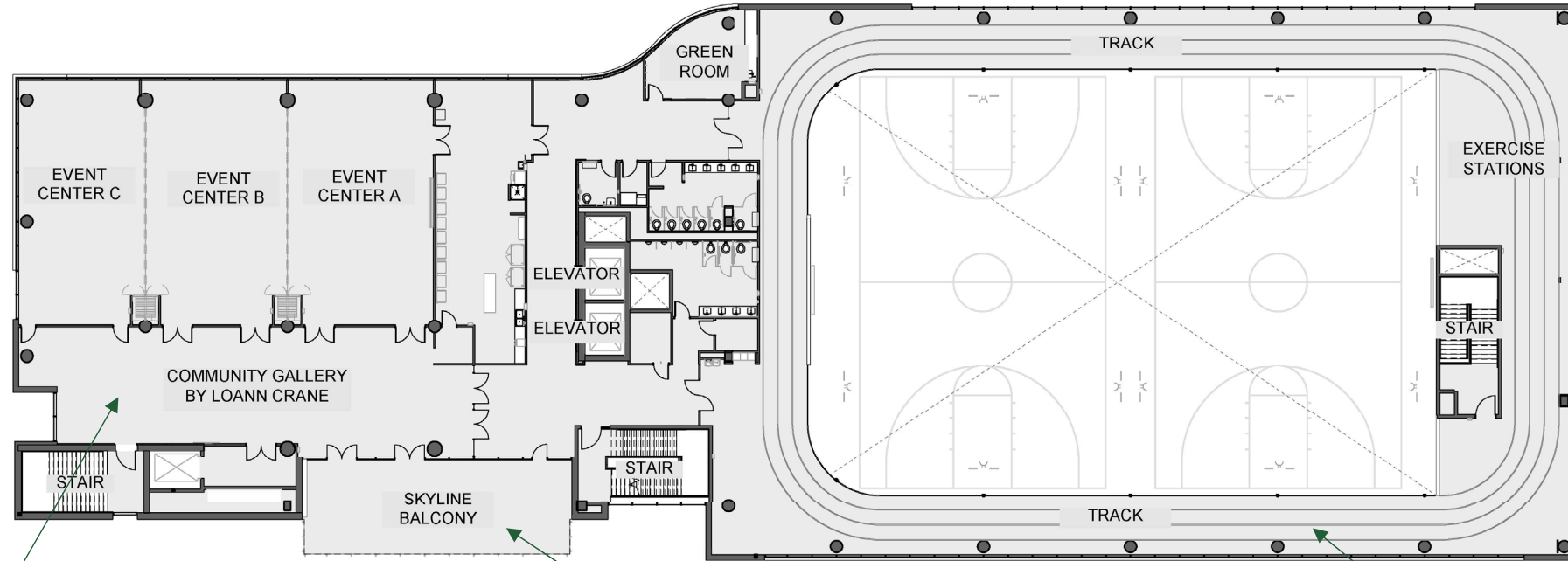
Fourth Floor Lounge



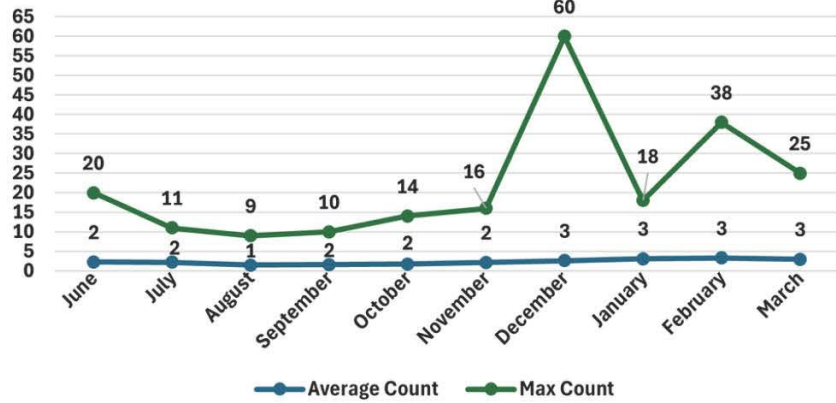
Main Gym



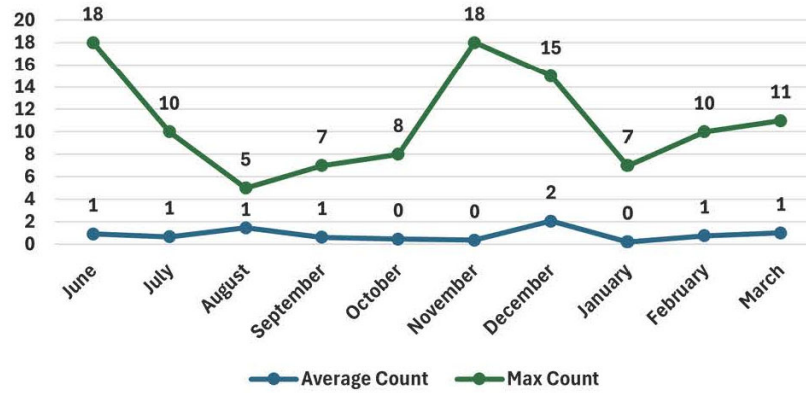
Level 5



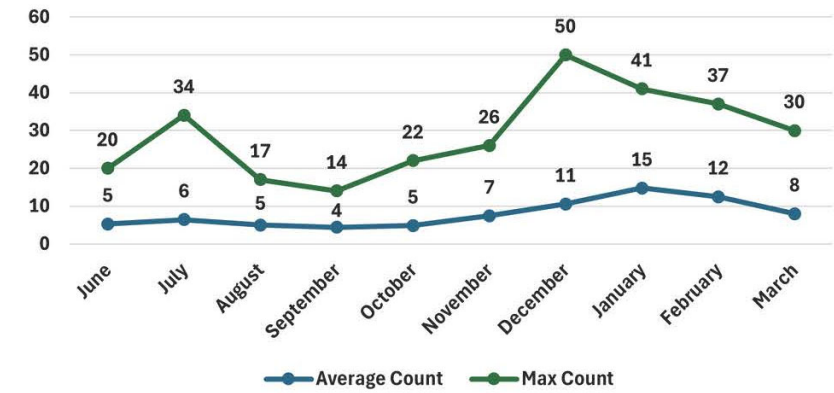
Community Gallery



Skyline Balcony



Track





BA BOB CRANE
COMMUNITY CENTER



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City of Upper Arlington

Rentals

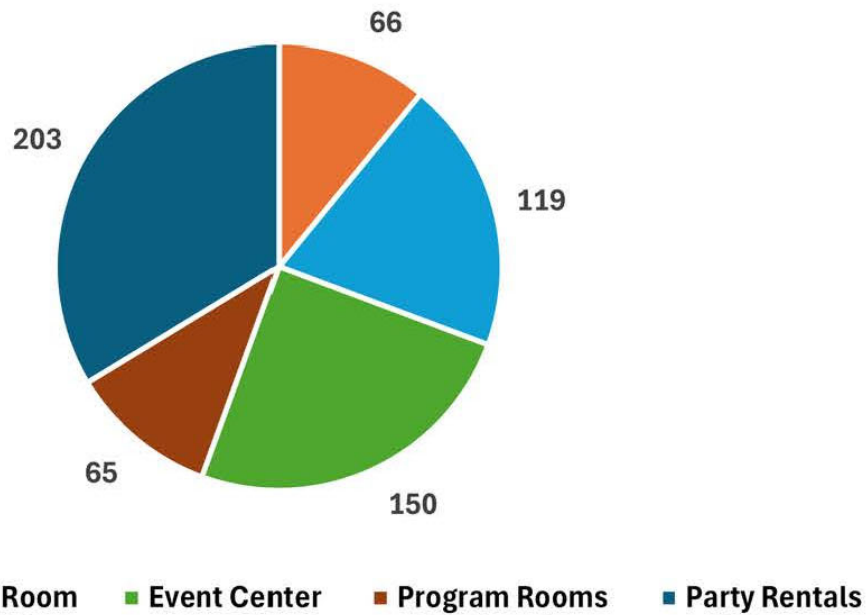


Rentals

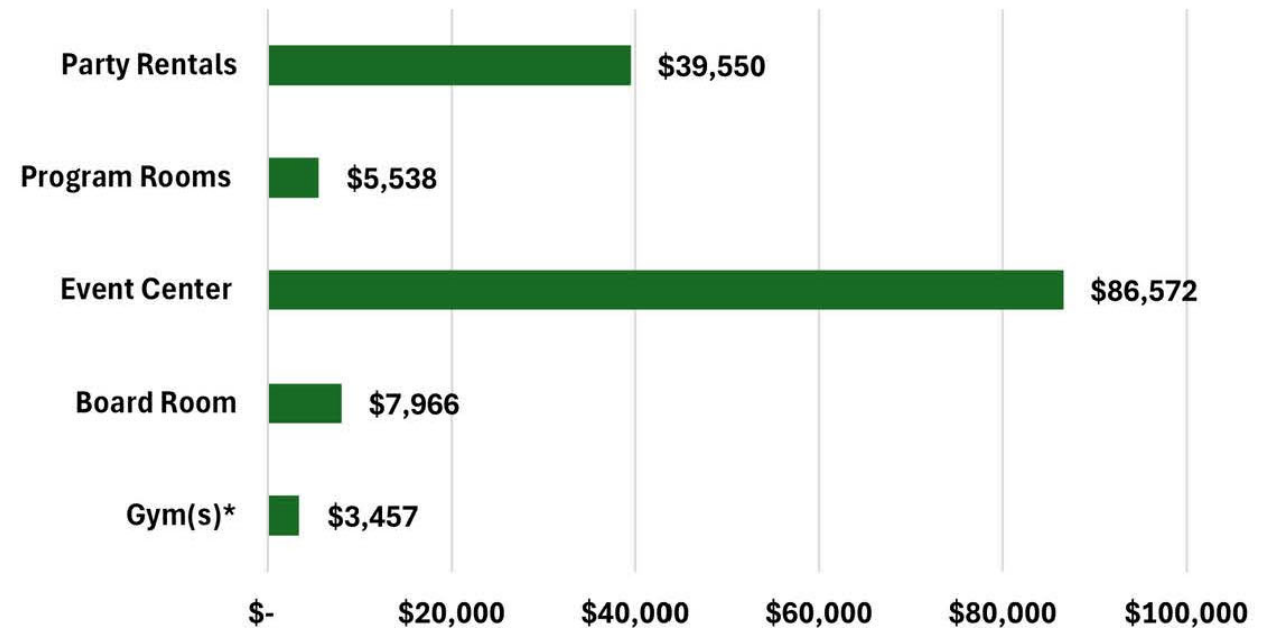
603 Total Rentals

\$143,082 Total Rental Revenue

Rentals by Asset Type



Rental Revenue by Asset



*Columbus Fury account for 64 Gym Rentals



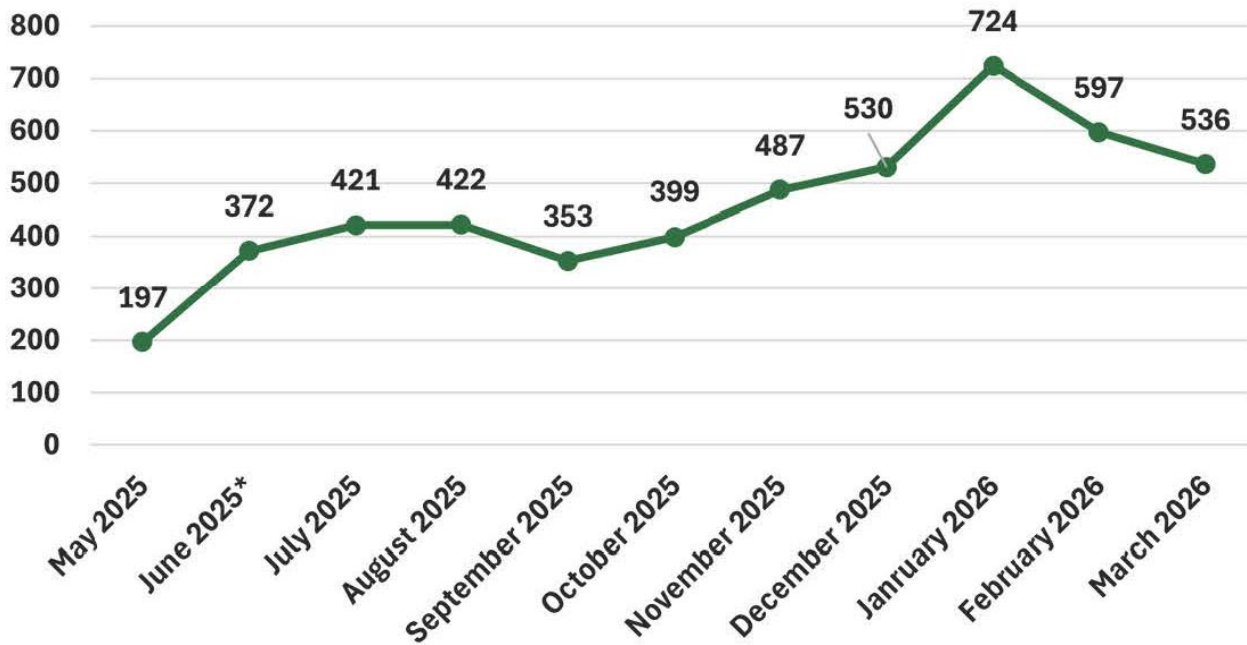
Services



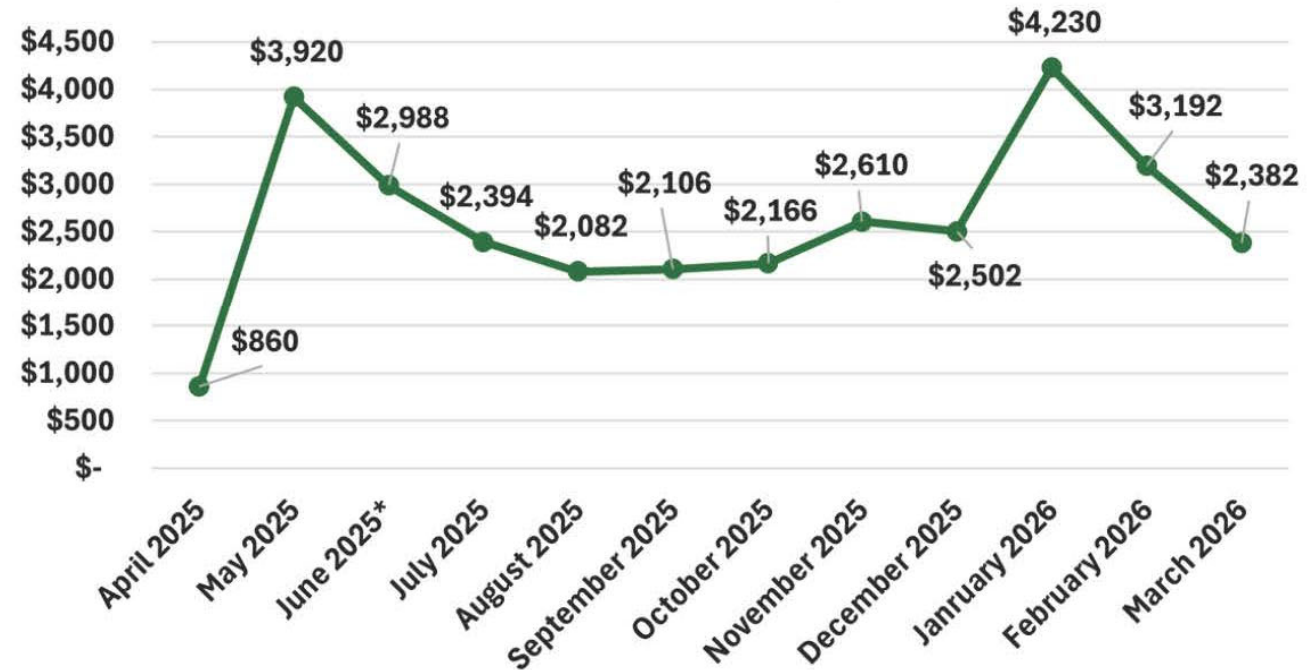
Services

Child Watch

Child Watch Visits by Month



Child Watch Revenue by Month



Total Annual Expense = \$216,832

Total Annual Revenue = \$31,941



PARKS & REC
City of Upper Arlington

Services

E-Sports

Total Annual Revenue = \$3,836

Total Annual Expense = \$51,906

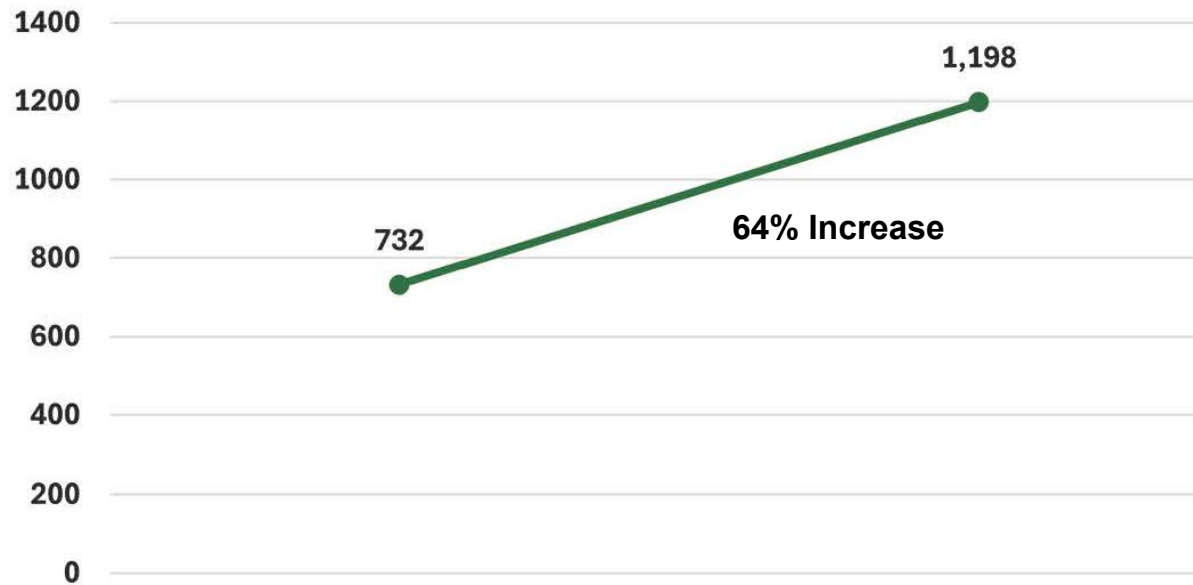
Current Active Members = 34

Average Total Visits Per Month = 92

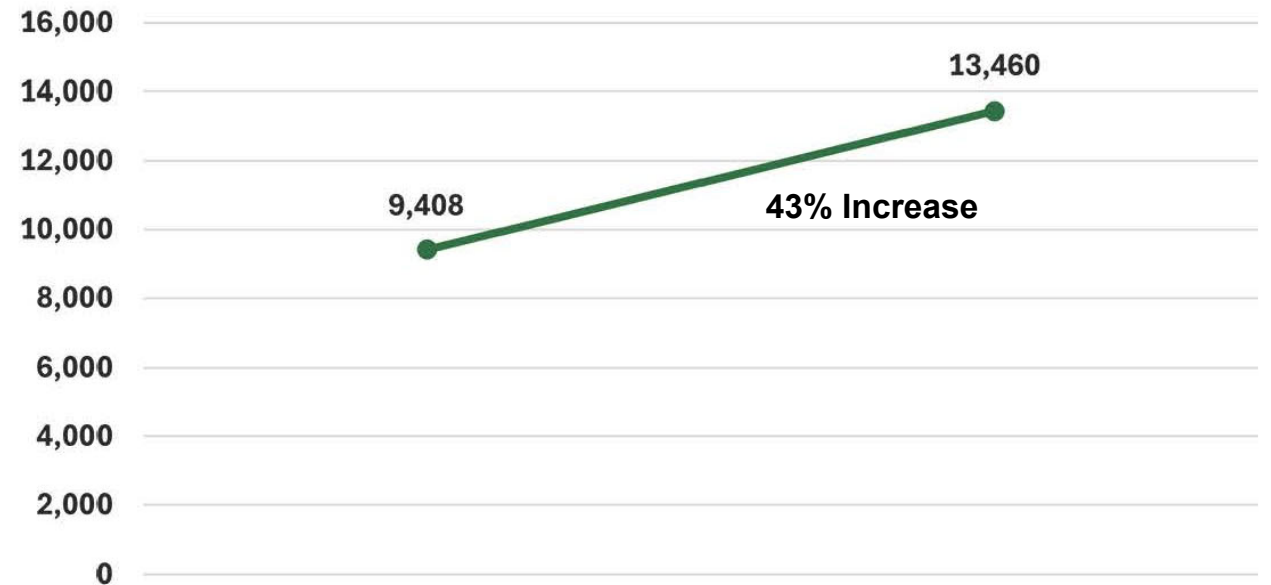


Services Programs

**Parks and Recreation Indoor Programming
(Pre BCCC vs at BCCC)**



**Indoor Program Enrollment
(Pre-BCCC vs at BCCC)**



150 new program types

indoor swimming lessons, aqua aerobics, TRX classes, walking and running clubs, pickleball, ballet and more



Budget



Budget

Revenue per Visit

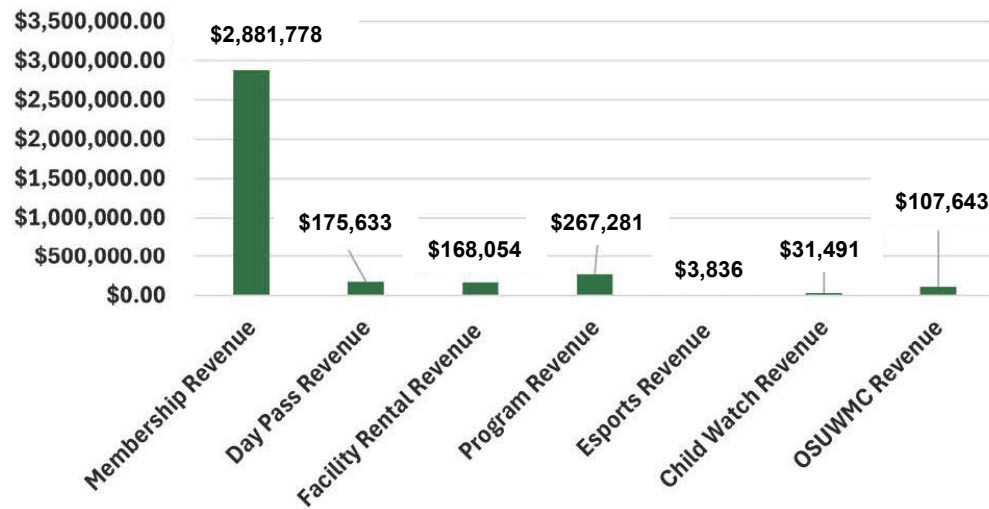
Pass Type	Number of Visits	Total Revenue	Revenue per Visit
Member	314,463	\$2,660,845	\$8.46
Medicare Programs	91,181	\$206,871	\$2.27



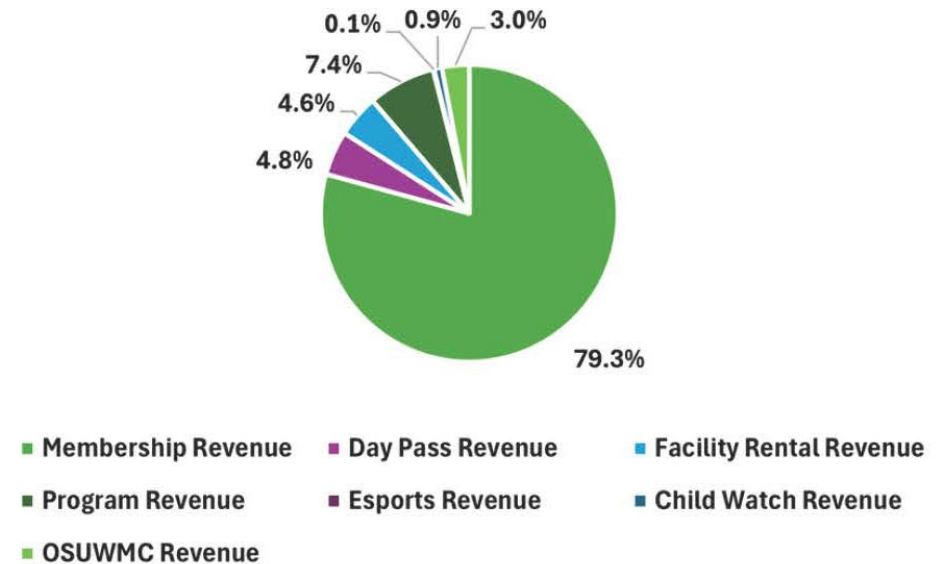
Budget

Total Revenue \$3,635,716

Revenue by Type



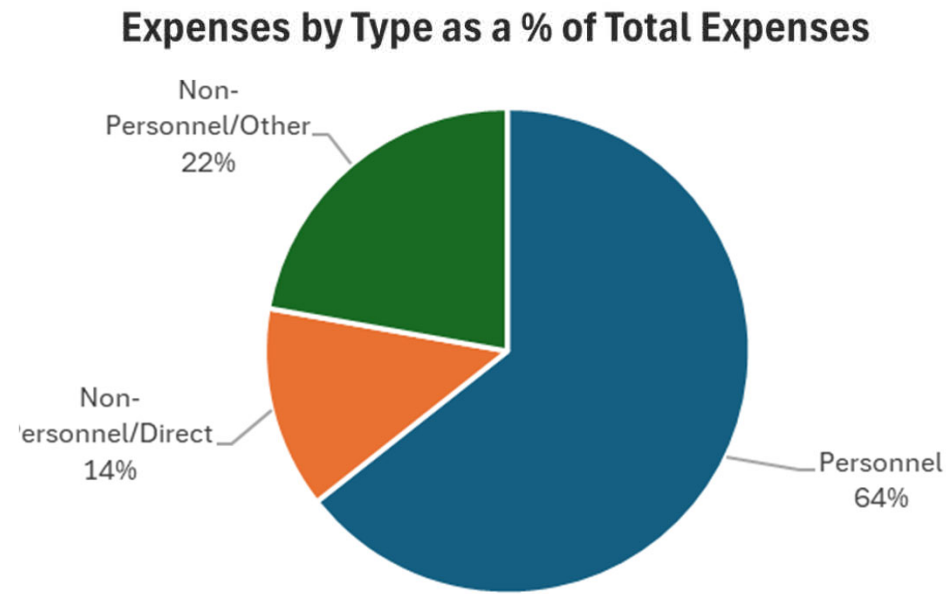
Revenue by Type as a % of Total Revenue



Budget

Total Expenses \$2,771,069
111% Cost Recovery

REVISED DATA
4-23-2026



\$3,635,716 Total Revenue / \$3,290,430 Total Expense = 110% Cost Recovery
Projected Cost Recovery = 80%



Budget

- **Membership exceeds projections**
- **New Community Center Coordinator, started April 2026**
- **Usage of part-time staff increased over time, Manager-on-Duty and throughout the building**
- **Lifeguard expenses are lower due to unfilled shifts that FT staff covered**
- **Start-up supplies (toiletries, cleaning) were purchased pre-opening and not reflected**
- **Classes, such as fitness, had higher cancellations. This results in lower revenue with a higher percent reduction in expenses; typically a 70% expense 30% revenue**



What's Next?



What's Next?

- Survey to members
- Evaluate Mezzanine and Under-Utilized Spaces
- Evaluate Data and Monitor on Regular Basis



What's Next?

- Transition from warranty to facility maintenance (contracts/staff)
- Bid custodial services
- UA Performance Series Concert



Police and Fire Pension Property Tax Levy Renewal

Council Conference Session

April 20, 2026

By Ohio Statute, the City is legally required to fund the equivalent of 19.5% (Police) and 24% (Fire) of gross income to support the Police and Fire Pension Fund.

- Employees required to contribute an additional 12.25% of their salary
 - The City does not currently provide any level of “pension pickup” for employees.
- Budgeted FTE subject to Police and Fire Pension
 - Police – 56 FTE (+0 since 2022); Fire – 59 FTE (+3 since 2022)
- Police and Fire Employer Obligation
 - Current Levy (2023 – 2027): Average of \$3.2 million annually
 - Projected (2028 – 2032): Average of \$4.1 million annually



- **How the Police and Fire Employer Contribution Has Been Funded**
 - **Permanent Levy** - .6 mills permanent property tax levy ("inside millage") dedicated to Police and Fire pensions.
 - Required per ORC 742.33 and 742.34 - not voted on (permanent)
 - Tax collection grows as property valuation grows.
 - Since 2022, this millage has gone from generating \$1.38 million to \$1.74 million.
 - **Voted Levy** – 5-year, .89 mill voted property tax levy, set to expire in 2026 (collection year 2028).
 - **Goal of the voted levy** - collect a consistent amount of revenue during the life of the levy.
 - Subject to the reduction factor - as property valuation increases, the millage is adjusted down so the revenue remains fairly constant.
 - i.e. .89 mill levy currently being collected at .499 mill
 - Current levy generates approximately \$1.5 million
 - This structure has been in place for many years and has allowed to City to meet the legal requirements to fund police and fire pension obligations without placing pressure on the City's General Fund.

Note: Only 8% of property taxes paid by residents goes directly to the City of Upper Arlington.

Proposed Renewal

Staff is proposing the following levy be placed on the November 2, 2026, ballot:

- Renewal tax levy of 0.75 mills, a decrease of 0.14 mills, for the purpose of payment of the employer's contribution to the Police and Fire Pension Fund.

Tax levy would be for a period of five years, commencing in 2027, first due in calendar year 2028.

What does this proposed renewal mean?

- **To the City** – The revenue generated would increase from \$1.5 million annually to \$2.17 million annually.
- **For Taxpayers** – To continue to meet state-mandated pension costs, the annual homeowner contribution will adjust modestly (state rollback provision would remain).

Home Value	Existing Amount	Proposed Amount	Change
\$100,000	\$15.31	\$22.82	\$7.51
\$500,000	\$76.55	\$114.10	\$37.55

** Note: The millage and amounts collected are estimates based on current values. The actual millage and amounts will be calculated by Franklin County and may vary from the amounts presented above.*

Why does the City need additional tax dollars to fund police and fire pension obligations?

- Anticipated **police and fire pension obligations** have risen from an average of **\$3.2M to an anticipated \$4.1M annually.**
- The reason for the anticipated increase:
 - An **additional 3 FTE** have been added since the current levy
 - Both **police and fire** are unionized and have negotiated **wages** that have **grown over time** based on market conditions.
 - FOP (Police) – 2026 - 2028
 - IAFF (Fire) – current contract 2025 - 2027
 - There is **proposed legislation at the statehouse to increase the required employer pension contribution for police** for 19.5% to 24% to match the fire pension contribution. This proposed legislation has not been proactively incorporated into the City's currently proposed levy. However, it has been analyzed, and it is projected that the police and fire pension funds would remain solvent if passed under the current proposed levy.

Does the City maintain reserves for the police and fire pension obligation? If so, why is this important?

- Yes – reserve funds are maintained for the police and fire pension obligation. Currently, about one year’s worth of reserves are maintained. These reserves have accumulated as the result of higher-than-expected property valuation increases (permanent millage) and actual pension costs coming in less than expected in prior years.
- Reserves need to be maintained in the Police and Fire Pension Funds to protect taxpayers from unexpected spikes, unexpected additional staffing needs, a change in the required employer contribution rates, or actual amounts coming in higher than projections. Additionally, if a future levy were to fail, it provides time for future decision-making.



What if the levy was renewed at a lower rate, were not renewed, or even failed?

- Based on projections, these actions would **deplete police and fire pension reserve balances over time** and cause a need for the City's **General Fund to cover any cost** not covered by the permanent levy's (average \$4.1M annual obligation vs \$1.74M annual tax revenue). This could affect:
 - Future services or expansion of services (public safety, parks, capital maintenance, and other services)
 - Funding that the General Fund supports:
 - Capital Improvement Program
 - Economic Development initiatives
 - Swimming pool operations
- State rollback provision - The City needs to keep future levies and taxpayers in mind. With the State essentially eliminating the state rollback provision in 2013 for all new and replacement tax levies, taxpayers would have to pay the full amount of the tax for any increase in millage.
 - State rollback provision: state pays the first 10 percent of the tax bill for all property owners plus 2.5 percent for owner-occupied homes

Timeline and Council Questions?

Anticipated Timeline

- **May 2026** - City Council would need to adopt a resolution for the County Auditor to review the millage calculation to generate the desired collection amount.
- **June 2026** - City Council would need to adopt a resolution to place levy on the ballot (ballot language needs to be review by Franklin County prior to adoption).
- **Filing Deadline:** August 5, 2026 (Council is off in July)

Review of Staff Recommendation

- Renewal tax levy of **0.75 mills, a decrease of 0.14 mills**, for the purpose of payment of the employer's contribution to the Police and Fire Pension Fund.
 - **To the City** – The revenue generated would increase from \$1.5 million annually to \$2.171 million annually.
 - **For the Taxpayers:**

Home Value	Existing Amount	Proposed Amount	Change
\$100,000	\$15.31	\$22.82	\$7.51
\$500,000	\$76.55	\$114.10	\$37.55

** Note: The millage and amounts collected are estimates based on current values. The actual millage and amounts will be calculated by Franklin County and may vary from the amounts presented above.*

Authors:	Brent Lewis, Finance Department Director
Council Meeting Date:	April 20, 2026
Subject/Legislative Item:	Finance Director Report - March 2026
Purpose:	To keep City Council informed about the City's financial status and assist them with the monitoring of the current year's budget.
Executive Summary:	As required by City Council's adopted financial accounting and reporting policies, the Finance Director is presenting the 2026 First Quarter Finance Director Report for Council Review. No legislative action is required.

Purpose and Impact

** Reminder: The accompanying financial report is prepared using the "budgetary method". This means revenues are equal to the amounts actually collected and expenditures are equal to the amounts actually spent plus amounts that have been committed (encumbered) to date.**

General Fund Overview

- **Ending Balance (Q1 2025):** \$26.1M
 - \$5.4M over projection, but \$1.7M lower than Jan. 1st balance
- **Reserve Requirement:**
 - Minimum (30%): \$18.2M
 - Maximum (50%): \$30.3M
- **Revenues:**
 - **Income taxes:** 32.92% above projections (details below)
 - **Real estate taxes:** First half settlement has not been received from Franklin County yet
 - **Other Revenue:**
 - Investment earnings: Outperforming
 - Parks and Recreation revenue is coming in strongly
- **Expenditures:** All departments are within budget with no notable variances
- **Transfers:** The transfer related to the reserve policy was made in March
 - Facilities Maintenance Reserve Fund: \$5.6M
 - Capital Asset Management Fund: \$11.4M



Income Tax Overview

- **Total Q1 Income Tax Receipts:** \$15.1 million
 - 35.66% above current projections
 - 32.92% higher than Q1 2025
- **Withholding Tax:** 52.84% over projections (strongest performer)
- **Net Profits:** 15.95% below projections at this point
 - Net Profit Tax is not consistent year-to-year, making it difficult to predict
 - Projections are based on the average of the last three years
- **Individual Filers:** 12.39% higher than Q1 2025, but 4.30% lower than projections
- **Allocation:**
 - General Fund: \$10.9M
 - Capital Asset Management Fund: \$4.2M
- **Outlook:** Very positive overall, no changes to budget or projections needed yet

Other Funds & Notes

- **Citywide Cash Position:** Increased from \$148.3M to \$175.1M
 - Driven by strong income tax collections and the CIP bond issuance
- **Utility Billing:**
 - First half was due March 16th. Unpaid balances are subject to penalty (10%).
 - Second half of 2025 bills to be mailed late June/early July
 - Unpaid balances after the second bill are sent to Franklin County for special assessment
- **Police and Fire Pension Levy:**
 - Discussion regarding the renewal of this levy will begin at the April 20th City Council meeting

History

N/A

Alternatives

N/A

Attachments

1.	Finance Director Report - March 2026
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**Monthly Financial Report
As of March 2026**

General Fund (101)

	Original Budget	Amended Budget	Projected To Date	Actual	Dollar Variance	Percentage Variance
<u>Revenues and Other Sources</u>						
Income Tax	\$ 35,544,200	\$ 35,544,200	\$ 8,016,723	\$ 10,875,600	\$ 2,858,877	35.66%
Real & Personal Property Tax	10,061,400	10,061,400	-	-	-	0.00%
All Other Operating Revenues	15,302,900	15,302,900	3,423,133	5,166,186	1,743,053	50.92%
Transfers/Advances In	4,594,100	4,594,100	867,429	867,429	-	0.00%
Total Revenues and Other Sources	65,502,600	65,502,600	12,307,285	16,909,215	4,601,930	37.39%
<u>Obligations:</u>						
Police Division	14,045,400	14,045,400	4,791,754	4,698,854	92,900	1.94%
Fire Division	12,815,400	12,815,400	3,224,850	3,188,316	36,534	1.13%
Board of Health	415,000	415,000	397,208	397,208	-	0.00%
Parks and Recreation	9,413,200	9,413,200	2,534,983	2,433,511	101,472	4.00%
Community Development	1,629,900	1,629,900	617,715	529,145	88,570	14.34%
Public Service Administration	1,505,400	1,505,400	440,350	421,933	18,417	4.18%
Public Works	1,804,000	1,804,000	460,960	459,361	1,599	0.35%
City Manager	2,070,900	2,670,900	1,369,997	1,303,257	66,740	4.87%
City Attorney	1,111,600	1,111,600	271,083	239,689	31,394	11.58%
City Clerk	354,400	354,400	88,600	80,467	8,133	9.18%
City Council	253,900	253,900	47,606	44,490	3,116	6.55%
Finance	1,994,700	1,994,700	483,312	468,387	14,925	3.09%
Facilities Maintenance	5,674,900	5,674,900	2,069,896	1,840,362	229,534	11.09%
Information Technology	2,575,400	2,575,400	893,444	865,118	28,326	3.17%
General Administration	4,314,600	4,314,600	1,784,594	1,697,889	86,705	4.86%
Transfers/Advances Out	17,252,100	23,156,100	17,005,388	17,005,388	-	0.00%
Total Obligations	77,230,800	83,734,800	36,481,740	35,673,375	808,365	2.22%
Excess of Revenue and Other Sources over Obligations:	(11,728,200)	(18,232,200)	(24,174,455)	(18,764,160)		
Total Beginning Fund Balance	44,900,538	44,900,538	44,900,538	44,900,538		
Prior Year Lapsed Encumbrances	-	-	-	-		
Anticipated Appropriation Lapses	1,799,000	1,799,000	-	-		
Total Ending Fund Balance	\$ 34,971,338	\$ 28,467,338	\$ 20,726,083	\$ 26,136,378	\$ 5,410,295	26.10%

Capital Asset Management Fund (102)

	Original Budget	Amended Budget	Projected To Date	Actual	Dollar Variance	Percentage Variance
<u>Revenues and Other Sources</u>						
Income Tax	\$ 13,822,700	\$ 13,822,700	\$ 3,117,604	\$ 4,229,097	\$ 1,111,493	35.65%
Transfers In	5,533,900	11,374,000	11,363,158	11,363,158	-	0.00%
Total Revenues and Other Sources	19,356,600	25,196,700	14,480,762	15,592,255	1,111,493	7.68%
<u>Obligations</u>						
Transfers/Advances Out	11,881,700	11,881,700	-	-	-	0.00%
Total Obligations	11,881,700	11,881,700	-	-	-	0.00%
Excess of Revenue and Other Sources over Obligations:	7,474,900	13,315,000	14,480,762	15,592,255		
Beginning Fund Balance	28,361,159	28,361,159	28,361,159	28,361,159		
Ending Fund Balance	\$ 35,836,059	\$ 41,676,159	\$ 42,841,921	\$ 43,953,414	\$ 1,111,493	2.59%

**Monthly Financial Report
As of March 2026**

Capital Equipment Fund (106)

	Original Budget	Amended Budget	Projected To Date	Actual	Dollar Variance	Percentage Variance
<u>Revenues and Other Sources</u>						
Real & Personal Property Tax	\$ 1,290,800	\$ 1,290,800	\$ -	\$ -	\$ -	0.00%
All Other Operating Revenues	511,800	511,800	-	-	-	0.00%
Transfers In	500,000	500,000	-	-	-	0.00%
Total Revenues and Other Sources	2,302,600	2,302,600	-	-	-	0.00%
<u>Obligations</u>						
Capital Equipment	2,211,600	2,211,600	539,553	539,553	-	0.00%
Total Obligations	2,211,600	2,211,600	539,553	539,553	-	0.00%
Excess of Revenue and Other Sources over Obligations:	91,000	91,000	(539,553)	(539,553)		
Beginning Fund Balance	760,108	760,108	760,108	760,108		
Ending Fund Balance	\$ 851,108	\$ 851,108	\$ 220,555	\$ 220,555	\$ -	0.00%

Street Maintenance and Repair Fund (207)

	Original Budget	Amended Budget	Projected To Date	Actual	Dollar Variance	Percentage Variance
<u>Revenues and Other Sources</u>						
Gasoline Taxes	\$ 1,800,000	\$ 1,800,000	\$ 427,931	\$ 468,750	\$ 40,819	9.54%
Motor Vehicle License Taxes	450,000	450,000	104,461	113,410	8,949	8.57%
All Other Operating Revenues	53,000	53,000	11,250	22,435	11,185	99.42%
Total Revenues and Other Sources	2,303,000	2,303,000	543,642	604,596	60,954	11.21%
<u>Obligations</u>						
Public Service Administration	1,501,200	1,501,200	288,185	271,889	16,296	5.65%
Public Works	911,800	911,800	374,200	362,157	12,043	3.22%
Total Obligations	2,413,000	2,413,000	662,385	634,046	28,339	4.28%
Excess of Revenue and Other Sources over Obligations:	(110,000)	(110,000)	(118,743)	(29,450)		
Beginning Fund Balance	2,185,856	2,185,856	2,185,856	2,185,856		
Ending Fund Balance	\$ 2,075,856	\$ 2,075,856	\$ 2,067,113	\$ 2,156,406	\$ 89,293	4.32%

Bonded Improvement Fund (402)

	Original Budget	Amended Budget	Projected To Date	Actual	Dollar Variance	Percentage Variance
<u>Revenues and Other Sources</u>						
Sale of Bonds and Notes	\$ 27,315,800	\$ 27,315,800	\$ 22,323,027	\$ 22,323,027	\$ -	0.00%
All Other Operating Revenues	300,000	300,000	75,000	23,748	(51,252)	-68.34%
Total Revenues and Other Sources	27,615,800	27,615,800	22,398,027	22,346,775	(51,252)	-0.23%
<u>Obligations</u>						
Capital Improvements - CIP	10,130,400	10,130,400	-	-	-	0.00%
Capital Improvements	3,000,000	3,000,000	56,130	56,130	-	0.00%
Debt Issuance Costs	400,000	400,000	408,027	408,027	-	0.00%
Total Obligations	13,530,400	13,530,400	464,157	464,157	-	0.00%
Excess of Revenue and Other Sources over Obligations:	14,085,400	14,085,400	21,933,870	21,882,618		
Beginning Fund Balance	3,531,042	3,531,042	3,531,042	3,531,042		
Ending Fund Balance	\$ 17,616,442	\$ 17,616,442	\$ 25,464,912	\$ 25,413,660	\$ (51,252)	-0.20%

**Monthly Financial Report
As of March 2026**

Infrastructure Improvement Fund (404)

	Original Budget	Amended Budget	Projected To Date	Actual	Dollar Variance	Percentage Variance
<u>Revenues and Other Sources</u>						
All Other Operating Revenues	\$ 4,846,500	\$ 4,846,500	\$ 1,009,688	\$ 1,040,022	\$ 30,335	3.00%
Transfers/Advances In	5,250,000	5,250,000	-	-	-	0.00%
Total Revenues and Other Sources	10,096,500	10,096,500	1,009,688	1,040,022	30,335	3.00%
<u>Obligations</u>						
Capital Improvements	9,563,900	9,563,900	1,992,479	1,499,686	492,793	24.73%
Total Obligations	10,363,900	10,363,900	1,992,479	1,499,686	492,793	24.73%
Excess of Revenue and Other Sources over Obligations:	(267,400)	(267,400)	(982,792)	(459,664)		
Beginning Fund Balance	13,980,019	13,980,019	13,980,019	13,980,019		
Ending Fund Balance	\$ 13,712,619	\$ 13,712,619	\$ 12,997,227	\$ 13,520,355	\$ 523,128	4.02%

Solid Waste Management Fund (710)

	Original Budget	Amended Budget	Projected To Date	Actual	Dollar Variance	Percentage Variance
<u>Revenues and Other Sources</u>						
Charges for Services	\$ 3,900,000	\$ 3,900,000	\$ 1,806,179	\$ 1,602,045	\$ (204,134)	-11.30%
All Other Operating Revenues	50,000	50,000	8,333	27,984	19,651	235.82%
Total Revenues and other sources	3,950,000	3,950,000	1,814,512	1,630,029	(184,483)	-10.17%
<u>Obligations</u>						
Public Works	4,396,600	4,396,600	4,426,247	4,036,896	389,351	8.80%
Total Obligations	4,396,600	4,396,600	4,426,247	4,036,896	389,351	8.80%
Excess of Revenue and Other Sources over Obligations:	(446,600)	(446,600)	(2,611,735)	(2,406,867)		
Beginning Fund Balance	1,835,054	1,835,054	1,835,054	1,835,054		
Ending Fund Balance	\$ 1,388,454	\$ 1,388,454	\$ (776,681)	\$ (571,813)	\$ 204,868	-26.38%

Water Surcharge Fund (720)

	Original Budget	Amended Budget	Projected To Date	Actual	Dollar Variance	Percentage Variance
<u>Revenues and Other Sources</u>						
Charges for Services	\$ 942,000	\$ 942,000	\$ 236,366	\$ 291,041	\$ 54,675	23.13%
Total Revenues and other sources	942,000	942,000	236,366	291,041	54,675	23.13%
<u>Obligations</u>						
Public Works	581,600	581,600	96,933	66,182	30,751	31.72%
Capital Improvements	552,200	552,200	-	-	-	0.00%
Transfers Out (including intra-city services)	94,000	94,000	1,000	346	654	65.35%
Total Obligations	1,227,800	1,227,800	97,933	66,528	31,405	32.07%
Excess of Revenue and Other Sources over Obligations:	(285,800)	(285,800)	138,433	224,513		
Beginning Fund Balance	2,461,389	2,461,389	2,461,389	2,461,389	-	
Ending Fund Balance	\$ 2,175,589	\$ 2,175,589	\$ 2,599,822	\$ 2,685,902	\$ 86,080	3.31%

**Monthly Financial Report
As of March 2026**

Sanitary Sewer Surcharge Fund (730)

	Original Budget	Amended Budget	Projected To Date	Actual	Dollar Variance	Percentage Variance
<u>Revenues and Other Sources</u>						
Charges for Services	\$ 1,466,000	\$ 1,466,000	\$ 357,773	\$ 422,608	\$ 64,835	18.12%
All Other Operating Revenues	1,500	1,500	1,174	1,174	-	0.00%
Total Revenues and other sources	1,467,500	1,467,500	358,947	423,782	64,835	-18.06%
<u>Obligations</u>						
Public Works	1,345,000	1,345,000	144,628	117,671	26,957	18.64%
Capital Equipment	300,000	300,000	-	-	-	0.00%
Capital Improvements	226,200	226,200	-	-	-	0.00%
Transfers Out (including intra-city services)	27,100	27,100	1,667	684	983	58.98%
Total Obligations	1,898,300	1,898,300	146,295	118,355	27,940	19.10%
Excess of Revenue and Other Sources over Obligations:	(430,800)	(430,800)	212,652	305,427		
Beginning Fund Balance	3,094,580	3,094,580	3,094,580	3,094,580		
Ending Fund Balance	\$ 2,663,780	\$ 2,663,780	\$ 3,307,232	\$ 3,400,007	\$ 92,775	2.81%

Stormwater Management Fund (740)

	Original Budget	Amended Budget	Projected To Date	Actual	Dollar Variance	Percentage Variance
<u>Revenues and Other Sources</u>						
Charges for Services	\$ 753,000	\$ 753,000	\$ 270,988	\$ 312,827	\$ 41,839	15.44%
All Other Operating Revenues	50,000	50,000	12,500	29,210	16,710	133.68%
Total Revenues and other sources	803,000	803,000	283,488	349,562	66,074	23.31%
<u>Obligations</u>						
Public Works	734,000	734,000	410,571	346,879	63,692	15.51%
Capital Equipment	100,000	100,000	-	-	-	0.00%
Capital Improvements	184,500	184,500	-	-	-	0.00%
Transfers Out (including intra-city services)	73,400	73,400	1,250	1,053	197	15.75%
Total Obligations	1,091,900	1,091,900	411,821	347,932	63,889	15.51%
Excess of Revenue and Other Sources over Obligations:	(288,900)	(288,900)	(128,333)	1,630		
Beginning Fund Balance	2,823,282	2,823,282	2,823,282	2,823,282		
Ending Fund Balance	\$ 2,534,382	\$ 2,534,382	\$ 2,694,949	\$ 2,824,912	\$ 129,963	4.82%

Swimming Pool Fund (750)

	Original Budget	Amended Budget	Projected To Date	Actual	Dollar Variance	Percentage Variance
<u>Revenues and Other Sources</u>						
Charges for Services	\$ 1,038,800	\$ 1,038,800	\$ 88,538	\$ 78,857	\$ (9,682)	-10.93%
Transfers/Advances In	200,000	200,000	-	-	-	0.00%
Total Revenues and other sources	1,238,800	1,238,800	88,538	78,857	(9,682)	-10.93%
<u>Obligations</u>						
Parks and Recreation	1,266,800	1,266,800	208,805	116,244	92,561	44.33%
Total Obligations	1,266,800	1,266,800	208,805	116,244	92,561	44.33%
Excess of Revenue and Other Sources over Obligations:	(28,000)	(28,000)	(120,267)	(37,388)		
Beginning Fund Balance	619,563	619,563	619,563	619,563		
Ending Fund Balance	\$ 591,563	\$ 591,563	\$ 499,296	\$ 582,176	\$ 82,880	16.60%

**Monthly Financial Report
As of March 2026**

Statement of Receipts and Disbursements (cash basis rounding)

<u>Fund</u>	<u>Beginning Balance</u>	<u>Year to Date & Transfer In</u>	<u>Year to Date & Transfer Out</u>	<u>Ending Balance</u>	<u>Percentage Change</u>
General	\$ 48,358,630	\$ 16,909,215	\$ 32,917,428	\$ 32,350,417	-33.1%
Capital Asset Management	28,361,159	15,592,254	(0)	43,953,413	55.0%
Police Pension	1,635,554	-	234,206	1,401,348	-14.3%
Fire Pension	1,596,118	-	234,206	1,361,912	-14.7%
Self Insurance	1,143,941	27,954	18,182	1,153,713	0.9%
Capital Equipment	1,542,509	-	560,651	981,858	-36.3%
Police & Fire Pension	1,345,109	-	399,018	946,091	-29.7%
Technology Fund	223,177	65,189	53,948	234,418	5.0%
Facilities Maintenance Reserve	-	5,642,230	-	5,642,230	0.0%
Street Maintenance and Repair Fund	2,257,183	604,596	448,705	2,413,074	6.9%
EMS Billing Fund	1,852,414	174,624	32,944	1,994,094	7.6%
Law Enforcement	2,953,682	29,343	181,587	2,801,438	-5.2%
Tree Planting Fund	129,176	8,850	-	138,026	6.9%
Enforcement Education	21,176	100	34	21,242	0.3%
Mayor's Court Computer	57,035	8,022	-	65,057	14.1%
Mayor's Court Special Project	179,140	6,855	900	185,095	3.3%
Local Fiscal Recovery Fund	69,564	-	-	69,564	0.0%
OneOhio Opioid Fund	187,432	-	2,648	184,784	-1.4%
Economic Development	4,560,554	-	430	4,560,124	0.0%
Arlington Centre TIF Fund	110,482	-	-	110,482	0.0%
Tremont Road TIF Fund	21,397	-	-	21,397	0.0%
Lane Avenue Mixed Use TIF Fund	777,327	-	-	777,327	0.0%
Lane Avenue TIF Fund	264,157	-	-	264,157	0.0%
Arlington Crossing TIF Fund	977,793	-	-	977,793	0.0%
Horizon TIF Fund	1,096,694	-	-	1,096,694	0.0%
Kingsdale West TIF Fund	402,742	-	-	402,742	0.0%
Kingsdale CORE TIF Fund	1,028,671	-	-	1,028,671	0.0%
Civil Service	48,700	-	4,800	43,900	-9.9%
Riverside North TIF Fund	21,009	-	-	21,009	0.0%
Riverside South TIF Fund	218,851	-	-	218,851	0.0%
W. Lane Northwest TIF Fund	25,479	-	-	25,479	0.0%
Lane II TIF Fund	1,373,063	-	-	1,373,063	0.0%
Kingsdale Center TIF Fund	224,049	-	500	223,549	-0.2%
Gateway TIF Fund	157,204	-	-	157,204	0.0%
Neighborhood Lighting Utility	352,522	28,687	13,789	367,420	4.2%
Clerk of Courts Fund	25,188	2,041	-	27,229	8.1%
UA Visitor's Bureau Fund	616,364	27,317	-	643,681	4.4%
General Bond Retirement	314,893	1,298,827	53,142	1,560,578	395.6%
Bonded Improvements	3,759,688	22,346,775	479,171	25,627,292	581.6%
Infrastructure Improvement Fund	22,665,632	1,040,022	2,554,466	21,151,188	-6.7%
Community Fiber Optic Fund	385,336	-	-	385,336	0.0%
Employee Benefit	1,854,458	1,343,141	1,456,754	1,740,845	-6.1%
BWC Administration Fund	1,427,134	109,104	41,708	1,494,530	4.7%
Solid Waste Management	2,204,995	1,630,029	1,030,610	2,804,414	27.2%
Water Surcharge	2,728,691	291,041	116,401	2,903,331	6.4%
Sanitary Sewer Surcharge	3,948,374	423,782	279,581	4,092,575	3.7%
Stormwater Management	3,135,467	349,562	266,390	3,218,639	2.7%
UA Swimming Pools	642,221	78,857	35,474	685,604	6.8%
Unclaimed Funds	9,204	-	-	9,204	0.0%
Revolving Fund	79,121	55,486	31,769	102,838	30.0%
Construction Withholding	600,453	98,518	226,026	472,945	-21.2%
Payroll Clearing Fund	357,375	10,089,182	9,819,220	627,337	75.5%
Totals (ROUNDED)	\$ 148,328,287	\$ 78,281,602	\$ 51,494,687	\$ 175,115,202	ROUNDED TOTALS

Monthly Financial Report As of March 2026

Income Tax Comparisons

	<u>Projections</u>	<u>Year to date</u>	<u>Difference</u>	<u>% Difference</u>
Withholdings	\$ 8,009,182	\$ 12,241,414	\$ 4,232,232	52.84%
Individuals	2,031,488	1,944,063	(87,425)	-4.30%
Net Profits	1,093,657	919,221	(174,436)	-15.95%
Total	\$ 11,134,327	\$ 15,104,698	\$ 3,970,371	35.66%

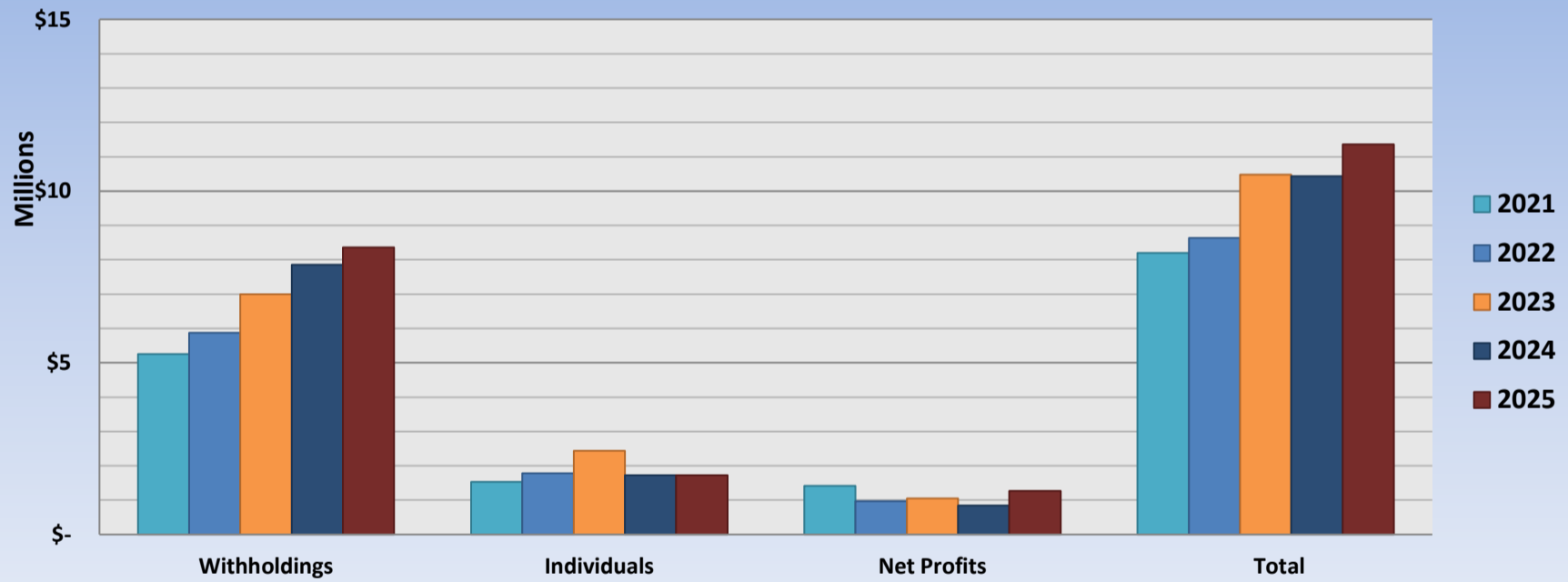
Income Tax Five Year Comparison

	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>
Withholdings	\$ 5,879,136	\$ 6,998,363	\$ 7,858,793	\$ 8,359,941	\$ 12,241,414
Individuals	1,784,072	2,432,916	1,726,220	1,729,761	1,944,063
Net Profits	976,124	1,047,538	848,968	1,274,082	919,221
Total	\$ 8,639,332	\$ 10,478,817	\$ 10,433,981	\$ 11,363,784	\$ 15,104,698

Percentage Increase (Decrease) From Prior Year

	<u>2021-2022</u>	<u>2022-2023</u>	<u>2023-2024</u>	<u>2024-2025</u>	<u>2025-2026</u>
Withholdings	11.91%	19.04%	12.29%	6.38%	46.43%
Individuals	16.65%	36.37%	-29.05%	0.21%	12.39%
Net Profits	-31.04%	7.32%	-18.96%	50.07%	-27.85%
Total	5.38%	21.29%	-0.43%	8.91%	32.92%

Income Tax Five Year Trend vs Prior YTD Monthly

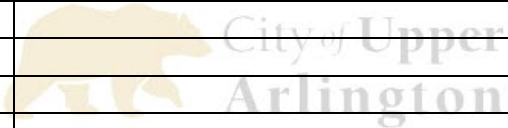


Interest & Investment Income
Apr-26

General Investments	Beginning Balance	Purchased	Matured/Sold	Deposited/Withdrawn	Investment Acct.	Ending Balance
Municipal Securities	5,552,786.00	2,650,000.00				\$ 8,202,786.00
Corporate / General Investments	6,503,641.00					\$ 6,503,641.00
Federal Agency	66,563,249.19	8,090,401.00	(4,000,870.00)			\$ 70,652,780.19
US Government Bonds	24,262,740.15	4,954,173.07				\$ 29,216,913.22
Total Bonds	\$ 102,882,416.34	\$ 15,694,574.07	\$ (4,000,870.00)	\$ -	\$ -	\$ 114,576,120.41
Short Term Fixed Maturity Commercial Paper	-					\$ -
Other Assets (Savings Cert - Market Traded)	\$ 5,410,171.05	493,453.00				\$ 5,903,624.05
Bond and Investments:						
2026 CIP Bonds						
Federal Agency	-	2,947,650.00				\$ 2,947,650.00
Corporate / General Investments	-					\$ -
Short Term Fixed Maturity Commercial Paper	-	5,825,116.59				\$ 5,825,116.59
US Government Bonds	-	4,934,902.34				\$ 4,934,902.34
Total Bonds & Investments	\$ 108,292,587.39	\$ 29,895,696.00	\$ (4,000,870.00)	\$ -	\$ -	\$ 134,187,413.39
Money Markets:						
General	11,826,457.86	4,003,864.00	(16,188,027.07)	(2,365.00)	468,121.56	\$ 108,051.35
2026 CIP Bonds	-	(13,707,668.93)		13,915,000.00	(35,062.90)	\$ 172,268.17
Total Money Markets	\$ 11,826,457.86	\$ (9,703,804.93)	\$ (16,188,027.07)	\$ 13,912,635.00	\$ 433,058.66	\$ 280,319.52
Star Ohio:						
General Investment	22,614,725.05			3,787,335.87	76,169.94	\$ 26,478,230.86
Bond Proceeds	46,527.72			7,953,472.28	23,829.45	\$ 8,023,829.45
Federal ARPA (Gen. Inv.)	69,766.85			(203.17)	224.11	\$ 69,787.79
Gateway	1,023,385.80				3,291.16	\$ 1,026,676.96
Kingsdale	240,580.05			(240,604.98)	24.93	\$ 0.00
Community Center	2,640,660.34				8,492.23	\$ 2,649,152.57
Office (Comm. Center)	1,095,600.97				3,523.40	\$ 1,099,124.37
Total STAR Ohio	\$ 27,731,246.78	\$ -	\$ -	\$ 11,500,000.00	\$ 115,555.22	\$ 39,346,802.00
Total Investments	\$ 147,850,292.03	\$ 20,191,891.07	\$ (20,188,897.07)	\$ 25,412,635.00	\$ 548,613.88	\$ 173,814,534.91
NW Huntington Bank	\$ 3,746,283.41					\$ 1,300,669.40
Total Cash & Investments	\$ 151,596,575.44					\$ 175,115,204.31

ITEMS PURCHASED BETWEEN \$25,000 & \$150,000 MARCH 2026

<u>DATE</u>	<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
3/4/26	Safeware	Tethered Drone for Police	\$97,767.30
3/6/26	Harrell's	Fertilizer Products	\$29,423.05
3/9/26	SlideWays	Water Slide Replacement at Reed Road Park	\$97,560.10
3/20/26	Michael Baker Int'l	Pavement Condition Rating	\$64,000.00
3/23/26	Ohio Heating & Refrigeration	On-Call Plumbing Services	\$120,000.00
3/24/26	SuperGames	Attractions for Seasonal Events	\$42,450.00
3/24/26	Commercial Land Management Systems	Landscape Maintenance	\$42,719.00
3/24/26	Loeb	King Luminaire Retrofit Kits	\$100,534.77
3/25/26	DLL Landscape	Tree Planting (Spring & Fall)	\$114,200.00
3/25/26	SHI Int'l	CrowdStrike Renewal	\$36,284.94
3/26/26	Dinkmar	Leaf Vacuum Trailer	\$91,100.00
3/27/26	Phinney	Roof Replacement for Outdoor Firing Range	\$26,773.36
3/30/26	Samsara	Licensing for Dash Cameras	\$25,256.00



QUALITY BASED SELECTION CONSULTANTS – MARCH 2026

<u>DATE</u>	<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
None			

NOTIFICATION OF CHANGE ORDERS: NON-CONSTRUCTION, CITY MANAGER APPROVAL MARCH 2026

<u>DATE</u>	<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>CHANGE ORDER AMOUNT</u>	<u>New Total</u>
None				

GRANTS MARCH 2026

<u>DATE</u>	<u>ORGANIZATION</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
None			



Authors: Gary Wilfong, P.E., Public Service Director

Council Meeting Date: May 4, 2026

Subject/Legislative Item: Resolution No. 5-2026 - To Authorize the City's Participation in the Ohio Department of Transportation Cooperative Contract Program for Rock Salt

Purpose: To provide the materials necessary to maintain roadway safety during winter weather events.

Executive Summary: This legislation authorizes the City Manager to participate in the ODOT Cooperative Rock Salt Purchasing Contract.

Purpose and Impact

The Public Service Department proposes to purchase 1,500 tons of rock salt through the Ohio Department of Transportation's cooperative contract program for the upcoming 2026-2027 winter season.

The Ohio Department of Transportation (ODOT) plans to bid for this salt contract in the next couple of months and the proposed contract is estimated to begin June 2026 and end May 2027. Local government agencies are required by ODOT to pass a subject-specific resolution confirming the agency's intention to join the ODOT salt contract. ODOT requires notice of the City's intent to participate by May 1, 2026, but will accept the resolution to be submitted after that date.

History

During the 2024-25 winter season, the Public Works Division used 1,445 tons of salt, and during the 2025-2026 season 1,250 tons were used.

In the 2025 budget, \$105,285 was spent to purchase 1,500 tons of rock salt. For the 2026 budget, we anticipate spending \$108,000 to purchase 1,500 tons at \$72.00 per ton.

This resolution to participate in the ODOT Cooperative Rock Salt Purchasing Contract will ensure that our salt supplies are maintained at full capacity, supporting safe roadways during winter weather events. The City of Upper Arlington has participated in this program for the past ten (10) years.

Rock salt stored in our barn for snow and ice removal does not degrade over time. When kept dry and protected from moisture, sunlight, and contaminants, it remains fully effective



indefinitely. Its chemical composition remains stable, ensuring reliable performance whenever needed during winter conditions.

Alternatives

Delaying the passage of this resolution may delay the acquisition of materials necessary to maintain safe roadways during a snow and ice weather event on Upper Arlingtons's 346 lane miles of roadway.

Attachments

1.	Resolution No. 5-2026
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RECORD OF RESOLUTIONS

CITY OF UPPER ARLINGTON

STATE OF OHIO

RESOLUTION NO. 5-2026

A RESOLUTION AUTHORIZING THE CITY'S PARTICIPATION IN THE OHIO DEPARTMENT OF TRANSPORTATION COOPERATIVE CONTRACT PROGRAM FOR ROCK SALT

WHEREAS, it is the responsibility of the City to maintain and operate the City's roadways for the safety of the community during winter weather events; and

WHEREAS, the Ohio Department of Transportation (ODOT) has invited the City to participate in its 2026-2027 "Rock Salt Participation Program" in order to purchase rock salt; and

WHEREAS, the City, pursuant to Ohio Revised Code 5513.01(B), may participate in the contracts entered into by the Ohio Department of Transportation; and

WHEREAS, the City of Upper Arlington hereby requests participation in the program for a total of 1,500 tons of sodium chloride (rock salt), of which Upper Arlington agrees to purchase from its awarded salt supplier at the delivered bid price per ton, awarded by the Director of ODOT; and

WHEREAS, the program year is estimated to begin in June 2026 and run through May 2027.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Upper Arlington, Ohio:

SECTION 1. The City of Upper Arlington is hereby authorized to participate in the Ohio Department of Transportation Cooperative Contract Program for the purchase of rock salt for program year 2026-2027.

SECTION 2. This City Council hereby directs City staff to submit a copy of this resolution to the Ohio Department of Transportation (ODOT) prior to its May 1, 2026, deadline.

SECTION 3. This resolution shall take effect immediately upon passage.



Authors: Brent Lewis, Finance Department Director

Council Meeting Date: May 4, 2026

Subject/Legislative Item: Resolution No. 6-2026 - To Request the Franklin County Auditor to Certify the Current Tax Valuation and the Amount of Revenue That Would Be Generated by a Renewal Tax Levy of a Specified Number of Mills for the Police and Fire Pension Fund (*Walter*)

Purpose: The City's Police and Fire Pension voted property tax levy is set to expire in tax year 2026. Staff is recommending placing a renewal of this levy on the November 2026 ballot. Prior to submitting a question to the electors of the City, Ohio Revised Code Section 5705.03 requires the City to request the Franklin County Auditor to certify the total current tax valuation of the City and the amount of revenue that would be generated by a specified number of mills. City Council must authorize a resolution in order to conduct this process.

Executive Summary: Staff recommends passage of the Resolution requesting the Franklin County Auditor to certify the total current tax valuation of the City and the amount of revenue that would be generated by a proposed property tax levy of 0.75 mills, a decrease of 0.14 mills, for the purpose of payment of the employer's contribution to the Police and Fire Pension Fund. This proposal would be a renewal of an existing levy set to expire in tax year 2026.

The proposed .75 mill levy is anticipated to result in projected tax dollar collections of approximately \$2.2 million per year.

Purpose and Impact

Staff recommends that City Council authorize a resolution requesting that the Franklin County Auditor certify the current tax valuation and the estimated revenue that would be generated by a 0.75-mill renewal tax levy (a decrease of 0.14 mills) to fund the City's required contributions to the Police and Fire Pension Fund.

The Ohio Revised Code requires the City to contribute 19.5% of gross wages for police personnel and 24% for fire personnel to the Police and Fire Pension Fund, with employees



contributing an additional 12.25%. Since 1976, the City has met these obligations through a combination of permanent millage and voter-approved property tax levies. Voters have approved ten consecutive five-year levies, with millage historically ranging from 0.89 to 1.2 mills. The current levy, approved at 0.89 mills, began in tax year 2021 (first collected in 2022) and will expire after tax year 2026 (final collection in 2027).

State law allows pension levies to be approved for a maximum of five years and placed on the ballot up to one year prior to expiration. This timing provides an important safeguard: if a levy fails, the City has another opportunity to seek voter approval before funding is interrupted. However, each election carries a cost that must be considered when determining ballot timing.

Based on these factors, staff recommends placing the renewal of the Police and Fire Pension Levy on the November 2026 ballot for the maximum five-year term. If approved, the renewed levy would begin with tax year 2027 (collected in 2028) and run through tax year 2031 (final collection in 2032). All revenue collected would be dedicated to the City's employer contributions to the Police and Fire Pension Fund.

To determine the appropriate millage level, staff conducted a comprehensive analysis of the Police and Fire Pension Funds, including existing balances, projected revenues, anticipated changes in property valuation, five-year expenditure projections, and potential impacts of proposed state legislation. Key considerations included:

- The City maintains three funds tied to Police and Fire Pension levies. Collectively, these funds held approximately \$4.6 million at the end of 2025—slightly more than one year of reserves. These balances have grown due to stronger-than-expected property valuation increases and pension costs coming in below projections in previous years.
- Using conservative assumptions for revenue growth (for permanent millage) and expenditure increases, the combined balance is projected to be approximately \$4.1 million at the end of 2027, the final year of collections under the current levy. This is slightly higher than the projected \$3.8 million in pension obligations for 2028.
- Under the same conservative assumptions, staff conducted a break-even analysis to determine the fixed revenue level necessary for the proposed levy. The break-even approach ensures the City maintains healthy reserves that help stabilize costs for taxpayers and provide flexibility for unanticipated staffing needs, changes in employer contribution rates, or actual expenditures exceeding projections. Maintaining reserves also provides additional time for planning should a future levy fail.

Notable findings from the break-even analysis include:

- Police and fire pension obligations are projected to increase from an annual average of approximately \$3.2 million under the current levy cycle (2023–2027) to roughly \$4.1 million annually during the next levy period.
- A 5% valuation increase is assumed in both 2027 and 2030 due to countywide reassessments.



- Both departments are unionized, and negotiated wage increases contribute to the growth in pension obligations.

- FOP (Police): 2026–2028

- IAFF (Fire): 2025–2027

- Proposed state legislation would increase the police employer contribution rate from 19.5% to 24%, matching the fire contribution rate. While this change is not incorporated into the recommended levy assumptions, staff has analyzed its potential impact and determined that the pension funds would remain solvent under the proposed millage level.

Based on this analysis, staff estimates that the renewed levy must generate approximately \$2.2 million annually. Preliminary valuation projections indicate this revenue level corresponds to a levy of 0.75 mills.

What does this proposed renewal mean?

- **To the City** – The revenue generated would increase from \$1.5 million annually to \$2.18 million annually.

- **For Taxpayers** – To continue to meet state-mandated pension costs, the annual homeowner contribution will adjust modestly.

- For every \$100,000 of property value, the amount paid would go from \$15.31 to \$22.82, an increase of \$7.51 (estimated amount).

- For a \$500,000 home, the amount of the tax would go from \$76.55 annually to \$114.10 annually, an increase of \$37.55 (estimated amount).

History

As noted above, the City has funded the employer portion of Police and Fire pensions through a combination of permanent and voted property tax levies since 1976, with residents voting to approve ten, five-year ballot issues in support of this levy. The millage for previous levies over the years has varied from .89 to 1.2 mills. The most recent levy commenced in tax year 2021 (first due in calendar year 2022) and is set to expire for tax year 2026 (final collection in 2027).

Many Central Ohio communities—including Bexley, Columbus, Dublin, Gahanna, Grandview Heights, Grove City, Hilliard, Upper Arlington, Westerville, and Worthington—utilize a combination of permanent and voter-approved property tax levies to support public safety services and associated pension obligations.

History of the Police & Fire Levy

- Upper Arlington has **funded Police & Fire pension obligations through property taxes for approximately 45+ years.** Residents have repeatedly approved *voted levies* every five years to help meet the City’s required contributions to the Ohio Police & Fire Pension Fund (OP&F).



- The voted levies have all had five-year renewals, each set close to 1.0 mill in rate. This pattern shows consistent voter support over decades to provide predictable, dedicated funding for pension costs.
- Most recent Levy: 2021 Ballot (Issue 24)
 - On November 2, 2021, **voters approved (79%/21%)** a renewal and slight reduction of the existing police & fire pension levy as *Issue 24*. This reduction essentially took the collections from \$1.6M/year to \$1.4M/year.
 - The levy was renewed at 0.89 mills (reduced from the prior ~0.97 mills), for a five-year term.
 - It was structured to commence in Tax Year 2022 with the first collection in 2023.
- The **2021 voter-approved levy is set to expire with the 2026 tax year, meaning collection in 2027** will be the last year under the current authorization.
- Under Ohio law, the City is required to fund pension contributions at levels set by the state for OP&F. To help meet these employer pension costs, property tax levies (inside and voted) have historically been used to create a **predictable source of funding** for the required employer share of pension contributions.

Property Tax Background

- **Property tax** is the City's **second largest and most stable revenue source**; it accounts for approximately **16%** of the City's **total annual revenues** and approximately **20%** of **General Fund annual operating revenues**.
- **Property tax** is a combination of levies that is allocated across many entities. The **City's portion of the tax represents eight cents on every dollar of property tax paid**.
- Current Property Tax Breakdown
 - **Inside millage** (unvoted) = 2.00 mills producing \$5.8M in revenue
 - (General) **1.4 mills** are directed to the **General Fund** for general operations (safety forces, administration, etc.). The dollar amount will grow with valuation increases.
 - (Police Pension) **0.3 mills** are directed to the **Police Pension Fund** to pay for a portion of the required employer contribution for police pension disbursements (employer portion only). The dollar amount will grow with valuation increases.
 - (Fire Pension) **0.3 mills** are directed to the Fire Pension Fund to pay for a portion of the required employer contribution for police pension disbursements (employer portion only). The dollar amount will grow with valuation increases.
 - **Outside millage** (voted) = 3.89 mills producing \$10.3M in revenue
 - (General Charter) **2.50 mills** are directed to the **General Fund** of general operations (safety forces, administration, etc.). This levy was voted on in 1976 and does not expire. The dollar amount will grow with valuation increases.
 - (Capital Improvement) **0.50 mills** are directed to the **Capital Equipment Fund** and are the primary source of funding capital equipment purchases. This levy was voted on in 1976 and does not expire. The dollar amount will grow with valuation increases.



- (Police/Fire Pension) **.89 mills** are directed to the **Police/Fire Pension Fund** to pay for a portion of the required employer contribution for police and fire pensions disbursements (employer portion only). This levy was last voted on in November 2021 (effective date for tax year 2022, collection in 2023) and is set to expire in tax year 2026, collection in 2027. This is a five-year levy that is set at a specific dollar amount. As valuation grows, the millage is adjusted to generate the set dollar amount. Slight variations can occur as development occurs during a calendar year.

Alternatives

There are several alternatives regarding this proposed tax levy. Below are some of the main topics to consider.

- City Council could decide not to renew the levy or renew a lower/higher amount than proposed.
 - Based on projections, not renewing or renewing at a lower rate would deplete police and fire pension reserve balances over time and cause a need for the City's General Fund to cover any costs not covered by the permanent levies (average \$4.1M annual obligation vs \$1.74M annual tax revenue). This could affect:
 - Future services or expansion of services (public safety, parks, capital maintenance, and other services)
 - Funding that the General Fund supports: Capital Improvement Program, Economic Development initiatives, swimming pool operations.
- City Council could decide to make the levy anywhere between 1 and 5 years in length.
 - Costs would be associated with each individual levy.
- City Council could wait to put the renewal on the November 2027 ballot.
 - If the levy does not pass, the current levy would expire and there would be no collections for tax year 2027.

Attachments

1.	Resolution No. 6-2026
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RECORD OF RESOLUTIONS

CITY OF UPPER ARLINGTON
STATE OF OHIO

RESOLUTION NO. 6-2026

REQUESTING THE FRANKLIN COUNTY AUDITOR TO CERTIFY THE CURRENT TAX VALUATION AND THE AMOUNT OF REVENUE THAT WOULD BE GENERATED BY A RENEWAL TAX LEVY OF A SPECIFIED NUMBER OF MILLS FOR THE POLICE AND FIRE PENSION FUND

WHEREAS, the amount of taxes that may be raised within the ten (10) mill limitation will be insufficient to provide for the necessary requirements of the City of Upper Arlington, Franklin County, Ohio; and

WHEREAS, the City intends to submit the question of a renewal tax levy of 0.75 mills, a decrease of 0.14 mills, on the November 2, 2026, ballot for the purpose of payment of the employer's contribution to the Ohio Police & Fire Pension Fund; and

WHEREAS, prior to submitting the question to the electors of the city, Ohio Revised Code Section 5705.03 requires the City to request the Franklin County Auditor to certify to the City the total current tax valuation of the City and the amount of revenue that would be generated by a specified number of mills.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Upper Arlington, Franklin County, Ohio:

SECTION 1. The amount of taxes that may be raised within the ten (10) mill limitation will be insufficient to provide an adequate amount for the necessary requirements of the City of Upper Arlington and it is necessary to levy a tax in excess of that limitation.

SECTION 2. The ballot measure containing the question of the renewal levy shall be submitted to the territory of the City of Upper Arlington, which is located entirely within Franklin County.

SECTION 3. The proposed tax would consist of a renewal of part of an existing levy, for .075 mills, being a reduction of 0.14 mills, to constitute a tax for the benefit of the City of Upper Arlington for the payment of the police officer employer's contribution and the firefighter employer's contribution required under Sections 742.33 and 742.34 of the Ohio Revised Code at a rate not exceeding 0.75 mills for each dollar of valuation, for a period of five years, commencing in 2027, first due in calendar year 2028, pursuant to Section 5705.19 and 5705.25 of the Ohio Revised Code.

SECTION 4.

The City of Upper Arlington hereby requests the Franklin County Auditor to certify to the City the total current tax valuation of the City and the dollar amount of revenue that would be generated by a renewal tax levy of 0.75 mills, pursuant to Section 5705.03 of the Ohio Revised Code.

SECTION 5.

The City Clerk is hereby directed to certify a copy of this resolution and submit it to the Franklin County Auditor.

SECTION 6.

This resolution shall take effect immediately upon passage.



Authors: Emma Speight, Community Affairs Director

Council Meeting Date: May 4, 2026

Subject/Legislative Item: Resolution No. 7-2026 - To Authorize the Issuance of a City Permit to Common Greens Farmers Market for the Sale of Alcohol on Public Property Throughout the 2026 Season (*Fortkamp*)

Purpose: Authorization for the Common Greens to feature a wine vendor at the 2026 Upper Arlington Farmers Market

Executive Summary: The City Manager’s Office is seeking authorization from City Council to allow the non-profit Common Greens to secure a wine vendor at the 2026 Upper Arlington Farmers Market, subject to their fulfillment of the requirements outlined by the Ohio Department of Commerce’s F-10 Permit Application for Farmers Markets. This would be one of six vendors that are being added to the Farmers Market in 2026, as part of ongoing good faith efforts to grow and enhance the Market for enjoyment by the community.

The winery planning to participate in the Market is Mirabelle Farm and Vineyard from Ashville, Ohio. They are a small, family owned and operated agricultural business focused on the production of German-style wines. They would have small samples of their product available for adult shoppers to try before making a purchase.

With the Farmers Market scheduled to open for the season on Wednesday May 13, Staff respectfully asks that this legislation be acted upon in one reading, to take effect immediately, enabling the wine vendor to begin attending the Market at their earliest convenience.

Purpose and Impact

The Upper Arlington Farmers Market has become a popular annual community program, providing weekly access to fresh, locally grown produce from mid-May through mid-October. In recent years, the market organizer – Common Greens – and the City have been partnering more closely to further enhance the Market as a thriving community asset. An improved layout along Dorset Road between Tremont Center and St. Mark’s Episcopal Church has improved accessibility. City departments and civic groups regularly participate by hosting community



booths. Additionally, each week the Market organizers schedule live music, educational programs and activities that build engagement and community goodwill.

Thanks to these efforts, in 2025 the Farmers Market attracted an average of 1,000-plus shoppers each week – an increase of approximately 200 shoppers per week compared to the previous year – with estimated vendor sales almost doubling.

Building on this success, Common Greens is expanding the UA Farmers Market in 2026, adding six new vendor spaces that will further enhance the range of produce available for purchase. One such addition in the planning stages, is to feature a local wine vendor each week. To accomplish this, Common Greens has applied for an F-10 permit from the Ohio Department of Commerce, which allows for up to four wineries at an authorized farmers market per week over a nine-month period.

Pursuant to §131.05 of the City’s Codified Ordinances, since the Farmers Market is produced by a non-profit entity but is located on public property, Staff is seeking City Council’s authorization for the City Manager to allow the regular inclusion of a wine vendor throughout the 2026 season.

Included in the Administrative Code Change Project is a staff recommendation to allow for the City Manager to approve alcohol permits for non-profit organizations.

History

Upper Arlington has been a farmers market community for more than 25 years. In this time, the UA Farmers Market has been held at different locations and operated on the City’s behalf by different farmers market institutions. The partnership with Common Greens (formerly called Get Fresh) began in 2019, with the market moving to the Northam Park parking lot, to capitalize on its central location – surrounded by various public and commercial activities, namely Tremont Elementary, Northam Park, Tremont Library and Tremont Center.

The Market subsequently moved to Tremont Center, adjacent to Littleton’s Market in 2023 to reduce parking and access impacts for the uses directly served by the Northam Park parking lot. In 2024, another location adjustment was made to free up Tremont Center parking spaces, with the Farmers Market moving to Dorset Road, between Tremont Center and St. Mark’s Episcopal Church. With some layout improvements, this location is proving to be a win-win for Market vendors, shoppers, and the Tremont Center businesses. Market traffic is increasing and Common Greens is committed to expanding the Market in 2026 with six additional vendors, providing greater variety for patrons.

Alternatives

Council could deny the request, limiting Common Greens’ ability to expand the variety of vendors available at the UA Farmers Market.

Council’s review of the proposed legislation could be extended to include additional readings effective upon 30 days, however this could delay the wine vendor’s ability to participate in the Farmers Market.

Attachments





RECORD OF ORDINANCES

CITY OF UPPER ARLINGTON
STATE OF OHIO

RESOLUTION NO. 7-2026

TO AUTHORIZE THE ISSUANCE OF A CITY PERMIT TO COMMON GREENS FARMERS MARKET FOR THE SALE OF ALCOHOL ON PUBLIC PROPERTY THROUGHOUT THE 2026 SEASON

WHEREAS, the Upper Arlington Farmers Market is a valued community program operated in partnership with Common Greens; and

WHEREAS, Common Greens plans to expand the 2026 Market to include additional vendors, including a local wine vendor; and

WHEREAS, the vendor will obtain the required F-10 Permit from the Ohio Department of Commerce; and

WHEREAS, pursuant to Section 131.05 of the Codified Ordinances, City Council authorization is required to permit alcohol sales on public property; and

WHEREAS, the City Manager and Common Greens seek City Council's authorization to issue a City Permit for the market season to allow for the sale and consumption of alcohol on public property, contingent upon compliance with all applicable local and state liquor laws, proof of adequate insurance, and ending alcohol consumption no later than 5:45 p.m.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Upper Arlington, Ohio:

SECTION 1. The City Manager is hereby authorized to issue a City Permit to Common Greens allowing for the sale and consumption of alcoholic beverages throughout the 2026 Farmers Market Season (May-October 2026), between the hours of 3:00 p.m. and 6:00 p.m., with all alcohol consumption to end by 5:45 p.m. and all sales ending by 6:00 p.m.

SECTION 2. The authorization is contingent upon Common Greens and/or Farmers Market vendors complying with all applicable requirements, including but not limited to:

- (a) Obtaining any required permits or licenses from the Ohio Department of Commerce Division of Liquor Control;
- (b) Providing proof of adequate liability insurance coverage;
- (c) Ensuring that all sales and consumption of alcohol occur within a

secured and approved event layout;
(d) Adhering to all safety and public health regulations and guidelines.

SECTION 3.

This resolution shall take effect immediately upon passage.

Authors: Gary Wilfong, P.E., Public Service Director

Council Meeting Date: May 4, 2026

Subject/Legislative Item: Ordinance No. 18-2026 - To Authorize the City Manager to Enter into Contract with Duke’s Services for Sanitary Sewer Inspection and Cleaning Services

Purpose: For continued operations and maintenance of the sanitary sewer system.

Executive Summary: This legislation authorizes the City Manager to enter into a contract with Duke’s Services for Sanitary Sewer Inspection and Cleaning services.

Purpose and Impact

This ordinance enables the City Manager to enter into a contract with Duke’s Services in the amount of \$528,180.00 for Sanitary Sewer Inspection and Cleaning services.

On March 26, 2026, the City received five (5) competitive bids for Sanitary Sewer Cleaning and Inspection services as follows:

Contractor	Bid Amount
Duke’s Services	\$528,180.00
Metropolitan Environmental	\$561,180.00
Visu-Sewer	\$588,630.00
Taplin Group	\$806,549.85
Insight Pipe	\$842,100.00

This project was budgeted in 2026 for \$595,000 out of the Sanitary Sewer Surcharge Fund.

The Public Service Department is required by Upper Arlington Code of Ordinance § 931.15 to maintain the City’s 162 miles of sanitary sewer system. Furthermore, performance standards set forth in the Capacity, Management, Operations, and Maintenance manual (CMOM) require the department to video inspect and clean a minimum of ten percent (10%) of the sanitary sewer system per year – approximately 85,000 linear feet annually. The proposed contract is a one (1) year agreement which will inspect and clean 100,000 linear feet of sanitary sewer lines. Approval and implementation of this contract will allow us to continue to exceed our

performance standard goals as set forth in the CMOM and, most importantly, will allow us to be proactive, rather than reactive, to potential sanitary sewer line issues.

In the past, the City has contracted out these services to ensure compliance with CMOM guidelines. This approach has consistently helped us achieve the required standards and maintain the integrity of the sanitary sewer system.

History

On average the Public Works Division crews inspect and clean over 70,000 linear feet of sanitary sewer lines annually. Most of these inspections are sewers that require ongoing inspection and cleaning (i.e., roots, line failures, etc.). This contract, as designed, will allow for more preventive maintenance and inspection by targeting the sewer lines that are not included in the annual Public Works inspections.

With this contract, Public Works will use AI coding software to improve pipe inspections. This tool follows the National Association of Sewer Service Companies (NASSCO) Pipeline Assessment Certification Program (PACP) standards and works with any existing software and equipment. It creates a Digital Twin which is a detailed, digital version of the pipe system that can be easily integrated into Upper Arlington's existing GIS system.

The Digital Twin can be used for everyday management, long-term planning, and project design. It helps with construction by showing defects and supports maintenance by identifying issues like roots or debris. It can also help resolve customer complaints by showing detailed inspection results.

Alternatives

Continue cleaning and inspecting the sanitary sewer system using the existing Public Works Division staff and equipment, which would not meet the requirements set forth in the City's CMOM.

Attachments

1.	Ordinance No. 18-2026
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RECORD OF ORDINANCES

CITY OF UPPER ARLINGTON

STATE OF OHIO

ORDINANCE NO. 18-2026

TO AUTHORIZE THE CITY MANAGER TO ENTER INTO CONTRACT WITH DUKE'S SERVICES FOR SANITARY SEWER INSPECTION AND CLEANING SERVICES

WHEREAS, the Upper Arlington Code of Ordinances requires that the Public Service Department maintain the City's 162 miles of sanitary sewer system; and

WHEREAS, performance standards outlined in the Capacity, Management, Operations, and Maintenance Manual (CMOM) require the department to video inspect and clean 10% of the sanitary sewer system per year, which is approximately 85,000 linear feet annually; and

WHEREAS, the proposed contract will allow for the treatment of up to 100,000 linear feet of sanitary sewer lines; and

WHEREAS, on March 26, 2026, the City received five bids and identified Duke's Services as the best and lowest bid; and

WHEREAS, Staff recommends moving forward with the contract to ensure the city's sanitary sewer system does not experience blockages from tree roots or other deficiencies.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Upper Arlington, Ohio:

SECTION 1. The City Manager is hereby authorized to enter into contract with Duke's Services for sanitary sewer inspection and cleaning services, in an amount not to exceed \$528,180.

SECTION 2. The City Manager, Finance Director, and City Attorney are hereby authorized to take all actions necessary to enter into, implement, and administer the contract, including the execution of all documents or amendments, that are not substantially inconsistent with this ordinance.

SECTION 3. This ordinance shall take effect immediately upon passage.



Authors: Gary Wilfong, P.E., Public Service Director
Aaron Scott, City Engineer

Council Meeting Date: May 4, 2026

Subject/Legislative Item: Ordinance No. 19-2026 - To Authorize the City Manager to Enter Into Contract with Newcomer Concrete for Construction-Related Services for the 2026 Sidewalk Maintenance Program

Purpose: To Maintain and Improve the Sidewalk System.

Executive Summary: Legislation authorizes the City Manager to enter into a contract with Newcomer Concrete for construction-related services for the 2026 Sidewalk Maintenance Program Construction Project.

Purpose and Impact

This is an ordinance authorizing the City Manager to enter into contract with Newcomer Concrete in the amount of \$234,745.50 for the 2026 Sidewalk Maintenance Program. The 2026 Sidewalk Maintenance Program was bid as two separate contracts which will be billed to the same budget line. Sidewalk panels which can be remedied via sidewalk leveling or grinding have been bid as a separate contract as the construction method is more specialized, and staff believes that a better price will be received if these sidewalk panels are bid as a standalone project. This staff report details the contract for replacement but will include information related to the grinding & leveling contract to provide context for budget discussions. On Wednesday, April 22, 2026, the City received bids from four contractors for Sidewalk Replacement and received zero bids for Sidewalk Grinding & Leveling. The results are summarized below:

	Base Bid – Replacement	Base Bid – Grinding/Leveling
Newcomer Concrete	\$213,405.00	
CAP-Stone Associates	\$238,290.00	
Strawser Paving	\$239,875.00	
Decker Construction	\$247,050.49	



Engineer's Estimate	\$225,260.00	\$45,250
Budget	\$320,000	

Newcomer Concrete was the low bidder for the replacement project with a bid of \$213,405, with an additional 10% for contingency, for a total contract amount of \$234,745.50. The 2026 budget for this project is \$320,000. Awarding this contract leaves \$85,254.50 remaining to cover a future sidewalk grinding and leveling contract.

Having received no bids for the Grinding & Leveling contract, staff is reaching out to area contractors who perform this work to obtain quotes as the construction estimate for the Grinding & Leveling work is \$45,250, which falls underneath the \$150,000 threshold that requires open bidding. If the quotes received are within 10% of the construction estimate, and within the remaining budget of \$85,254.50, the City will enter into contract with the most responsive quote and proceed to construction.

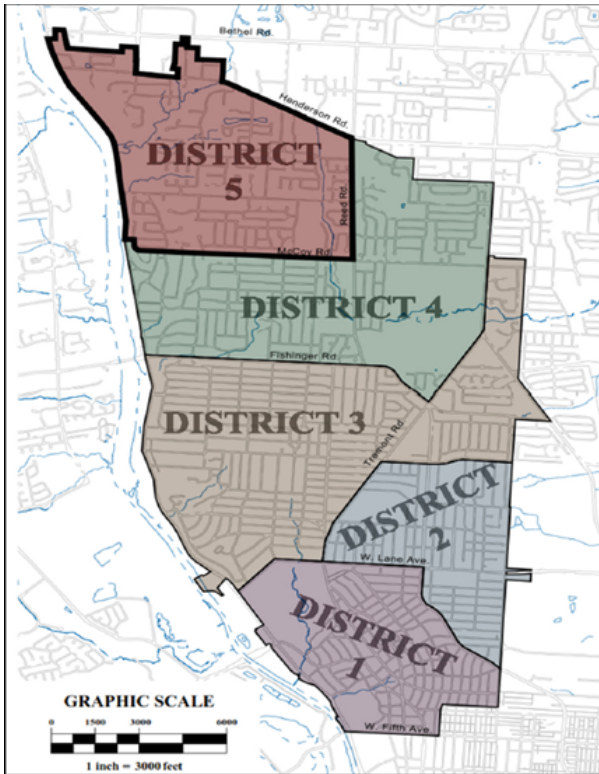
The bulk of the Sidewalk Maintenance Program is made up of sidewalk panel replacement. Below is the recent bid data for sidewalk related work to provide additional context on sidewalk pricing.

	Low Bid	High Bid
2024 Sidewalk Maintenance	\$245	\$360
2025 Sidewalk Maintenance	\$380	\$380
2025 Sidewalk Gap	\$300	\$470
2026 Sidewalk Maintenance	\$400	\$453

Project Details

The 2026 Sidewalk Maintenance Program addresses sidewalks in need of maintenance and repair in District 3. District 3 is the western central portion of the city south of Fishinger Road and north of Lane Avenue.





In April 2026, residents within this district received notices from the City if sidewalks adjacent to their property were in need of repair or replacement (see attached notification letter). When repairs or replacements were the responsibility of the property owner, the City asked for the situation to be rectified by July 13th, 2026. Thereafter, the City will proceed by sending a follow-up notification with the City's cost to make the necessary improvements as part of this contract. The cost is \$400 per 4" depth sidewalk panel and \$440 per 6" depth sidewalk panel (note: 6" depth sidewalk panels are used on driveway approaches). The property owner will then be billed upon the project completion, around January 2027. (Note: per code section 901.03, if the owner fails to pay the bill within thirty (30) days of the date on the City's bill, the rate shall be charged against the real estate upon which the sidewalk is located and shall be a lien upon such real estate). Following the City's process and to save resources from re-inspecting the entire sidewalk after July 13th, the City bid out all the resident responsibility portions of the sidewalk, which is approximately \$126,960 of the total contract cost. Cost recovery from billing the total cost back to the property owner or non-performing repairs already made by the property owner will bring the total cost to the City down to \$86,254.50 (not including contingency).

History

The City of Upper Arlington's public right-of-way Sidewalk Inspection Program began in 2018 with Zone 5 and finished the first complete pass through the city with the 2022 program. The 2026 Sidewalk Maintenance Program marks the second time our 5-year program cycle has been in District 3. 2028 will be the final year of the second 5-year cycle, at which point staff will work with Council to determine if changes are warranted, including the associated resident assessment, to future Sidewalk Maintenance Programs.

Alternatives



An alternative is that Council can choose not to authorize the City Manager to enter into contract with Newcomer Concrete for this project. This would delay identified maintenance repairs that could negatively impact public safety.

Attachments

1.	District 3 2026 Sidewalk Notice
2.	Ordinance No. 19-2026

April 2026

Dear Property Owner:

RE: Notification of Resident Sidewalk Ordinance Issue and Order to Repair Sidewalk

As part of the City of Upper Arlington’s public right-of-way Sidewalk Inspection Program, sidewalk on or adjacent to your property has been identified as out of compliance per City Ordinance 901.03, which is detailed below. Please scan the QR Code below and scroll down to the Sidewalk Maintenance link. Click on your address to display the sidewalk panel(s) that the City deems are in need of repair or replacement. Panels identified with a **red dot** are the responsibility of the property owner. Panels marked by a **blue dot** are the responsibility of the City and will be repaired later this year.

Per City Ordinance 901.03, *“Each owner of any lot or parcel of ground in the City shall cause the sidewalk and every part thereof in front of, alongside or abutting such lot or parcel to be kept in good order and repair and free of nuisance.”* City Ordinance defines the following specific sidewalk code issues:

1. A **vertical separation** of one inch or more
2. An **excessive cross or running slope** of more than one inch per foot
3. An **irregular walking surface** (Including spauling concrete and cracks in excess of ½ inch in width.)

The points marked on the Sidewalk Maintenance page indicate the type of issue(s) that has been identified. Please note that you may also be responsible for any ADA or safety related issues, regardless of whether identified by the City. The sidewalk panel(s) **noted in red** must be repaired or replaced to eliminate the identified compliance issue(s). The following techniques are the approved methods for corrective action:

1. Vertical Separations	2. Excessive Slope	3. Irregular Walking Surfaces
a. Removal & replacement	a. Removal & replacement	a. Removal & replacement
b. Hydraulic leveling	b. Hydraulic leveling	b. Grinding high areas
c. Lowering & raising blocks	c. Lowering or raising blocks	c. Crack filling
d. Grinding high areas		

Because City code mandates that adjacent property owners are responsible for making these sidewalk repairs, property owners in each district are being notified several months ahead of the City’s next contract to construct sidewalk improvements in that district. This will provide property owners sufficient time to complete improvements on their own. Please note that this letter serves as your right of way sidewalk installation permit per the requirements of C.O. 933.15 (B) (4). No additional permit is needed unless you plan to excavate within 10 feet of a street tree. If you do not complete the indicated repair or replacement by **July 13, 2026**, the City will proceed with completing these improvements and the cost will be billed or assessed back to you as the property owner. **In previous years the Sidewalk Maintenance Project average prices for sidewalk replacement were:**

- 4” panel (not in drive) ~ \$380/panel
- 6” panel (in drive) ~ \$420/panel

These costs are provided to you as a courtesy for estimating purposes. 2026 prices will not be known until the project is bid out later this spring. Thank you for your cooperation in making our sidewalks safe. If you have questions, please contact the project manager.

Sincerely,
Matt Stewart
614-583-5348.



RECORD OF ORDINANCES

CITY OF UPPER ARLINGTON

STATE OF OHIO

ORDINANCE NO. 19-2026

TO AUTHORIZE THE CITY MANAGER TO ENTER INTO CONTRACT WITH NEWCOMER CONCRETE FOR CONSTRUCTION-RELATED SERVICES FOR THE 2026 SIDEWALK MAINTENANCE PROGRAM

WHEREAS, the 2026 Sidewalk Maintenance Program, which involves replacement and grinding and leveling, addresses sidewalks in need of maintenance and repair in District 3, which includes the western-central portion of the city, south of Fishinger Road and north of Lane Avenue; and

WHEREAS, property owners received notices in April 2026 identifying necessary sidewalk repairs or replacements, with the City proceeding with repair work on owner-responsible sections not addressed by July 13, 2026, and costs to be billed following project completion in accordance with City Code Section 901.03; and

WHEREAS, on April 22, 2026, the City received four bids for the replacement portion of the 2026 program, with the lowest bid from Newcomer Concrete for an amount of \$213,405, with an additional 10% for contingency, for a total contract amount of \$234,745.50, and received no bids for the grinding and leveling portion of the project; and

WHEREAS, the cost of the replacement contract falls within the overall project budget, and therefore Staff recommends awarding the contract to Newcomer Concrete for construction-related services for the 2026 Sidewalk Maintenance Program.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Upper Arlington, Ohio:

SECTION 1. The City Manager is hereby authorized to enter into contract with Newcomer Concrete for construction-related services for the 2026 Sidewalk Maintenance Program, in an amount of \$234,745.50, which includes a 10-percent contingency.

SECTION 2. The City Manager, Finance Director, and City Attorney are hereby authorized to take all actions necessary to enter into, implement, and administer the contract, including the execution of all documents and amendments, provided such actions are not substantially inconsistent with this ordinance.

SECTION 3. This ordinance shall take effect immediately upon passage.



Authors: James Russell, Economic Development Manager

Council Meeting Date: May 4, 2026

Subject/Legislative Item: Ordinance No. 20-2026 - To Authorize the City Manager to Enter Into an Economic Development Incentive Agreement with Frazier Financial Advisors

Purpose: The Ordinance authorizes the City Manager to execute an incentive agreement with Frazier Financial Advisors. The incentive agreement contemplates using a forgivable loan from the Economic Development Fund to support Frazier Financial Advisors expansion project at 1690 W Lane Ave.

Executive Summary: Frazier Financial Advisors (FFA) is a wealth management and tax preparation firm that is currently located at 1690 W Lane Ave. FFA relocated from the City of Dublin to Upper Arlington in April 2022. Since locating in Upper Arlington, FFA continues to grow. Their growth is now constrained because they are out of space at their current office. Because there is still a banknote for their current space, the capital stack presented a challenge for immediate expansion. To solve the issue, expedite the expansion, and ensure FFA is retained in the City of Upper Arlington, City staff recommends the authorization of the incentive structure. The Incentive is a \$400,000 forgivable loan, from the Economic Development Fund, that is forgiven by crediting 30% of tax growth beyond the baseline. This structure ensures that FFA will expand their tax liability as a result of the expansion project. The incentive agreement also includes claw backs if required growth does not occur. In exchange for the incentive package, FFA has made a 10-year commitment to the City of Upper Arlington, including agreeing to a total tax liability over \$3 million to the City. Additionally, FFA has granted the City a 5-year right of first refusal following the 10-year commitment. FFA will invest over \$1.3 million in their space at 1690 W Lane, building out 11,000 SF of shell space. FFA will also join the Tri-Village Chamber Partnership (TVCP) and has agreed to work with UA Schools on their workforce development initiatives.

Purpose and Impact



The purpose of the Ordinance, and incentive structure, is to retain FFA in the City of Upper Arlington and expedite FFA's expansion. This project will help FFA grow to one of the City's Top 20 taxpayers. Additionally, the build out and occupancy of the shell space at 1690 W Lane will help drive Class A office vacancy to 0%. This will help as City staff peruses class A office development proposals.

History

City staff first met with FFA in the summer of 2025, while working on another economic development deal. As conversations with FFA progressed, it became clear that FFA needed more office space, had retained a commercial broker, and was planning an office expansion. In January 2026, City staff gained an understanding of the issues with the project's capital stack and the need to provide incentives to retain and expand the company. Conversations progressed with FFA until the tentative structure was agreed upon in April 2026.

Alternatives

If the incentive package is not approved, FFA may reevaluate their project's feasibility. Because they have engaged a commercial broker, there is a risk that they will relocate to Grandview Heights or Dublin, if either option proves to be more financially feasible. Failure to approve the incentive package could significantly delay or lose the project.

Attachments

1.	Ordinance No. 20-2026
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RECORD OF ORDINANCES

CITY OF UPPER ARLINGTON

STATE OF OHIO

ORDINANCE NO. 20-2026

TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT WITH FRAZIER FINANCIAL ADVISORS

WHEREAS, Frazier Financial Advisors (“FFA”) is a wealth management and tax preparation firm currently located at 1690 W. Lane Avenue; and

WHEREAS, FFA relocated to the city in April 2022 and has continued to experience significant growth but is constrained by space limitations at its current location, and expansion is challenged by existing financial obligations; and

WHEREAS, the City desires to retain and support the expansion of FFA; and

WHEREAS, City staff recommends an incentive structure consisting of a \$400,000 forgivable loan from the Economic Development Fund, to be forgiven through credits equal to 30% of net income and payroll tax revenue growth above an established baseline, with appropriate claw back provisions; and

WHEREAS, in consideration of the incentive, FFA has committed to a 10-year term in the city, including generating more than \$3,000,000 in municipal income tax revenue, and granting the City a 5-year right of first refusal thereafter; and

WHEREAS, FFA will invest approximately \$1,300,000 to expand and build out approximately 11,000 square feet of space at its current location, join the Tri Village Chamber Partnership (TCVP), and collaborate with Upper Arlington Schools on workforce development initiatives; and

WHEREAS, the project will support business retention, expansion, and occupancy of Class A office space within the city.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Upper Arlington, Ohio:

SECTION 1. The City Manager is hereby authorized to enter into an Economic Development Incentive Agreement with Frazier Financial Advisors, consistent with the terms outlined herein and in a form approved by the City Attorney.

SECTION 2. The incentive shall consist of a forgivable loan in an amount not to exceed \$400,000, to be repaid through performance-based credits

equal to 30% of income tax revenue growth above a defined baseline, and subject to claw back provisions as set forth in the agreement.

SECTION 3.

The City Manager, Finance Director, and City Attorney are hereby authorized to take all actions necessary to enter into, implement, and administer the agreement, including the execution of all documents and amendments, provided such actions are not substantially inconsistent with this ordinance.

SECTION 4.

This ordinance shall take effect immediately upon passage.



Authors: Darren Shulman, City Attorney

Council Meeting Date: May 4, 2026

Subject/Legislative Item: Ordinance No. 21-2026 - To Amend Various Sections of Part 1 - Administrative Code, Part 4 - Schedule of Fees, and Part 13 - Building Code, of the Upper Arlington Code of Ordinances

This item is scheduled for a maximum 45-minute discussion for First Reading/Public Hearing.

Purpose: The purpose of this legislation is to amend and modernize the City's Administrative Code to improve clarity, eliminate outdated or duplicative provisions, align the code with current practices and state law, and enhance operational efficiency.

Executive Summary: This update reflects a systematic review of the administrative code, as well as selections in other areas, to remove redundancies, simplify language, and ensure consistency with administrative practices.

Revisions include fixing inconsistencies in campaign finance language, adjusting authority levels to reflect inflation, updates to penalties, and removing unnecessary language.

Purpose and Impact

This update is intended to create a more user-friendly, legally sound, and administratively efficient code. The primary impacts include:

- **Improved Clarity and Usability:** Simplifying legal language and removing duplicative provisions makes the code easier for staff, Council, and the public to interpret and apply.
- **Consistency with State Law and Best Practices:** Updates to campaign finance, compensation, and employee conduct ensure alignment with state requirements and ethical standards.
- **Operational Efficiency:** Increasing financial thresholds (e.g., settlement authority and in-kind contracting limits) to reflect inflation since the last time the code was updated.



- **Modern Governance Practices:** Greater flexibility in council meeting scheduling and the allowance of remote meetings for certain boards improves accessibility and adaptability.
- **Organizational Alignment:** Departmental restructuring and board consolidations better reflect how the City currently operates.
- **Risk Reduction:** Eliminating potentially problematic provisions (e.g., gratuities for officiating weddings) reduces legal and ethical risk.

History

At the 2025 City Council Retreat, a comprehensive update to the City Code was identified as a Council priority. On October 13, 2025, the City Attorney presented a project update outlining the proposed strategy for Council review and adoption. The first phase of this project—focused on the Personnel Code—was adopted on December 15, 2025. The remaining Administrative Code sections are included in this phase for Council consideration.

The Administrative Code has evolved over time through incremental amendments, resulting in some inconsistencies, redundancies, and outdated provisions.

Additionally, some code sections have not been reviewed in many years, leading to discrepancies between the code and current practice.

This effort represents a comprehensive review to reconcile those inconsistencies, codify current practices, and make the code easier to read and apply.

Alternatives

Council may consider the following alternatives:

1. **Adopt the legislation as proposed**

This approach implements all recommended updates and provides the most comprehensive modernization of the Administrative Code.

2. **Adopt with modifications**

Council may choose to revise or exclude specific provisions, particularly those identified as policy considerations.

Staff recommends that discussion begin with the first section identified for revision and proceed sequentially through the remaining sections to ensure an efficient review process. Council can set this for as many readings as it needs to review the language.

Given the volume of changes, any changes discussed and agreed to by Council during discussion will be incorporated into the draft for the next meeting. Suggested edits are also requested between readings to give staff time to review, draft, and include them in the packet for discussion.



3. Take no action

Attachments

1.	Code Change Summary
2.	Code Change List
3.	Ordinance No. 21-2026
4.	Exhibit A - Draft Code Changes 5.4.26v



Code Change Summary

General changes:

- Obvious/duplicative sections: Examples are giving authority to hire positions with council authorization. The Council authorization is enough – budget/org chart. Also, charter creates finance director, so don't need code section saying same thing.
- Make it clear mayor and president of council are the same person and can be used interchangeably (code refers to both at different times)
- Reduce legalese – Instead of saying “That a surcharge be added” now says “A surcharge shall be added”

Compensation:

- Move president and vice president salary under the Council Salaries section to make it easier to find – all salaries are now in the same place
- Add language that legislation increasing salary or compensation can't take effect until that seat has had an election (reelection or new member). I believe this is consistent with state law and is best practice. If don't want to stagger, could also say any change takes effect 4 years later, which would ensure every seat has come up by then.
- Remove language allowing mayor to accept money “gratuitously' given” to perform a marriage. I think this language potentially runs afoul of ethics laws. In interest of caution, I would either set a price and have the money go to the member (which would be included as part of their compensation) or go to a fund (I haven't talked to Brent about how this would work so if Council wants to do this, we can come up with a proposal). In Delaware we had a mayor's fund that funded employee recognition and things like flowers when someone passed away.

Campaign Finance and Political Activity

- Clean up conflicting language on donation limit by removing \$150 limit and keeping the \$250
- Remove conflicting language about signing petitions, which will default to state law
- Clarify that employees in civil service have to follow state law as well as our code

Criminal code:

- The general penalty, which refers to cases where there is no penalty listed, has been changed from fifty dollars to one thousand dollars
- Delete passing bad checks program – use criminal diversion and people don't write checks as often
- Delete domestic violence prevention program – I don't believe that is appropriate
- Clarify fee for traffic diversion program to align with current practice (\$225 plus court costs for dismissal, which is cheaper than if the person is guilty)

Council Meetings:

- The regular meetings of the city council will now be held on designated Mondays, with the time and date provided pursuant to the Ohio Open Meetings. Current practice is that Council votes by resolution to approve the schedule of meetings.
- Meetings can be held at alternative locations with at least four days' notice
- This is more flexible than current language which states meetings are held on the second and 4th Monday, which is a vestige of the old meeting/conference session cadence and is too rigid

City Manager's Authority:

- The city manager's authority to settle claims on behalf of the city has been increased from thirty thousand dollars to fifty thousand dollars
- Limit was last set in 2009. According to US CPI inflation calculator, 30k in 2009 equals \$45500 today.
- Similar change to contracting for in kind services. Raised to the same 50k (which is lower than procurement threshold so that can be adjusted).

Public Safety Department:

- Not touched

Engineering moved under Public Service

- Used to be its own section, but is also currently referenced as being part of public service

Finance:

- Delete funds that aren't used

Boards and Commissions

- Moved Board of Building Standard duties to BZAP (codifying resolution earlier)
- Corresponding revision to eliminate Board of Building Standards
- Cleanup

Alcohol on City Property:

- Cleanup inconsistent language regarding awarding permits to other governmental entities and non-profits

Schedule of fees:

- If you do work without a permit, increases penalty from double to quadruple fee

Chapter 1305:

Cleanup 1305.08 – Delete reference to 1305.07(K) - a section that does not exist

Chapter 1306 Board of Building Appeals:

- Complete conversion of this body to BZAP (currently done by a standalone ordinance)

Remote Meetings:

Allowed for non-BZAP boards and commissions

Not Touched:

Personnel Code – changes brought last year

143: Department of Public Safety (one excess section deleted)

147: Department of Health

160: Community Relations Committee – made changes in 2025 per annual review/renewal

175: Community Development Department

Items under consideration:

- Looking into whether we need the Local Law Enforcement Block Grant Fund

List of Proposed Code Changes by Section

PART 1 – ADMINISTRATIVE CODE

- § 101.03 INTERPRETATION.
- § 101.99 GENERAL PENALTY.
- § 105.01 DEFINITIONS.
- § 105.03 FINANCIAL CONTRIBUTION.
- § 105.04 POLITICAL ACTIVITY.
- § 111.01 REGULAR MEETINGS.
- § 111.02 PLACE OF MEETINGS.
- § 111.03 COUNCIL SALARIES.
- § 111.04 PRESIDENT AND VICE PRESIDENT OF COUNCIL'S SALARY. (STRIKE)
- § 113.01 PUBLICATION.
- § 131.02 MANAGEMENT OF PUBLIC WORKS, RECORDS.
- § 131.05 CITY PERMITS FOR ALCOHOL ON PUBLIC PROPERTY.
- § 131.09 ASSISTANT CITY MANAGER. (RESERVE)
- § 131.11 SETTLEMENT OF CLAIMS.
- § 131.14 CONTRACTS INVOLVING CITY SERVICES OR EQUIPMENT.
- § 133.02 POWERS AND DUTIES.
- § 133.03 DEPUTY CITY CLERK (STRIKE)
- § 135.01 MARRIAGES.
- § 137.01 ESTABLISHMENT. (RESERVE)
- § 137.04 CAPITAL EQUIPMENT FUND.
- § 137.05 EMPLOYEE BENEFIT FUND.
- § 137.06 SANITARY SEWER SURCHARGE FUND.

§ 137.07 WATER SURCHARGE FUND.

§ 137.08 CENTRALIZED BILLING FUND. (RESERVE)

§ 137.09 STATE ISSUE TWO IMPROVEMENT FUND (RESERVE)

§ 137.10 INFRASTRUCTURE IMPROVEMENT FUND.

§ 137.12 ESTATE TAX CAPITAL PROJECT FUND. (RESERVE)

§ 137.13 TECHNOLOGY FUND.

§ 139.03 ASSISTANT CITY ATTORNEY. (RESERVE)

§ 139.05 SUPPORT EMPLOYEES TO THE CITY ATTORNEY. (RESERVE)

§ 139.06 SPECIAL COUNSEL AND CONSULTANTS.

CHAPTER 141. ENGINEERING DIVISION (RESERVE)

§ 141.01 ENGINEERING DIVISION (STRIKE)

§ 141.02 CITY ENGINEER (STRIKE)

§ 141.03 RESERVED (STRIKE)

§ 143.07 SPECIAL OR PRIVATE POLICE OFFICERS, BOND AND FEE. (RESERVE)

§ 145.04 ENGINEERING DIVISION (NEW)

§ 145.05 CITY ENGINEER (NEW)

CHAPTER 146. BOARD AND COMMISSION MEETINGS (NEW)

§ 146.01 MEETING BY MEANS OF VIDEO CONFERENCE OR OTHER SIMILAR ELECTRONIC TECHNOLOGY.

§ 149.01 CIVIL SERVICE COMMISSION; APPOINTMENT, TERM, REMOVAL.

§ 149.04 RULES.

§ 149.05 PROBATIONARY APPOINTMENTS.

§ 149.07 EXAMINATIONS. (RESERVE)

§ 149.13 POLITICAL ACTIVITY.

§ 149.99 PENALTY.

§ 151.03 ORGANIZATION AND PROCEDURE.

- § 151.04 DUTIES.
- § 152.02 ESTABLISHMENT AND MEMBERSHIP.
- § 152.05 ARTS MANAGER. (RESERVE)
- § 153.02 USE OF MUNICIPAL TENNIS COURTS.
- § 157.03 ORGANIZATION AND PROCEDURES.
- § 157.04 POWERS AND DUTIES.
- § 173.01 MAYOR'S COURT DIVERSION PROGRAM.
- § 173.03 PASSING BAD CHECK PROGRAM. (RESERVE)
- § 173.05 TRAFFIC DIVERSION PROGRAM.
- § 173.08 DOMESTIC VIOLENCE DIVERSION PROGRAM. (STRIKE)

PART 4 – SCHEDULE OF FEES

- § 401.03 FEE PROVISIONS.

PART 13 – BUILDING CODE

- § 1305.08 GENERAL REQUIREMENTS.

CHAPTER 1306. BOARD OF BUILDING STANDARDS

- § 1306.01 COMPOSITION AND MEMBERSHIP
- § 1306.02 TERM OF OFFICE. (RESERVE)
- § 1306.03 ORGANIZATION AND APPEALS PROCEDURE.
- § 1306.04 QUORUM. (RESERVE)
- § 1306.05 DUTIES. (RESERVE)
- § 1306.06 APPLICATION AND FILING FEE FOR BOARD OF BUILDING STANDARDS.
- § 1306.07 APPEAL FROM DECISION OF THE BOARD OF STANDARDS.

RECORD OF ORDINANCES

CITY OF UPPER ARLINGTON
STATE OF OHIO

ORDINANCE NO. 21-2026

TO AMEND VARIOUS SECTIONS OF PART 1 - ADMINISTRATIVE CODE, PART 4 - SCHEDULE OF FEES, AND PART 13 - BUILDING CODE, OF THE UPPER ARLINGTON CODE OF ORDINANCES

WHEREAS, City Council identified a comprehensive review of the City Code as a priority during the 2025 Council Retreat; and

WHEREAS, on October 13, 2025, the City Attorney presented a project update outlining a phased approach for Council review and adoption of code revisions; and

WHEREAS, the first phase of this effort, focused on the Personnel Code, was adopted on December 15, 2025; and

WHEREAS, the Administrative Code, as well as portions of the Schedule of Fees and Building Code, have been reviewed and revised to improve clarity, modernize procedures, and align with current City operations.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Upper Arlington, Ohio:

SECTION 1. Various sections of Part 1 – Administrative Code, Part 4 – Schedule of Fees, and Part 13 – Building Code, of the Upper Arlington Code of Ordinances are hereby amended and updated as described in Exhibit A (attached hereto and incorporated herein).

SECTION 2. This ordinance shall take effect 30 days after passage.

Part 1

ADMINISTRATIVE CODE

§ 101.03 INTERPRETATION.

In the construction of the Codified Ordinances, the following rules shall control, excepting those inconsistent with the manifest intent of council as disclosed in a particular provision, section or Code:

Calendar-Computation of time: The terms month and year shall mean the calendar month or year. The time expressed in days within which an act is to be done or a period is to expire shall be computed by excluding the first and including the last day except if the last be Sunday, it shall be excluded. If time is expressed in hours, the whole of Sunday shall be excluded.

City and municipality: The words city and municipality shall mean the City of Upper Arlington, Ohio.

City Hall: The term City Hall shall mean the public building located at 3600 Tremont Road in the City of Upper Arlington, Ohio.

Conjunctions: And shall include or and or shall include and, if the sense so requires.

Council: Council means the Council of Upper Arlington, Ohio.

Fire division: The term fire division or fire department shall mean the fire division of the department of public safety of the city.

Gender: Words importing the masculine shall extend and be applied to the female and neuter genders.

General rule: Excepting as otherwise provided in this section words and phrases shall be construed according to the common usage of language; provided, however, that technical words and phrases and such others as may have acquired a special meaning in the law, shall be construed according to such technical or special meaning.

Whenever in the Codified Ordinances authority is given to an officer or an act is required to be performed, such authority may be exercised and such act may be performed, at the instance of such officer, by a deputy or subordinate unless contrary to law or to the clear intent of any such particular provision.

Joint authority: words giving authority to a board, commission or to three (3) or more municipal officers or employees or other persons shall be construed as giving authority to a majority thereof unless otherwise specifically provided.

Mayor: The titles mayor and president of council refer to the same office and can be used interchangeably.

Municipal building/Municipal Services Center: The terms municipal building and Municipal Services Center shall mean the public building located at 3600 Tremont Road in the City of Upper Arlington, Ohio.

Number: Words in the plural shall include the singular. Words in the singular and in the singular shall include the plural number.

Owner: The word owner when applied to property, shall include any part owner, joint owner or tenant in common, of the whole or any part of such property.

Person: The word person shall extend to and be applied to associations, clubs, corporations, firms and partnerships, as well as to individuals.

Police division: The terms police division or police department shall mean the police division of the department of public safety of the city.

Premises: The word premises when used as applicable to property shall extend to and include land and buildings.

Public authority: The term public authority shall extend to and include the board of education of the municipality, the municipality, the county commissioners, the State of Ohio, the United States of America, and any duly authorized public official, board or commission.

Property: The word property shall include real and personal, and any mixed and lesser estates or interests therein; the words personal property shall include every kind of property except real property; and the words real property shall include lands, tenements and hereditaments.

~~*Reasonable time:* In all cases where provision is made for an act to be done or notice to be given within a reasonable time, it shall be deemed to mean such time only as may be necessary for the prompt performance of such act or giving of such notice.~~

Street: The word street shall be construed to include alleys, avenues, boulevards, lanes, roads, streets and other public ways in the Municipality.

Tenant or occupant: The words tenant or occupant as applied to a building or land shall extend and be applied to any person holding a written or oral lease of or who occupies the whole or any part of a building or land, alone or with others.

Tenses: The use of any verb in the present tense shall include the future.

§ 101.99 GENERAL PENALTY.

Whoever in the Codified Ordinances or in any ordinance heretofore or hereafter adopted, any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or wherever in said Codified Ordinances the doing of any act is required, or the failure to do any act is declared to be unlawful, where no specific penalty is provided therefore, the violation of any such provision of the Codified Ordinance or of any such ordinance is hereby made a misdemeanor, any violator upon conviction by the court, shall be fined in any amount not exceeding fifty one thousand dollars (\$~~501000.00~~), ~~or imprisoned not more than thirty (30) days, or both~~. Each day any violation of any provision of the Codified Ordinances shall continue shall constitute a separate offense.

§ 105.01 DEFINITIONS.

(A) *Contribution:* means any contribution that is required to be reported in the statement of contribution under ORC § 3517.10 and defined under ORC § 3517.01(B)(5).

(B) ~~*In-kind Contribution:* means any contribution that is defined under ORC § 3517.01(B)(16).~~

~~*Personal funds:* means contributions to the campaign committee of a candidate by the candidate or by the candidate's spouse, parents, children, sons-in-law, daughters-in-law, brothers, sisters, grandparents, mother-in-law, father-in-law, brothers-in-law, sisters-in-law, or grandparents by marriage.~~

(C) ~~*In-kind Contribution:* means any contribution that is defined under ORC § 3517.01(B)(16).~~ *Personal funds:* means contributions to the campaign committee of a candidate by the candidate or by the candidate's spouse, parents, children, sons-in-law, daughters-in-law, brothers, sisters, grandparents, mother-in-law, father-in-law, brothers-in-law, sisters-in-law, or grandparents by marriage.

§ 105.03 FINANCIAL CONTRIBUTION.

- (A) Solicitation of contributions: No person shall solicit any employee of the City of Upper Arlington, to contribute any money or any articles of value to secure the nomination or election of any candidate for Council in the City of Upper Arlington.
- (B) Contribution by employees: No employee, including council-appointed employees, of the City of Upper Arlington shall make any contribution of money or any articles of value toward the nomination or election of any candidate for Council in the City of Upper Arlington.
- (C) Campaign funds: No candidate for, or member of, the Council of the City of Upper Arlington shall accept any contribution of money or other item of value from any Upper Arlington employee, including council-appointed employees. This provision does not prohibit council members from contributing to other candidates for city council.
- (D) No person, corporation, or organization shall make a contribution or in-kind contribution of more than two hundred and fifty dollars (\$250.00) in a calendar year to any candidate or member of council to be used as campaign funds.
- (E) No candidate or member of council shall accept a contribution or in-kind contribution of more than two hundred and fifty dollars (\$250.00) in a calendar year to be used as campaign funds.
- ~~(F) No person, corporation, or organization shall make cash contributions to a candidate for or member of council totaling more than one hundred dollars (\$100.00) to be used as campaign funds in each primary, special, or general election or in a non-election calendar year.~~
- ~~(FG)~~ Subsections (D) and, (E) and ~~(F)~~ shall not apply to a candidate's personal funds as defined by this chapter.
- ~~(GH)~~ The provisions of the laws of the State of Ohio pertaining to elections that are not inconsistent with the provisions of this section shall remain in full force and effect and shall apply in addition to the requirements of this section. In the event of a conflict between the provisions of the laws of the State of Ohio and provisions of this section, the provisions of this section shall control.

§ 105.04 POLITICAL ACTIVITY.

- (A) No employee, including council-appointed employees, shall take an active part in securing the nomination or election of any candidate for council in the City of Upper Arlington.
- (B) No employee, supervisor, council-appointed employee, member of council or candidate for council of the City of Upper Arlington shall request any employee or appointed official of the City of Upper Arlington to sign any nominating petition for any office, or any petition designed to place any issue upon, the ballot in the City of Upper Arlington.
- (C) The provisions of this section shall not be construed to prevent any person from:
 - (1) Exercising his right to vote upon any item appearing on the ballot in the City of Upper Arlington.
 - (2) ~~Providing access to the electoral process by the signature of any petition designed to provide access for any candidate or issue to the ballot in the City of Upper Arlington.~~
 - ~~(23)~~ Expressing his private political views in a private context in such a manner that publication of his views does not result.
 - ~~(34)~~ Responding to factual questions put to him in his official capacity in areas of his official knowledge or expertise, or to requests for his official opinion in those areas wherein he is required to be able to reach an official opinion.
- (D) No person shall do any act that has the effect of precluding or discouraging any employee, officer, etc. from exercising the rights described in C.O. § 105.04(C).

§ 111.01 REGULAR MEETINGS.

The regular meetings of the city council shall be held ~~on at 7:30 p.m. on the second and fourth~~ Mondays of each month designated by Council. The time and date of each meeting shall be provided pursuant to the requirements of the Ohio Open Meetings Act.;

§ 111.02 PLACE OF MEETINGS.

- (A) ~~Such m~~Meetings shall be held in the City Hall, 3600 Tremont Road, also known as the Upper Arlington Municipal Services Center, provided that the council may, ~~by a majority vote of the members present and voting at a regular meeting~~ establish an alternative location for a meeting, ~~determine that the next succeeding meeting shall be held in one of the public schools within this city.~~ The City shall provide at least four (4) days nNotice of any meeting to be held elsewhere than at the City Hall, ~~shall be, posted in a conspicuous place in the City Hall for at least five (5) days prior to such meeting, and shall be published in the Upper Arlington News or in some newspaper of general circulation in this city at least three (3) days before such meeting.~~
- (B) ~~Special meetings of the council shall be held in the City Hall, unless a different location is authorized by unanimous consent of all members.~~
- (~~C~~B) Nothing in this section shall restrict the council's authority to recess a meeting which has been duly convened, and to resume the same at another location within this city which is open to the public.
- (C) If permitted by Ohio Law, Council may hold meetings by means of video conference or other similar electronic technology.

§ 111.03 COUNCIL SALARIES.

- (A) The salary of each member of council shall be ~~three thousand dollars (\$3,000.00) per annum payable at the rate of two hundred fifty dollars (\$250.00) per month, effective January 10, 2012. The salary shall automatically increase to~~ the minimum monthly salary necessary to qualify for a full month credit of contributing service in the public employee retirement system on the effective date of any increase in the statutory requirement. (Ord. No. 82-2011)
- (B) The salary of the president of council and ex-officio mayor, in addition to council salary, shall be one thousand two hundred dollars (\$1,200.00) per annum, payable at the rate of one hundred dollars (\$100.00) per month (effective January 1, 1990).
- (C) The salary of the vice president of council, in addition to council salary, shall be six hundred dollars (\$600.00) per annum, payable at the rate of fifty dollars (\$50.00) per month.
- (D) Each council member shall have the option to participate within the city's health care benefits program.
- (E) Any legislation increasing the salary or compensation of a council member cannot be applied to a council member until the first election for that member's seat following the legislation.

§ 111.04 PRESIDENT AND VICE PRESIDENT OF COUNCIL'S SALARY.

~~The salary of the president of council and ex-officio mayor, in addition to council salary, shall be one thousand two hundred dollars (\$1,200.00) per annum, payable at the rate of one hundred dollars (\$100.00) per month (effective January 1, 1990). The salary of the vice president of council, in addition to council salary, shall be six hundred dollars (\$600.00) per annum, payable at the rate of fifty dollars (\$50.00) per month (effective January 1, 1990).~~

§ 113.01 PUBLICATION.

All municipal ordinances, resolutions, statements, orders, proclamations, notices and reports required by law or ordinance to be published shall be published by posting copies thereof in a public place in the Municipal Services Center of the City of Upper Arlington for a period of not less than ten (10) days, by posting copies thereof on the city's website, or by publication thereof in any newspaper printed in Ohio and of general circulation in the City of Upper Arlington; provided, however, notices to bidders for the construction of public improvements and notices of the sale of bonds shall be published as provided by Upper Arlington Codified Ordinance or statute.

Pursuant to Section XI of the City Charter, concurrence is required for consideration of subjects not included in the notice of the meeting. For purposes of this requirement, the distribution to council members of the official agenda with any and all ordinances, resolutions, requests, plans or reports attached thereto shall be the official notice of the meeting, provided it occurs at least twenty-four (24) hours prior to the meeting. ~~There is no requirement that this notice be published.~~

§ 131.02 MANAGEMENT OF PUBLIC WORKS, RECORDS.

The city manager shall manage and supervise all public works and undertakings of the city, except as otherwise provided by law, and shall have all powers and perform all duties conferred upon him/her by law. ~~The city manager shall keep a record of his/her proceedings, a copy of which, certified by him/her, shall be competent evidence in all courts.~~

(Ord. No. 115-2010, 3-16-2011)

§ 131.05 CITY PERMITS FOR ALCOHOL ON PUBLIC PROPERTY.

- (A) The city manager or designee shall have authority to issue city permits for the consumption of intoxicating liquor and beer, as defined in C.O. § 549.01, at the following locations:
- (1) Amelita Mirolo Barn and surrounding premises located within sixty (60) feet of the building, including the fenced-in west patio and any other approved area including but not limited to the stage area and any tents or temporary enclosed areas associated with permitted events.
 - (2) City property for permitted events produced by city staff.
 - (3) Community center event/program spaces during permitted events, city sponsored functions, and private rentals.
- (B) The city manager or designee shall have authority to issue city permits to a nonprofit organization, as defined in ORC § 4303.201 or a governmental entity, for the sale and consumption of intoxicating liquor and beer, as defined in C.O. § 549.01, ~~at the locations listed in subsection (A) above.~~
- (C) The city permits shall include the following requirements:
- (1) Compliance with all state and local liquor laws, including but not limited to obtaining any required state permits;
 - (2) Proof of Dram shop insurance coverage or other adequate insurance based on usage;
 - (3) No sales or consumption after 11:00 p.m. or other earlier time deemed appropriate by the city manager given the event and its impact on the premises and surrounding area.
 - (4) All sales and consumption shall be limited to the areas listed in subsection (A) and approved by the city permit above during the permitted event.

-
- (5) Other requirements based on policies and regulations adopted by the city manager or designee and reviewed by city council, or the city manager's assessment of the needs of the event including but not limited to the requirement to hire a special duty police officer.
- (D) The city manager or designee shall establish written policies and regulations, subject to council approval, for the administration and enforcement of this section.
- (E) The city manager is directed to provide a report to city council that details any safety issues arising out of this section. Upon request by city council, the city manager shall provide occupancy numbers, revenue and any other information related to this section requested by a council member.
- (Ord. No. 25-2011, 5-9-2011; Ord. No. 54-2012, 9-24-2012; Ord. No. 40-2013, 6-10-2013; Ord. No. 28-2022, § 1, 4-11-2022; Ord. No. 15-2023, § 1, 3-20-2023)

§ 131.09 ~~ASSISTANT CITY MANAGER.~~ RESERVED.

~~The city manager, with the advice and consent of council, may appoint an assistant city manager whose powers and duties shall be prescribed by the city manager.~~

§ 131.11 SETTLEMENT OF CLAIMS.

The city manager is authorized, upon advice from the city attorney, to settle or compromise on behalf of the city any claim against the city, whether a moral or legal obligation, wherein the amount to be paid in settlement of such claim does not exceed ~~thirty-fifty~~ thousand dollars (530,000.00), and wherein such settlement is deemed by the city manager to be in the best interest of the city. Settlement of claims against the city in excess of ~~thirty-fifty~~ thousand dollars (530,000.00) shall be approved by ordinance of city council.

(Ord. No. 111-2009)

§ 131.14 CONTRACTS INVOLVING CITY SERVICES OR EQUIPMENT.

- (A) The city manager may enter into contracts involving the payment of money or providing services, equipment, or other value in-kind to the city in exchange for city services or the loaning of city equipment without council approval provided that
- (1) The finance ~~and administrator services~~ director determines the payment or provision of services, equipment, or other value in-kind reasonably compensates the city for the services provided or the equipment loaned;
 - (2) The contract requires the other party to be responsible for any damages to the loaned city equipment and is executed in accordance with C.O. § 138.11(B); and
 - (3) The city manager notifies council no later than thirty (30) days after entering into the contract.
- (B) The city manager may enter into contracts with another political subdivision involving the loaning of city equipment in exchange for the borrowing of equipment from the other political subdivision without council approval provided that
- (1) The department director maintains a log of all equipment loans and annually reviews whether the rental value of equipment borrowed reasonably compensate the city for the rental value of equipment loaned;

-
- (2) The contract requires the other political subdivision to be responsible for any damages to the loaned city equipment, permits the city to bill the other political subdivision if the city is not being reasonably compensated, does not involve an expenditure of more than ~~thirty~~ thirty-five thousand dollars (\$~~35~~50,000.00) by the city, and is executed in accordance with C.O. § 138.11(B).
- (3) The city manager notifies council no later than thirty (30) days after entering into the contract.
- (C) For purposes of this section, "reasonably compensates" means that the total of the cost of services provided, rental value of equipment loaned, and any expenditure made by the city is approximately equal to the total of the cost of services received, rental value of equipment borrowed, and any payment received by the city.
- (D) This section does not modify the city manager's powers granted pursuant to C.O. §§ 131.01 and 131.10.
(Ord. No. 111-2009; Ord. No. 9-2013; Ord. No. 34-2016, § 1, 6-6-2016)

§ 133.02 POWERS AND DUTIES.

The city clerk shall act as the clerk of council and shall perform duties including but not limited to maintaining legislative records, certifying ordinances, and attesting official documents, in addition to the ~~have all~~ powers and duties delegated by statute or by council ~~to such officials~~.

§ 133.03 DEPUTY CLERKS.

~~The city clerk is authorized to appoint one (1) or more deputy clerks to assist him/her in the operation of his/her office and to act for him/her in his/her absence.~~

§ 135.01 MARRIAGES.

The mayor and acting mayor shall be permitted to solemnize marriages in accordance with Ohio Revised Code Section 2101.08. ~~accept monies gratuitously given for the solemnization of a marriage.~~

§ 137.01 ESTABLISHMENT RESERVED.

~~Under the provisions of Sections II and XIV of the Charter, a finance department is created under the supervision of the finance director. The finance director shall be appointed by the city manager subject to the approval of a super majority of at least five (5) members of council. The finance director shall serve at the pleasure of the city manager upon approval of such recommendation by a super majority of five (5) members of city council.~~

~~(Ord. No. 6-2012, 2-13-2012; Ord. No. 5-2017, § 2, 2-13-2017)~~

§ 137.04 CAPITAL IMPROVEMENT EQUIPMENT FUND.

There is hereby established a fund to be known as the capital equipment fund, which shall consist of two (2) divisions designated respectively as:

- (A) New equipment.
- (B) Special projects.

Funds in division (A) shall be used for the purchase of new equipment having a useful life of at least five (5) years. Funds in division (B) shall be used for the financing of special projects of a nature not ordinarily included in current operating expenses of a non-recurring nature.

§ 137.05 EMPLOYEE BENEFIT FUND.

- (A) ~~That t~~Ihe employee benefit fund is hereby created in the treasury of the City of Upper Arlington for the sole purpose of providing for employee benefits, included but not limited to health care, life insurance, dental benefits and disability benefits.
- (B) Deposits into the fund shall come from the proportionate share of the costs of employee benefits budgeted in the operating accounts of the departments and divisions of the city, along with third party reimbursements for employee benefits, premiums and refunds.
- (C) Expenditures from the fund shall be to pay for the cost of employee benefits, administration of the benefits program and the cost of actuarial and advisory assistance.
- ~~(D) The fund shall be credited with interest based on the proportionate share of funds available for investment purposes.~~

§ 137.06 SANITARY SEWER SURCHARGE FUND.

- (A) ~~That a~~a surcharge shall be added to the sewer rate, to be applied to all users of sewerage service within the ~~City of Upper Arlington, Ohio~~city, including any extensions of ~~said the~~city, at the rate of twenty-three percent (23%) of the sewer charges billed, by the City of Columbus. Said rate is in addition to the sewer rate charged by the City of Columbus. Such surcharge shall apply to all bills rendered for billing periods beginning on and after January 1, 2019.
- (B) ~~That a~~All money derived from said surcharge shall be credited to the sanitary sewer surcharge fund, established by Ordinance No. 175-90. ~~Said The~~ fund shall be used for the payment of the cost of management, maintenance, operation and repair of the sewerage system of this city, or for the enlargement or replacement of ~~said the~~system, for construction and reconstruction of main and interceptor storm sewers and for the payment of the interest on any debt incurred for the construction thereof.

(Ord. No. 87-2018, § 5, 12-10-2018)

§ 137.07 WATER SURCHARGE FUND.

- (A) ~~That a~~A surcharge shall be added to the regular water rate, to be applied to all consumers in the ~~c~~City of Upper Arlington, Ohio, including any extensions of ~~said the~~city, at the rate of fifteen percent (15%) of the water charges billed by the City of Columbus based on meter consumption of water. Said rate is in addition to the water rate charged by the City of Columbus. Such surcharge shall apply to all bills rendered for billing periods beginning on and after January 1, 2019.
- (B) ~~That a~~All money derived from said surcharge shall be credited to the water surcharge fund, which is hereby established. ~~Said The~~ fund shall be used for the payment of the cost of management, maintenance and repair of the water distribution system of this city. Any balance in such fund may be used for the construction and reconstruction of the water distribution system including repair and/or replacement of fire hydrants and for the payment of the interest on any debt incurred for the construction thereof.

(Ord. No. 87-2018, § 6, 12-10-2018)

§ 137.08 ~~CENTRALIZED BILLING FUND.~~ RESERVED.

- (A) ~~That the centralized billing fund is hereby created in the Treasury of the City of Upper Arlington for the purpose of providing centralized billing services for the various departments, divisions and offices of the city.~~
- (B) ~~Deposits into the fund shall come from the departments, divisions and offices for whom centralized billing services have been provided.~~
- (C) ~~Expenditures from the fund shall be to pay the cost of operating expenditures incurred in providing the billing services.~~

§ 137.09 ~~STATE ISSUE TWO IMPROVEMENT FUND.~~ RESERVED.

- (A) ~~That the state issue two improvement fund is hereby created in the Treasury of the City of Upper Arlington for the purpose of undertaking capital projects approved by the Ohio Public Works Commission.~~
- (B) ~~Deposits shall come from the Ohio Public Works Commission and from any other city funds which are used to pay the matching funds.~~
- (C) ~~Expenditures from the fund shall be used to pay the expenses of the capital projects including architect and engineering fees and inspection services.~~

~~As the authorized levels of expenditures from projects approved from the bonded improvement fund are reached, balances in the projects shall be transferred to the state issue two fund, sanitary sewer fund, water surcharge fund, stormwater management fund or capital improvement fund, as appropriate.~~

§ 137.10 INFRASTRUCTURE IMPROVEMENT FUND.

- (A) ~~That t~~he infrastructure improvement fund is hereby created in the Treasury of the City of Upper Arlington for the purpose of undertaking capital projects.
- (B) Deposits into the fund shall come from the transfers out category of the general fund at a funding level of seven hundred fifty thousand dollars (\$750,000.00) per year, or as adjusted by city council through budget authority, for a period of five (5) years beginning with fiscal year 1997.
- (C) Expenditures from the fund shall be used to pay the expenses of the capital projects including architect and engineering fees and inspection services.

§ 137.12 RESERVED ~~STATE TAX CAPITAL PROJECT FUND.~~

~~The estate tax capital project fund is hereby created in the Treasury of the City of Upper Arlington for the purpose of undertaking capital projects.~~

~~Deposits into this fund shall come from estate tax in any year that exceeds \$2.1 million and council designates the tax to be used for capital projects. A proportional amount of investments earnings will be deposited into this fund.~~

~~Expenditures from the fund shall be used to pay all expenses of capital projects including such expenses as architectural/engineering fees and inspection services.~~

§ 137.13 TECHNOLOGY FUND.

All cellular tower fees shall be deposited in the technology fund, which is hereby established. ~~In addition, the fund shall be annually supplemented by cable television franchise fees in an amount not to exceed fifty thousand dollars (\$50,000.00).~~ This technology fund shall be used for the purchase of all technological equipment to include communications and computer equipment unless another fund has been established by law.

§ 139.03 ~~FIRST ASSISTANT CITY ATTORNEY.~~ RESERVED.

~~The city attorney, with approval of council, is authorized to appoint a first assistant city attorney who shall hold office at the pleasure of the city attorney.~~

§ 139.05 ~~SUPPORT EMPLOYEES TO THE CITY ATTORNEY.~~ RESERVED.

~~The city attorney may appoint such support staff, including assistant city attorneys; paralegal/office managers; criminal justice administrators; legal administrative specialists, and legal interns as may be authorized by council whose duty shall be to assist the city attorney in the performance of the duties imposed upon them by the provisions of this chapter. Such support employees shall hold office at the pleasure of the city attorney.~~

(Ord. No. 115-2010, 3-16-2011)

§ 139.06 SPECIAL COUNSEL AND CONSULTANTS.

In accordance with the provisions of C.O. § 138.06(B)(2) and § 138.09(F), the city attorney is authorized to appoint special counsel and consultants for the prosecution, investigation and defense of cases ~~in the courts~~ and for other legal matters. Such special counsel and consultants shall receive reasonable compensation, to be fixed by the city attorney. ~~The city attorney shall advise city council of any such appointments prior to the next regularly scheduled council meeting.~~

(Ord. No. 113-2009)

CHAPTER 141. RESERVED. ~~ENGINEERING DIVISION~~

§ 141.01 ~~ENGINEERING DIVISION.~~

~~The engineering division shall be administered by the city engineer, under the general supervision and control of the city manager or designee. In addition to the city engineer, the division shall include one (1) or more assistant city engineers and such other personnel as may be authorized by council and appointed by the city manager.~~

(Ord. No. 39-2015, § 1, 6-22-2015)

§ 141.02 ~~CITY ENGINEER.~~

~~The city engineer shall be appointed by, and shall serve at the pleasure of the city manager. The city engineer shall be a professional engineer, duly registered or licensed to practice in the State of Ohio. The city engineer shall perform all engineering services for the city and its departments, except on projects of such a nature as may require the assistance of consulting engineers. The selection and employment of consulting engineers shall be made by the city engineer, in accordance with the rules and procedures approved by the city manager, when authorized by council.~~

(Ord. No. 115-2010, 3-16-2011)

§ 143.07 RESERVED. ~~SPECIAL OR PRIVATE POLICE OFFICERS, BOND AND FEE.~~

~~The city manager is authorized to commission such special or private police officers and private detectives as deemed necessary, all to serve without compensation from the city.~~

~~Such private or special police officers and private detectives shall give a bond in the sum of five thousand dollars (\$5,000.00) to the satisfaction of the city manager and shall pay an annual fee in the sum of one hundred dollars (\$100.00). They shall act under the direction and control of the police chief and such rules and regulations as the city manager shall from time to time provide.~~

~~(Ord. No. 117-2009)~~

§ 145.04 ENGINEERING DIVISION.

The engineering division shall be administered by the city engineer, under the general supervision and control of the city manager or designee.

§ 145.05 CITY ENGINEER.

The city engineer shall be appointed ~~by, and~~by and shall serve at the pleasure of the city manager. The city engineer shall be a professional engineer, duly registered or licensed to practice in the State of Ohio. The city engineer shall perform all engineering services for the city and its departments, except on projects of such a nature as may require the assistance of consulting engineers. The selection and employment of consulting engineers shall be made by the city engineer, in accordance with the rules and procedures approved by the city manager, when authorized by council.

CHAPTER 146. BOARD AND COMMISSION MEETINGS

§ 146.01 MEETING BY MEANS OF VIDEO CONFERENCE OR OTHER SIMILAR ELECTRONIC TECHNOLOGY.

With the exception of the Board of Zoning and Planning, boards and commissions may meet by videoconference, teleconference, or other electronic means in compliance with Ohio Revised Code Section 121.22 and any applicable requirements in Ohio Revised Code or Upper Arlington codified ordinance, resolution, or rules of procedure.

§ 149.01 CIVIL SERVICE COMMISSION; APPOINTMENT, TERM, REMOVAL.

Council shall appoint three (3) electors of the city as civil service commissioners, who shall be residents of the city and/or the Upper Arlington School District at the time of appointment and for the duration of their term of service. ~~The members of the existing civil service commission shall continue in office for the terms for which they were appointed. Thereafter, m~~Members of the civil service commission shall be appointed to serve for a term of four (4) years and shall expire on the last day of June. Appointments shall commence on the date the appointment is

approved by council or such other date provided by council. Any member appointed to fill a vacancy occurring prior to the expiration of the term shall be appointed for the unexpired portion of said term. City council may shorten or lengthen a particular term at the time of appointment to maintain a staggered rotation so that not all members' terms expire in the same year or extend a term until a replacement is appointed.

~~Council may at any time remove any commissioner from office~~A commissioner's seat shall become vacant if and when he/she no longer meets the residency requirement.

~~Council may at any time remove any commissioner from office if and when he/she no longer meets the residency requirement.~~

Council may at any time remove any commissioner for inefficiency, neglect of duty, incompetence or malfeasance in office, having first given to such commissioner a copy of the charges against him/her and an opportunity to be heard in person or by counsel in his/her own defense.

(Ord. No. 8-2013; Ord. No. 40-2022, § 3, 6-6-2022)

§ 149.04 RULES.

The commission shall prescribe, amend and enforce the civil service rules and keep its proceedings and records of its examinations concerning the enforcement and effect of the civil service provisions and the rules thereunder. If there is a conflict between the civil service rules and ORC ch. 124, the rules shall supersede chapter 124; provided, that the rules may not supersede the City Charter or the Upper Arlington Codified Ordinances. ~~The commission shall make an annual report to council.~~ The rules shall provide for but are not limited to any requirements mandated by ORC ch. 124.

§ 149.05 PROBATIONARY APPOINTMENTS.

- (A) All original and promotional appointments shall be for a probationary period of one (1) year.
- (B) The one-year probationary period for original appointments of police officers shall begin on the date of appointment or the date of certification pursuant to ORC § 109.77, whichever occurs later.
- (C) A probationary period may be extended by the appointing authority for up to one hundred eighty (180) additional days for good cause, unless otherwise provided in any applicable collective bargaining agreement.
- (D) No appointment or promotion shall be deemed ~~finally made~~final until the employee has satisfactorily served his probationary period.

(Ord. No. 62-2014, § 1, 11-24-2014; Ord. No. 65-2021, § 1, 11-8-2021)

§ 149.07 ~~RESERVED.~~ EXAMINATIONS.

~~All examinations shall be practical and impartial and shall relate to those matters which will fairly test the relative capacity of the persons examined to discharge the duties of the position for which appointment is sought.~~

(Ord. No. 65-2021, § 1, 11-8-2021)

§ 149.13 POLITICAL ACTIVITY.

In addition to the limitations provided by the Ohio Revised Code and Ohio Administrative code, Aall persons in the civil service are subject to the provisions of C.O. ch. 105.

§ 149.99 PENALTY.

- (A) Whoever violates C.O. §§ 149.12, 149.13, 149.14, 149.15, 149.16 or and 149.17 is guilty of a civil service violation, a misdemeanor of the first degree. The court shall impose a mandatory fine of one hundred dollars (\$100.00), which shall not be suspended.
- (B) In addition to any criminal penalty, any person in the civil service who violates this chapter or C.O. ch. 105 shall also be subject to disciplinary action which may include termination.

§ 151.03 ORGANIZATION AND PROCEDURE.

- (A) The parks and recreation advisory board shall elect its own chairperson and establish its own rules of organization and procedure for the conduct of its meetings. The rules shall not conflict with the City Charter, this chapter, the rules of council, or state law and shall be generally in accordance with Roberts Rules of Order. All Rules shall be submitted to the city clerk and kept on file.
- (B) The board shall meet at the call of the chairperson, the director of parks and recreation, the city manager, or council. ~~The city clerk shall appoint a person to~~City staff shall record board minutes. ~~The board may invite from time to time members of the public including those representing department related committees to speak on various topics.~~
- (C) Recommendations by the board may be provided to council, the city manager, or the parks and recreation director.

(Ord. No. 14-2016, § 1, 3-14-2016)

§ 151.04 DUTIES.

The duties of the parks and recreation advisory board shall include the following

- ~~(A) The parks and recreation advisory board shall a~~Act in an advisory capacity to the director, city manager or city council.
- ~~(B) The purpose of the board is to p~~Provide input and discuss park and, recreational, ~~and cultural arts~~ services and facilities.
- ~~(C) The board shall also s~~Serve as ambassadors for the city by soliciting input from the community and by educating our citizens and facility users regarding the services provided by the department.
- ~~(D) If so directed by the director or city council, the board shall~~ receive public input and consider matters pertaining to:
 - (1) acquisition, development, improvement and management of parks, parkstrips and other city property.
 - ~~(2) The board may also receive input on matters pertaining to~~ recreational programs and facilities in the community, the need for improvement and extension thereof, the need and feasibility of additional recreation facilities and methods of financing the same.

~~(E) It shall also facilitate~~, as necessary, updates or reports from the chairperson or designee of each of the boards, commissions or councils related to the parks and recreation department.

~~(A)(F)~~ The board shall perform such other duties relative to the department and programs as delegated by city council or the director.

(Ord. No. 14-2016, § 1, 3-14-2016)

§ 152.02 ESTABLISHMENT AND MEMBERSHIP.

(A) *Establishment:* There is hereby established and created the Upper Arlington Cultural Arts Commission.

(B) *Membership:* The commission shall consist of the following members:

- (1) Seven (7) regular members appointed by the president of council, subject to approval of council, for three-year terms. City council may shorten or lengthen a particular term at the time of appointment to maintain a staggered rotation so that not more than three (3) members' terms expire in the same year or extend a term until a replacement is appointed. All commission members shall be residents of the City of Upper Arlington.
- (2) Public input: Any public agency or organization, private association, or individual may address the commission on issues pertaining to cultural arts. In addition, the chairperson may invite any individual to address the commission based on their expertise in the area of cultural arts.
- (3) The director of parks and recreation, or other designee, shall attend meetings of the commission and serve as staff representative to the commission.

(C) *Terms:*

- (1) ~~Unless otherwise designated when a member is appointed, T~~terms shall commence the first day of July~~7~~ and expire the last day of June.
- (2) Absence from three (3) consecutive regular meetings shall operate to vacate the term of the member, unless such absence is authorized or excused by vote of the commission and approved by the director. Any term thus vacated, or vacated by resignation, shall be filled by appointment by the president of council, subject to approval of council for the remainder of the unexpired term.

(Ord. No. 13-2016, § 1, 3-14-2016; Ord. No. 79-2020, § 1, 12-14-2020; Ord. No. 40-2022, § 5, 6-6-2022)

§ 152.05 ~~ARTS MANAGER~~RESERVEDR.

~~The city shall designate an art manager to manage the city's art collection, help implement the duties outlined in C.O. § 152.03 and perform other duties as the city manager or their designee may prescribe.~~

(Ord. No. 13-2016, § 1, 3-14-2016; Ord. No. 79-2020, § 1, 12-14-2020)

§ 153.02 USE OF MUNICIPAL TENNIS COURTSAUTHORITY TO ADOPT RULES AND REGULATIONS FOR FACILITIES.

- (A) *Regulations:* The city manager ~~shall be~~ authorized to adopt such rules and regulations as he may deem necessary or desirable for the operation of ~~the tennis courts and the tennis program recreation facilities~~ to include establishment of fees, ~~which rules shall be on file in the department of parks and recreation.~~

§ 157.03 ORGANIZATION AND PROCEDURES.

- (A) The board of zoning and planning shall elect its chairman and establish its own rules of procedure for the conduct of its business. The term of the chairman shall be as prescribed in the rules. The rules shall not conflict with the provisions of the City Charter, this chapter, the rules of council, or state law and shall be generally in accordance with Roberts Rules of Order. All rules shall be submitted to the city clerk and kept on file.
- (B) ~~The director of community development, his/her designee or such other person as may be directed by the City staff~~ city manager shall be the secretary of the board of zoning and planning. ~~It shall have such assistance and such other employees as the council may from time to time authorize.~~

(Ord. No. 15-2016, § 1, 3-14-2016)

§ 157.04 POWERS AND DUTIES.

- (A) The board of zoning and planning shall exercise all powers and perform all duties as prescribed in the Unified Development Ordinance or as hereafter may be invested by ordinance, resolution or other action of council in the board of zoning and planning, including appeals brought under Chapter 1401.02.
- (B) Four (4) members of the board of zoning and planning shall constitute a quorum for the transaction of business. No action may be taken by the board without the concurrence of a majority of the members present and voting. The foregoing notwithstanding, a minimum of three (3) affirmative votes shall be required to pass or approve any board action.
- (C) Vacancies, absence from three (3) consecutive regular meetings shall operate to vacate the term of the member, unless such absence is authorized or excused by vote of the board. Any term thus vacated, or vacated by resignation, shall be filled by appointment by the mayor subject to the approval of council for the remainder of the unexpired term.

(Ord. No. 15-2016, § 1, 3-14-2016)

§ 173.01 MAYOR'S COURT DIVERSION PROGRAM.

The Upper Arlington City Prosecutor may use his or her discretion to refer criminal cases filed in the Upper Arlington Mayor's Court to the mayor's court diversion program established within the city attorney's office. Cases referred to the mayor's court diversion program will be assessed a one hundred dollar (\$100.00) fee to deter the costs incurred from the operation of and participation in this program. Individuals who successfully complete the requirements of the mayor's court diversion program will have their charges dismissed upon payment of court costs. Court costs will be determined and assessed pursuant to the rules of court.

(Ord. No. 70-2010; Ord. No. 115-2010, 3-16-2011)

§ 173.03 PASSING BAD CHECK PROGRAM. RESERVED

~~(A) In lieu of filing criminal charges, check cases may be referred to the passing bad check program within the city attorney's office upon approval of the prosecuting attorney. Cases referred to the passing bad check program will be assessed a thirty dollar (\$30.00) fee to defer the costs incurred from the operation of and participation in this program. The prosecutor may waive any fee, either using his or her discretion or when an individual is unable to pay.~~

~~(B) Check cases that have been filed in the Upper Arlington Mayor's Court may be referred to the passing bad check program, established within the city attorney's office, upon approval of the prosecuting attorney. Individuals who successfully complete the requirements of the passing bad check program will have their charges dismissed upon payment of court costs. Court costs will be determined and assessed pursuant to the rules of court.~~

§ 173.05 TRAFFIC DIVERSION PROGRAM.

The prosecutor at his/her discretion may divert a person charged with a traffic offense into the traffic diversion program. When making this decision, the prosecutor may consider the following factors: defendant's prior record; aggravating circumstances involved in the stop; the police officer's objection or request for diversion; any other factors deemed relevant to the decision; and whether the offense is a Traffic Rule 13 offense.

Once in the program, a hearing will be set and conditions set forth to complete the diversion process.

There shall be a traffic diversion fee of two hundred and twenty five dollars (\$225.00) ~~payable plus~~ dismissal court costs, once the program conditions have been met. The conditions of the program may consist of, but not be limited to: community service; defensive driving program; victim impact panel; and other types of programs relating to traffic issues.

Failure to comply with the conditions of this program will result in removal from the diversion program and reinstatement of the original traffic charge.

(Ord. No. 70-2010)

~~§ 173.08 DOMESTIC VIOLENCE DIVERSION PROGRAM.~~

~~(A) The prosecutor at his/her discretion may divert a person accused or charged with domestic violence into the domestic violence diversion program. This program is intended to resolve pending domestic violence conflicts and may be used at the city attorney's discretion. The following criteria must be met for consideration for admittance into the program. This criterion does not guarantee acceptance into the domestic diversion program nor does failure to meet all criteria preclude an alleged offender's participation in the program.~~

~~(1) The current domestic violence allegation is a first offense by the alleged offender of either Domestic Violence or offense of violence against others, as defined in ORC § 2901.01(A)(9)(a) within ten (10) years prior to the date of the offense currently alleged;~~

~~(2) The alleged offender has no prior convictions of charges which were the result of a reduction from domestic violence charges within ten (10) years prior to the date of the now alleged offense;~~

- (3) ~~The alleged victim did not suffer visible injury or injuries requiring medical treatment;~~
 - (4) ~~The alleged offender did not make threats or convey intent to cause serious physical harm;~~
 - (5) ~~No deadly weapon was used, as defined by ORC § 2923.11(A), by alleged offender or possessed by alleged offender in the commission of the incident leading to the domestic violence offense currently alleged;~~
 - (6) ~~The alleged offender has not undergone prior domestic violence counseling within then (10) years prior to the date of the offense currently alleged;~~
 - (7) ~~The alleged offender consents to participate in the domestic violence diversion program;~~
 - (8) ~~The alleged victim consents to the alleged offender being admitted to the domestic violence diversion program;~~
 - (9) ~~The alleged offender has had no previous participation in this or any other domestic violence diversion program;~~
 - (10) ~~The Upper Arlington Police Division has no objection to the alleged offender being placed into the Program; and~~
 - (11) ~~Admission to the program is subject to any other information deemed relevant by the city attorney to the decision.~~
- (B) ~~Once in the program, a hearing will be set and conditions set forth to complete the diversion process.~~
 - (C) ~~The conditions of the program may consist of, but is not limited to: community service work; victim impact panel; restitution; counseling; and other types of programs relating to domestic violence and family issues.~~
 - (D) ~~Failure to comply with the conditions of this program will result in removal from the domestic diversion program and prosecution of pending charges.~~
 - (E) ~~The city attorney retains the right to remove any individual from the program for any cause.~~
 - (F) ~~There shall be a domestic violence diversion program fee of two hundred twenty five dollars (\$225.00) assessed to the alleged offender.~~
- (Ord. No. 75-2010)

Part 4 SCHEDULE OF FEES

§ 401.03 FEE PROVISIONS.

(A) Doubled fees. Where work, activities, or conditions for which a permit issued by the city is required under state law or any section of the Codified Ordinances is started or proceeded with, prior to obtaining a permit, the fees as calculated for said permit shall be ~~doubled~~ quadrupled. Payment of such ~~doubled~~ quadrupled fee shall not:

- (1) Relieve any persons from fully complying with the requirements of state law or the applicable sections of the Codified Ordinances in the execution of the work; or
- (2) Limit the imposition of any penalties or sanctions provided for violations of state law or the applicable sections of the Codified Ordinances.

(B) Submission of a permit fee under (A) does not guarantee that the permit will be granted.

(C) If fees are not collected at the time of application, or by the time a service has been provided, the city has the right to pursue collection of any of the fees charged by the city, including certification of amounts owing to the county auditor to be placed as a lien on real property, remittance to a collection service, or any other appropriate and legal pursuit of payment.

(DE) The city manager may decrease or waive fees contained in the schedule of fees for the purposes of economic development as provided in an economic incentive agreement approved by city council or for other matters that the city manager determines are in the best interest of the city. The waiver of any fees must be in compliance with the Constitution and the laws of the State of Ohio.

Part 13

BUILDING CODE

§ 1305.08 GENERAL REQUIREMENTS.

(A) Notice: Notice of the demolition of a structure shall be made by the applicant to all adjacent property owners. Failure to provide the required notice shall invalidate any permit and shall constitute a violation. Notice shall be made as follows:

(1) Posted notice: Upon the issuance of an approved demolition permit by the community development department, the applicant shall cause notice of the demolition to be given by posting a sign announcing such demolition in a conspicuous place in the front part of the subject property.

(2) Duration of posting: Said sign, provided by the community development department, shall be posted conspicuously no less than ten (10) days in advance of such demolition and shall remain posted on the subject property until all work on the subject property has been completed. After posting the sign as required in this section, the applicant shall provide to the community development department a notarized affidavit indicating that the sign has been posted and that it will remain posted throughout the ten-day period required by this section as well as acknowledging that the applicant is responsible for replacing the sign as quickly as possible if it is damaged or stolen.

(3) Sign fee: At the time of application, the applicant shall pay a nonrefundable sign fee as listed in the C.O. § 401.02 master list of fees. The city shall not be held responsible for lost, stolen, vandalized or damaged signs.

(B) Method of demolition. An approved demolition permit is valid for normal demolition means only. Normal demolition means is defined as, but not limited to, common construction machinery, backhoes, cranes, wrecking balls and manual labor.

Blasting is prohibited. Burning is prohibited unless applicant has obtained an approved burning permit from the Upper Arlington Fire Division.

(C) Safety. For the duration of demolition, a forty-two-inch high construction-standard safety fence shall be installed and maintained in good condition around the perimeter of the subject property. The site shall be maintained in a safe and orderly condition at all times.

The director of community development and/or designee shall have full authority to stop the demolition or removal of any building or structure or part thereof, when the same is being done in a reckless or careless manner, or in violation of the provisions of this chapter or any other ordinances of the city. When such work is stopped by order of the director of community development and/or designee, it shall not be resumed without written approval of the director of community development or designee.

(D) Expiration of permit. An approved demolition permit shall be valid for a period of six (6) months from the date of issuance. Upon written request to the director of community development and/or designee the permit may be renewed for a maximum of ninety (90) days for good cause shown.

(E) Commencement of demolition. Upon commencement of demolition, all demolition work shall be completed within ten (10) calendar days.

Where unusual or unique circumstances arise, the director of community development and/or designee may grant an extension to the ten-calendar-day requirement at his/her discretion.

(F) Hours of work. The standards and special permits as set forth in C.O. § 517.15 regarding hours of work and excessive noise shall be held applicable.

(G) Non-transferable and non-assignable. An approved demolition permit is non-transferable and non-assignable without prior written approval of the director of community development and/or designee.

(H) Performance. All demolition work shall be performed in a workmanlike manner in accordance with C.O. ch. 1305, the demolition permit and all building, zoning, fire and other applicable codes and ordinances.

(I) Protection of adjoining property owners. The director of community development and/or designee may impose such requirements and conditions as he/she deems necessary for the protection of adjoining property owners and the public interest.

(J) Commercial demolition. The demolition of all commercial buildings or structures or parts thereof shall comply with the requirements of the Ohio Basic Building Code.

(K) Redevelopment of site. No demolition permit shall be issued unless the new construction, replacement or redevelopment of the building or accessory structure has been granted all the necessary approvals, including, but not limited to: permits, variances, rezonings, amendments to a final development Plan, plat amendments, certificates, and reviews, with the following exceptions:

(1) When the demolition is determined by the director of community development and/or designee to be required to abate a nuisance or eliminate an unsafe building as defined in C.O. § 1305.01 of the building code; and

(2) When the demolition involves a site which is to be redeveloped into multiple lots as the result of a lot split proposal, resubdivision or plat amendment. Redevelopment of the site must commence within thirty (30) days after completion of the demolition. If redevelopment of the site has not commenced within thirty (30) days, then complete site restoration, pursuant to the standards set forth in C.O. § 1305.08(L), shall be required. Site restoration shall be completed within thirty (30) days following the expiration of the thirty-day redevelopment period.

(L) Site restoration. No demolition permit shall be issued if any building or structure is to be demolished but not replaced by another structure unless a site restoration plan is submitted and approved by the director of community development and/or designee.

When demolition is required to abate a nuisance or eliminate an unsafe building as defined in C.O. § 1305.01 of the building code, the registered demolition contractor shall submit a site restoration plan within ten (10) days following the issuance of the demolition permit.

The site of every approved demolition shall be restored in accordance with any required environmental approval or site restoration plan, or in accordance with minimum standards set forth herein.

Every restoration shall be performed in a manner which prevents erosion and shall include, at a minimum, prompt removal of debris, backfilling any excavation with granular material, grading in such a manner as to prevent stormwater from accumulating or ponding on the site and to prevent any negative effect on adjacent properties, a six-inch overlay of topsoil and seeding with grass or sod installation.

Further, the owner of the property shall be required to observe all regulations set forth in U.A.C.O. Chapter 537.

If the site is not being redeveloped pursuant to C.O. § 1305.07(K), site restoration shall be completed within thirty (30) days from the date of completion of the demolition or expiration of development approvals, building expiration of required permit, or abandonment of the site/project.

(Ord. No. 94-2010; Ord. No. 87-2015, § 5, 12-14-2015)

CHAPTER 1306. ~~BOARD OF BUILDING STANDARDS~~APPEALS

§ 1306.01 ~~COMPOSITION AND MEMBERSHIP~~BOARD OF ZONING AND PLANNING.

~~There shall be a board of building standards appointed by the president of city council, subject to the approval of the council, to consist of seven (7) members who shall, collectively, be qualified by profession on all matters pertaining to building, electric, plumbing, heating and ventilation and who shall be residents of this city, and shall not be officers or employees of this city.~~

Appeals and requests for variances under this Chapter are heard by the Board of Zoning and Planning (BZAP).

§ 1306.02 ~~TERM OF OFFICE.~~ RESERVED

~~Members of the board of building standards shall be appointed for terms of four (4) years, and shall expire on the last day of June. Appointments shall commence on the date the appointment is approved by council or such other date provided by council. Any member appointed to fill a vacancy occurring prior to the expiration of the term shall be appointed for the unexpired portion of said term. City council may shorten or lengthen a particular term at the time of appointment to maintain a staggered rotation so that not more than three (3) members' terms expire in the same year or extend a term until a replacement is appointed. Members of the board of building standards shall be removed from office after three (3) unexcused absences.~~

~~(Ord. No. 40-2022, § 1, 6-6-2022)~~

§ 1306.03 ~~ORGANIZATION AND~~ APPEALS PROCEDURE.

~~(A) The board shall organize, elect a chairperson and vice-chairperson and adopt rules for its own government. The director of community development, or his designated representative, shall act as secretary. The board shall meet during the first quarter of each odd-numbered year and elect officers and thereafter they shall meet on call by the chairperson or by the city manager pursuant to its rules.~~

(B) In computing any period of time prescribed or allowed by this section, the day of the act or order from which the designated period of time begins to run shall not be included. The last day of the period as computed shall be included, unless it is a Saturday, Sunday, or legal holiday. Intermediate Saturdays, Sundays, and legal holidays shall be included in the computation unless otherwise specified. If the final day of the period falls on a Saturday, Sunday, or legal holiday, then the act may be performed on the next succeeding day that is not a Saturday, Sunday, or legal holiday.

(C) The board may postpone or continue any hearing on its own motion or on the motion of a party. The board shall keep a complete and accurate record of all proceedings, which shall be open to public inspection.

(D) Testimony at a hearing on an appeal from an order of the building inspector shall be under oath and a stenographic or other record of testimony and other evidence shall be required.

(E) For a hearing on an appeal from an order of the building inspector, the board may require the attendance of witnesses, the production of records and papers, and may depose witnesses in accord with ORC § 119.09.

(F) If the order appealed from concerns ORC § 3781.111, or rules promulgated under that section, reasonable notice of time, date, place, and subject of the hearing shall be given to any local organization composed of or representing persons with disabilities or, if none exists, then to any statewide organization composed of or representing persons with disabilities. A local organization composed of or representing persons with disabilities or, if none exists, then any statewide organization composed of or representing persons with disabilities, may file an appeal from a decision of the board of building standards as provided by this chapter.

(G) The board shall render its decision on any appeal from an order of the building inspector within thirty (30) days of the final hearing on the appeal, ~~unless an extension is agreed to by the appellant.~~ The board's decision shall be entered on the board's record. A certified copy of the decision shall be served upon the parties and upon the parties' attorneys, if applicable, by certified mail, return receipt requested, with notice that such order may be appealed, within fifteen (15) days after the mailing of the board's decision, to the state board of building appeals, or to the Franklin County Court of Common Pleas.

(Ord. No. 82-2013; Ord. No. 87-2015, § 5, 12-14-2015)

§ 1306.04 QUORUM. RESERVED

~~Four (4) members shall constitute a quorum. The concurring vote of four (4) members shall be necessary to reverse any order, requirement, decision or determination of the Building Inspector or any administration official.~~

§ 1306.05 DUTIESRESERVED.

~~(A) The board shall recommend to the city council any changes that it may deem necessary in this Code.~~

(B) ~~It shall s~~Serve as interpreter of this Code.

(C) ~~It shall hear all appeals from the refusal or revocation of a residential one-, two- and three-family dwelling unit building permit, and shall also hear all appeals from the refusal or revocation of a license, the issuance of which is within the jurisdiction of the Building Inspector, or any other order made by the building inspector.~~

~~(D) It shall perform such other duties as may be assigned to it by the Council of the City of Upper Arlington.~~

**§ 1306.06 APPLICATION AND FILING FEE FOR BOARD OF BUILDING STANDARDS APPEAL
ELIGIBILITY.**

Any person aggrieved by an order of the building inspector, or any person seeking a variance from the requirements of the Upper Arlington Building Code, may appeal such order or request such variance using a form prepared by the department of community development. This application form shall contain a notice that the decision of the board is subject to appeal to state board of building appeals, or to Franklin County Court of Common Pleas within fifteen (15) days after final decision of the board, and that it is the responsibility of a successful applicant or appellant, before taking action thereunder, to let the appeal period for that decision expire before taking action under the board's decision.

For appeals of an order of the building inspector, applications for appeal before the board shall be filed within thirty (30) days of the mailing date or actual receipt of the order being appealed, whichever is earlier. Such appeals shall be filed with the director of community development, or the director's designated representative, ~~who shall transmit the same to the board.~~

A decision to file a code enforcement citation in the Upper Arlington Mayor's Court or other court of competent jurisdiction, or to pursue other remedies provided in C.O. § 1305.99, may not be appealed ~~to the board of building standards.~~

~~An appeal is not complete until the filing fee specified in the Schedule of Fees established pursuant to Any application submitted to the board of building standards shall be accompanied by a filing fee as specified in~~ C.O. ch. 400, ~~Table 401.02.~~

(Ord. No. 82-2013; Ord. No. 87-2015, § 5, 12-14-2015)

§ 1306.07 APPEAL ~~FROM OF~~ DECISION OF THE BOARD OF ZONING AND PLANNING BUILDING STANDARDS.

The director of community development or designee, a party, or an organization composed of or representing persons with disabilities as provided in C.O. § 1306.03(F), aggrieved by a decision of the ~~Upper Arlington Board of Building Standards~~ on a variance application or appeal of an order of the building inspector may appeal that decision to the state board of building appeals or to the Franklin County Court of Common Pleas. Such appeal shall be taken within fifteen (15) days after the final action of the board, ~~of building standards.~~ No decision ~~of the board of building standards~~ shall become final until the expiration of fifteen (15) days from the date such decision is made, or, if an appeal is filed, until final action thereon by the state board of building appeals or Franklin County Court of Common Pleas.

(Ord. No. 82-2013; Ord. No. 87-2015, § 5, 12-14-2015)