

5/11/2026 | 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 Ben Tracy**
- 3. Consent Agenda**
 - a. Approve City Council Meeting Minutes for May 4, 2026
 - b. Ordinance No. 18-2026 - To Authorize the City Manager to Enter into Contract with Duke's Services for Sanitary Sewer Inspection and Cleaning Services
 - c. 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
- 4. Reports/Presentations**
 - a. Columbia Gas Pipeline Project Construction Update, Presented by Columbia Gas of Ohio Public Affairs Project Specialist Leah Lewis
 - b. Update on Fancyburg Park Renovation Project - Design Services Contract
 - c. Finance Director Report - April 2026
- 5. Legislative Items for Second Reading/Public Hearing**
 - a. Ordinance No. 20-2026 - To Authorize the City Manager to Enter Into an Economic Development Incentive Agreement with Frazier Financial Advisors
 - b. 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 Second Reading/Public Hearing.

- 6. Legislative Items for First Reading/Public Hearing**

- a. Ordinance No. 22-2026 - To Amend Chapter 1701 - Fire Prevention Code of the Upper Arlington Code of Ordinances to Enact § 1701.03 - Fire Protection Systems Compliance Reporting

7. City Manager Update

8. Council Liaison Report

9. Adjournment

May 4, 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 Vice President Munc at 6:00 p.m.

Members Present: 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, Community Affairs Director Emma Speight, Public Service Director Gary Wilfong, City Engineer Aaron Scott, and Police Lieutenant Brandon Staiger

Pledge of Allegiance

The Pledge of Allegiance was led by Council Member John Kulewicz.

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**

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

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

Absent: President Awakessien Jeter

Reports/Presentations

- a. **Recognition of UAHS BearBots for Their Tournament Championship Win**

City Council recognized the Upper Arlington High School BearBots Robotics Team (Team 6964) for their first regional championship victory. Lead mentor Curt Bixel introduced the team and

provided context on the FIRST Robotics Challenge program, which involves the construction of a competition robot. Students addressed Council, describing the team's task of building a robot to shoot fuel into a hub. The team conducted a brief live demonstration of their robot, "Minecart."

Mr. Bixel highlighted the program's goals to expand from one to four FIRST Tech Challenge teams and from one to approximately ten FIRST LEGO League teams. He also spoke to the broader professional development value of the program, emphasizing students' ability to solve complex, open-ended problems. Students presented Council members with honorary team medals in recognition of the City's support.

Vice President Munc presented the team with a Resolution of Commendation from City Council (attached as Exhibit A).

b. Community Development Department Update, Presented by Director Chad Gibson

Community Development Director Chad Gibson presented a summary of department and BZAP projects (attached as Exhibit B). Mr. Gibson described the Board as comprising seven volunteer members appointed by Council, tasked with guiding the physical development of the city. He noted that four member terms are approaching expiration, with three members not seeking reappointment, leaving Council to appoint three replacements. The Board held 22 meetings and reviewed 81 applications in 2025. Notable application categories included variances for detached garage heights (driven by a recently relaxed code permitting detached habitable space), lot coverage requests, and neighborhood compatibility cases. Mr. Gibson reported that a recently established third-party architectural review process for new home construction is working effectively, with builders increasingly submitting designs that require little to no modification.

Mr. Gibson highlighted several significant projects reviewed by the department, including a \$13 million reinvestment by Wellington along Fishinger Road, the new headquarters building for National Church Residences on Northbank Drive, two Columbia Gas utility stations (on Ridgeview Road and Brandon Road) that underwent rigorous architectural review, a new regional office for the Beaver Companies on Lane Avenue, and the ongoing Scioto Villas building project near Fishinger Road.

Mr. Gibson noted the city averages approximately 3,400 permits per year and approximately \$170 million in annual construction value, a significant increase from prior years when \$60 million was considered a strong year. Mr. Gibson also noted the fee schedule was adjusted approximately one year ago, resulting in stable permit revenue, the elimination of solar permit fees to encourage sustainability, and reductions in fence and zoning permit fees to promote code compliance. The department is largely self-funded through permit revenues.

Mr. Gibson announced a transit improvement: COTA bus service has been restored to West Lane Avenue following increased density and streetscape improvements. Additionally, bus line

32 is being relocated from the Nottingham/Ridgecliff neighborhoods to Fishinger Road, which now has sidewalks.

The City's master plan update process is underway, with the first steering committee meeting held in March. The consultant OHM Advisors is engaged. Public outreach events are planned for the summer.

Mr. Gibson concluded with upcoming developments including a Fox in the Snow café on West Lane Avenue, Compass Homes headquarters in the same building, the Cava restaurant at the Shops on Lane, a new day care on Old Henderson Road, continued implementation of the Envision Henderson study, Back 9 Golf simulator at Fishinger and 33, and US Equestrian at 3220 Riverside Drive.

Mr. Fortkamp commended the department's GIS permit-tracking system for its public transparency. Mr. Kulewicz asked whether the volume of garage height variance applications suggests the code should be re-examined; Mr. Gibson confirmed it is on the department's radar and noted that any code change would include protections for neighbor privacy, particularly regarding windows and light spillage. Vice President Munc commended the COTA bus service changes as a thoughtful improvement, and received confirmation that waiving solar permit fees has not reduced the total number of permits. Mr. Fortkamp noted that the neighborhood compatibility process has improved transparency and that neighbors receive multiple forms of notification before construction begins.

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

In response to Vice President Munc's invitation to speak, there were no questions or comments from the public relative to Resolution No. 6-2026.

Finance Director Brent Lewis presented a summary of Resolution No. 6-2026, noting that no formal presentation was necessary as detailed information had been provided at the prior meeting. He explained that this resolution initiates the process of placing a police and fire pension levy renewal on the November 2026 ballot by transmitting information to the Franklin County Auditor for verification. Staff's recommendation is a five-year renewal of 0.75 mills, a decrease of 0.14 mills from the current voted millage of 0.89 mills, anticipated to generate approximately \$2.2 million annually.

Mr. Lewis confirmed that ballot language will come before Council in June for approval, at which point Council will also formally elect to proceed. Mr. Walter asked for clarification on the procedure of tonight's vote versus the June action; Mr. Lewis confirmed that this resolution only

initiates the certification process, and the actual decision to place the levy on the ballot will occur in June. Mr. Walter also asked about the 10 percent rollback, and Mr. Lewis confirmed it remains in effect as long as the renewed millage does not exceed the current voted amount. Mr. Kulewicz asked about the distribution of levy proceeds between police and fire funds; Mr. Lewis explained that the permanent police levy, permanent fire levy, and this voted levy each flow into separate funds, with the voted levy fund covering both police and fire, resulting in differential distributions.

Mr. Walter moved, seconded by Mr. Tracy, to pass Resolution No. 6-2026. The motion carried with the following vote:

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

Absent: President Awakessien Jeter

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

Ms. Oldham recused herself from discussion and vote on Resolution No. 7-2026.

In response to Vice President Munc's invitation to speak, there were no questions or comments from the public relative to Resolution No. 7-2026.

Community Affairs Director Emma Speight summarized the resolution, explaining that the Common Greens organization recently secured a winery vendor from Asheville, Ohio, specializing in German-style wines, to participate in the farmers market. The vendor will offer small samples to adults prior to bottle sales. All required state permits are being obtained.

Vice President Munc noted the timing of the item was due to the market manager approaching staff in mid-April. Mr. Kulewicz asked whether the arrangement had Designated Outdoor Refreshment Area (DORA) implications and whether age compliance procedures were in place; Ms. Speight confirmed that consumption would be limited to the vendor's tent and that all compliance measures had been addressed.

Mr. Fortkamp moved, seconded by Mr. Kulewicz, to pass Resolution No. 7-2026. The motion carried with the following vote:

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

Absent: President Awakessien Jeter

Abstain: Oldham

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

In response to Vice President Munc's invitation to speak, there were no questions or comments from the public relative to Ordinance No. 18-2026.

Mr. Kulewicz asked about the use of AI coding software referenced in the staff report. Public Service Director Gary Wilfong explained that the AI system analyzes televised sewer inspection footage to identify pipe deficiencies, removing subjective human judgment from the coding process and integrating results into the city's GIS asset management system. Human quality control checks are performed by both the contractor and city staff.

Mr. Tracy asked why outside services are preferable to in-house staff; Mr. Wilfong explained that the City's maintenance manual requires inspecting 10-percent of the sewer system annually, and in-house capacity is insufficient to meet that schedule, which has led to the use of contracted services since around 2017. It was noted that the City's sewer truck operates daily, but that additional trucks are expensive and maintenance-intensive. Mr. Wilfong confirmed the work is conducted year-round. Vice President Munc asked whether the AI data would enhance long-term predictive maintenance; Mr. Wilfong confirmed it supports asset management and budgeting for future sewer projects.

Vice President Munc advised that the Second Reading/Public Hearing/Council Action will occur on May 11, 2026.

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

In response to Vice President Munc's invitation to speak, there were no questions or comments from the public relative to Ordinance No. 19-2026.

Mr. Fortkamp offered a contextual comment, noting that a recent Tri Village development update highlighted strong demand for Class A office space in the area, with vacancy rates approaching zero, and that Upper Arlington is well-positioned to attract desirable office development.

Vice President Munc advised that the Second Reading/Public Hearing/Council Action will occur on May 11, 2026.

c. Ordinance No. 20-2026- To Authorize the City Manager to Enter into an Economic Development Incentive Agreement with Frazier Financial Advisors

Mr. Kulewicz recused himself from discussion on Ordinance No. 20-2026 and left the Council Chamber at 6:53 p.m.

In response to Vice President Munc's invitation to speak, there were no questions or comments from the public relative to Ordinance No. 20-2026.

Economic Development Manager James Russell presented an overview of the project (attached as Exhibit C). Frazier Financial Advisors, located at 1690 West Lane Avenue, is a wealth management and tax preparation firm that relocated to Upper Arlington in 2022 and has experienced significant growth following a 2023 acquisition. The firm is constrained by its current office space and seeks to expand to accommodate continued growth.

The proposed deal is structured as a \$400,000 forgivable loan from the City's economic development fund, forgiven annually based on 30-percent of net income and payroll tax growth above a baseline, meaning only growth above baseline triggers forgiveness. In exchange, Frazier Financial has agreed to a 10-year commitment to remain in Upper Arlington through 2036, a 5-year right of first refusal period thereafter, contractual growth in total tax liability of 15-percent annually through 2029 and eight percent annually through 2036, a \$1.35 million capital investment in tenant improvements, continued membership in the Tri Village Chamber Partnership, and participation in Upper Arlington Schools workforce readiness programs.

The firm plans to build out 11,000 square feet of adjacent shell space on the second floor of 1690 West Lane Avenue (above Tupelo Honey), vacating their current 6,800 square feet above Local Cantina. That vacated space would return to the market as finished office space, which staff anticipates will lease quickly and push Class A office vacancy in the corridor to near zero.

Vice President Munc asked about the underlying basis for the financial projections and the City's recourse if targets are not met. Mr. Russell explained that projections are based on the company's historical compound annual growth rates dating to 2018 and noted that the deal includes substantial claw back provisions and a two-year payback period for the city. Mr. Lewis confirmed that in his 12 years with the city, there have been zero claw back instances, attributing this to prudent deal selection.

Mr. Tracy acknowledged the need for caution in economic incentive agreements while expressing support for helping a local business clear a growth hurdle.

Vice President Munc advised that the Second Reading/Public Hearing/Council Action will occur on May 11, 2026.

Mr. Kulewicz returned to the Council Chamber following discussion on Ordinance No. 20-2026 at 6:59 p.m. and was present for all further business.

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

In response to Vice President Munc's invitation to speak, there were no questions or comments from the public relative to Ordinance No. 21-2026.

City Attorney Darren Shulman led the review session of the comprehensive code cleanup ordinance. Vice President Munc noted that this is a new format being piloted by Council, intended to surface high-level concerns with substantive language revisions to occur between sessions, noting that a time-limit is set for discussion for 45 minutes maximum. The following sections were discussed (redline version attached as Exhibit D):

General Penalty (§ 101.99). The draft proposed removing the 30-day jail option for unclassified misdemeanor violations, aligning the code with current practice of up to a \$1,000 fine only. Mr. Tracy argued in favor of retaining the jail provision to preserve judicial discretion, noting that extraordinary circumstances may arise where a fine alone is insufficient. Mr. Shulman noted that the public defender concern is addressed since one is now always available in Mayor's Court. Mr. Kulewicz, Mr. Walter, and Vice President Munc also expressed support for retaining the provision. Council reached consensus to restore the 30-day jail option in the next draft.

Mr. Walter raised a broader concern about monetary penalty amounts throughout the code that have not been adjusted for inflation; Mr. Shulman explained that the \$1,000 amount reflects longstanding practice and has not presented a practical constraint. Mr. Tracy cautioned that indexing criminal penalties to inflation could raise constitutional vagueness concerns and suggested simply naming a specific number.

Financial Contributions (§ 105.03). The draft proposes clarifying the campaign contribution rules applicable to city employees. Mr. Tracy suggested adding language to subsection (e) to clarify that the \$250 annual limit applies per person, corporation, or organization. Mr. Walter agreed this would parallel with the drafting of subsection (d). Mr. Shulman agreed to incorporate this clarification. Mr. Kulewicz clarified that the \$100 cash contribution limit in subsection (f), which had been struck from the draft, is consistent with state law and serves to distinguish cash from other contributions; he recommended its reinstatement with clearer language separating the cash limit from the overall \$250 limit. Mr. Fortkamp noted the terminology should align with elections reporting categories. Council reached consensus that the overall \$250 contribution limit reflects a healthy public policy for local elections, though Mr. Walter asked Mr. Shulman to research when the limit was established and what an inflation-adjusted figure would look like. Mr. Tracy suggested that any increase to the limit should not take effect until after all current Council members have stood for reelection on the matter. Mr. Shulman will return with research and options.

Political Activity (§ 105.04). Mr. Shulman presented a new proposed subsection (b), drafted from a suggestion by Mr. Tracy, prohibiting employees from using City resources or nonpublic information for the purpose of partisan political activity or in support of or opposition to any candidate for office. The language was refined from Tracy's original "any political purpose" to avoid inadvertently restricting legitimate public communications about ballot issues. Mr. Tracy also raised concern about existing subsection (a), which restricts employee political activity, in light of a recent Ohio Supreme Court ruling that found certain judicial ethics prohibitions on political endorsements to violate the First Amendment. Mr. Tracy questioned whether the City should restrict employees' First Amendment rights and suggested the more appropriate obligation should fall on candidates and elected members rather than staff. Mr. Shulman and City Manager Steven Schoeny both expressed a preference for retaining the existing provision, noting that such prohibitions protect staff from subtle pressure and that the prudential value of the policy is significant. Mr. Schoeny recommended against preemptively removing the provision and suggested addressing it only if legally challenged. Mr. Shulman noted he would also research whether restricting only city council election activity, as opposed to all partisan activity, is a legally meaningful distinction. Council reached consensus to add the new subsection (b) resources/information prohibition.

Place of Meetings. (§ 111.02) Mr. Tracy suggested language allowing meetings to be held at an alternative location when circumstances prevent use of the regular chamber. Vice President Munc suggested broadening the language beyond weather-related events to encompass any safety concern. Mr. Tracy agreed to the broader framing. The group also agreed to add a clause confirming that virtual meetings are permissible to the extent allowed by Ohio law.

Council Salaries (§ 111.03). The draft consolidates president and vice president salary provisions into the same section as regular council member salaries for ease of reference. Mr. Kulewicz suggested deleting the outdated "effective January 1, 1990" parenthetical, changing "within" to "in" in section (d), and amending section (e) to read that no legislation increasing council compensation shall be applied to a member until the next election for that member's seat following enactment of the legislation. Mr. Walter and Vice President Munc agreed on the substance.

Management of Public Works Records (§ 131.02). Mr. Shulman noted the removal of an outdated provision requiring the city manager to keep a record of proceedings, explaining that the City maintains records through other established systems.

Alcohol on Public Property (§ 131.05). Mr. Shulman flagged a proposed change to the section governing issuance of city permits for alcohol on public property, noting that current language requiring events to be produced by City staff creates a conflict when authorizing nonprofit organizations like the farmers market. The proposed change would remove the reference to city staff-produced events from subsection (b). Mr. Kulewicz and Mr. Tracy expressed a preference for maintaining Council oversight of alcohol permits on public property rather than granting broader administrative authority to the city manager. Mr. Schoeny acknowledged the policy

question and noted that the issue will also need to be revisited in connection with planned beverage service at summer events at the Bob Crane Community Center. Staff agreed to research an approach that provides more defined locations or criteria without granting blanket authority, and to return with options. Mr. Walter suggested developing a more comprehensive list of identified locations.

Assistant City Manager Provision (§ 131.09). Mr. Shulman clarified that the deletion of a code reference to the assistant city manager does not eliminate the position; organizational structure is determined through the budget and staffing table process, making the code reference unnecessary.

Mr. Shulman confirmed he will provide Council with a summary of changes, research updates, and proposed language for further consideration at the next meeting.

Vice President Munc advised that the Second Reading/Public Hearing will occur on May 11, 2026.

City Manager Update

Mr. Schoeny acknowledged a previous error regarding the Bob Crane Community Center's financial report. Mr. Lewis clarified that a pivot table error led to omitted payroll costs, which made the cost recovery rate seem higher at 131 percent, instead of the correct 110.5 percent. Parks & Recreation Director Debbie McLaughlin noted that the error partly arose from bridging two fiscal years and that improved financial tracking is now in place. Mr. Walter highlighted that the revised figure is still positive and requested a more comprehensive financial snapshot that includes capital costs and previous subsidies to the senior and recreation centers. Ms. McLaughlin added that operations now show a positive \$400,000 position following the prior \$530,000 subsidy. Mr. Schoeny committed to updating projections as summer membership data is gathered and future capital recommendations are considered.

Mr. Schoeny announced a new e-scooter registration program, with details to be released in the Insight newsletter, encouraging Council to gather community feedback. He noted that this engagement has been valuable with parents of elementary and middle school children. Mr. Tracy requested to see draft legislation, with Mr. Schoeny planning at least one reading before summer break. The program includes trial training this summer, which might fulfill training requirements in the new legislation. Mr. Shulman emphasized the need for increased outreach compared to previous e-scooter regulation updates.

Mr. Schoeny mentioned an upcoming rollout of a citywide text alert system, recently tested internally.

* * *

There being no further business to come before City Council, Vice President Munc called for a motion to adjourn the meeting. Mr. Walter moved to adjourn, seconded by Mr. Kulewicz. The motion carried unanimously, and the meeting adjourned at 8:05 p.m.

***COUNCIL OF THE CITY OF UPPER ARLINGTON
RESOLUTION OF COMMENDATION***

**Recognizing the Upper Arlington High School BearBots Robotics Team on
Their First Regional Championship**

WHEREAS, the Upper Arlington High School robotics team, known as the BearBots, is a dedicated group of 20 students committed to excellence in science, technology, engineering, and mathematics; and

WHEREAS, the BearBots operate as a year-round program, extending their impact beyond competition through student-led robotics camps, mentorship of local FIRST Tech Challenge (FTC) and FIRST LEGO League (FLL) teams, and meaningful community outreach initiatives, including an emergency food drive to support residents in need; and

WHEREAS, the BearBots demonstrated exceptional performance at the Buckeye Regional competition in Cleveland, Ohio, held March 19–21, 2026, earning a third-place finish in the playoffs and receiving the Rising Star Award; and

WHEREAS, building on that success, the team achieved a historic milestone at the Miami Valley Regional competition, held April 1–4, 2026, where they were crowned Tournament Champions and secured their first-ever FIRST Robotics Competition Blue Banner, a distinguished honor recognizing regional championship excellence; and

WHEREAS, the team’s championship-winning robot, “Minecart,” exemplifies innovation, technical skill, and resilience, as students completed a full redesign and rebuild in just nine days between competitions, resulting in an advanced system featuring a wide floor intake, high-capacity storage hopper, conveyor-belt indexer, and a custom-fabricated hooded shooter capable of firing 11 game pieces per second; and

WHEREAS, the accomplishments of the BearBots reflect not only technical excellence, but also perseverance, teamwork, leadership, and a commitment to continuous improvement, serving as an inspiration to the Upper Arlington community.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Upper Arlington, does hereby recognize and congratulate the Upper Arlington High School “BearBots” Robotics Team on their first regional championship victory and commend their outstanding achievements and contributions to our community.

Annual Report: Board of Zoning and Planning (BZAP) and Community Development

Chad Gibson, AICP

Community Development Director

May 4, 2026



Board of Zoning and Planning

- Seven (7) volunteer members, appointed by Council:
 - **Shannon Tolliver** (Chair), sustainability planner
 - ***Dan Barringer** (Vice Chair), architect
 - ***Kevin Carpenter**, civil engineer and surveyor
 - ***William Westbrook**, land developer
 - ***Matt McGrath**, landscape architect
 - **Todd Boyer**, architect
 - **Kelsey Priebe**, planner
- Typically, one work session and one regular meeting per month
- *Dan, Kevin, Matt and Bill's terms end this summer



BZAP Roles

- Ensure **appropriate** development per the Master Plan and UDO
- **Balance** competing interests to foster reinvestment but also maintain community character
- Achieve **mutually beneficial** outcomes for the applicant and the community whenever possible
- Evaluation of variance applications based on consideration of **9 practical difficulty** standards
- Provide **recommendations to Council** on rezoning requests, code changes, plat amendments, etc.



2025 Year in Review

➤ **Summary**

- 22 meetings, 81 applications

➤ **Detached habitable spaces**

- Home offices, conditioned storage, studios, golf simulators, and gyms, typically in/above detached garages
- Accessory dwelling units (ADUs) not permitted (to be studied)

➤ **Lot coverage**

- Variance requests typically include mitigation efforts such as rain barrels, rain gardens, permeable pavement, etc.

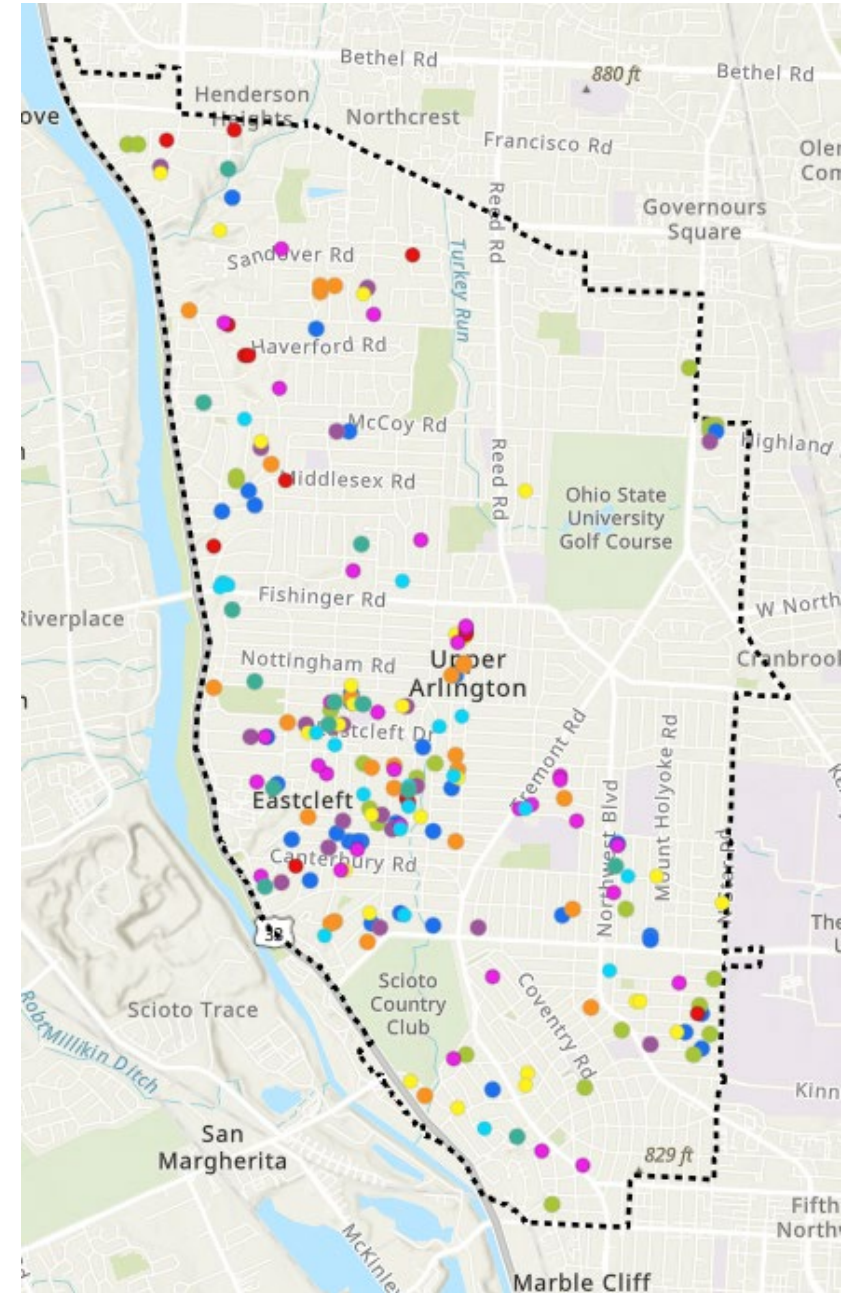
➤ **Neighborhood Compatibility**

- Lot splits, new home designs, large detached garages



Neighborhood Reinvestment

- Compatibility policy adopted in 2022 and ordinance updated in 2023
- New home story map, color-coded by year; written notifications and on-site 'Ready for Change' signs
- Recent housing study and master plan update will inform future policy and code decisions
- Third-party architect has been an immensely helpful resource!



Wellington School

- Approved by BZAP in March 2026
- Razes old Fishinger Road school
- Fishinger Road frontage enhancements
- \$13M investment



National Church Residences Headquarters



- Approved by BZAP in October 2025
- 56,400 SF 'Class A' office, permit review phase
- Two future senior housing buildings
- Demolition complete (2 of 3 buildings)



Columbia Gas Utility Stations

- 1336 Ridgeview Road and 2723 Brandon Road
- Conditional Uses, both approved by BZAP in 2025
- Technical reviews with special inspections
- Under construction



Beaver Companies

- 1500 W. Lane Avenue
- New Central Ohio office
- Former OhioNet space



Scioto Villas



- 15 townhomes
- Fishinger Road at Fairlington Drive
- Under construction



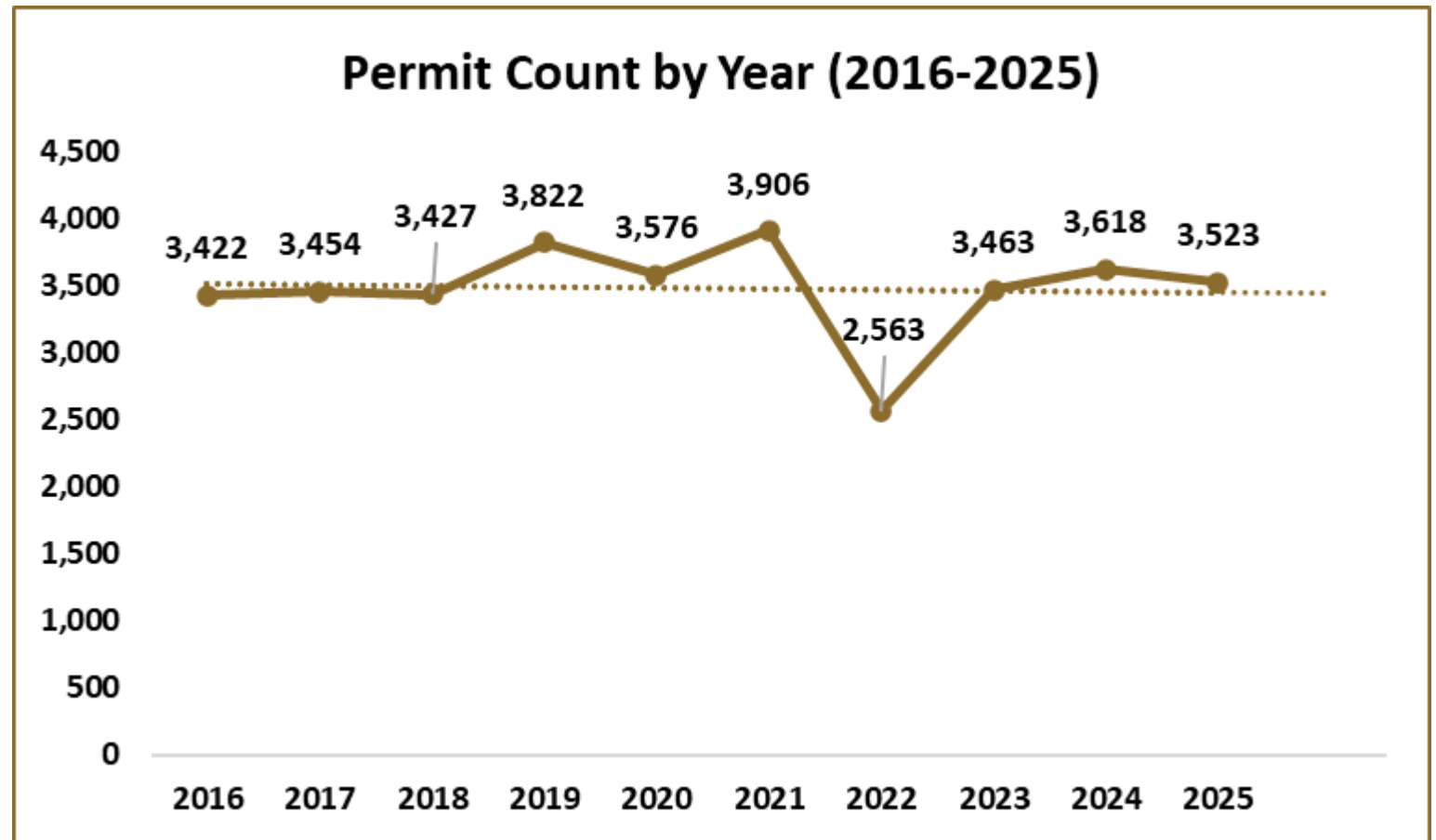
Community Development Department

- **Building Division – Roger Eastep, Chief Building Official**
 - CBO, two (2) inspectors/plans examiners, contract employees, admin.
 - Plan review and inspection services; 3,400+ permits per year!
- **Code Enforcement Division – Mike Morris**
 - Code enforcement officer; assistant compliance officer
 - Property maintenance inspections; proactive and complaint-driven
- **Planning Division – Justin Milam, AICP**
 - Senior Planner, Planner, Intern
 - Land use regulation, current and long-range planning



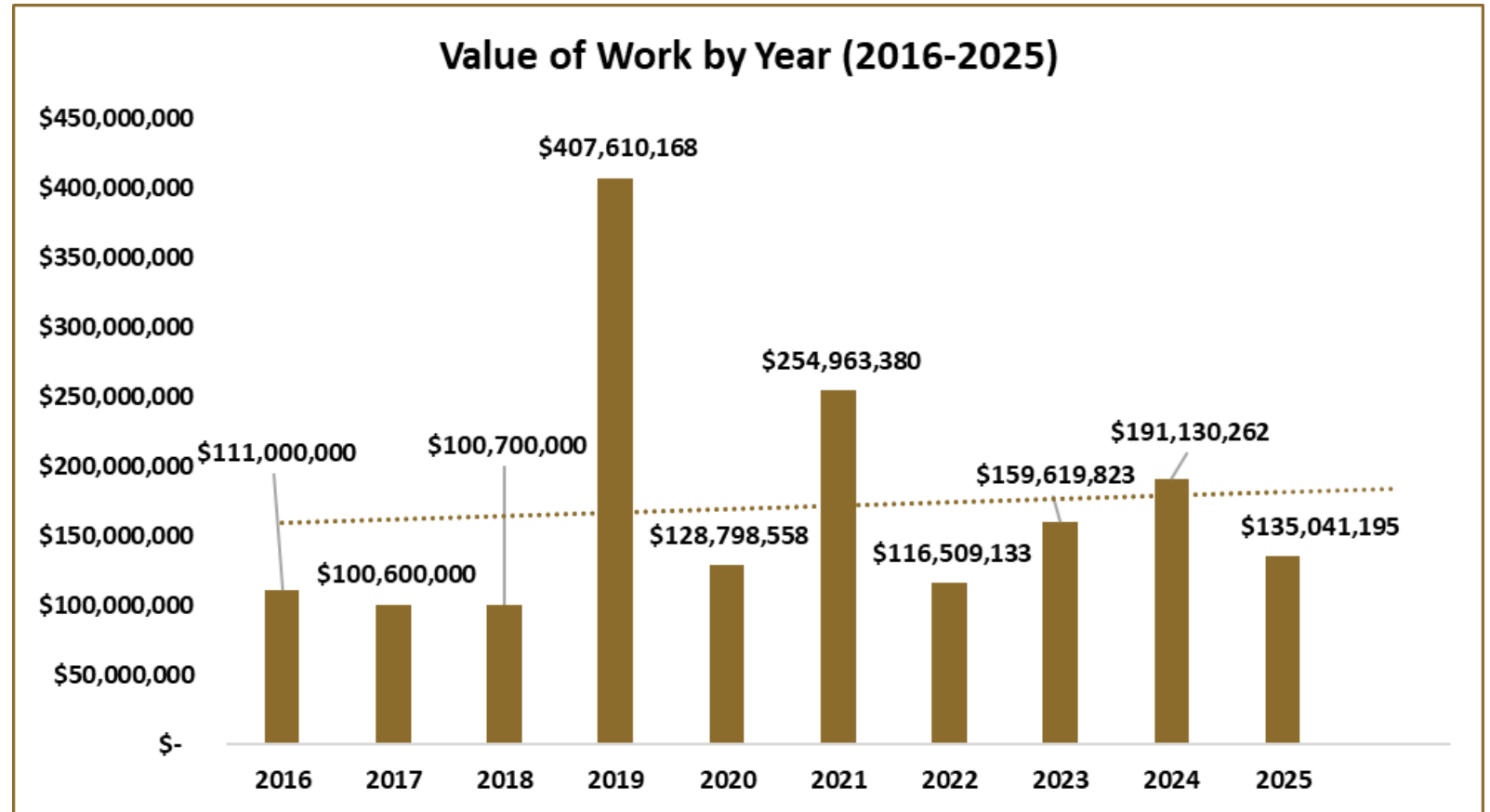
Permit Data Combined

- Building and zoning permit trends 2016-2025
- 2026 YTD number is 1,214 permits
- Consistent and robust reinvestment
- The average permit count per year is 3,415



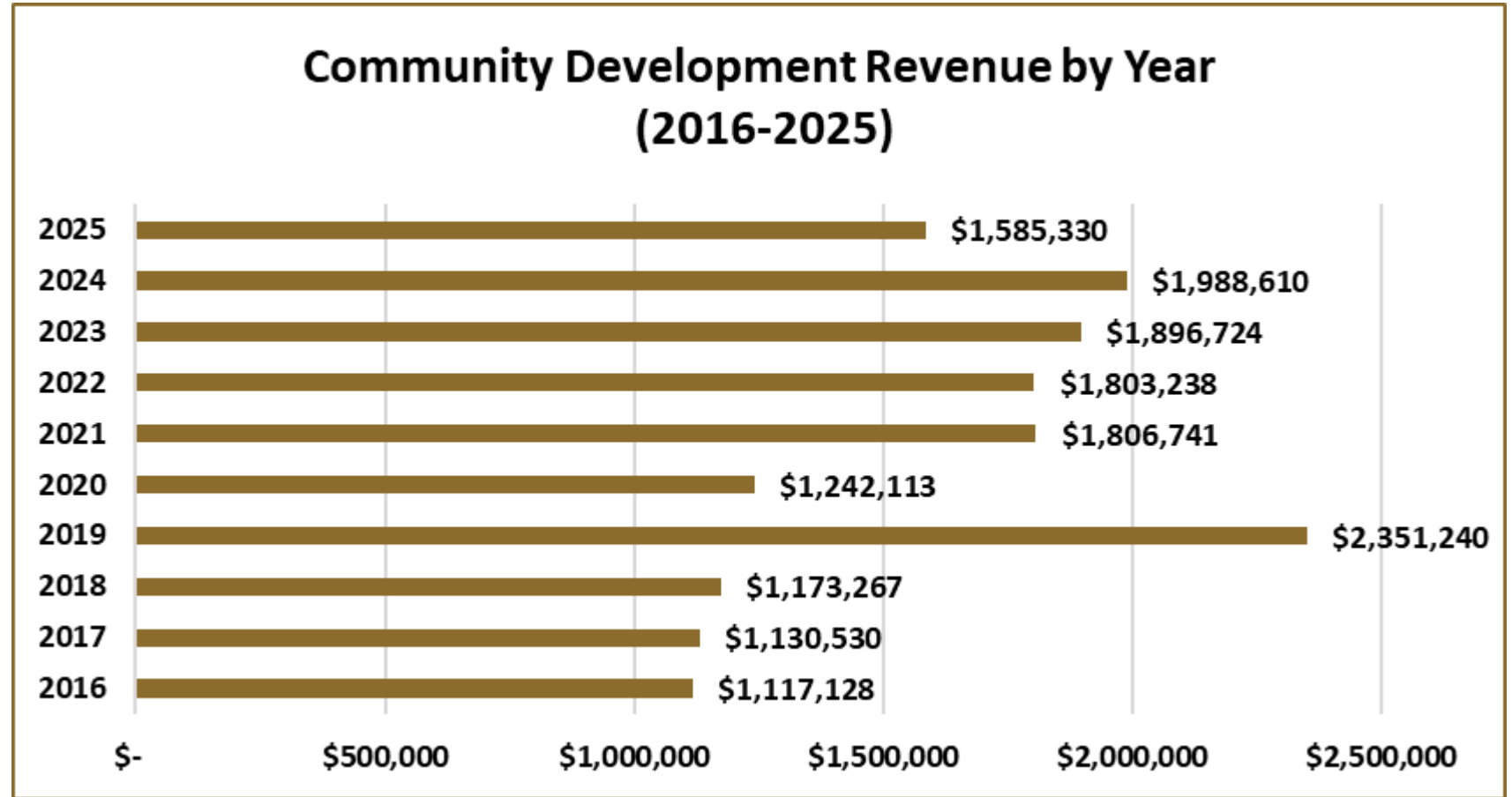
Permit Value

- Value of work trend 2016-2025
- The average value of work per year was \$170,597,252
- 2026 YTD permit value is \$73,256,404



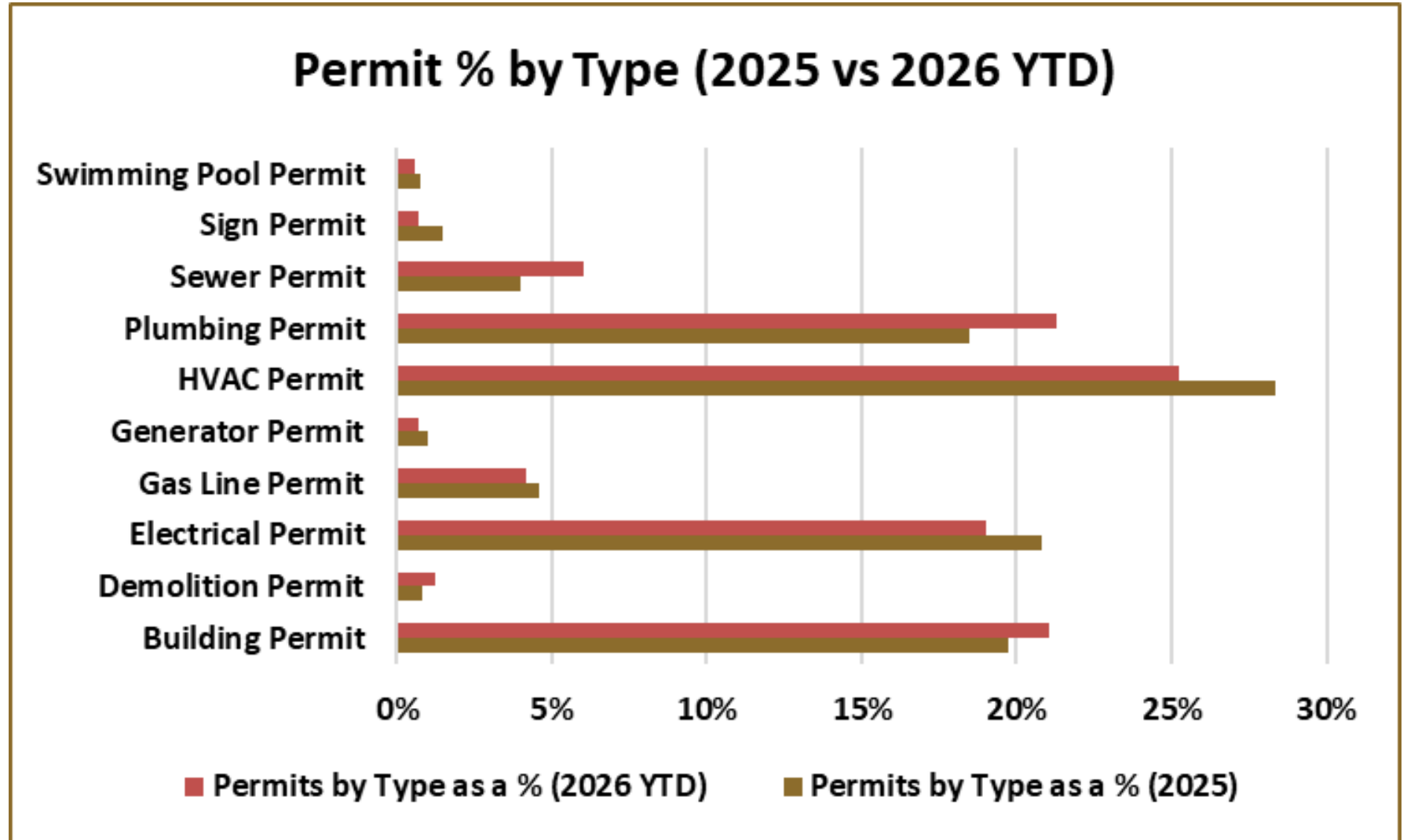
Community Development Revenue

- YTD revenue of \$342,761 as of 5/1/2026
- Permit fees recalibrated as of January 1, 2025
- Average revenue per year is \$1,816,129



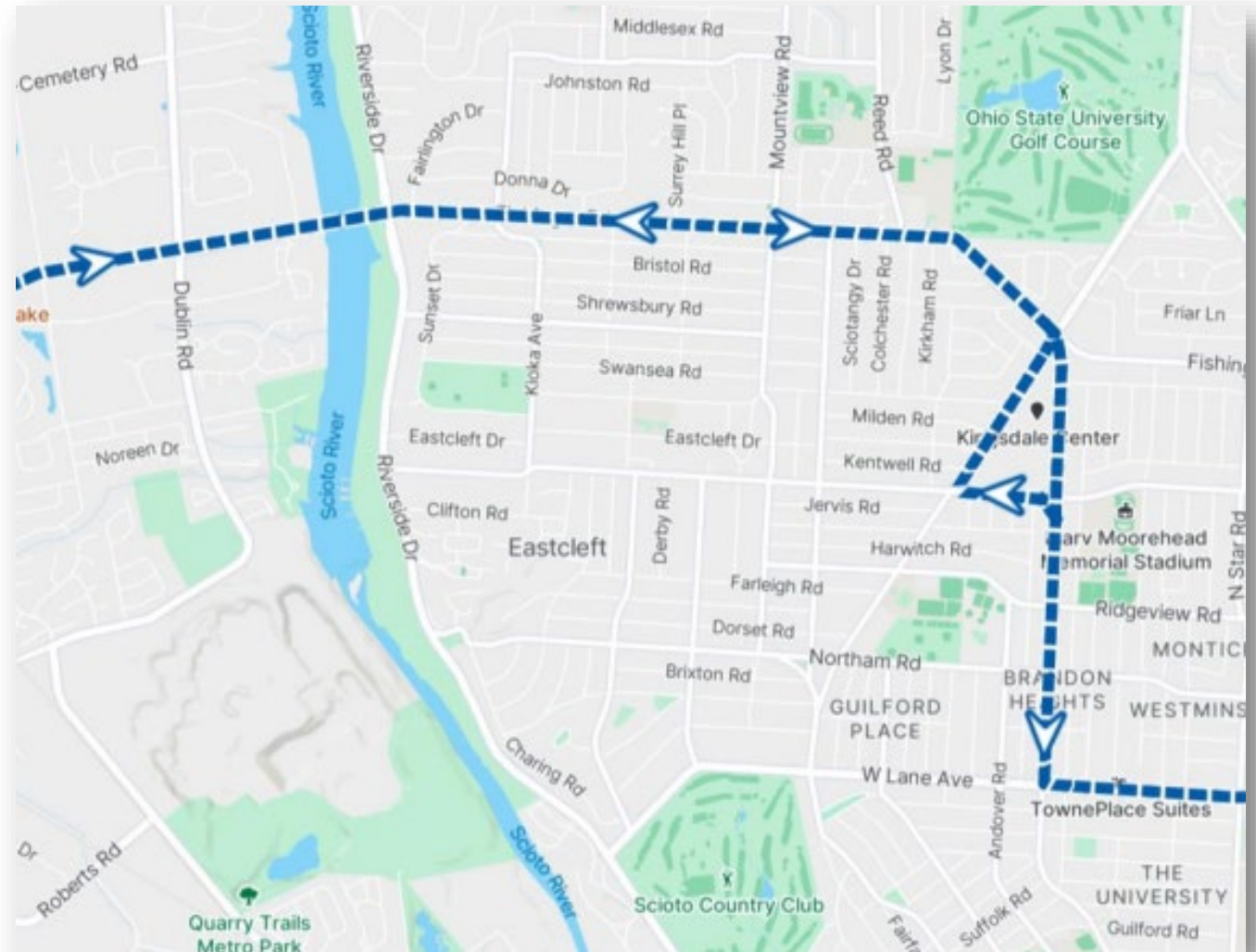
Permit Revenue Graph

- 3,105 permits in 2025
- 1,214 permits in 2026 YTD
- 2026 YTD as of May 1, 2026



COTA Advisory Panel (CAP)

- Bus service (Route #30) returns to W. Lane Ave in September!
- Route #32 relocated from Nottingham and Ridgecliff Roads to Fishinger Road
- Route #3 continues along NW Blvd.
- LinkUS – NW BRT Corridor (2031 open)



Master Plan – A Community Vision for 2040

- Steering Committee meeting #1 – March 26, 2026
- Steering Committee meeting #2 – May 21, 2026



On the Horizon...

- **Fox in the Snow** – bakery and coffee shop, 1510 W. Lane Avenue
- **Compass Homes** – headquarters, 1508 W. Lane Avenue
- **CAVA** – new restaurant in the Shops on Lane, 1599 W. Lane Avenue
- **Goddard School** – 1661 Old Henderson Road
- **Envision Henderson Study** – ongoing roadway/infrastructure analysis
- **Back 9 Golf** – 2820 Fishinger Road (Sciotoview Center)
- **U.S. Equestrian** – 3220 Riverside Drive (former Delta Gamma space)



Frazier Financial Advisors Economic Development Deal

May 4, 2026





FFA Background

- Frazier Financial Advisors, located at 1690 W Lane Ave, is a wealth management and tax preparation firm
- FFA moved to Upper Arlington in April 2022
- FFA grew by acquisition in 2023
- FFA is accelerating their expansion plans because of this deal
- This deal will grow FFA to a Top 20 taxpayer





Deal Overview

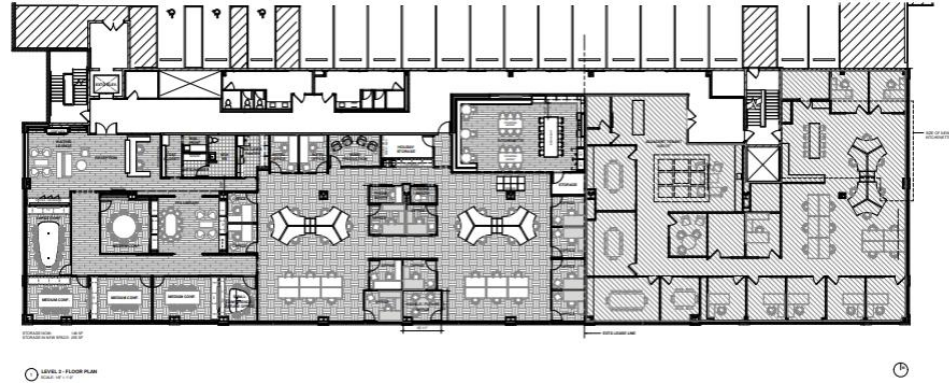
- Frazier Financial Advisors Receives:
 - \$400,000 forgivable loan from the Economic Development Fund
 - The loan is forgivable by crediting 30% of Net Income and Payroll tax growth over the 2024 baseline annually

- The City of Upper Arlington Receives:
 - Ten-year contractual commitment to stay in Upper Arlington, ends December 31, 2036
 - Additional five-year period with a right of first refusal, through 2041
 - FFA contractually agrees to grow their tax liability by 15% annually to 2029, and 8% annually through 2036
 - FFA to make \$1.35M capital investment in their new office space
 - FFA agrees to be a TVCP member and participate in UA School's workforce readiness programs



Qualitative Deal Metrics

- FFA will build out the 11,100 SF of shell space adjacent to their office at 1690 W Lane
- FFA will vacate their built-out space, which immediately goes to market
 - Crawford Hoying believes the remaining space will lease by the end of the year. Pushing class A office vacancy to 0% from 6.8%
- FFA will remain in the TVCP
- FFA will participate in UA School's Workforce readiness initiatives



Questions?



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.

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- (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;

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- (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-fifty~~ thousand dollars (\$~~350,000.00~~) 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~~The 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~~said 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~~Said 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~~said 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~~said 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~~Said 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 RESERVE~~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;~~

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- ~~(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) ~~Quadrupled~~ ~~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.

(D) 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 DUTIES RESERVED.

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

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

Council Meeting Date: May 11, 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 11, 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.

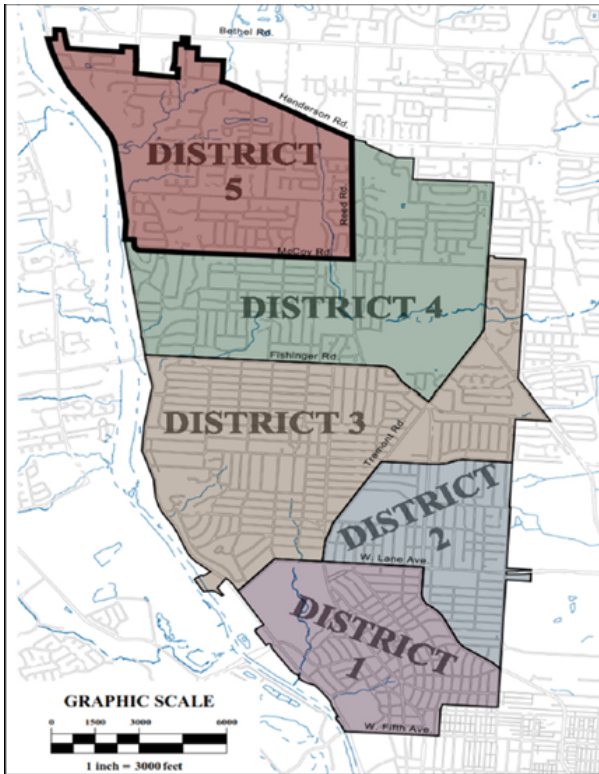
The bulk of the Sidewalk Maintenance Program is made up of sidewalk panel replacement. Below is the recent bid data for sidewalk related work to provide additional context on sidewalk pricing.

	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: Jeff Anderson, Parks & Recreation Deputy Director
Debbie McLaughlin, Parks & Recreation Director

Council Meeting Date: May 11, 2026

Subject/Legislative Item: Update on Fancyburg Park Renovation Project - Design Services Contract

Purpose: To provide an update on Professional Design Services Contract for the renovation of Fancyburg Park in accordance with the park master plan

Executive Summary: Presentation will provide an update on the contract for Professional Design Services for the Fancyburg Park Renovation project

Purpose and Impact

This is an update on the process for selecting a Consultant to provide Professional Design Services for the renovation of Fancyburg Park in accordance with the Master Plan that was supported by City Council via [Resolution 10-2025](#). This contract will be with the Edge Group, Inc in an amount not to exceed \$796,000 for professional design services for detailed design and construction documentation. The contract will also include a master plan verification/refinement step that will define the specific scope of elements, potential alternates, and the construction budget expectations. A breakdown of the total cost of these services is shown below:

Design/Documentation Fee: \$619,000
If Authorized Additional Design Services: \$13,000
Construction Administration: \$164,000
Total not to Exceed: \$796,000

The fee for these services is above the \$780,000 that was included in the 2026 Capital Improvement Plan. However, the increased design fee includes additional services that were not anticipated in the original budget. Specifically, irrigation, field redesign and expanded parking have all been added to the overall scope. The fee also includes design fees to integrate the maintenance building and yard design into this process. This project was bid for construction earlier this year with costs exceeding our budget and staff determined it would be best to combine this into the overall park renovation project for cost savings. The additional design services are for athletic field irrigation and interactive wetlands if the final design includes these components. If the project does not include these aspects, the funds for these services would not be utilized.



The 2018 Parks and Recreation Comprehensive Plan included a Park Assessment of Fancyburg that identified several amenities that are in Fair or Poor Condition and made several recommendations related to renovation, including to update all park infrastructure items that are outdated and need enhancement and/or change them out to provide new amenities that best reflect the values of citizens and their community. Recommendations also included removing unproductive amenities and replacing them with new amenities that are desired by the community. In response to these recommendations, the City began a park planning process in 2024 and in September of 2025, City Council passed Resolution 10-2025 supporting the Fancyburg Park Master Plan. This contract will provide the detail design and bid documents that are necessary to move forward with the recommended renovations outlined in the master plan.

History

Sufficient funds have already been appropriated, the construction project is specifically identified in the annual budget document and is listed in the most-recently approved 10-year capital improvement program. Therefore, the selection of the Consultant to provide these Professional Services was done in accordance with City Code Section 138.09(F) and pursuant to the City's quality-based selection process.

A Request for Qualifications was issued on March 9, 2026. On April 3rd, six Statement of Qualifications (SOQs) were submitted and reviewed by a Selection Committee consisting of four Parks and Recreation Department staff members. SOQs were scored based on evaluation criteria provided in the Request for Qualifications including project team, past performance, understanding of the project, project approach and overall quality of the response. The results are summarized below:

Vendor: Average Score

Edge Group: 90

MKSK: 80

POD Design: 70

Environmental Design Group: 60

GAI: 55

Star: 45

The Edge Group had the best average score and was selected to submit a technical and fee proposal. Their team is the same one that completed the 2025 Fancyburg Park Master Plan and will be able to provide a familiarity and consistency to the project. Their team also includes an independent Cost Estimating consultant that will provide estimates at various milestones throughout the design process to allow for better informed decisions on potential alternates are phasing that may be needed in the bidding of the project. In addition to their work on the Fancyburg Park Master Plan, the Edge team also brings experience from projects with a similar scale and scope including Warner Woods Park in Columbus and McKinley Park in Grandview.

Alternatives



The Edge Groups submitted a thorough SOQ and proposal that clearly demonstrated both their technical qualifications as well as their understanding of the project. Given the quality of the response, the Selection Committee is not recommending any alternatives to the selection of the Edge Group.

Entering the contract at this time will allow the Edge Group to begin the design process this summer, including additional community engagement on the detail design. They have proposed a schedule that will allow the project to be ready to bid by the end of the year and for construction to begin in the early Spring of 2027. It is anticipated that the project will take about a year to complete, so this is the preferred schedule for having the renovated park open by Spring of 2028.

Attachments

None



**Monthly Financial Report
As of April 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	\$ 10,790,582	\$ 13,910,482	\$ 3,119,900	28.91%
Real & Personal Property Tax	10,061,400	10,061,400	-	-	-	0.00%
All Other Operating Revenues	15,302,900	15,302,900	4,377,872	6,384,579	2,006,707	45.84%
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	16,035,883	21,162,490	5,126,607	31.97%
<u>Obligations:</u>						
Police Division	14,045,400	14,045,400	5,530,670	5,443,515	87,155	1.58%
Fire Division	12,815,400	12,815,400	4,440,760	4,215,048	225,712	5.08%
Board of Health	415,000	415,000	397,208	397,208	-	0.00%
Parks and Recreation	9,413,200	9,413,200	3,108,108	3,025,626	82,482	2.65%
Community Development	1,629,900	1,629,900	675,321	614,810	60,511	8.96%
Public Service Administration	1,505,400	1,505,400	565,800	534,718	31,082	5.49%
Public Works	1,804,000	1,804,000	615,943	575,775	40,168	6.52%
City Manager	2,070,900	2,670,900	1,511,145	1,437,902	73,243	4.85%
City Attorney	1,111,600	1,111,600	328,096	298,062	30,034	9.15%
City Clerk	354,400	354,400	118,133	104,083	14,050	11.89%
City Council	253,900	253,900	63,475	56,226	7,249	11.42%
Finance	1,994,700	1,994,700	646,092	598,274	47,818	7.40%
Facilities Maintenance	5,674,900	5,674,900	2,534,051	2,241,745	292,306	11.54%
Information Technology	2,575,400	2,575,400	1,224,181	1,154,085	70,096	5.73%
General Administration	4,314,600	4,314,600	1,936,965	1,852,195	84,770	4.38%
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	40,701,336	39,554,660	1,146,676	2.82%
Excess of Revenue and Other Sources over Obligations:	(11,728,200)	(18,232,200)	(24,665,453)	(18,392,170)		
Total Beginning Fund Balance	44,900,538	44,900,538	44,900,538	44,900,538		
Anticipated Appropriation Lapses	1,799,000	1,799,000	-	-		
Total Ending Fund Balance	\$ 34,971,338	\$ 28,467,338	\$ 20,235,085	\$ 26,508,368	\$ 6,273,283	31.00%

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	\$ 4,196,324	\$ 5,409,329	\$ 1,213,005	28.91%
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	15,559,482	16,772,487	1,213,005	7.80%
<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	15,559,482	16,772,487		
Beginning Fund Balance	28,361,159	28,361,159	28,361,159	28,361,159		
Ending Fund Balance	\$ 35,836,059	\$ 41,676,159	\$ 43,920,641	\$ 45,133,646	\$ 1,213,005	2.76%

**Monthly Financial Report
As of April 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	625,050	625,050	-	0.00%
Total Obligations	2,211,600	2,211,600	625,050	625,050	-	0.00%
Excess of Revenue and Other Sources over Obligations:	91,000	91,000	(625,050)	(625,050)		
Beginning Fund Balance	760,108	760,108	760,108	760,108		
Ending Fund Balance	\$ 851,108	\$ 851,108	\$ 135,058	\$ 135,058	\$ -	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	\$ 556,457	\$ 608,319	\$ 51,862	9.32%
Motor Vehicle License Taxes	450,000	450,000	144,166	153,206	9,040	6.27%
All Other Operating Revenues	53,000	53,000	15,000	29,415	14,415	96.10%
Total Revenues and Other Sources	2,303,000	2,303,000	715,623	790,941	75,318	10.52%
<u>Obligations</u>						
Public Service Administration	1,501,200	1,501,200	350,735	324,388	26,347	7.51%
Public Works	911,800	911,800	455,900	442,584	13,316	2.92%
Total Obligations	2,413,000	2,413,000	806,635	766,972	39,663	4.92%
Excess of Revenue and Other Sources over Obligations:	(110,000)	(110,000)	(91,012)	23,969		
Beginning Fund Balance	2,185,856	2,185,856	2,185,856	2,185,856		
Ending Fund Balance	\$ 2,075,856	\$ 2,075,856	\$ 2,094,844	\$ 2,209,825	\$ 114,981	5.49%

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	100,000	82,885	(17,115)	-17.12%
Total Revenues and Other Sources	27,615,800	27,615,800	22,423,027	22,405,912	(17,115)	-0.08%
<u>Obligations</u>						
Capital Improvements - CIP	10,130,400	10,130,400	4,805,374	4,805,374	-	0.00%
Capital Improvements	3,000,000	3,000,000	8,628	8,628	-	0.00%
Debt Issuance Costs	400,000	400,000	408,027	408,027	-	0.00%
Total Obligations	13,530,400	13,530,400	5,222,029	5,222,029	-	0.00%
Excess of Revenue and Other Sources over Obligations:	14,085,400	14,085,400	17,200,998	17,183,883		
Beginning Fund Balance	3,531,042	3,531,042	3,531,042	3,531,042		
Ending Fund Balance	\$ 17,616,442	\$ 17,616,442	\$ 20,732,040	\$ 20,714,925	\$ (17,115)	-0.08%

**Monthly Financial Report
As of April 2026**

Infrastructure Improvement Fund (404)

	Original Budget	Amended Budget	Projected To Date	Actual	Dollar Variance	Percentage Variance
Revenues and Other Sources						
All Other Operating Revenues	\$ 4,846,500	\$ 4,846,500	\$ 1,091,578	\$ 1,091,578	\$ -	0.00%
Transfers/Advances In	5,250,000	5,250,000	-	-	-	0.00%
Total Revenues and Other Sources	10,096,500	10,096,500	1,091,578	1,091,578	-	0.00%
Obligations						
Capital Improvements	9,563,900	9,563,900	3,785,710	3,675,468	110,242	2.91%
Transfers/Advances Out	800,000	800,000	-	-	-	0.00%
Total Obligations	10,363,900	10,363,900	3,785,710	3,675,468	110,242	2.91%
Excess of Revenue and Other Sources over Obligations:	(267,400)	(267,400)	(2,694,132)	(2,583,890)		
Beginning Fund Balance	13,980,019	13,980,019	13,980,019	13,980,019		
Ending Fund Balance	\$ 13,712,619	\$ 13,712,619	\$ 11,285,887	\$ 11,396,129	\$ 110,242	0.98%

Solid Waste Management Fund (710)

	Original Budget	Amended Budget	Projected To Date	Actual	Dollar Variance	Percentage Variance
Revenues and Other Sources						
Charges for Services	\$ 3,900,000	\$ 3,900,000	\$ 1,925,223	\$ 1,652,639	\$ (272,584)	-14.16%
All Other Operating Revenues	50,000	50,000	16,667	39,309	22,642	135.85%
Total Revenues and other sources	3,950,000	3,950,000	1,941,890	1,691,948	(249,942)	-12.87%
Obligations						
Public Works	4,396,600	4,396,600	4,293,280	4,046,466	246,814	5.75%
Total Obligations	4,396,600	4,396,600	4,293,280	4,046,466	246,814	5.75%
Excess of Revenue and Other Sources over Obligations:	(446,600)	(446,600)	(2,351,390)	(2,354,518)		
Beginning Fund Balance	1,835,054	1,835,054	1,835,054	1,835,054		
Ending Fund Balance	\$ 1,388,454	\$ 1,388,454	\$ (516,336)	\$ (519,464)	\$ (3,128)	0.61%

Water Surcharge Fund (720)

	Original Budget	Amended Budget	Projected To Date	Actual	Dollar Variance	Percentage Variance
Revenues and Other Sources						
Charges for Services	\$ 942,000	\$ 942,000	\$ 274,345	\$ 327,631	\$ 53,286	19.42%
Total Revenues and other sources	942,000	942,000	274,345	327,631	53,286	19.42%
Obligations						
Public Works	581,600	581,600	473,653	387,831	85,822	18.12%
Capital Improvements	552,200	552,200	-	-	-	0.00%
Transfers Out (including intra-city services)	94,000	94,000	1,000	776	224	22.35%
Total Obligations	1,227,800	1,227,800	474,653	388,607	86,046	18.13%
Excess of Revenue and Other Sources over Obligations:	(285,800)	(285,800)	(200,308)	(60,976)		
Beginning Fund Balance	2,461,389	2,461,389	2,461,389	2,461,389	-	
Ending Fund Balance	\$ 2,175,589	\$ 2,175,589	\$ 2,261,081	\$ 2,400,413	\$ 139,332	6.16%

**Monthly Financial Report
As of April 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	\$ 427,659	\$ 485,230	\$ 57,571	13.46%
All Other Operating Revenues	1,500	1,500	1,634	1,634	-	0.00%
Total Revenues and other sources	1,467,500	1,467,500	429,293	486,864	57,571	-13.41%
<u>Obligations</u>						
Public Works	1,345,000	1,345,000	170,481	155,154	15,327	8.99%
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	1,340	327	19.63%
Total Obligations	1,898,300	1,898,300	172,148	156,494	15,654	9.09%
Excess of Revenue and Other Sources over Obligations:	(430,800)	(430,800)	257,145	330,370		
Beginning Fund Balance	3,094,580	3,094,580	3,094,580	3,094,580		
Ending Fund Balance	\$ 2,663,780	\$ 2,663,780	\$ 3,351,725	\$ 3,424,950	\$ 73,225	2.18%

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	\$ 384,478	\$ 321,550	\$ (62,928)	-16.37%
All Other Operating Revenues	50,000	50,000	16,667	38,276	21,609	129.65%
Total Revenues and other sources	803,000	803,000	401,145	367,706	(33,439)	-8.34%
<u>Obligations</u>						
Public Works	734,000	734,000	423,694	378,678	45,016	10.62%
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	2,500	1,702	798	31.92%
Total Obligations	1,091,900	1,091,900	426,194	380,380	45,814	10.75%
Excess of Revenue and Other Sources over Obligations:	(288,900)	(288,900)	(25,049)	(12,674)		
Beginning Fund Balance	2,823,282	2,823,282	2,823,282	2,823,282		
Ending Fund Balance	\$ 2,534,382	\$ 2,534,382	\$ 2,798,233	\$ 2,810,608	\$ 12,375	0.44%

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	\$ 126,040	\$ 138,341	\$ 12,301	9.76%
Transfers/Advances In	200,000	200,000	-	-	-	0.00%
Total Revenues and other sources	1,238,800	1,238,800	126,040	138,341	12,301	9.76%
<u>Obligations</u>						
Parks and Recreation	1,266,800	1,266,800	234,671	172,285	62,386	26.58%
Total Obligations	1,266,800	1,266,800	234,671	172,285	62,386	26.58%
Excess of Revenue and Other Sources over Obligations:	(28,000)	(28,000)	(108,631)	(33,945)		
Beginning Fund Balance	619,563	619,563	619,563	619,563		
Ending Fund Balance	\$ 591,563	\$ 591,563	\$ 510,932	\$ 585,619	\$ 74,687	14.62%

Monthly Financial Report As of April 2026

Statement of Receipts and Disbursements (cash basis rounding)

Fund	Beginning Balance	Year to Date & Transfer In	Year to Date & Transfer Out	Ending Balance	Percentage Change
General	\$ 48,358,630	\$ 21,162,490	\$ 37,075,397	\$ 32,445,723	-32.9%
Capital Asset Management	28,361,159	16,772,486	(0)	45,133,645	59.1%
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	46,389	26,400	1,163,930	1.7%
Capital Equipment	1,542,509	-	783,519	758,990	-50.8%
Police & Fire Pension	1,345,109	-	399,018	946,091	-29.7%
Technology Fund	223,177	48,175	60,817	210,535	-5.7%
Facilities Maintenance Reserve	-	5,642,230	-	5,642,230	0.0%
Street Maintenance and Repair Fund	2,257,183	790,941	649,145	2,398,979	6.3%
EMS Billing Fund	1,852,414	237,664	41,642	2,048,436	10.6%
Law Enforcement	2,953,682	38,692	294,801	2,697,573	-8.7%
Tree Planting Fund	129,176	10,400	-	139,576	8.1%
Enforcement Education	21,176	125	34	21,267	0.4%
Mayor's Court Computer	57,035	9,849	-	66,884	17.3%
Mayor's Court Special Project	179,140	8,445	900	186,685	4.2%
Local Fiscal Recovery Fund	69,564	-	-	69,564	0.0%
OneOhio Opioid Fund	187,432	-	(2,407)	189,839	1.3%
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	30,743	14,842	368,423	4.5%
Clerk of Courts Fund	25,188	2,519	-	27,707	10.0%
UA Visitor's Bureau Fund	616,364	39,862	-	656,226	6.5%
General Bond Retirement	314,893	1,298,827	53,142	1,560,578	395.6%
Bonded Improvements	3,759,688	22,405,912	487,929	25,677,671	583.0%
Infrastructure Improvement Fund	22,665,632	1,091,578	3,027,367	20,729,843	-8.5%
Community Fiber Optic Fund	385,336	-	(177,900)	563,236	46.2%
Employee Benefit	1,854,458	177,900	100,540	1,931,818	4.2%
BWC Administration Fund	1,427,134	1,768,708	1,775,197	1,420,645	-0.5%
Solid Waste Management	2,204,995	1,691,948	1,344,039	2,552,904	15.8%
Water Surcharge	2,728,691	327,631	137,869	2,918,453	7.0%
Sanitary Sewer Surcharge	3,948,374	486,864	319,889	4,115,349	4.2%
Stormwater Management	3,135,467	367,706	296,370	3,206,803	2.3%
UA Swimming Pools	642,221	138,341	81,565	698,997	8.8%
Unclaimed Funds	9,204	-	-	9,204	0.0%
Revolving Fund	79,121	110,801	39,659	150,263	89.9%
Construction Withholding	600,453	98,518	244,611	454,360	-24.3%
Payroll Clearing Fund	357,375	12,580,076	12,316,362	621,089	73.8%
Totals (ROUNDED)	\$ 148,328,287	\$ 87,530,458	\$ 60,009,527	\$ 175,849,218	ROUNDED TOTALS

Monthly Financial Report As of April 2026

Income Tax Comparisons

	<u>Projections</u>	<u>Year to date</u>	<u>Difference</u>	<u>% Difference</u>
Withholdings	\$ 11,173,094	\$ 15,699,585	\$ 4,526,491	40.51%
Individuals	2,399,427	2,407,780	8,353	0.35%
Net Profits	1,414,385	1,212,447	(201,938)	-14.28%
Total	\$ 14,986,906	\$ 19,319,812	\$ 4,332,906	28.91%

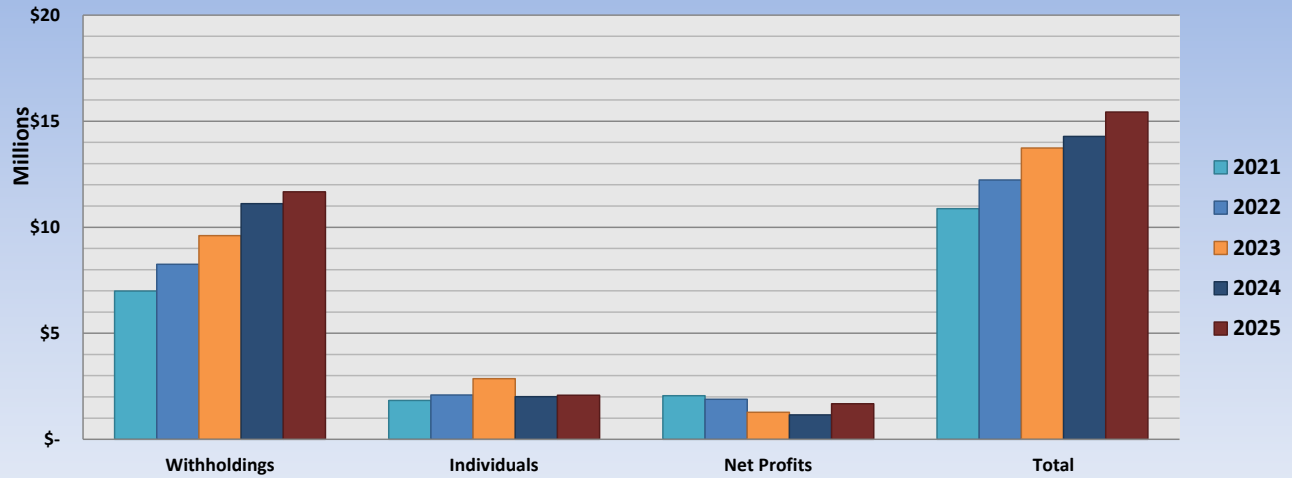
Income Tax Five Year Comparison

	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>
Withholdings	\$ 8,252,136	\$ 9,600,612	\$ 11,114,797	\$ 11,672,983	\$ 15,699,585
Individuals	2,084,788	2,856,896	2,015,406	2,083,182	2,407,780
Net Profits	1,885,543	1,272,639	1,155,832	1,671,846	1,212,447
Total	\$ 12,222,467	\$ 13,730,147	\$ 14,286,035	\$ 15,428,011	\$ 19,319,812

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	18.04%	16.34%	15.77%	5.02%	34.50%
Individuals	13.70%	37.04%	-29.45%	3.36%	15.58%
Net Profits	-8.10%	-32.51%	-9.18%	44.64%	-27.48%
Total	12.38%	12.34%	4.05%	7.99%	25.23%

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	8,202,786.00					\$ 8,202,786.00
Corporate / General Investments	6,503,641.00					\$ 6,503,641.00
Federal Agency	70,652,780.19	910,554.81	(748,811.25)			\$ 70,814,523.75
US Government Bonds	29,216,913.22	498,190.15				\$ 29,715,103.37
Total Bonds	\$ 114,576,120.41	\$ 1,408,744.96	\$ (748,811.25)	\$ -	\$ -	\$ 115,236,054.12
Short Term Fixed Maturity Commercial Paper	-					\$ -
Other Assets (Savings Cert - Market Traded)	\$ 5,903,624.05		(246,884.00)			\$ 5,656,740.05
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	\$ 134,187,413.39	\$ 1,408,744.96	\$ (995,695.25)	\$ -	\$ -	\$ 134,600,463.10
Money Markets:						
General	108,051.35	997,928.00	(1,408,744.96)	(2,365.00)	318,689.17	\$ 13,558.56
2026 CIP Bonds	172,268.17				22,404.98	\$ 194,673.15
Total Money Markets	\$ 280,319.52	\$ 997,928.00	\$ (1,408,744.96)	\$ (2,365.00)	\$ 341,094.15	\$ 208,231.71
Star Ohio:						
General Investment	26,478,230.86			24,976.05	82,694.44	\$ 26,585,901.35
Bond Proceeds	8,023,829.45			(9,737.84)	25,043.06	\$ 8,039,134.67
Federal ARPA (Gen. Inv.)	69,787.79			(224.11)	217.68	\$ 69,781.36
Gateway	1,026,676.96				3,205.52	\$ 1,029,882.48
Kingsdale	0.00					\$ 0.00
Community Center	2,649,152.57				8,271.25	\$ 2,657,423.82
Office (Comm. Center)	1,099,124.37			(15,014.10)	3,417.62	\$ 1,087,527.89
Total STAR Ohio	\$ 39,346,802.00	\$ -	\$ -	\$ -	\$ 122,849.57	\$ 39,469,651.57
Total Investments	\$ 173,814,534.91	\$ 2,406,672.96	\$ (2,404,440.21)	\$ (2,365.00)	\$ 463,943.72	\$ 174,278,346.38
NW Huntington Bank	\$ 1,300,669.40					\$ 1,570,874.32
Total Cash & Investments	\$ 175,115,204.31					\$ 175,849,220.70

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

<u>DATE</u>	<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
4-1-26	Insight Public Sector	Vectra Software Renewal	\$26,784.90
4-1-26	ESRI	Term License Software	\$32,021.04
4-1-26	Statewide Ford	Police Vehicles	\$87,416.00
4-2-26	Mr. B's Cleaning	Parks Restrooms	\$39,900.00
4-7-26	Crawford, Murphy & Tilly	Lane Ave. Feasibility Study	\$28,623.00
4-7-26	Oakland Nursery	Hanging Baskets and Planters	\$34,567.60
4-7-26	Ricart Automotive	Chevy Silverado for Police	\$35,660.00
4-8-26	OpenGov	Permitting & Licensing	\$57,914.53
4-10-26	EVUnited	Enterprise Cloud for DC Stations	\$38,520.00
4-15-26	OhioHealth	Health & Wellness for Fire	\$110,000.00
4-16-26	Sweet Meadow Farm	Golden Bear Abatement	\$108,883.50
4-17-26	Kontek Industries	Mobile Modular Shoot House	\$43,430.50
4-17-26	Baker Vehicle Systems	Top Dresser for Parks	\$33,831.00
4-21-26	NeoGov	Subscriptions	\$45,183.93

QUALITY BASED SELECTION CONSULTANTS – APRIL 2026

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

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

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

GRANTS APRIL 2026

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



Authors: James Russell, Economic Development Manager

Council Meeting Date: May 11, 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, remain members of 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 11, 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 Second 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. **F**

Changes from the May 4, 2026, meeting included in current draft:

- 101.99 - changes incorporated to keep option of jail sentence
- 105.03 - changes incorporated to clarify the \$100 cash restriction and add language regarding "person, corporation, or organization" to restriction
- 105.04 - changes incorporated to prohibit public resources from being used for partisan political activity and in support of a candidate
- 111.02 - incorporated new language suggested by Council to permit holding meetings either virtually or at a different location in an emergency
- 111.03 - changes suggested by Council incorporated, including striking date reference, changing "within" to "in" and rewording effective date language

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 WORKING COPY Part_1___ADMINISTRATIVE_CODE - CODE CLEANUP 5.11.26v



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.
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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~~ 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 cash contribution of \$100 or any other contribution in-kind ~~contribution~~ of more than two hundred and fifty dollars (\$250.00) in a calendar year from any one person, corporation, or organization 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, including council-appointed employees, shall use City of Upper Arlington resources or non-public information for the purpose of partisan political activity or in support of or opposition to any candidate for office.
- ~~(C)~~ 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 candidate for any office, or any petition designed to place any issue upon, the ballot in the City of Upper Arlington.
- ~~(DE)~~ 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.

(ED) 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 n~~Notice days' notice of any meeting to be held elsewhere than at the Municipal Services Center, except for City Hall, in the event of an emergency, as determined by the concurrence of the president and vice-president of council, notice of the alternative meeting location or means shall be provided as soon as practicable. ~~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.~~

(CB) 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 l~~aw, 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 ~~with~~in the city's health care benefits program.

(E) ~~No~~Any legislation increasing the salary or compensation of a council member ~~shall~~cannot be applied to a council member until the ~~next~~first election for that member's seat following the adoption of 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.

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- (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

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- (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-fifty~~ thousand dollars (~~\$350,000.00~~) 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~~The 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~~said 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~~Said 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~~said 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~~ 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~~The 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 ~~RESERVE~~ESTATE 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, A~~ll 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 f~~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.

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- (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, 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 COURTS~~AUTHORITY TO ADOPT RULES AND REGULATIONS FOR FACILITIES.

- (A) *Regulations:* The city manager ~~shall be~~is 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.

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- (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) ~~Quadrupled~~ ~~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.~~

~~(D) 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 DUTIES RESERVED.

~~(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)



Authors:	Michael Bell, Assistant Fire Chief Chris Zimmer, Fire Chief Darren Shulman, City Attorney Jacolyn Thiel, Assistant City Manager
Council Meeting Date:	May 11, 2026
Subject/Legislative Item:	Ordinance No. 22-2026 - To Amend Chapter 1701 - Fire Prevention Code of the Upper Arlington Code of Ordinances to Enact § 1701.03 - Fire Protection Systems Compliance Reporting
Purpose:	To improve compliance tracking, reporting timeliness, and overall efficiency within Fire Prevention through adoption of a standardized third-party reporting requirement.
Executive Summary:	Staff recommends that City Council adopt an amendment to the Fire Prevention Code establishing Section 1701.03 – Fire Protection Systems Compliance Reporting. This amendment will require all contractors performing inspection, testing, and maintenance of fire protection systems to submit reports through an approved single-point repository service company (SRSC).

Purpose and Impact

Currently, the Fire Prevention Bureau verifies compliance with fire protection system testing and maintenance requirements during annual inspections of commercial properties. These inspections rely on reports generated by third-party contractors, which are often not reviewed until the time of the Fire Division’s inspection—potentially delaying awareness of deficiencies by up to one year.

Adoption of this code amendment will:

- Require near real-time submission of inspection and maintenance reports
- Provide earlier identification of deficiencies, including critical life safety issues
- Improve consistency and completeness of documentation
- Reduce administrative burden on Fire Division staff
- Align the City with regional best practices (many Central Ohio jurisdictions have implemented or are implementing similar systems, including Columbus, Norwich, Washington Township, Westerville, and Worthington.)



The Ohio Fire Code authorizes the fire code official to prescribe recordkeeping formats and require submission of records. The City Attorney's Office reviewed this authority and recommended adoption of a local ordinance to formalize the requirement.

Vendor Evaluation and Selection Process:

While the code amendment authorizes the use of an SRSC, staff conducted a parallel evaluation process to identify the most qualified vendor for implementation.

Process included:

- Review of available vendors operating in Ohio
- Development and application of a scoring matrix
- Coordination with the City IT Director to review system architecture and security

- **IROL (Recommended Vendor)**
 - Full bi-directional integration with the Fire Division RMS
 - Additional inspection software is included
 - Review by IROL code official / subject matter expert (SME) in fire and building codes reviews all documents to determine the severity and the urgency of the notification, utilizing the Fire Division-provided criteria for notification.
 - Current fees are a \$20 per document upload which is billed to the fire protection system contractor

- Brycer
 - Partial integration with RMS, possibly bi-directional but undetermined at this time
 - No inspection software provided
 - Current fees are a \$20 per document upload, billed to the fire protection system contractor
 - Review by SME is provided at an additional cost (+ \$5 per document)

- LIV
 - Limited integration with RMS
 - No inspection software provided
 - No SME review provided
 - Current fees; \$15 per document upload cost to the fire protection system contractor

Implementation Considerations:

- The selected SRSC platform will be cloud-based and operate outside the City network
- No direct cost to the City; fees are paid by contractors using the system
- Contractors benefit from streamlined reporting and integration with existing systems



- Upon adoption of the ordinance, staff will finalize vendor agreement and begin onboarding

Anticipated implementation timeline: August 1, 2026

History

The Fire Prevention Bureau conducts annual inspections of commercial properties, which includes verifying compliance with testing and maintenance requirements for fire safety systems such as sprinklers and alarms. Third-party contractors perform these evaluations on a set schedule with the property owner, unrelated to Fire Division inspections. Contractor reports are reviewed during Fire Division inspections, which can delay notification to the Fire Division by up to a year.

Alternatives

Council has the option not to adopt this code and keep compliance with fire protection system testing and maintenance requirements reports as they are done currently.

Attachments

1.	Ordinance No. 22-2026
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RECORD OF ORDINANCES

CITY OF UPPER ARLINGTON

STATE OF OHIO

ORDINANCE NO. 22-2026

TO AMEND CHAPTER 1701 - FIRE PREVENTION CODE OF THE UPPER ARLINGTON CODE OF ORDINANCES TO ENACT § 1701.03 – FIRE PROTECTION SYSTEMS COMPLIANCE REPORTING

- WHEREAS,** the Fire Prevention Bureau conducts annual inspections of commercial properties to verify compliance with fire protection system testing and maintenance requirements; and
- WHEREAS,** such compliance relies on reports generated by third-party contractors, which are often not reviewed until the time of inspection, potentially delaying awareness of deficiencies; and
- WHEREAS,** the Ohio Fire Code authorizes the fire code official to prescribe recordkeeping formats and require submission of records; and
- WHEREAS,** adoption of a single-point repository service company (SRSC) will provide quicker reporting, improve documentation consistency, reduce administrative burden, and align the city with regional best practices; and
- WHEREAS,** to implement the proposed requirements a city code change is required to be authorized by City Council.

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

SECTION 1. Chapter 1701 – Fire Prevention Code of the Upper Arlington Code of Ordinances is hereby amended and updated to enact § 1701.03 – Fire Protection Systems Compliance Reporting as follows:

1701.03 – Fire Protection Systems Compliance Reporting

- (A) All contractors, entities, companies, or individuals providing inspections, tests, and maintenance of the fire prevention systems listed within this section are required to enroll and utilize the approved single-point repository service company (“SRSC”) for reporting information regarding the inspections, tests, and maintenance of the fire protection system to the City.
- (B) Fire protection system information must be filed with the SRSC within five business days from the completion of the services.
- (C) Information related to the inspections, tests, and maintenance is required to be

submitted through the SRSC for the fire protection and life safety systems in the Ohio Fire Code. [Ohio Administrative Code (OAC)1301:7-7]

(D) The City may select and contract with an SRSC for reporting the required fire protection system information to the City.

(E) Fees. The SRSC is authorized to charge a fee to users of the reporting system, as set forth in the contract.

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