

**6/1/2026 | 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 Laura Oldham**
- 3. Consent Agenda**
  - a. Approve May 11, 2026 City Council Meeting Minutes
- 4. Reports/Presentations**
  - a. Upper Arlington Public Library Update, Presented by Director Beth Pfahler
- 5. Legislative Items for First Reading/Public Hearing/Council Action**
  - a. Resolution No. 8-2026 - To Adopt the Tax Budget for the Upper Arlington Public Library for the Fiscal Year Beginning January 1, 2027, and Submitting the Same to the Franklin County Budget Commission (*Kulewicz*)
  - b. Resolution No. 9-2026 - To Adopt the Tax Budget for the City of Upper Arlington, Ohio, for the Fiscal Year Beginning January 1, 2027, and Submitting the Same to the Franklin County Budget Commission (*Munc*)
  - c. Resolution No. 10-2026 - 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, with an Increase, of a Specified Number of Mills for the Police and Fire Pension Fund (*Oldham*)
  - d. Ordinance No. 23-2026 - To Amend the Fontenay Subdivision Plat to Permit the Reduction of the Platted Rear Yard Setback From 32 Feet to 19.5 Feet for Lot #3, to Allow for the Retention of a Patio and Swimming Pool Decking (*Tracy*)
  - e. Ordinance No. 26-2026 - To Authorize the City Manager to an Amended Contract With Clover Landscape LLC for Mowing Services for City-Owned Properties; Waiving Second and Third Readings; and Declaring an Emergency (*Walter*)
- 6. Legislative Items for First Reading/Public Hearing**

- a. Resolution No. 11-2026 - To Provide for the Submission to the Electors of the City of Upper Arlington at the 2026 General Election a Renewal Tax Levy and an Increase Dedicated to the Police and Fire Pension Fund
- b. Ordinance No. 24-2026 - To Authorize the City Manager to Enter Into Contract with Decker Construction for Construction-Related Services for the Northwest Boulevard Improvements Phase 3 Project
- c. Ordinance No. 25-2026 - To Authorize the City Manager to Enter Into Contract With Clean All Services and Mr. B's Cleaning Services for Custodial Cleaning Services for City Buildings

**7. Legislative Items for Second 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

**8. Legislative Items for Third 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

*This item was scheduled for Public Hearing/Council Action but will be postponed to the June 15, 2026 City Council meeting.*

- 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.*

**9. City Manager Update**

**10. Adjournment**

**May 11, 2026**

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

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

**Staff Present:** City Attorney Darren Shulman, City Clerk Krystal Grove, Assistant City Manager Jackie Thiel, Finance Director Brent Lewis, IT Director Ross Morrow, Parks & Recreation Director Debbie McLaughlin, Community Affairs Director Emma Speight, Public Service Director Gary Wilfong, City Engineer Aaron Scott, Fire Chief Chris Zimmer, Economic Development Manager James Russell, and Police Chief Keith Hall

**Pledge of Allegiance**

The Pledge of Allegiance was led by Council Member Ben Tracy.

**Consent Agenda**

- a. **Approve May 4, 2026, City Council Meeting Minutes**
- 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**

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

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

**Absent:** Oldham

## Reports/Presentations

### **a. Columbia Gas Pipeline Construction Update, Presented by Columbia Gas of Ohio Public Affairs Project Specialist Leah Lewis**

Leah Lewis, Public Affairs Project Specialist for Columbia Gas, presented an update on Phase 2B of the North Columbus High Pressure Pipeline Project (presentation attached as Exhibit A). Key figures reported 63% of pipe installed in the ground and 33% overall project completion (the latter inclusive of restoration activities). Mechanical completion is anticipated in August 2026, with full project and restoration completion in November 2026. Active construction continues on Kenny Road, Tremont, Brandon, and Northam, with upcoming work on Ridgeview, Old Kenny, and several other locations primarily in the City of Columbus.

Mr. Tracy asked whether Northwest Boulevard would be open for the Fourth of July. Ms. Lewis confirmed that work on those main streets is expected to wrap up by early-to-mid June, making the Fourth of July parade route a top priority. She also confirmed that the pipeline serves natural gas to Upper Arlington homes and that the project was mandated by the federal government to improve pipeline safety.

Vice President Munc and the President Awakessien Jeter commended Columbia Gas for its strong community presence, responsiveness to resident concerns, and coordination with the city and Upper Arlington Schools. It was noted that monthly in-person community meetings are held at the Tremont Branch, with the next scheduled for June 3.

City Engineer Aaron Scott advised Council that following the Fourth of July, Northwest Boulevard will proceed into a full reconstruction project, with a goal of completing the work by year's end. Mr. Walter confirmed the phasing approach would be coordinated with schools and other stakeholders, similar to the Fishinger Road project.

### **b. Update on Fancyburg Park Renovation Project- Design Services Contract**

Parks & Recreation Director Debbie McLaughlin presented an update on the Fancyburg Park Renovation Project (presentation attached as Exhibit B, staff report summary attached as Exhibit C). Following two bids for the previously planned standalone maintenance facility that came in excessively over budget, staff determined it was more prudent to integrate the maintenance facility into the larger park renovation as a single construction project in 2027, seeking economies of scale and reduced disruption.

The Edge Group was selected through a competitive RFP process as the design consultant for the detailed design phase. A notable feature of their proposal is the inclusion of a third-party cost estimator embedded throughout the design process to maintain budget discipline. The project scope includes conversion of hybrid tennis/pickleball courts to dedicated courts, playground

expansion with nature play elements, shelter upgrades, potential parking expansion, improved park entrance, and tree preservation and addition.

The timeline calls for scope verification and initial cost estimating to begin in June 2026, a public input meeting in August, bidding in November, and construction award for a single construction season in 2027. Ms. McLaughlin acknowledged that combining the projects will require operational adjustments for forestry and tree nursery activities during the construction period but characterized those as manageable one-year inconveniences. Mr. Fortkamp commended staff for not forcing the standalone maintenance building project when costs were unfavorable.

**c. Finance Director Report - April 2026**

Finance Director Brent Lewis presented the April 2026 Finance Director Report (attached as Exhibit D). Mr. Lewis reported that the April report closely mirrors the March report. He noted that Franklin County is approximately two to three months behind in disbursing property-related receipts, including property taxes, TIF/PILOT payments, and special assessments, resulting in some negative revenue balances in utility funds. The first half disbursement is expected in early June and is not currently causing any operational impact. Mr. Lewis also noted that a large withholding income tax payment received at the beginning of the year has skewed income tax projections, and a mid-year budget update will be brought to Council after the summer recess with adjusted projections.

**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**

Mr. Kulewicz recused himself from discussion on Ordinance No. 20-2026 and left the Council Chamber at 6:41 p.m.

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

City Attorney Darren Shulman explained that the ordinance is being carried to a third reading to allow time for the final agreement language to be completed. The executed draft agreement will be ready for the June 1 meeting.

President Awakessien Jeter advised that the Third Reading/Public Hearing/Council Action will occur on June 1, 2026.

Mr. Kulewicz returned to the Council Chamber following discussion on Ordinance No. 20-2026 at 6:43 p.m. and was present for all further business.

**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**

In response to President Awakessien Jeter'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. The following sections were discussed (redline version attached as Exhibit E):

**Campaign Finance Contribution Limit (§105.03):** Using the Bureau of Labor Statistics CPI calculator, the \$250 limit set in 2006 is equivalent to approximately \$416 today. Dublin's comparable at-large limit, last updated in 2021, is \$310. After discussion, a majority of Council expressed comfort with raising the limit to \$400, which was characterized as an inflation adjustment rather than a substantive policy change. Mr. Kulewicz expressed a preference for retaining the \$250 limit, citing the value of keeping campaigns grassroots and noting that digital campaigning costs have decreased. Mr. Tracy indicated a preference for either leaving the limit unchanged or raising it to \$500 with a delayed effective date. President Awakessien Jeter advocated for \$400 and requested accompanying language requiring periodic review of the limit following each election cycle to prevent future stagnation. Mr. Shulman will prepare formal amendment language at the \$400 level with a review mechanism, and a separate amendment on a delayed effective date, to be voted on.

A technical correction was also agreed upon: the phrase "from any person, corporation, or organization" in both subsections (d) and (e) will be standardized to "from any person or entity" for consistency.

**Employee Political Activity (§105.04):** Mr. Shulman reported that Dublin, Hilliard, and Dayton have similar restrictions prohibiting city employees from actively participating in campaigns for city elective office. Mr. Tracy raised the question of whether such a prohibition, in light of a recent Ohio Supreme Court decision broadening First Amendment protections for political speech, could be constitutionally vulnerable. Discussion touched on what activities the existing language covers (e.g., donations, yard signs, public endorsements) and what is expressly carved out (e.g., voting, expressing private views in a private context). Mr. Kulewicz suggested replacing "active part" with "any part" to eliminate definitional ambiguity, given the existing exceptions. Mr. Shulman agreed this was workable. The word "partisan" in subsection (b) was also discussed; Mr. Shulman recommended retaining it to preserve the city's ability to distribute factual information on ballot levies consistent with state law. Mr. Tracy requested that formal amendment language be prepared for a vote, while acknowledging he had not yet determined how he would vote.

**Settlement of Claims / Other Code Updates:** Mr. Shulman noted that the settlement authority threshold was inflation-adjusted from \$30,000 to \$50,000 (indexed value was approximately

\$47,200). Additional code cleanup items were reviewed briefly, including language for §133.02 and §133.03 (City Clerk and deputy positions), and the mayoral authority to solemnize marriages (§135.01). On the latter, Council directed staff to research whether a nominal fee should be established to recover actual administrative costs such as certified mail. A broader effort to make the code gender-neutral throughout was affirmed, to be addressed via a comprehensive find-and-replace at the conclusion of the review process.

President Awakessien Jeter advised that the Third Reading/Public Hearing will occur on June 1, 2026.

### **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**

In response to President Awakessien Jeter’s invitation to speak, there were no questions or comments from the public relative to Ordinance No. 22-2026.

Fire Chief Chris Zimmer explained the ordinance would require contractors performing inspections, testing, and maintenance of fire protection systems to submit their reports to the city electronically rather than on paper. The change is intended to improve efficiency for fire inspectors and reduce delays in identifying previously noted deficiencies. Chief Zimmer confirmed that overall fire code compliance among Upper Arlington businesses is very good, and that no access barriers for contractors are anticipated.

President Awakessien Jeter advised that the Second Reading/Public Hearing will occur on June 1, 2026.

### **City Manager Update**

Assistant City Manager Jackie Thiel reported that information on the scooter and e-bike program has been distributed to the public. A community survey is open through May 24, 2026, and has already received nearly 800 responses. Results will be compiled and reported back to Council following the survey's close.

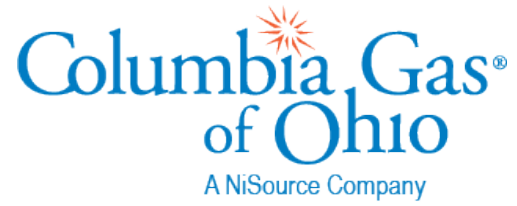
### **Council Liaison Report**

Mr. Fortkamp reported on behalf of the Community Relations Committee (CRC): a Juneteenth celebration is scheduled for June 15; a Pride flag raising is planned for June 1; and the Welcoming Porch Party program, originally founded by Equal UA and supported by a Columbus Foundation grant, has been adopted as part of the CRC's welcoming series, with registration

anticipated to open in early August. A Wall of Honor celebration for Mr. Christie is scheduled for Sunday, May 17.

\* \* \*

There being no further business to come before City Council, President Awakessien Jeter adjourned the meeting at 7:42 p.m.



## UA City Council – NCHP Update

Leah Lewis, Public Affairs Project Specialist, Columbia Gas



OUR VISION IS TO BE A  
**PREMIER, INNOVATIVE & TRUSTED**  
**ENERGY PARTNER**



## Project Overview

### **Pipeline Expansion and Installation**

Phase 2b focuses on expanding pipeline capacity through installation, testing, and commissioning activities.

### **Station Construction and Commissioning**

Ridgeview and Brandon Stations are being constructed and commissioned to support enhanced pipeline operations.

### **Project Management and Coordination**

Multiple coordinated work streams cover civil, mechanical, and electrical scopes ensuring smooth project progress.

### **Progress Tracking and Risk Management**

Ongoing tracking of milestones, schedule drivers, and risks ensures transparency and effective performance management.

## Pipeline

### **Pipeline Completion**

- 33% overall completion with 63% of pipe physically installed along designated corridors.
- Specialized jack-and-bore methods were used at key intersections to minimize surface disruption and maintain efficiency.

### **Projected Completion**

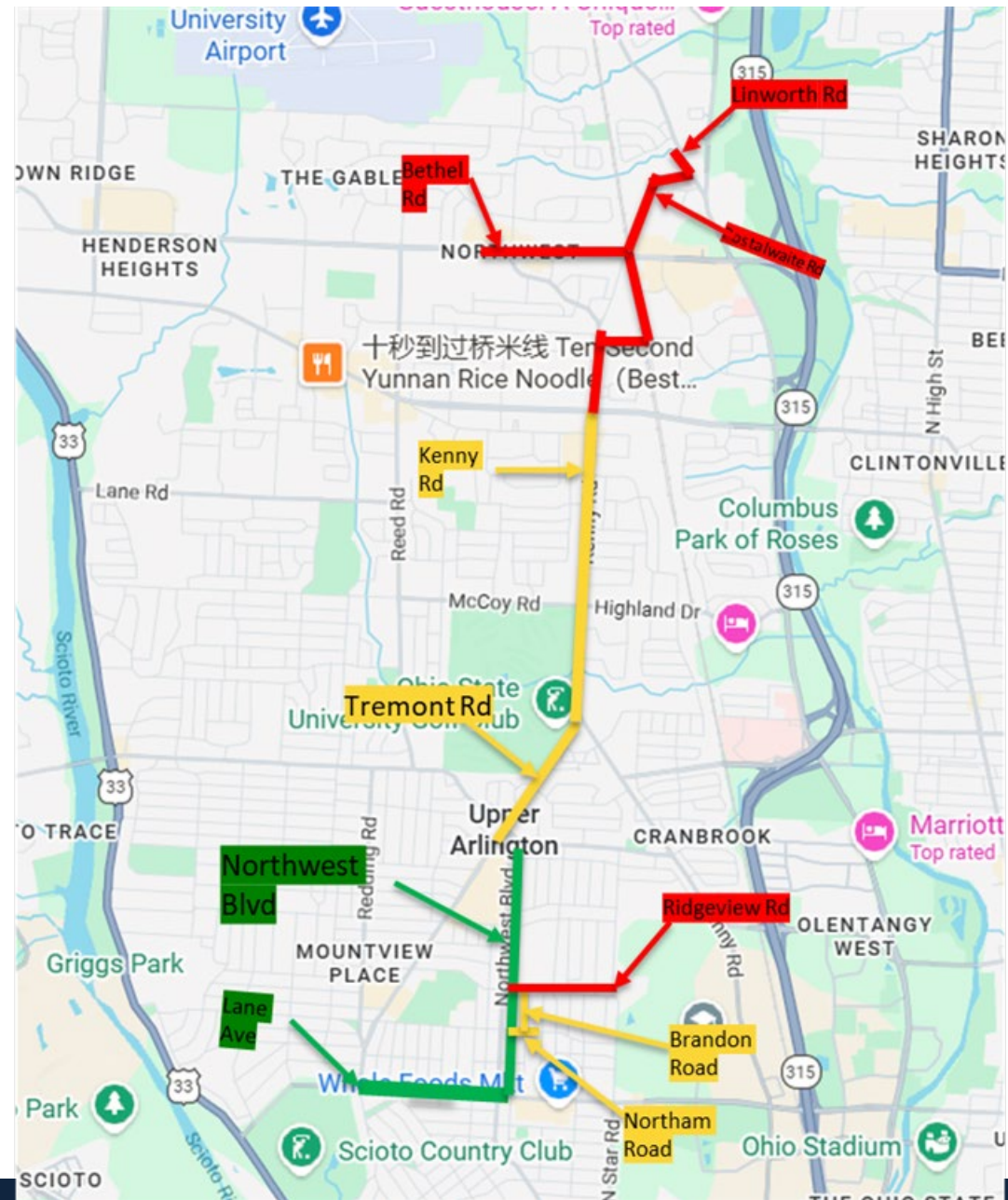
- Completed pipeline sections mark critical milestones enabling system integration and final project phases.
- Mechanical completion expected by August 28, 2026, with in-service date targeted for November 18, 2026.

### **Final Restoration Efforts**

- Restoration of affected areas will continue through summer and fall, aiming for full completion by November 14, 2026.

## CORRIDOR STATUS as of 4/30/2026

- **Majority of Pipe Install Completed**  
 Lane Avenue – Complete until final tie-ins  
 Northwest Boulevard – piping complete, restoration ongoing
  
- **Active Construction**  
 Kenny Road  
 Tremont Road  
 Brandon Road  
 Northam Road
  
- **Upcoming**  
 Bethel Road  
 Ridgeview Road  
 Old Kenny Road / Circle Drive  
 Postlewaite Road  
 Schuster Road



# Ridgeview Station

The station supports Phase 2b operations by enhancing system performance and redundancy.

## **Civil Construction Progress:**

- Ridgeview Station construction is 34% complete following mobilization in February 2026
- Earthwork, grading, and foundations for equipment and SCADA buildings were completed between February and April.

## **Mechanical Installation:**

- Mechanical completion is forecasted for June 2, 2026, marking a key project milestone.
- Major equipment set and piping installation finished by mid-April, advancing mechanical progress.

## **Building Foundation Timeline:**

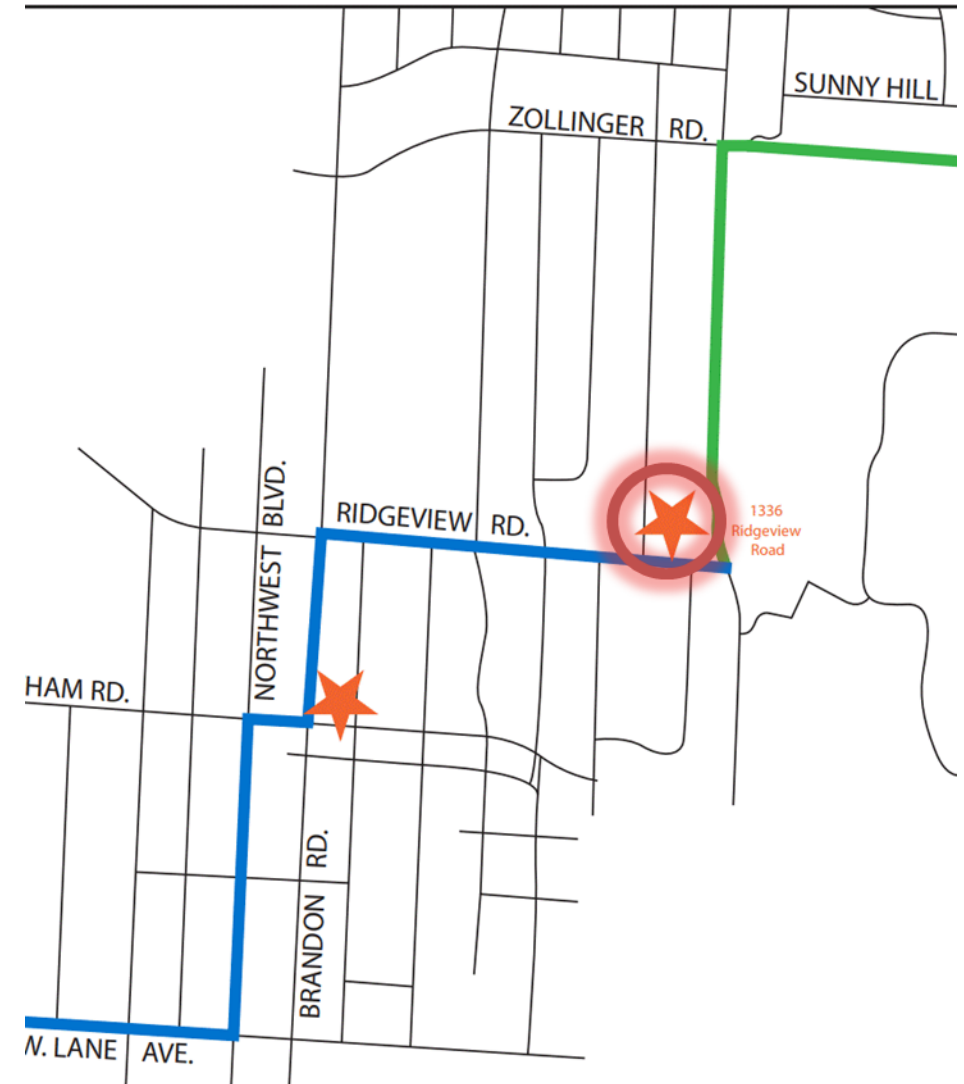
- Building foundation installation faced permitting delays, now expected to finish in early May.

## **Future Construction and Commissioning:**

- Final equipment installation, pressure testing, and station tie-ins planned for June; building construction and commissioning scheduled through November.

## **Final Restoration:**

- Final restoration activities will complete by November 25, 2026, aligning with project closeout.



The station is a critical system component.

## Brandon Station

The station supports Phase 2b operations by enhancing system performance and redundancy.

### Construction Progress

Brandon Station is 32% complete since mobilization began in early March 2026, tracking well against schedule.

### Mechanical Installation:

- Mechanical completion is forecasted for late May 2026 to prepare for pipeline commissioning activities.
- Below-grade piping finished in early April, with above-grade piping expected through early May.

### Upcoming Pressure Testing and Tie-in:

- Scheduled pressure testing and tie-in activities planned throughout May with a target completion date of May 28.

### Building and Restoration:

- Steel Nation to construct the station building expected to occur from late June to early August.

### Final Restoration Timeline:

- Work is planned for the week of late November 2026 to complete the project



The station is a critical system component.

## Project Coordination & Community Support

- ❑ Work directly with residents to allow access through construction areas.
- ❑ Coordination with emergency services for awareness through construction areas.
- ❑ Weekly update meetings with municipal and community stakeholders.
- ❑ Weekly website construction updates including traffic impacts and detours.
- ❑ Monthly in person community office hours to address resident questions/concerns.
- ❑ Use of door tags, postcards, and project notification letters to communicate various project updates.
- ❑ Direct access to Public Affairs Specialist.



**Leah Lewis, Public Affairs Specialist**  
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**[LeahLewis@nisource.com](mailto:LeahLewis@nisource.com)**



**PARDON OUR MESS**

**NORTH COLUMBUS HIGH PRESSURE (NCHP)**  
GAS LINE REPLACEMENT PROJECT

### WHAT IS THE NCHP PROJECT?

To comply with federal requirements, we are replacing our gas lines throughout Central Columbus. There will be minimal direct impact to Columbia Gas customers. Pipeline construction may affect traffic throughout the duration of the project, as most work will be done in the road right-of-way. We ask all motorists to be patient and be respectful of all work zone directives.

Please be prepared for some digging and disruption as we complete this work.

There will be street closures at times, and lane closures throughout the duration of the project. Detour routes and work zone areas will be clearly marked and should always be respected to ensure the safety of motorists and workers.

### WHY IS THIS PROJECT NEEDED?

We are committed to our system's safety and reliability by investing in our facilities to mitigate risk and address aging infrastructure. The installation of new gas line facilities also aligns with compliance of federal safety mandates - namely PHMSA's Mega Rule.

### WHEN WILL THIS PROJECT BE COMPLETED?

Project-specific details for each phase can be found at [www.columbiagasohio.com/nchp-projects](http://www.columbiagasohio.com/nchp-projects).

### QUESTIONS?

Please reach out to us at 800-242-6227 or [NCHP@nisource.com](mailto:NCHP@nisource.com) with questions about this project or contact Leah Lewis at [LeahLewis@nisource.com](mailto:LeahLewis@nisource.com) or 614-701-6230.

Thank you for your patience during this important system upgrade.

### WE WANT TO HEAR FROM YOU!

Whether you have a compliment or a complaint, we want to know about it. Please scan the QR code or visit <https://app.smartsheet.com/b/form/386c6edbab984f5393dbc2f1eb81ddb> to access our feedback form and learn more information about the complaint resolution process.



For details and updates, visit [ColumbiaGasOhio.com/nchp-projects](http://ColumbiaGasOhio.com/nchp-projects)

**Columbia Gas**  
A NiSource Company

# Exhibit B



## PARK ELEMENTS LEGEND

- 1 Parking Lot (88 Spaces)
- 2 Four-Season Shelter
- 3 Open-Air Shelter
- 4 Stormwater Detention Area
- 5 Satellite Maintenance Area (Relocation of Existing in Park Maintenance)
- 6 Playground
- 7 Story Book Walk
- 8 Nature Play Area
- 9 Woodland Path
- 10 Meadow Buffer
- 11 Expanded Nature Play
- 12 Renovated Athletic Fields
- 13 Park Plaza
- 14 Tennis Courts
- 15 Pickleball Courts
- 16 Courts Hitting Wall
- 17 Bioswale (in parking lot)
- 18 Pollinator Meadow
- 19 Nature Stage
- 20 Trash / Recycling Enclosure
- 21 Compost Drop-off
- 22 Sidewalk
- ← Pedestrian Access



# Challenges

- Construction costs are currently volatile and hard to predict
- 2026 Maintenance Facility Building bid was over budget
- The project scope is complicated and extensive
- Project must be responsive to community input and appropriate to the neighborhood context

# Approach

- Build on the momentum of the 2025 Master Plan, add additional expertise as needed
- Third party cost estimates at critical stages to inform decision making
- Prioritize critical program elements, identify opportunities for bid alternates
- Engage residents to inform detail design while remaining true to the Master Plan
- Take advantage of economies of scale
- Select materials with durability and long-term maintenance in mind



STATEMENT OF QUALIFICATIONS FOR PROFESSIONAL DESIGN SERVICES  
**THE CITY OF UPPER ARLINGTON**  
**FANCYBURG PARK RENOVATION**



# Design Team

## Edge

Landscape Architecture/Project Management

## Korda Nemeth Engineering

Civil Engineering

## Myers & Associates

Shelter Architecture/MEP

## Legat Architects

Maintenance Building

## MAD Scientist Associates

Stormwater and Ecological Design

## Regency Construction

Cost Estimating



# Detailed Design Process

## Phase 1 - Master Plan Verification and Refinement ..... June 2026

- Define Specific Scope Elements
- Identify Program Priorities and Potential Alternates
- Update Construction Budget Expectations Updated Cost Estimate
- Update to Parks & Recreation Advisory Board

## Phase 2 – Design Development (70% Set) ..... August 2026

- Preliminary Construction Drawings and Specifications
- Community Engagement on Detail Design
- Updated Cost Estimate
- Evaluate 2027 Capital Improvement Budget

## Phase 3 – Construction Documents (100% Set) ..... November 2026

- Final Construction Drawings and Specifications
- Updated Cost Estimate

## Phase 4 – Bidding and Construction ..... January 2027



<b>Authors:</b>	Jeff Anderson, Parks & Recreation Deputy Director Debbie McLaughlin, Parks & Recreation Director
<b>Council Meeting Date:</b>	May 11, 2026
<b>Subject/Legislative Item:</b>	Update on Fancyburg Park Renovation Project - Design Services Contract
<b>Purpose:</b>	To provide an update on Professional Design Services Contract for the renovation of Fancyburg Park in accordance with the park master plan
<b>Executive Summary:</b>	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 3<sup>rd</sup>, 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%
<b>Total Revenues and Other Sources</b>	<b>65,502,600</b>	<b>65,502,600</b>	<b>16,035,883</b>	<b>21,162,490</b>	<b>5,126,607</b>	<b>31.97%</b>
<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%
<b>Total Obligations</b>	<b>77,230,800</b>	<b>83,734,800</b>	<b>40,701,336</b>	<b>39,554,660</b>	<b>1,146,676</b>	<b>2.82%</b>
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	-	-		
<b>Total Ending Fund Balance</b>	<b>\$ 34,971,338</b>	<b>\$ 28,467,338</b>	<b>\$ 20,235,085</b>	<b>\$ 26,508,368</b>	<b>\$ 6,273,283</b>	<b>31.00%</b>

**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%
<b>Total Revenues and Other Sources</b>	<b>19,356,600</b>	<b>25,196,700</b>	<b>15,559,482</b>	<b>16,772,487</b>	<b>1,213,005</b>	<b>7.80%</b>
<u>Obligations</u>						
Transfers/Advances Out	11,881,700	11,881,700	-	-	-	0.00%
<b>Total Obligations</b>	<b>11,881,700</b>	<b>11,881,700</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>0.00%</b>
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		
<b>Ending Fund Balance</b>	<b>\$ 35,836,059</b>	<b>\$ 41,676,159</b>	<b>\$ 43,920,641</b>	<b>\$ 45,133,646</b>	<b>\$ 1,213,005</b>	<b>2.76%</b>

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**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%
<b>Total Revenues and Other Sources</b>	<b>2,302,600</b>	<b>2,302,600</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>0.00%</b>
<u>Obligations</u>						
Capital Equipment	2,211,600	2,211,600	625,050	625,050	-	0.00%
<b>Total Obligations</b>	<b>2,211,600</b>	<b>2,211,600</b>	<b>625,050</b>	<b>625,050</b>	<b>-</b>	<b>0.00%</b>
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		
<b>Ending Fund Balance</b>	<b>\$ 851,108</b>	<b>\$ 851,108</b>	<b>\$ 135,058</b>	<b>\$ 135,058</b>	<b>\$ -</b>	<b>0.00%</b>

**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%
<b>Total Revenues and Other Sources</b>	<b>2,303,000</b>	<b>2,303,000</b>	<b>715,623</b>	<b>790,941</b>	<b>75,318</b>	<b>10.52%</b>
<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%
<b>Total Obligations</b>	<b>2,413,000</b>	<b>2,413,000</b>	<b>806,635</b>	<b>766,972</b>	<b>39,663</b>	<b>4.92%</b>
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		
<b>Ending Fund Balance</b>	<b>\$ 2,075,856</b>	<b>\$ 2,075,856</b>	<b>\$ 2,094,844</b>	<b>\$ 2,209,825</b>	<b>\$ 114,981</b>	<b>5.49%</b>

**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%
<b>Total Revenues and Other Sources</b>	<b>27,615,800</b>	<b>27,615,800</b>	<b>22,423,027</b>	<b>22,405,912</b>	<b>(17,115)</b>	<b>-0.08%</b>
<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%
<b>Total Obligations</b>	<b>13,530,400</b>	<b>13,530,400</b>	<b>5,222,029</b>	<b>5,222,029</b>	<b>-</b>	<b>0.00%</b>
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		
<b>Ending Fund Balance</b>	<b>\$ 17,616,442</b>	<b>\$ 17,616,442</b>	<b>\$ 20,732,040</b>	<b>\$ 20,714,925</b>	<b>\$ (17,115)</b>	<b>-0.08%</b>

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**Infrastructure Improvement Fund (404)**

	Original Budget	Amended Budget	Projected To Date	Actual	Dollar Variance	Percentage Variance
<u>Revenues and Other Sources</u>						
All Other Operating Revenues	\$ 4,846,500	\$ 4,846,500	\$ 1,091,578	\$ 1,091,578	\$ -	0.00%
Transfers/Advances In	5,250,000	5,250,000	-	-	-	0.00%
<b>Total Revenues and Other Sources</b>	<b>10,096,500</b>	<b>10,096,500</b>	<b>1,091,578</b>	<b>1,091,578</b>	<b>-</b>	<b>0.00%</b>
<u>Obligations</u>						
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%
<b>Total Obligations</b>	<b>10,363,900</b>	<b>10,363,900</b>	<b>3,785,710</b>	<b>3,675,468</b>	<b>110,242</b>	<b>2.91%</b>
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		
<b>Ending Fund Balance</b>	<b>\$ 13,712,619</b>	<b>\$ 13,712,619</b>	<b>\$ 11,285,887</b>	<b>\$ 11,396,129</b>	<b>\$ 110,242</b>	<b>0.98%</b>

**Solid Waste Management Fund (710)**

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

**Water Surcharge Fund (720)**

	Original Budget	Amended Budget	Projected To Date	Actual	Dollar Variance	Percentage Variance
<u>Revenues and Other Sources</u>						
Charges for Services	\$ 942,000	\$ 942,000	\$ 274,345	\$ 327,631	\$ 53,286	19.42%
<b>Total Revenues and other sources</b>	<b>942,000</b>	<b>942,000</b>	<b>274,345</b>	<b>327,631</b>	<b>53,286</b>	<b>19.42%</b>
<u>Obligations</u>						
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%
<b>Total Obligations</b>	<b>1,227,800</b>	<b>1,227,800</b>	<b>474,653</b>	<b>388,607</b>	<b>86,046</b>	<b>18.13%</b>
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	-	
<b>Ending Fund Balance</b>	<b>\$ 2,175,589</b>	<b>\$ 2,175,589</b>	<b>\$ 2,261,081</b>	<b>\$ 2,400,413</b>	<b>\$ 139,332</b>	<b>6.16%</b>

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**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%
<b>Total Revenues and other sources</b>	<b>1,467,500</b>	<b>1,467,500</b>	<b>429,293</b>	<b>486,864</b>	<b>57,571</b>	<b>-13.41%</b>
<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%
<b>Total Obligations</b>	<b>1,898,300</b>	<b>1,898,300</b>	<b>172,148</b>	<b>156,494</b>	<b>15,654</b>	<b>9.09%</b>
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		
<b>Ending Fund Balance</b>	<b>\$ 2,663,780</b>	<b>\$ 2,663,780</b>	<b>\$ 3,351,725</b>	<b>\$ 3,424,950</b>	<b>\$ 73,225</b>	<b>2.18%</b>

**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%
<b>Total Revenues and other sources</b>	<b>803,000</b>	<b>803,000</b>	<b>401,145</b>	<b>367,706</b>	<b>(33,439)</b>	<b>-8.34%</b>
<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%
<b>Total Obligations</b>	<b>1,091,900</b>	<b>1,091,900</b>	<b>426,194</b>	<b>380,380</b>	<b>45,814</b>	<b>10.75%</b>
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		
<b>Ending Fund Balance</b>	<b>\$ 2,534,382</b>	<b>\$ 2,534,382</b>	<b>\$ 2,798,233</b>	<b>\$ 2,810,608</b>	<b>\$ 12,375</b>	<b>0.44%</b>

**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%
<b>Total Revenues and other sources</b>	<b>1,238,800</b>	<b>1,238,800</b>	<b>126,040</b>	<b>138,341</b>	<b>12,301</b>	<b>9.76%</b>
<u>Obligations</u>						
Parks and Recreation	1,266,800	1,266,800	234,671	172,285	62,386	26.58%
<b>Total Obligations</b>	<b>1,266,800</b>	<b>1,266,800</b>	<b>234,671</b>	<b>172,285</b>	<b>62,386</b>	<b>26.58%</b>
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		
<b>Ending Fund Balance</b>	<b>\$ 591,563</b>	<b>\$ 591,563</b>	<b>\$ 510,932</b>	<b>\$ 585,619</b>	<b>\$ 74,687</b>	<b>14.62%</b>

## 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%
<b>Totals (ROUNDED)</b>	<b>\$ 148,328,287</b>	<b>\$ 87,530,458</b>	<b>\$ 60,009,527</b>	<b>\$ 175,849,218</b>	<b>ROUNDED TOTALS</b>

## 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%
<b>Total</b>	<b>\$ 14,986,906</b>	<b>\$ 19,319,812</b>	<b>\$ 4,332,906</b>	<b>28.91%</b>

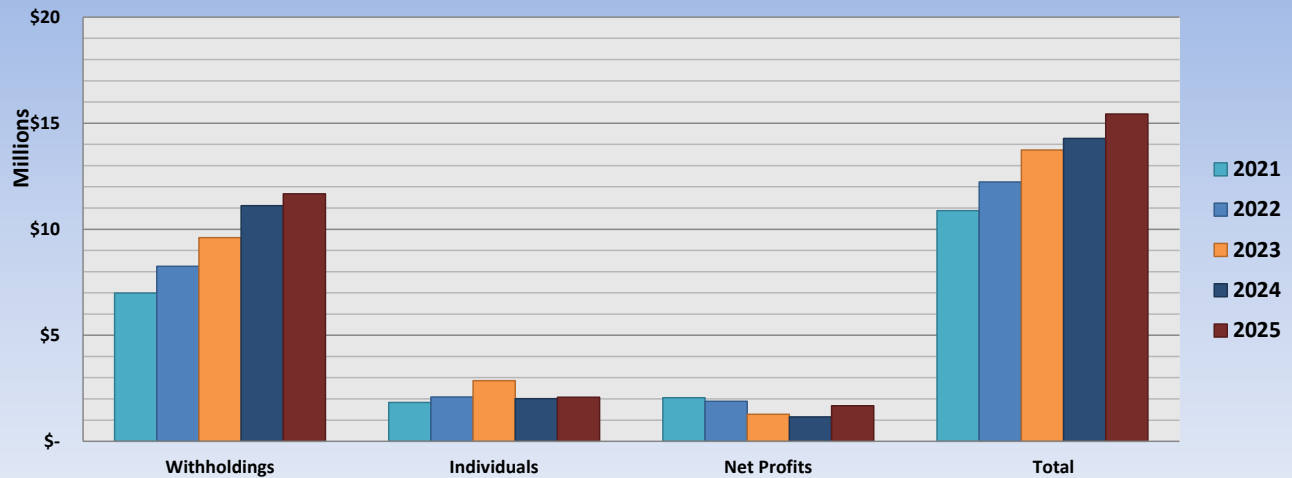
### Income Tax Five Year Comparison

	<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
<b>Total</b>	<b>\$ 12,222,467</b>	<b>\$ 13,730,147</b>	<b>\$ 14,286,035</b>	<b>\$ 15,428,011</b>	<b>\$ 19,319,812</b>

### 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%
<b>Total</b>	<b>12.38%</b>	<b>12.34%</b>	<b>4.05%</b>	<b>7.99%</b>	<b>25.23%</b>

### 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
<b>Total Bonds</b>	<b>\$ 114,576,120.41</b>	<b>\$ 1,408,744.96</b>	<b>\$ (748,811.25)</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 115,236,054.12</b>
Short Term Fixed Maturity Commercial Paper	-					\$ -
Other Assets (Savings Cert - Market Traded)	\$ 5,903,624.05		(246,884.00)			\$ 5,656,740.05
<b>Bond and Investments:</b>						
<b>2026 CIP Bonds</b>						
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
<b>Total Bonds &amp; Investments</b>	<b>\$ 134,187,413.39</b>	<b>\$ 1,408,744.96</b>	<b>\$ (995,695.25)</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 134,600,463.10</b>
<b>Money Markets:</b>						
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
<b>Total Money Markets</b>	<b>\$ 280,319.52</b>	<b>\$ 997,928.00</b>	<b>\$ (1,408,744.96)</b>	<b>\$ (2,365.00)</b>	<b>\$ 341,094.15</b>	<b>\$ 208,231.71</b>
<b>Star Ohio:</b>						
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
<b>Total STAR Ohio</b>	<b>\$ 39,346,802.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 122,849.57</b>	<b>\$ 39,469,651.57</b>
<b>Total Investments</b>	<b>\$ 173,814,534.91</b>	<b>\$ 2,406,672.96</b>	<b>\$ (2,404,440.21)</b>	<b>\$ (2,365.00)</b>	<b>\$ 463,943.72</b>	<b>\$ 174,278,346.38</b>
<b>NW Huntington Bank</b>	<b>\$ 1,300,669.40</b>					<b>\$ 1,570,874.32</b>
<b>Total Cash &amp; Investments</b>	<b>\$ 175,115,204.31</b>					<b>\$ 175,849,220.70</b>

**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			

## 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.

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*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~~ 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.

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### § 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.

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(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.

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(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.~~

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**§ 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)

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### § 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.
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**§ 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~~**

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**§ 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

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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.

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### § 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~~all 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~~

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~~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.

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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.

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(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.

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(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)

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## 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)

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**§ 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:** Brent Lewis, Finance Department Director

**Council Meeting Date:** June 1, 2026

**Subject/Legislative Item:** Resolution No. 8-2026 - To Adopt the Tax Budget for the Upper Arlington Public Library for the Fiscal Year Beginning January 1, 2027, and Submitting the Same to the Franklin County Budget Commission (*Kulewicz*)

**Purpose:** Per the Ohio Revised Code, City Council is required to approve the Upper Arlington Public Library's annual tax budget prior to submittal to the Franklin County Budget Commission.

**Executive Summary:** Staff requests passage of the resolution to adopt the tax budget for the Upper Arlington Public Library for the fiscal year beginning January 1, 2027, and submitting the same to the Franklin County Budget Commission.

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### **Purpose and Impact**

Franklin County is responsible for establishing the property tax rates for all taxing entities within the county. The Ohio Revised Code requires a tax budget to be prepared and submitted to the County Budget Commission, unless waived (Franklin County does not waive this provision), by July 20th of each year.

Since the City is the designated taxing authority for the Upper Arlington Public Library, the Ohio Revised Code requires the tax budget to be authorized by the City, as well as the Upper Arlington Public Library. Once approved, the tax budget is submitted to the Franklin County Budget Commission to help establish the tax rates for the upcoming year.

### **History**

As the designated tax authority for the Upper Arlington Public Library, the City has always been required to approve the Library's tax budget.

### **Alternatives**

There are no alternatives at this time. Any entity that does not have their tax budget submitted by the required date is subject to losing its apportionment of the local government fund for the ensuing calendar year.

### **Attachments**

1.	Resolution No. 8-2026
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# RECORD OF RESOLUTIONS

CITY OF UPPER ARLINGTON

STATE OF OHIO

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## RESOLUTION NO. 8-2026

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### TO ADOPT THE TAX BUDGET FOR THE UPPER ARLINGTON PUBLIC LIBRARY FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2027, AND SUBMITTING THE SAME TO THE FRANKLIN COUNTY BUDGET COMMISSION

**WHEREAS,** the City of Upper Arlington is the taxing authority for the Upper Arlington Public Library; and

**WHEREAS,** the Upper Arlington Public Library must prepare and submit a tax budget to the City of Upper Arlington for the Franklin County Budget Commission; and

**WHEREAS,** said budget is on file with the Finance Director and is available for public inspection as required by Ohio Revised Code § 5705.30.

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

**SECTION 1.** The Tax Budget for the Upper Arlington Public Library, Upper Arlington, Ohio, for the fiscal year beginning January 1, 2027 (attached hereto and incorporated herein as Exhibit A), be and is hereby adopted by the Council of the City of Upper Arlington.

**SECTION 2.** The City Clerk is hereby authorized and directed to certify a copy of said budget and a copy of this Resolution and to transmit the same to the Budget Commission of Franklin County, Ohio, on or before July 20, 2026.

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

## 2027 Preliminary Budget

### 2027 PRELIMINARY BUDGET

	GENERAL FUND - 100	UAPL FRIENDS FUND - 201	RESTRICTED FUND - 250	BUILDING FUND - 402
<b>INCOME</b>				
Taxes	\$5,727,510			
Public Library Funding	\$3,039,647			
Other Income	\$499,625	\$88,000	\$10,000	
Transfer- In				\$1,500,000
<b>TOTAL REVENUE</b>	<b>\$9,266,782</b>	<b>\$88,000</b>	<b>\$10,000</b>	<b>\$1,500,000</b>
UNENCUMBERED BALANCE AT 1/1/2027*	\$9,670,496	\$3,000	\$206,967	\$1,788,555
<b>AVAILABLE FOR APPROPRIATIONS (CASH BALANCE)</b>	<b>\$18,937,278</b>	<b>\$91,000</b>	<b>\$216,967</b>	<b>\$3,288,555</b>
<b>EXPENDITURES</b>				
SALARIES & BENEFITS	\$5,626,737	\$0	\$0	\$0
LIBRARY MATERIALS	\$1,020,730			
OTHER EXPENSES	\$1,323,402	\$88,000	\$22,500	\$0
CAPITAL OUTLAY				\$1,855,426
TRANSFERS TO BUILDING FUND 402	\$1,500,000	\$0	\$0	\$0
<b>GRAND TOTAL</b>	<b>\$9,470,869</b>	<b>\$88,000</b>	<b>\$22,500</b>	<b>\$1,855,426</b>
<b>ENDING BALANCE</b>	<b>\$9,466,409</b>	<b>\$3,000</b>	<b>\$194,467</b>	<b>\$1,433,129</b>

General Fund includes Funds 130 and 170

\*Unencumbered balance at 1/1/2027 is an estimate. The library will not plan to spend more than the projected cash balance in

## SIGNATURE SHEET

Resolution No. 13-26

5/19/2026

Upon the motion of Trustee Matthew Courser, seconded by Trustee Kate Hare, the Board approved the RESOLUTION with a roll call vote.

Roll Call Vote:

Kevin Fix	Aye
Kate Hare	Aye
John Yesso	Aye
Matthew Courser	Aye
Peter Hahn	Aye
William Shkurti	Aye
Susan Ralph	Aye

Upper Arlington Public Library Board of Trustees  
Upper Arlington, Ohio

### CERTIFICATION

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution acted upon by the Upper Arlington Public Library Board of Trustees, Upper Arlington, Ohio on the above-noted date.

---

Lori M. Piergallini, Fiscal Officer  
Upper Arlington Public Library  
Upper Arlington, Ohio



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<b>Authors:</b>	Brent Lewis, Finance Department Director
<b>Council Meeting Date:</b>	June 1, 2026
<b>Subject/Legislative Item:</b>	Resolution No. 9-2026 - To Adopt the Tax Budget for the City of Upper Arlington, Ohio, for the Fiscal Year Beginning January 1, 2027, and Submitting the Same to the Franklin County Budget Commission ( <i>Munc</i> )
<b>Purpose:</b>	Per the Ohio Revised Code, City Council is required to adopt the City's annual tax budget prior to submittal to the Franklin County Budget Commission.
<b>Executive Summary:</b>	Staff requests passage of the resolution to adopt the tax budget for the City of Upper Arlington for the fiscal year beginning January 1, 2027 and submitting the same to the Franklin County Budget Commission.

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### **Purpose and Impact**

Franklin County is responsible for establishing the property tax rates for all taxing entities within the county. The Ohio Revised Code requires a tax budget to be prepared and submitted to the County Budget Commission, unless waived (Franklin County does not waive this provision), by July 20th of each year.

With minor exceptions (i.e. appropriation amendments passed by Council, revenue updates year to date, etc.), this document replicates the amounts provided in the 2026 and 2027 columns included in the most recently updated Municipal Program of Services Biennial Budget Supplement. It is important to note, that any adjustments (revenue or expenditure) needed to be made during the year will not have an impact on the establishment of the property tax rates. All the City's tax rates are fixed (meaning taxes increase or decrease with property value), except for the rates associated with the voted police and fire pension levy, which fluctuates annually to generate a specific dollar amount.

The tax budget is a separate required document by the County and is not the guiding document for the upcoming budget process or annual appropriation ordinance.

### **History**

Per the Ohio Revised Code, City Council is required to adopt the City's annual tax budget prior to submitting to the Franklin County Budget Commission.

### **Alternatives**



There are no alternatives at this time. Any entity that does not have their tax budget submitted by the required date is subject to losing its apportionment of the local government fund for the ensuing calendar year.

**Attachments**

1.	Resolution No. 9-2026
2.	Exhibit A - Tax Budget for 2027



# RECORD OF RESOLUTIONS

CITY OF UPPER ARLINGTON  
STATE OF OHIO

---

## RESOLUTION NO. 9-2026

---

**TO ADOPT THE TAX BUDGET FOR THE CITY OF UPPER ARLINGTON, OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2027, AND SUBMITTING THE SAME TO THE FRANKLIN COUNTY BUDGET COMMISSION**

**WHEREAS,** the 2027 Tax Budget has been prepared upon forms submitted by the County Budget Commission; and

**WHEREAS,** said budget is on file with the Finance Director and is available for public inspection as required by Ohio Revised Code § 5705.30.

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

**SECTION 1.** The Tax Budget for the City of Upper Arlington, Ohio, for the fiscal year beginning January 1, 2027 (attached hereto and incorporated herein by reference as Exhibit A), be and is hereby adopted by the City Council of the City of Upper Arlington.

**SECTION 2.** The City Clerk is hereby authorized and directed to certify a copy of said budget and a copy of this resolution and to transmit the same to the Budget Commission of Franklin County, Ohio, on or before July 20, 2026.

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

Revised County Auditor's Form No. Aud 622 Rev. 4-88  
 Prepare in triplicate  
 On or before July 20th two copies of this Budget must be submitted to County Auditor

City or  
 Village of **CITY OF UPPER ARLINGTON**  
 FRANKLIN County, Ohio  
 (Date) \_\_\_\_\_ **2026**

This Budget must be adopted by the Council or other legislative body on or before July 15th, and two copies must be submitted to the County Auditor on or before July 20th. FAILURE TO COMPLY WITH SEC.5705.28 R.C. SHALL RESULT IN LOSS OF LOCAL GOVERNMENT FUND ALLOCATION.

**To the Auditor of said County:**  
 The following Budget year beginning January 1, 2027, has been adopted by Council and is herewith submitted for consideration of the County Budget Commission.

Signed \_\_\_\_\_  
 Title \_\_\_\_\_

**SCHEDULE A**

**SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED RATES**

For Municipal Use		For Budget Commission Use		For County Auditor Use	
FUND <small>(Include only those funds which are requesting general property tax revenue)</small>	Budget Year Amount Requested of Budget Commission Inside/ Outside	Budget Year Amount Approved by Budget Commission Inside 10 Mill Limitation	Budget Year Amount to be Derived From Levies Outside 10 Mill Limitation	County Auditor's estimate of Tax Rate to be Levied	
				Inside 10 Mill Limit Budget Year	Outside 10 Mill Limit Budget Year
	Column 1	Column 2	Column 3	Column 4	Column 5
<b>GOVERNMENT FUNDS</b>					
GENERAL FUND	12,200,000				
CAPITAL IMPROVEMENT FUND	1,536,000				
FIRE PENSION	877,500				
POLICE PENSION	877,500				
POLICE & FIRE PENSION	1,497,900				
GENERAL BOND RETIREMENT	-				
<b>PROPRIETARY FUNDS</b>					
<b>FIDUCIARY FUNDS</b>					
<b>TOTAL ALL FUNDS</b>	16,988,900				

## SCHEDULE B

### LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

FUND	Maximum Rate Authorized to be Levied	Tax Year County Auditor Estimate of Yield of Levy (Carry to Schedule Column 3)
<b>GENERAL FUND:</b>		
Current Expense Levy authorized by voters on ____ / ____ / ____ ,		
not to exceed _____ years. Auth. Under Sect. _____ ,R.C.		
Current Expense Levy authorized by voters on ____ / ____ / ____ ,		
not to exceed _____ years. Auth. Under Sect. _____ ,R.C.		
Current Expense Levy authorized by voters on ____ / ____ / ____ ,		
not to exceed _____ years. Auth. Under Sect. _____ ,R.C.		
Current Expense Levy authorized by voters on ____ / ____ / ____ ,		
not to exceed _____ years. Auth. Under Sect. _____ ,R.C.		
Current Expense Levy authorized by voters on ____ / ____ / ____ ,		
not to exceed _____ years. Auth. Under Sect. _____ ,R.C.		
Current Expense Levy authorized by voters on ____ / ____ / ____ ,		
not to exceed _____ years. Auth. Under Sect. _____ ,R.C.		
<b>TOTAL GENERAL FUND OUTSIDE 10 M. LIMITATION</b>		
<b>SPECIAL LEVY FUNDS:</b>		
_____ Fund, Levy authorized by voters on ____ / ____ / ____ ,		
not to exceed _____ years. Auth. Under Sect. _____ ,R.C.		
_____ Fund, Levy authorized by voters on ____ / ____ / ____ ,		
not to exceed _____ years. Auth. Under Sect. _____ ,R.C.		
_____ Fund, Levy authorized by voters on ____ / ____ / ____ ,		
not to exceed _____ years. Auth. Under Sect. _____ ,R.C.		
_____ Fund, Levy authorized by voters on ____ / ____ / ____ ,		
not to exceed _____ years. Auth. Under Sect. _____ ,R.C.		
_____ Fund, Levy authorized by voters on ____ / ____ / ____ ,		
not to exceed _____ years. Auth. Under Sect. _____ ,R.C.		
_____ Fund, Levy authorized by voters on ____ / ____ / ____ ,		
not to exceed _____ years. Auth. Under Sect. _____ ,R.C.		
_____ Fund, Levy authorized by voters on ____ / ____ / ____ ,		
not to exceed _____ years. Auth. Under Sect. _____ ,R.C.		
_____ Fund, Levy authorized by voters on ____ / ____ / ____ ,		
not to exceed _____ years. Auth. Under Sect. _____ ,R.C.		
_____ Fund, Levy authorized by voters on ____ / ____ / ____ ,		
not to exceed _____ years. Auth. Under Sect. _____ ,R.C.		
_____ Fund, Levy authorized by voters on ____ / ____ / ____ ,		
not to exceed _____ years. Auth. Under Sect. _____ ,R.C.		
_____ Fund, Levy authorized by voters on ____ / ____ / ____ ,		
not to exceed _____ years. Auth. Under Sect. _____ ,R.C.		
_____ Fund, Levy authorized by voters on ____ / ____ / ____ ,		
not to exceed _____ years. Auth. Under Sect. _____ ,R.C.		
_____ Fund, Levy authorized by voters on ____ / ____ / ____ ,		
not to exceed _____ years. Auth. Under Sect. _____ ,R.C.		
_____ Fund, Levy authorized by voters on ____ / ____ / ____ ,		
not to exceed _____ years. Auth. Under Sect. _____ ,R.C.		
_____ Fund, Levy authorized by voters on ____ / ____ / ____ ,		
not to exceed _____ years. Auth. Under Sect. _____ ,R.C.		
_____ Fund, Levy authorized by voters on ____ / ____ / ____ ,		
not to exceed _____ years. Auth. Under Sect. _____ ,R.C.		
_____ Fund, Levy authorized by voters on ____ / ____ / ____ ,		
not to exceed _____ years. Auth. Under Sect. _____ ,R.C.		
_____ Fund, Levy authorized by voters on ____ / ____ / ____ ,		
not to exceed _____ years. Auth. Under Sect. _____ ,R.C.		

**FUND NAME: General Fund**

**FUND TYPE/CLASSIFICATION:**

DESCRIPTION (1)	ACTUAL FOR 2024 (2)	ACTUAL FOR 2025 (3)	CURRENT YEAR ESTIMATE FOR 2026 (4)	BUDGET YEAR ESTIMATE FOR 2027 (5)
<b>REVENUE</b>				
Local Taxes				
General Property Tax - Real Estate	9,980,955	9,994,410	10,061,400	10,766,000
Municipal Income Tax	34,757,233	35,979,058	35,544,200	36,519,100
Other Local Taxes- Hotel/Motel	398,998	409,233	358,000	362,000
Total Local Taxes	45,137,186	46,382,701	45,963,600	47,647,100
Intergovernmental Revenues				
State Shared Taxes and Permits				
Local Government	1,317,694	1,415,597	1,397,200	1,397,200
Cigarette Tax	299	306	-	-
Property Tax Allocation	1,324,527	1,324,417	1,340,600	1,434,000
Total State Shared Taxes and Permits	2,642,520	2,740,320	2,737,800	2,831,200
Other Grants or Aid	-	-	-	-
Total Intergovernmental Revenues	2,642,520	2,740,320	2,737,800	2,831,200
Special Assessments	71,862	59,998	-	-
Charges for Services	2,098,754	4,576,379	5,126,500	5,178,000
Fines, Licenses, and Permits	1,848,191	1,700,513	1,650,000	1,667,000
Miscellaneous	5,338,283	7,044,912	5,430,600	5,454,500
Other Financing Sources:				
Transfers	2,865,667	3,073,974	3,500,000	3,622,500
Advances	2,594,150	6,640,477	1,094,100	820,400
Other Sources	91,063	196,444	-	-
<b>TOTAL REVENUE</b>	<b>62,687,676</b>	<b>72,415,718</b>	<b>65,502,600</b>	<b>67,220,700</b>

**FUND NAME: General Fund**

**FUND TYPE/CLASSIFICATION:**

DESCRIPTION (1)	ACTUAL FOR 2024 (2)	ACTUAL FOR 2025 (3)	CURRENT YEAR ESTIMATE FOR 2026 (4)	BUDGET YEAR ESTIMATE FOR 2027 (5)
<b>EXPENDITURES</b>				
Security of Persons and Property				
Personal Services	19,792,779	20,778,435	23,722,000	24,196,400
Travel Transportation	137,755	180,551	231,500	236,100
Contractual Services	1,538,526	1,506,302	1,824,000	1,860,500
Supplies and Materials	684,652	732,062	1,083,300	1,105,000
Total Security of Persons and Property	22,153,712	23,197,350	26,860,800	27,398,000
Public Health Services				
Contractual Services	386,579	393,566	415,000	423,300
Total Public Health Services	386,579	393,566	415,000	423,300
Leisure Time Activities				
Personal Services	3,631,471	5,045,346	6,586,300	6,718,000
Travel Transportation	46,600	53,815	71,300	72,700
Contractual Services	418,641	486,523	623,000	635,500
Supplies and Materials	1,393,662	1,769,879	2,132,600	2,175,300
Total Leisure Time Activities	5,490,374	7,355,563	9,413,200	9,601,500
Community Development				
Personal Services	1,064,971	1,017,091	1,270,400	1,295,800
Travel Transportation	3,743	5,677	15,000	15,300
Contractual Services	280,000	281,847	300,000	306,000
Supplies and Materials	43,367	26,943	44,500	45,400
Total Community Development	1,392,081	1,331,558	1,629,900	1,662,500

**FUND NAME: General Fund**

**FUND TYPE/CLASSIFICATION:**

DESCRIPTION (1)	ACTUAL FOR 2024 (2)	ACTUAL FOR 2025 (3)	CURRENT YEAR ESTIMATE FOR 2026 (4)	BUDGET YEAR ESTIMATE FOR 2027 (5)
Transportation				
Personal Services	1,492,567	1,566,374	1,860,400	1,897,600
Travel Transportation	21,190	18,950	28,500	29,100
Contractual Services	47,500	6,985	120,000	122,400
Supplies and Materials	54,619	74,010	101,800	103,800
Total Transportation	1,615,876	1,666,319	2,110,700	2,152,900
General Government				
Personal Services	5,564,193	6,022,992	7,892,000	8,049,800
Travel Transportation	150,363	168,655	226,300	230,800
Contractual Services	756,358	689,973	800,000	816,000
Supplies and Materials	5,904,379	8,838,321	10,630,800	10,843,400
Capital Outlay	-	383,819	-	-
Total General Government	12,375,293	16,103,760	19,549,100	19,940,000
Other Uses of Funds				
Transfers	2,683,166	18,934,798	11,673,100	6,153,600
Advances	9,934,100	1,000,000	-	-
Total Other Uses of Funds	12,617,266	19,934,798	11,673,100	6,153,600
<b>TOTAL EXPENDITURES</b>	<b>56,031,181</b>	<b>69,982,914</b>	<b>71,651,800</b>	<b>67,331,800</b>
Revenues Over (Under) Expenditures	6,656,495	2,432,804	(6,149,200)	(111,100)
Beginning Unencumbered Fund Balance	34,761,729	41,959,476	44,900,538	40,550,338
Ending Cash Fund Balance	41,418,224	44,392,280	38,751,338	40,439,238
Estimated Encumbrances (outstanding at end of year)	541,252	508,258	1,799,000	1,835,000
Estimated Ending Unencumbered Fund Balance	41,959,476	44,900,538	40,550,338	42,274,238

## Exhibit II

**FUND NAME: Police Pension**

**FUND TYPE/CLASSIFICATION:**

To be used for any fund receiving property tax revenue except the General Fund.

DESCRIPTION (1)	ACTUAL FOR 2024 (2)	ACTUAL FOR 2025 (3)	BUDGET YEAR ESTIMATE FOR 2026 (4)	BUDGET YEAR ESTIMATE FOR 2027 (5)
<b>REVENUE</b>				
General Property Tax-Real Estate	768,258	769,294	774,400	828,700
Intergovernmental Revenues:				
Property Tax Allocation	101,887	101,878	103,100	110,300
<b>TOTAL REVENUE</b>	<b>870,145</b>	<b>871,172</b>	<b>877,500</b>	<b>939,000</b>
<b>EXPENDITURES</b>				
Other Uses of Funds				
Transfers	537,886	735,377	850,000	881,250
<b>TOTAL EXPENDITURES</b>	<b>537,886</b>	<b>735,377</b>	<b>850,000</b>	<b>881,250</b>
Revenues Over (Under) Expenditures	332,259	135,795	27,500	57,750
Beginning Unencumbered Fund Balance	1,167,500	1,499,759	1,635,554	1,663,054
Ending Cash Fund Balance	1,499,759	1,635,554	1,663,054	1,720,804
Estimated Ending Unencumbered Fund Balance	1,499,759	1,635,554	1,663,054	1,720,804

**FUND NAME: Fire Pension**

**FUND TYPE/CLASSIFICATION:**

To be used for any fund receiving property tax revenue except the General Fund.

DESCRIPTION (1)	ACTUAL FOR 2024 (2)	ACTUAL FOR 2025 (2)	BUDGET YEAR ESTIMATE FOR 2026 (5)	BUDGET YEAR ESTIMATE 2027 (5)
<b>REVENUE</b>				
General Property Tax-Real Estate	768,258	769,294	774,400	828,700
Intergovernmental Revenues:				
Property Tax Allocation	101,887	101,878	103,100	110,300
<b>TOTAL REVENUE</b>	<b>870,145</b>	<b>871,172</b>	<b>877,500</b>	<b>939,000</b>
<b>EXPENDITURES</b>				
Other Uses of Funds				
Transfers	537,886	774,813	850,000	881,250
<b>TOTAL EXPENDITURES</b>	<b>537,886</b>	<b>774,813</b>	<b>850,000</b>	<b>881,250</b>
Revenues Over (Under) Expenditures	332,259	96,359	27,500	57,750
Beginning Unencumbered Fund Balance	1,167,500	1,499,759	1,596,118	1,623,618
Ending Cash Fund Balance	1,499,759	1,596,118	1,623,618	1,681,368
Estimated Ending Unencumbered Fund Balance	1,499,759	1,596,118	1,623,618	1,681,368

**FUND NAME: Police and Fire Pension**

**FUND TYPE/CLASSIFICATION:**

To be used for any fund receiving property tax revenue except the General Fund.

DESCRIPTION (1)	ACTUAL FOR 2024 (2)	ACTUAL FOR 2025 (3)	BUDGET YEAR ESTIMATE FOR 2026 (4)	BUDGET YEAR ESTIMATE FOR 2027 (5)
<b>REVENUE</b>				
General Property Tax-Real Estate	1,307,413	1,316,722	1,326,300	1,326,300
Intergovernmental Revenues:				
Property Tax Allocation	169,045	169,517	171,600	171,600
<b>TOTAL REVENUE</b>	<b>1,476,458</b>	<b>1,486,239</b>	<b>1,497,900</b>	<b>1,497,900</b>
<b>EXPENDITURES</b>				
Other Uses of Funds				
Transfers	1,789,895	1,563,784	1,800,000	1,860,000
Capital Outlay				
<b>TOTAL EXPENDITURES</b>	<b>1,789,895</b>	<b>1,563,784</b>	<b>1,800,000</b>	<b>1,860,000</b>
Revenues Over (Under) Expenditures	(313,437)	(77,545)	(302,100)	(362,100)
Beginning Unencumbered Fund Balance	1,736,090	1,422,653	1,345,108	1,043,008
Ending Cash Fund Balance	1,422,653	1,345,108	1,043,008	680,908
Estimated Ending Unencumbered Fund Balance	1,422,653	1,345,108	1,043,008	680,908

**FUND NAME: General Obligation Bond Retirement**

**FUND TYPE/CLASSIFICATION:**

To be used for any fund receiving property tax revenue except the General Fund.

DESCRIPTION (1)	ACTUAL FOR 2024 (2)	ACTUAL FOR 2025 (3)	BUDGET YEAR ESTIMATE FOR 2026 (4)	BUDGET YEAR ESTIMATE FOR 2027 (5)
<b>REVENUE</b>				
General Property Tax-Real Estate	11	-	-	-
Miscellaneous	4,411	-	-	-
Other Financing Sources				
Transfers	14,143,641	17,482,361	18,322,775	18,035,150
Other Sources	-	26,832,883	-	-
<b>TOTAL REVENUE</b>	<b>14,148,063</b>	<b>44,315,244</b>	<b>18,322,775</b>	<b>18,035,150</b>
<b>EXPENDITURES</b>				
Debt Service:				
Redemption of Principal	7,683,705	7,638,366	9,594,584	9,354,584
Interest	8,751,928	7,811,477	8,728,191	8,680,566
Other Uses of Funds				
Transfers				
Bond Issue Costs	-	28,862,875	-	-
Ohio Public Works Commission Loans				
Treasurer collection fees	2,001	3,350	3,400	3,500
<b>TOTAL EXPENDITURES</b>	<b>16,437,634</b>	<b>44,316,068</b>	<b>18,326,175</b>	<b>18,038,650</b>
Revenues Over (Under) Expenditures	(2,289,571)	(824)	(3,400)	(3,500)
Beginning Unencumbered Fund Balance	2,605,287	315,716	314,892	311,492
Ending Cash Fund Balance	315,716	314,892	311,492	307,992
Estimated Ending Unencumbered Fund Balance	315,716	314,892	311,492	307,992

**FUND NAME: Capital Equipment Fund**

**FUND TYPE/CLASSIFICATION:**

To be used for any fund receiving property tax revenue except the General Fund.

DESCRIPTION (1)	ACTUAL FOR 2024 (2)	ACTUAL FOR 2025 (3)	CURRENT YEAR ESTIMATE FOR 2026 (4)	BUDGET YEAR ESTIMATE FOR 2027 (5)
<b>REVENUE</b>				
General Property Tax-Real Estate	1,280,431	1,282,156	1,290,800	1,355,500
Intergovernmental Revenues:				
Property Tax Allocation	169,811	169,797	171,800	180,500
Miscellaneous	10,000	15,818	340,000	-
Other Financing Sources				
Transfers	240,000	500,000	500,000	500,000
<b>TOTAL REVENUE</b>	<b>1,700,242</b>	<b>1,967,771</b>	<b>2,302,600</b>	<b>2,036,000</b>
<b>EXPENDITURES</b>				
Capital Outlay	1,359,505	2,445,098	2,211,600	1,505,000
<b>TOTAL EXPENDITURES</b>	<b>1,359,505</b>	<b>2,445,098</b>	<b>2,211,600</b>	<b>1,505,000</b>
Revenues Over (Under) Expenditures	340,737	(477,327)	91,000	531,000
Beginning Unencumbered Fund Balance	867,861	1,208,768	760,108	851,108
Ending Cash Fund Balance	1,208,598	731,441	851,108	1,382,108
Estimated Encumbrances (outstanding at end of year)	170	28,667	-	-
Estimated Ending Unencumbered Fund Balance	1,208,768	760,108	851,108	1,382,108

EXHIBIT III

FUND <small>List all funds individually unless on Exhibit I or II</small>	ESTIMATED UNENCUMBERED FUND BALANCE 1/1/2027	BUDGET YEAR ESTIMATED RECEIPTS	TOTAL AVAILABLE FOR EXPENDITURES	BUDGET YEAR EXPENDITURES AND ENCUMBRANCES			ESTIMATED UNENCUMBERED BALANCE 12/31/27
				PERSONAL SERVICES	OTHER	TOTAL	
<b>GOVERNMENTAL:</b>							
<b>SPECIAL REVENUE:</b>							
Capital Asset Management	41,676,259	14,201,900	55,878,159	-	11,829,700	11,829,700	44,048,459
Street Maintenance and Repair	2,075,856	2,288,000	4,363,856	1,387,800	1,073,400	2,461,200	1,902,656
Self-Insurance	1,128,941	35,000	1,163,941	-	100,000	100,000	1,063,941
Law Enforcement	1,616,096	170,000	1,786,096	436,200	45,900	482,100	1,303,996
Clerk of the Courts Fund	24,588	8,000	32,588	-	8,600	8,600	23,988
Tree Planting Fund	119,176	15,000	134,176	-	25,000	25,000	109,176
Life Long Learning & Leisure	-	-	-	-	-	-	-
Emergency Medical Service Fund	246,246	685,000	931,246	-	682,000	682,000	249,246
Civil Service Fund	13,900	-	13,900	-	13,900	13,900	-
Enforcement Education	21,176	1,000	22,176	-	1,000	1,000	21,176
Mayor's Court Computer Fund	52,435	8,000	60,435	-	12,600	12,600	47,835
Mayor's Court Special Project Fund	180,140	20,000	200,140	-	19,400	19,400	180,740
Upper Arlington Visitors' Bureau Fund	642,864	121,000	763,864	-	92,500	92,500	671,364
Local Fiscal Recovery Fund	-	-	-	-	-	-	-
Economic Development Fund	4,503,054	500,000	5,003,054	-	1,519,000	1,519,000	3,484,054
Technology Fund	311,453	222,000	533,453	-	81,800	81,800	451,653
Tax Incentive Review Fund	-	-	-	-	-	-	-
Neighborhood Lighting Utility Fund	298,689	69,000	367,689	29,700	95,300	125,000	242,689
One Ohio Opioid Fund	16,732	33,000	49,732	-	17,400	17,400	32,332
<b>TOTAL SPECIAL REVENUE FUNDS</b>	<b>52,927,605</b>	<b>18,376,900</b>	<b>71,304,505</b>	<b>1,853,700</b>	<b>15,617,500</b>	<b>17,471,200</b>	<b>53,833,305</b>
<b>DEBT SERVICE FUNDS</b>							
<b>TOTAL DEBT SERVICE FUNDS</b>							
<b>CAPITAL PROJECTS</b>							
Infrastructure Improvement Fund	13,712,619	9,093,600	22,806,219	172,000	13,145,200	13,317,200	9,489,019
Bonded Improvement Fund	17,616,442	150,000	17,766,442	750,000	16,035,400	16,785,400	981,042
Community Fiber Optic Fund	374,236	263,400	637,636	-	275,000	275,000	362,636
Tremont Road TIF Fund	33,297	42,400	75,697	-	1,000	1,000	74,697
Arlington Centre TIF Fund	103,382	25,700	129,082	-	32,600	32,600	96,482
Horizon Tax Incentive Fund	1,147,594	461,700	1,609,294	-	406,300	406,300	1,202,994
Kingsdale Core TIF Fund	1,161,971	1,346,200	2,508,171	-	1,205,500	1,205,500	1,302,671
Kingsdale West TIF Fund	410,442	59,100	469,542	-	51,000	51,000	418,542
Arlington Crossing TIF Fund	752,893	143,900	896,793	-	290,500	290,500	606,293
Lane Avenue Mixed Use TIF Fund	823,127	1,096,000	1,919,127	-	1,116,200	1,116,200	802,927
Lane Avenue TIF Fund	256,257	114,700	370,957	-	121,600	121,600	249,357
Riverside Drive N. TIF Fund	21,909	2,800	24,709	-	1,900	1,900	22,809
Riverside Drive S. TIF Fund	212,351	44,600	256,951	-	50,800	50,800	206,151
West Lane-Northwest TIF Fund	27,979	18,100	46,079	-	15,500	15,500	30,579
Lane Avenue II TIF Fund	1,446,163	1,328,900	2,775,063	-	1,279,900	1,279,900	1,495,163
Gateway TIF Fund	303,704	1,804,400	2,108,104	-	1,870,400	1,870,400	237,704
Kingsdale Center TIF Fund	224,049	1,981,200	2,205,249	-	1,981,200	1,981,200	224,049
<b>TOTAL CAPITAL PROJECTS</b>	<b>38,628,415</b>	<b>17,976,700</b>	<b>56,605,115</b>	<b>922,000</b>	<b>37,880,000</b>	<b>38,802,000</b>	<b>17,803,115</b>

EXHIBIT III

FUND <small>List all funds individually unless on Exhibit I or II</small>	ESTIMATED UNENCUMBERED FUND BALANCE 1/1/2027	BUDGET YEAR ESTIMATED RECEIPTS	TOTAL AVAILABLE FOR EXPENDITURES	BUDGET YEAR EXPENDITURES AND ENCUMBRANCES			ESTIMATED UNENCUMBERED BALANCE 12/31/27
				PERSONAL SERVICES	OTHER	TOTAL	
<b>PROPRIETARY: ENTERPRISE FUNDS</b>							
Solid Waste Management Fund	1,388,454	3,935,000	5,323,454	42,400	4,411,100	4,453,500	869,954
Sanitary Sewer Fund	2,663,780	1,482,500	4,146,280	618,900	1,016,600	1,635,500	2,510,780
Water Distribution Fund	2,175,589	951,000	3,126,589	204,300	1,046,600	1,250,900	1,875,689
Stormwater Management Fund	2,534,382	803,000	3,337,382	413,100	694,300	1,107,400	2,229,982
U.A. Swimming Pool	591,563	1,249,200	1,840,763	875,000	420,300	1,295,300	545,463
<b>TOTAL ENTERPRISE FUNDS</b>	<b>9,353,768</b>	<b>8,420,700</b>	<b>17,774,468</b>	<b>2,153,700</b>	<b>7,588,900</b>	<b>9,742,600</b>	<b>8,031,868</b>
<b>INTERNAL SERVICE FUNDS</b>							
Employee Benefits Fund	2,129,986	6,633,000	8,762,986	-	6,126,300	6,126,300	2,636,686
BWC Administration Fund	1,473,184	444,000	1,917,184	-	384,000	384,000	1,533,184
<b>TOTAL INTERNAL SERVICE FUNDS</b>	<b>3,603,170</b>	<b>7,077,000</b>	<b>10,680,170</b>	<b>-</b>	<b>6,510,300</b>	<b>6,510,300</b>	<b>4,169,870</b>
<b>TF Returnable Bonds</b>		-	-	-	-	-	-
Unclaimed Funds	9,204	1,000	10,204	-	1,000	1,000	9,204
Construction Withholding	1,600,453	1,000,000	2,600,453	-	1,000,000	1,000,000	1,600,453
Revolving Fund	679,121	1,000,000	1,679,121	-	1,000,000	1,000,000	679,121
Mayors Court Collection Fund	95,133	300,000	395,133	-	300,000	300,000	95,133
	2,383,911	2,301,000	4,684,911	-	2,301,000	2,301,000	2,383,911
<b>TOTAL TRUST AND AGENCY FUNDS</b>							
<b>TOTAL FOR MEMORANDUM ONLY</b>	<b>106,896,869</b>	<b>54,152,300</b>	<b>161,049,169</b>	<b>4,929,400</b>	<b>69,897,700</b>	<b>74,827,100</b>	<b>86,222,069</b>

EXHIBIT IV

STATEMENT OF PERMANENT IMPROVEMENTS

(Do not include expense to be paid from bond issues)

Section 5705.29 Revised Code

Description	Estimated Cost of Permanent Improvement	Amount to be Budgeted During Current Year	Name of Paying Fund
2027 Street Maintenance Program	\$ 2,060,300	\$ 2,009,300	Infrastructure Improvement Fund
2027 Zollinger Rd. Improvements	4,970,000	4,244,300	Infrastructure Improvement Fund
2027 Five Points Intersection Improvements	5,752,800	287,900	Infrastructure Improvement Fund
2027 Sidewalk Maintenance Program	427,800	387,800	Infrastructure Improvement Fund
2027 Waterline Projects	300,000	300,000	Water Surcharge Fund
2027 Hydrant Replacement	262,700	242,200	Water Surcharge Fund
2027 Stormwater Projects	197,400	176,900	Stormwater Management Fund
2027 Sanitary Sewer Repairs from Inspection and Emergency	236,600	236,600	Sewer Surcharge Fund
2027 Park Improvements	10,053,200	9,273,200	Infrastructure Improvement Fund
2028 Street Maintenance	1,983,500	51,300	Infrastructure Improvement Fund
2029 North Star Rd. Improvements	287,400	287,400	Infrastructure Improvement Fund
2028 Oxford Drive Improvements	605,300	88,000	Infrastructure Improvement Fund
2028 Sidewalk Maintenance	447,700	43,600	Infrastructure Improvement Fund
2028 Arterial & Collector Mid-block Crosswalks	763,800	86,400	Infrastructure Improvement Fund
2028 High School Area Traffic Signals Replacement	1,224,900	178,000	Infrastructure Improvement Fund
2028 Waterline Projects	321,800	21,800	Water Surcharge Fund
2029 Canterbury Rd Over Evans Run Bridge Project	136,100	136,100	Stormwater Management Fund
2028 Stormwater Projects	200,500	16,300	Stormwater Management Fund
2028 Stormwater Replacement Projec	157,100	157,100	Stormwater Management Fund
2028 Park Improvements	1,336,200	166,200	Infrastructure Improvement Fund
<b>TOTAL</b>	<b>\$ 31,725,100</b>	<b>\$ 18,390,400</b>	

For the year being budgeted, list each contemplated disbursement for permanent improvement, exclusive of any expenses to be paid from bond issues, by the fund from which the expenditures are to be made. Examples for describing the permanent improvements are: window replacement, vehicle purchase, furnishing offices, appliances for the fire department kitchen.



EXHIBIT VI

PURPOSE OF BONDS AND NOTES	Authority for Levy Outside 10 Mill Limit*	Date of Issue	Date Due	Ordinance or Resolution	Serial or Term	Rate of Interest	Amounts of Bonds and Notes Outstanding at beginning of budgeted year Jan 1, 2027	BUDGET YEAR	
								Amount Required for Principal and Interest	Amount Receivable from Other Sources to Meet Debt Payments
								1/1/27 - 12/31/27	1/1/27 - 12/31/27
<b>Payable from Bond Retirement Fund:</b>									
<b>INSIDE 10 MILL LIMIT:</b>									
2015 Various Purpose		4-15	12-34	14-2015	Serial+ Term	1.5-4%	2,559,600	78,425	-
2016 Various Purpose		12-16	12-36	61-2016	Serial+ Term	2.45-3.11%	9,730,000	781,338	-
2017 Various Purpose		1-17	12-27	61-2016	Serial	3.00%	475,000	61,250	-
2018 Various Purpose		12-18	12-38	76-2018	Serial+ Term	3-4%	9,480,000	365,250	-
2019 Various Purpose		1-19	12-27	76-2018	Serial	2.5-4%	670,000	696,800	-
2020 Refunding Bonds		9-20	12-42	44-2020	Serial+ Term	.233-4%	1,845,000	633,348	-
2020 Various Purpose		9-20	12-49	45-2020	Serial+ Term	1-4%	17,750,000	1,281,375	-
2022 Various Purpose		10-22	12-49	65-2022	Serial+ Term	5-5.75%	-	-	-
2025 Refunding Bomds		9-25	12-42	19-2025	Serial	5.00%	25,280,000	3,999,000	-
2026 Various Purpose		3-26		47-2025	Serial+ Term	5.00%	20,275,000	2,143,750	-
<b>TOTAL</b>							88,064,600	10,040,536	-
<b>OUTSIDE 10 MILL LIMIT:</b>									
2019 Non-Tax Revenue (Lane II)	ORC 133.05	11-19	12-52	45-2019	Serial+ Term	2-4%	19,095,000	996,600	-
2021 Non-Tax Revenue (Gateway)	ORC 133.05	9-21	12-53	56-2021	Serial+ Term	3-4%	24,380,000	1,381,100	-
2022 Non-Tax Revenue (Kingsdale)	ORC 133.05	12-22	12-53	59-2022	Serial+ Term	4.5-5.25%	17,340,000	1,192,630	-
2023 Income Tax Revenue (Community Center)	ORC 133.05	04-23	12-55	02-2021	Serial+ Term	3-5%	47,120,000	3,217,950	-
2023 Income Tax Revenue (Office Portion CC)	ORC 133.05	12-23	12-53	59-2022	Serial+ Term	5-5.25%	11,605,000	656,612	-
<b>TOTAL</b>							119,540,000	7,444,892	-

\*If the levy is outside the 10 mill limit by vote enter the words "by vote" and the date of election. If outside the 10 mill limit without a vote, enter the reference to the statute under which the levy is exempt from the 10 mill limit.

**OFFICIAL CERTIFICATE OF ESTIMATED RESOURCES**

The Budget Commission of Franklin County, Ohio, hereby makes the following Official Certificate of Estimated Resources for the **City of Upper Arlington, Ohio** for the BUDGET YEAR beginning January 1, 2027.

<b>FUND</b>	<b>Estimated Unencumbered Balance January 1, 2025</b>	<b>Real Estate Property Tax</b>	<b>Personal Property Tax</b>	<b>Local Government Allocation</b>	<b>Rollback, Homestead, and Personal Property Tax Exemption</b>	<b>Other Sources</b>	<b>Total</b>
<b>GOVERNMENTAL FUND TYPE</b>							
General Fund							
Special Revenue Funds							
Debt Service Funds							
Capital Project Funds							
<b>PROPRIETARY FUND TYPE</b>							
Enterprise Funds							
Internal Service Funds							
<b>FIDUCIARY FUND TYPE</b>							
Trust and Agency Funds							
<b>TOTAL ALL FUNDS</b>							

The Budget Commission further certifies that it's action on the foregoing budget and the County Auditor's estimate of the rate of each tax necessary to be within and outside the 10 mill limitation is set forth in the proper columns of the preceding pages and the total amount approved for each fund must govern the amount of appropriation from such fund.

Date \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Budget  
Commission

**OFFICIAL CERTIFICATE OF ESTIMATED RESOURCES - CONTINUED**

<b>FUND</b>	<b>Estimated Unencumbered Balance January 1, 2026</b>	<b>Real Estate Property Tax</b>	<b>Personal Property Tax</b>	<b>Local Government Allocation</b>	<b>Rollback, Homestead, and Personal Property Tax Exemption</b>	<b>Other Sources</b>	<b>Total</b>
<b>GOVERNMENTAL FUNDS:</b>							
<b>GENERAL FUND</b>							
General Fund							
<b>SPECIAL REVENUE FUNDS:</b>							
Street Const Maintenance/Repair							
State Highway Improvement Fund							
Cemetary Fund							
Parks and Recreation Fund							
Federal Grant Fund							
State Grant Fund							
Law Enforcement Trust Fund							
Drug Law Enforcement Fund							
Other Special Revenue Funds							
<b>TOTAL SPECIAL REVENUE FUNDS</b>							
<b>DEBT SERVICE FUNDS:</b>							
General Obligation Bond Fund							
Other Debt Service Fund							
<b>TOTAL DEBT SERVICE FUNDS</b>							
<b>CAPITAL PROJECT FUNDS:</b>							
Construction Fund							
Federal Grant Fund							
Other Capital Project Funds							
<b>TOTAL CAPITAL PROJECT FUNDS</b>							

**OFFICIAL CERTIFICATE OF ESTIMATED RESOURCES - CONTINUED**

<b>FUND</b>	<b>Estimated Unencumbered Balance January 1, 2026</b>	<b>Real Estate Property Tax</b>	<b>Personal Property Tax</b>	<b>Local Government Allocation</b>	<b>Rollback, Homestead, and Personal Property Tax Exemption</b>	<b>Other Sources</b>	<b>Total</b>
<b>SPECIAL ASSESSMENT FUNDS</b>							
Special Assessment Bond Retirement							
Special Assessment Improvement Fund							
Special Assessment Operating Fund							
Other Special Assessment Funds							
<b>TOTAL SPECIAL ASSESSMENT FUNDS</b>							
<b>ENTERPRISE FUNDS:</b>							
Water Fund							
Sanitary Sewer Fund							
Electric Fund							
Parking Fund							
Swimming Pool Fund							
First Mortgage DSF							
Debt Service Reserve Fund							
Utilities Improvement Fund							
Other Enterprise Funds							
<b>TOTAL ENTERPRISE FUNDS</b>							
<b>INTERNAL SERVICE FUNDS</b>							
Revolving Fund							
Other Internal Service Funds							
Employee Benefit Fund							
<b>TOTAL INTERNAL SERVICE FUNDS</b>							

**OFFICIAL CERTIFICATE OF ESTIMATED RESOURCES - CONTINUED**

FUND	Estimated Unencumbered Balance January 1, 2026	Real Estate Property Tax	Personal Property Tax	Local Government Allocation	Rollback, Homestead, and Personal Property Tax Exemption	Other Sources	Total
<b>TRUST AND AGENCY FUNDS</b>							
<b>TOTAL TRUST AND AGENCY FUNDS</b>							
<b>TOTAL ESTIMATED RESOURCES</b> (memorandum only)							

COUNTY AUDITOR'S ESTIMATE

Tax Levies and Rates for 2027, in the City of Upper Arlington

Tax Valuation \$

	Amount Approved By Budget Commission	County Auditor's Estimate of Rate in Mills
<b>LEVIES WITHIN 10 MILL LIMITATION</b>		
County		
Township		
School		
Village		
City		
<b>TOTAL</b>		
<b>LEVIES OUTSIDE OF 10 MILL LIMITATION</b>		
County		
Township		
School		
Village		
City		
State		
<b>TOTAL</b>		
<b>TOTAL LEVY FOR ALL PURPOSES</b>		

BUDGET OF \_\_\_\_\_ COUNTY

City/Village  
FOR FISCAL YEAR  
BEGINNING  
JANUARY 1, 2023

\_\_\_\_\_, 20\_\_

County Auditor

Deputy Auditor



**Authors:** Brent Lewis, Finance Department Director

**Council Meeting Date:** June 1, 2026

**Subject/Legislative Item:** Resolution No. 10-2026 - 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, with an Increase, of a Specified Number of Mills for the Police and Fire Pension Fund (*Oldham*)

**Purpose:** The City's Police and Fire Pension voted property tax levy is set to expire in tax year 2026. Staff is recommending placing a renewal of this levy, with an increase, on the November 2026 ballot. Prior to submitting a question to the electors of the City, Ohio Revised Code Section 5705.03 requires the City to request the Franklin County Auditor to certify the total current tax valuation of the City and the amount of revenue that would be generated by a specified number of mills. City Council must authorize a resolution in order to conduct this process. This updated resolution replaces Resolution No. 6-2026.

**Executive Summary:** Staff recommends passage of the Resolution requesting the Franklin County Auditor to certify the total current tax valuation of the City and the amount of revenue that would be generated by:

A renewal of an existing tax of 0.89 mill and an increase of 0.24 mill, to constitute a tax for the benefit of the City of Upper Arlington for the purpose of paying the City's employer contributions to the Ohio Police and Fire Pension Fund at a rate not exceeding 1.13 mills for each \$1 of taxable value, for five (5) years, commencing in 2027, first due in calendar year 2028.

This proposal provides the necessary language that was improperly stated in Resolution No. 6-2026, to generate the projected tax dollar collections of approximately \$2.2 million per year.

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**Purpose and Impact**



On May 4, 2026, City Council approved Resolution No. 6-2026, which authorized a request to the Franklin County Auditor to certify the current tax valuation and the amount of revenue that would be generated for the renewal of the Police and Fire Pension Levy that is set to expire in 2026. The anticipated amount to be generated from the renewal was approximately \$2.2 million annually for five years.

The City received feedback from the Franklin County Auditor's Office regarding the certification request that was submitted. While the overall financial objective of the proposal was essentially correct, they indicated that adjustments were needed to both the levy structure and to the wording utilized in order to properly accomplish the City's intended increase in collections. This is not an uncommon occurrence and highlights the complexity of Ohio's property tax system. It is also one of the primary reasons the certification process exists — to ensure the levy structure and ballot language align with current statutory requirements and the intended financial outcome.

Essentially, the reason for the change came down to an "aha moment" during the formal certification review process. Over the past several months, City Staff worked closely with the Franklin County Auditor's Office regarding the potential levy renewal. During those discussions, we reviewed calculations and discussed possible ballot language multiple times prior to my presentation and Council's adoption of the certification resolution. However, once the matter was formally submitted for certification, it became clear there had been some misunderstanding or misinterpretation regarding the appropriate levy structure and wording. This can partly be attributed to the recent enactment of new legislation (Ohio House Bill 28), which was intended to increase transparency for voters.

Although the revised language is substantially different in form, it accomplishes the same overall goal of generating the same revenue level as originally presented.

**Originally Presented Language (Short Form) - this language would actually produce less revenue**

Renewal tax levy of 0.75 mills, a decrease of 0.14 mills, on the November 2, 2026 ballot for the purpose of payment of the employer's contribution to the Ohio Police & Fire Pension Fund.

**Revised Levy Description (Short Form)**

Renewal of 0.89 mills (the existing tax levy), with an increase of 0.24 mills for the purpose of payment of the employer's contribution to the Police and Fire Pension Fund, for a total of 1.13 mills for five years commencing in 2027.

Impact of new language: As previously stated, this is the language needed to generate the funds we originally presented. The only difference from a financial structure is the 12.5% state rollback will only be applicable to the existing millage, not the increased millage. This results in an estimated additional impact of approximately \$1.05 per \$100,000 of home value. The total estimated annual impact of the proposed increase would be approximately: \$8.40 per \$100,000 of home value, or approximately \$42 annually for a \$500,000 home.

(This represents an increase of approximately \$0.89 per \$100,000 of home value compared to what was originally presented.)



## History

See staff report for [Resolution No. 6-2026](#).

## Alternatives

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

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

## Attachments

1.	Resolution No. 10-2026
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# RECORD OF RESOLUTIONS

CITY OF UPPER ARLINGTON  
STATE OF OHIO

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## RESOLUTION NO. 10-2026

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### 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, WITH AN INCREASE, OF A SPECIFIED NUMBER OF MILLS FOR THE POLICE AND FIRE PENSION FUND

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

**WHEREAS,** the City intends to submit the question of a renewal of the existing .89 mill tax levy, with an increase of 0.24 mills, on the November 3, 2026, ballot for the purpose of payment of the employer's contribution to the Ohio Police & Fire Pension Fund; and

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

**WHEREAS,** on May 4, 2026, City Council passed 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; and

**WHEREAS,** following submission of the City's certification request, the Franklin County Auditor's Office advised that revisions to the levy structure and ballot language were necessary to ensure compliance with statutory requirements and to accurately achieve the City's intended financial outcome.

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

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

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

**SECTION 3.** The proposed tax would consist of a renewal of the existing .89 mill levy, with an increase of 0.24 mills, to constitute a tax for the benefit of the City of Upper Arlington for the payment of the police officer employer's contribution and the firefighter employer's contribution required under Sections 742.33 and 742.34 of the Ohio Revised Code at a rate not exceeding 1.13 mills for each dollar of valuation, for a period of five years, commencing in 2027, first due in calendar year 2028, pursuant to Section 5705.19 and 5705.25 of the Ohio Revised Code.

**SECTION 4.** The City of Upper Arlington hereby requests the Franklin County Auditor to certify to the City the total current tax valuation of the City and the dollar amount of revenue that would be generated by a renewal tax levy of the 0.89 mills, with an increase of .24 mills, pursuant to Section 5705.03 of the Ohio Revised Code.

**SECTION 5.** Resolution No. 6-2026, passed on May 4, 2026, is hereby repealed.

**SECTION 6.** The City Clerk is hereby directed to certify a copy of this resolution and submit it to the Franklin County Auditor.

**SECTION 7.** This resolution shall take effect immediately upon passage.



**Authors:** Chad Gibson, AICP, Community Development Director

**Council Meeting Date:** June 1, 2026

**Subject/Legislative Item:** Ordinance No. 23-2026 - To Amend the Fontenay Subdivision Plat to Permit the Reduction of the Platted Rear Yard Setback From 32 Feet to 19.5 Feet for Lot #3, to Allow for the Retention of a Patio and Swimming Pool Decking (*Tracy*)

**Purpose:** The purpose of this request is to reduce the platted rear yard setback for 2082 Fontenay Place from 32 feet to 19.5 feet in order to accommodate swimming pool decking and a patio that were built without a permit.

**Executive Summary:** This application proposes a plat amendment for Lot #3 of the Fontenay Subdivision located at 2082 Fontenay Place. The applicant is seeking to retain swimming pool decking and a patio that were installed without a permit and are partially located within the 32-foot platted rear yard setback. The proposed plat amendment only applies to this property and not others in the Fontenay subdivision; it would reduce the platted rear setback from 32 feet to 19.5 feet.

The installation of these additional improvements following the city's review/inspection process, has been handled through the Mayor's Court process, resulting in the payment of a significant penalty to the City.

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### **Purpose and Impact**

The Fontenay subdivision, platted in 2006, includes ten (10) lots along Fontenay Place and Coach Road. Lot sizes range from 0.358 acres to 0.508 acres and the subdivision is completely developed. The subject property and all homes within the Fontenay Subdivision are zoned R-1A, One-Family Residence District, which primarily allows single-family dwellings in low-density residential neighborhoods. During the development review process for this subdivision, platted rear setbacks and 'do-not-disturb' areas were included to mitigate potential impacts to surrounding properties and as a reassurance to neighbors that these lots would not be overdeveloped.

Unified Development Ordinance (UDO) Article 6.09(D)(11) states: *All swimming pools, swim spas and buried hot tubs and portions thereof, including walkways and decking, shall be located at least ten (10) feet from side and rear property lines, and shall be located behind the*



*front building setback line. Location within a platted easement, platted reserve or platted side or rear yard setback line is prohibited; any change or modification would require plat amendment approval.*

UDO Article 4.06(F) provides the procedure for review and approval of plat amendments. It states, “A plat amendment is the alteration of a final plat that changes any of the feature(s) required to be set forth in the plat...” No specific approval criteria for a plat amendment are provided in the UDO, so Council is charged with determining if the proposed building setback reduction is appropriate for this established neighborhood and for adjacent properties. However, Staff has historically been advised by the City Attorney’s Office to reference the practical difficulty standards used for the review of variances to provide a framework for the discussion.

## **History**

In June 2022, Certificate of Zoning Compliance (CZC) Application #22-3038 was conditionally approved for the subject property. It included compliant rear yard hardscape (patio, pool decking, etc.) and noted a new swimming pool to be built 'by others'. In April 2023, the corresponding Swimming Pool Permit Application #23-1416 was approved for the subject property. [This approval came after an initial denial due to encroachment into the platted 32-foot rear yard setback - the permit was subsequently revised to meet code.] The pool was built and received a final inspection in October 2023.

On June 12, 2024, the City was contacted about improvements in the rear yard of the subject property beyond the scope of approved permits. After receiving the complaint, the City performed an inspection and observed code violations and completed work beyond the permitted scope. The City's Code Compliance Officer issued a citation on the basis of these zoning and building code violations (Zoning Compliant #24-2661). An 'as-built' survey was submitted by the applicant several months later which confirmed the encroachments and also revealed lot coverage and pool decking setback violations. A variance application was submitted on April 15, 2026.

The Code Compliance case in Upper Arlington Mayor's Court was ultimately dismissed (after a penalty was paid) to allow the applicant an opportunity to pursue a resolution to these issues through the variance and plat amendment processes. Since June 2024, Staff has met with the applicant and/or their legal counsel several times, including multiple site inspections to correct swimming pool barrier violations.

This plat amendment application was originally filed on July 1, 2025 but was not completed until April 2026. Notification of all property owners within the Fontenay Subdivision was completed via certified mail on April 20, 2026. The applicant attended the [May 6, 2026, BZAP Work Session](#) to introduce and discuss the application. Staff provided an overview and history of the circumstances ([see minutes](#)). The Board had drainage and landscaping questions.

At the [May 20, 2026 BZAP meeting](#), the applicants provided photos and videos showing the landscaping and low stone wall (see attached draft minutes), along with a video during a recent rain event. After discussion, BZAP voted to provide a positive recommendation to City Council on the plat amendment. [The Board also approved lot coverage and swimming pool decking setback variances via a separate application ([#26-1385](#)).]



## Alternatives

Should this plat amendment request be denied, the applicant could further explore the removal or reduction of the unlawful swimming pool decking and patio. The applicant could also choose to contest a denial through the legal system.

## Attachments

1.	2082 Fontenay PI_BZAP Staff Report- Plat Amendment
2.	2082 Fontenay PI_Plat Amendment Application 25-3177
3.	2082 Fontenay PI_City Letter - 6.11.24
4.	2082 Fontenay PI_Letter of Adequacy
5.	2082 Fontenay PI_Subdivision Plat
6.	2082 Fontenay PI_Site Photo #1
7.	2082 Fontenay PI_Site Photo #2
8.	DRAFT BZAP Minutes 5.20.26
9.	Exhibit A - 2082 Fontenay PI_As-Built Survey/New Rear Yard
10.	Ordinance No. 23-2026





**Authors:** Justin Milam, AICP, Senior Planner  
Riley Stanek, Community Development Intern

**BZAP Meeting Date:** May 20, 2026

**Subject:** 2082 Fontenay Place (OR-##-26) - Review and recommendation to City Council of a plat amendment to permit the retention of swimming pool decking and a patio that was installed without a permit and is located within the platted rear yard, which is prohibited.

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### Site Description/History

See Staff Report for VAR-24-26.

### Proposal

The applicant is seeking to reduce the 32-foot rear setback line to 19'- 6" for Lot #3 (from the original plat). This reduced setback would allow the property owner to retain an existing non-compliant swimming pool and patio located within the rear yard. No changes are being proposed to any other property located within the subdivision. To amend this setback, a recommendation from the Board of Zoning and Planning to City Council will be needed. A review by City Council is tentatively scheduled next month if a recommendation by the Board is made.

The applicant attended the May 6, 2026, BZAP Work Session to introduce and discuss the application. Staff provided an overview and history of the application- see draft minutes.

### Zoning Code Requirements

Article 6.09(D)(11) states:

All swimming pools, swim spas and buried hot tubs and portions thereof, including walkways and decking, shall be located at least ten (10) feet from side and rear property lines, and shall be located behind the front building setback line. Location within a platted easement, platted reserve or platted side or rear yard setback line is prohibited; any change or modification would require plat amendment approval. Installation of a swimming pool may allow a development coverage bonus per Table 5-F.

Article 4.06(F) states:

Final plat amendment: Upon the application of an owner(s) of land described in a plat within the corporation limits of the City of Upper Arlington, the City Council may amend the final plat, in whole or in part, where unusual or exceptional factors or conditions require the amendment



to avoid undue hardship.

(1)Plat amendment defined: A plat amendment is a change that does not substantially alter the final plat including but not limited to changes in lot and block numbers, setback lines, or subdivision names. The vacation or alteration of any street, road highway, alley, park, or easement by the City is not a plat amendment subject to the requirements of this section.

(2)Filing requirements: The applicant(s) shall file with the Director of Community Development, at least twenty (20) working days before the BZAP meeting, a final plat amendment which meets the requirements of Subsection 4.05(H), and other city ordinances as applicable, together with an application for approval thereof and a fee for the review of said plat amendment.

(3)Procedure: The procedure for a final plat amendment shall be as follows:

(a)The applicant(s) shall file with the Director of Community Development an application including required submittals, which sets forth the location and description of the proposed plat amendment and the reason(s) why the amendment of the plat is sought. A copy of the application shall be filed along with the required sets of amended plat drawings proposed by the applicant(s).

(b)The applicant(s) shall provide proof of notification upon filing as required below. Proper notification requires that the applicant(s) shall send a copy of the application to all other landowners within the plat to be amended. The certified mail certificates shall be presented to the Director of Community Development with all other submittal requirements.

(c)The City shall give notice of the proposed plat amendment application by posting on the City website at least ten (10) days before the date of the hearing. Such notices shall set forth the part or the plat to be amended and briefly describe the proposed amendment, the date(s) of the BZAP meeting hearing(s) on the application and the date(s) City Council will consider the application.

(4)Letter of adequacy, Service Director: Within ten (10) days after the final plat amendment application has been filed with the planning officer, a copy thereof shall be transmitted to the technical review committee (TRC), who will check said plat to determine adequacy with existing street, storm, sanitary, water and utility services. If said final plat amendment does so conform, the TRC, within ten (10) days working days after said plat has been transmitted to him/her, will return said plat to the Director of Community Development, together with a report verifying adequacy of the proposed amendment. The Director of Community Development shall thereupon transmit the report to BZAP for its consideration.

(5)BZAP review: At the first meeting of BZAP after a copy of the final plat amendment application, together with the report, has been received by BZAP, it shall consider the final plat amendment and forward its recommendation to City Council. If BZAP recommends disapproval of the final plat amendment, it shall enter in its minutes the reason(s) for such disapproval.

(6)City Council acceptance of plat amendment: BZAP's recommendation and the plat shall be transmitted to the City Council, together with all certificates and endorsements herein required. The Council shall take action regarding the plat amendment request at its next regular meeting after the plat amendment has been reviewed by BZAP. If the plat amendment is approved by City Council, the applicant(s) shall follow all final plat filing requirements.

The City's Public Services Director issued a Letter of Adequacy (see #4 above) on May 14, 2026.



## Alternatives

Over the past two years, Staff has offered several alternatives to the plat amendment (and corresponding variance application). See Staff Report for VAR-24-26.

## Requested Action and Findings

The code does not offer specific conditions of approval for plat amendments, but notes that the City Council may amend the plat, in whole or in part, where unusual or exceptional factors or conditions require the amendment to avoid undue hardship. In the Board's recommendation for approval or denial to City Council, they shall identify those unusual or exceptional factors that are present to avoid undue hardship. [See those identified by the applicant in their application.] Should the Board offer a positive recommendation to City Council, Staff would recommend that a condition be added to the subdivision plat for this property that the *rear yard setback reduction applies to the swimming pool, including decking and walkways for lot #3 only.*

## Attachments

1.	2082 Fontenay PI Plat Amendment Application
2.	2082 Fontenay PI City Letter - 6.11.24
3.	2082 Fontenay PI Letter of Adequacy





### Record No: 25-3177

Plat Amendment

Status: Active

Submitted On: 7/1/2025

### Primary Location

2082 FONTENAY PL  
UPPER ARLINGTON, OH 43220

### Owner

TZAGOURNIS GEORGE M | TZAGOURNIS  
CYNTHIA L  
Fontenay Place 2082 fontenay place  
COLUMBUS OH , OH 43220

## BZAP/City Council Information

**BZAP/Council Ordinance #**

**Status**

Pending

**BZAP Recommendation Date**

05/20/2026

**City Council Review Date**

06/01/2026

**Plat Amendment Request**

To reduce the platted 32-foot rear yard setback to 19.5 feet to accommodate a swimming pool and associated decking.

**BZAP conditions**

- 1) That the rear yard setback reduction applies to the swimming pool, including decking and walkways for lot #3 only.

# Plat Amendment Application

**Lot #\***

3

**Subdivision\***

Fonatenay Place

**Description of the Request\***

Allow a swimming pool decking and a patio 12.5 feet into 32ft rear setback area

**Reason for the Request\***

Structural engineer recomends we don't remove hardscape adjacent to pool requesting variance if possible to avoid damaging integrity of pool structure



June 11, 2024

Dr. George and Mrs. Cynthia Tzagournis  
2082 Fontenay Place  
Upper Arlington, OH 43220

**RE: Certificate of Zoning Compliance #22-3038 and Swimming Pool Permit #23-1416**

Dear Dr. and Mrs. Tzagournis –

The City has been made aware of possible discrepancies between improvements authorized as part of the Certificate of Zoning Compliance (CZC) #22-3038 and Swimming Pool Permit #23-1416 for your property at 2082 Fontenay Place. Per CZC #22-3038 and Swimming Pool Permit #23-1416, the pool and all associated decking were appropriately located outside of the platted 32-foot rear yard setback. Recent aerial images from both the City of Upper Arlington's GIS and the Franklin County Auditor's Office appear to show additional improvements located within this platted rear setback (and possibly a utility easement), which is prohibited.

The final inspection for the pool occurred on October 19, 2023 and the pool was passed due to conformance with code and the approved plans. It appears that additional work may have occurred after this final inspection. Per Unified Development Ordinance (UDO) [Article 3.06](#) (Enforcement and Penalties) it is unlawful to locate, erect, construct, reconstruct, enlarge, change, maintain, or use any building or land in violation of any of the provisions of the UDO. Should violations exist, citations may be issued with daily fines assessed.

In order to resolve this matter, we request access to your property so as to ascertain compliance. In addition, if you have any relevant documentation that demonstrates the pool and decking are compliant with the CZC and Swimming Pool Permit, please submit them to me for review. Please contact me by **June 28, 2024** to schedule a time for us to inspect the property. In the alternative, the City will proceed based on the information it currently has.

Please feel free to reach out if you have questions.

Respectfully,



Chad D. Gibson, AICP

Community Development Director

614-583-5074

[cgibson@uaoh.net](mailto:cgibson@uaoh.net)

C: Darren Shulman, City Attorney  
Roger Eastep, Chief Building Official  
Michael Morris, Code Compliance Assistant

Attachments: Aerial images: Upper Arlington GIS (dated 3/11/2024) and Franklin County Auditor's Office (11/25/2023)  
Approved site plans from Swimming Pool Permit #23-1416 and CZC #22-2038  
[Fontenay Place](#) subdivision plat map (Lot #3)

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May 14, 2026

Mr. Chad Gibson  
Development Director  
City of Upper Arlington

**Re: Fontenay Plat Amendment – Letter of Adequacy**

Pursuant to the Unified Development Ordinance (UDO) 4.06(F)(4), I have reviewed the proposed plat amendment for the Fontenay subdivision to determine the adequacy with existing street, storm, sanitary, water, and utility services, and have determined that there are adequate services to accommodate the amendment.

Sincerely,

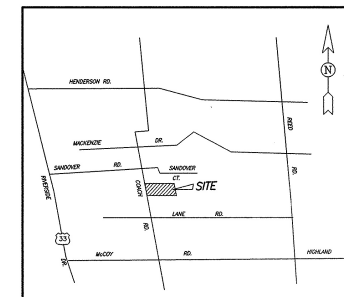
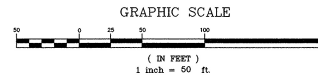
*Gary D. Wilfong*

Gary D. Wilfong, PE  
Public Service Director

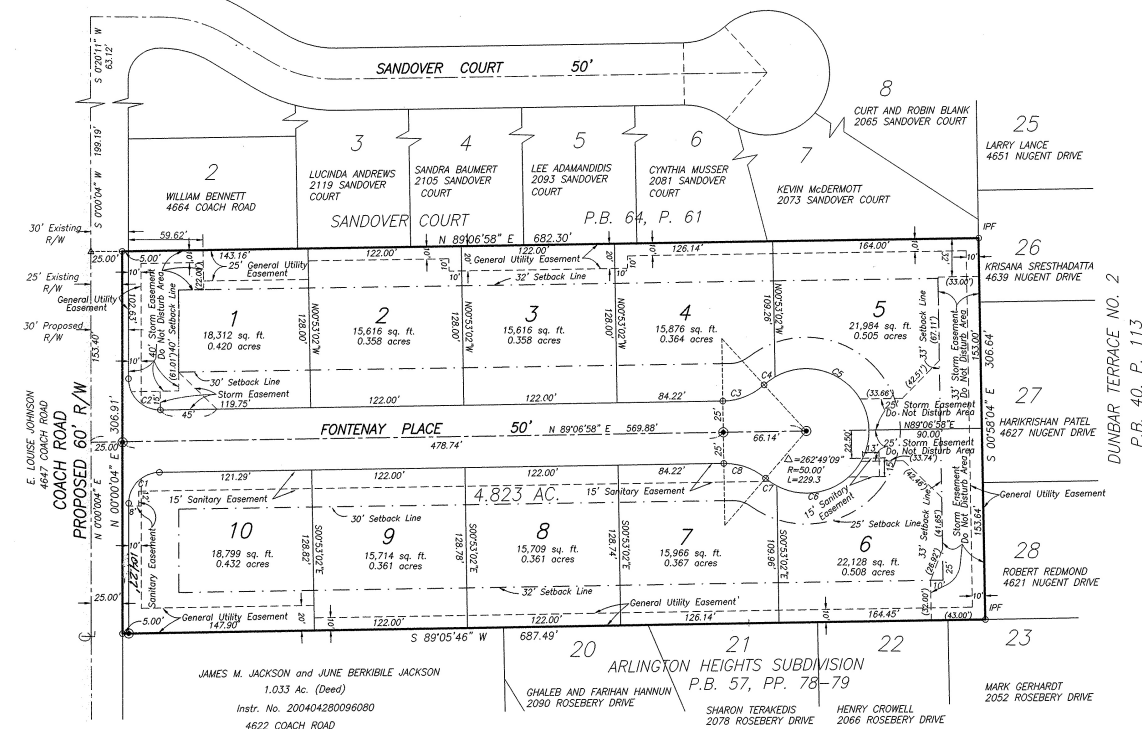
CC: Aaron Scott, PE, City Engineer  
Rory Stimpson, PE, Assistant City Engineer  
Justin Milam, AICP, Senior Planner



# FONTENAY



LOCATION MAP  
NO SCALE



SETBACKS:

Front Yard 30'

Front Yard Lots 5 and 6 only 25'

Side Yard 12'

Minimum between adjacent buildings 26'

Rear Yard 32'

Rear Yard Lots 5 and 6 only 33'

The undersigned hereby certify rights-of-way for Fontenay Place and Coach Road herein dedicated to public use are hereby approved and accepted as such for the State of Ohio, County of Franklin, City of Upper Arlington, City of Upper Arlington by Ordinance No. \_\_\_\_\_

Approved this 23<sup>rd</sup> day of JANUARY, 2006 James D. Brey  
Mayor, City of Upper Arlington, Ohio

Approved this 23 day of January, 2006 Virginia Barney  
City Manager, City of Upper Arlington, Ohio

Transferred this 8<sup>th</sup> day of February, 2006 \_\_\_\_\_  
Auditor, Franklin County, Ohio

\_\_\_\_\_ by \_\_\_\_\_  
Deputy Auditor, Franklin County, Ohio

Filed for record this 8<sup>th</sup> day of February, 2006 \_\_\_\_\_

Fee \$ 86.40 File No. 200602080025284

Recorded in Plat Book 108, Page 88  
Robert E. Montgomery By SB  
Recorder, Franklin County, Ohio

Recorded in Plat Book 108, Page 88  
Scott Bowman  
Deputy Recorder, Franklin County, Ohio

Property Owner: COACH ROAD ASSOCIATES, LLC  
495 S. High Street  
Suite 150  
Columbus, Ohio 43215  
614-241-2070

Developer: COACH ROAD ASSOCIATES, LLC  
495 S. High Street  
Suite 150  
Columbus, Ohio 43215  
614-241-2070

Engineer/Surveyor: Bauer, Davidson & Merchant, Inc.  
255 Green Meadows Drive South  
Westerville, Ohio 43081  
614-846-3393  
bdmim@bamerftech.net

Existing Zoning: R-1a

TRANSFERRED  
FEB 08 2006  
JOSEPH W. TESTA  
CLERK  
FRANKLIN COUNTY, OHIO



### SURVEYOR'S CERTIFICATE

We do hereby state that we have surveyed the above premises and prepared the attached plat and that said plat is correct. The field survey, on which this plat is based, was conducted in November, 2004.

All dimensions are shown in feet and decimal parts thereof. Dimensions shown along curved lines are chord measurements.

The following symbol, unless otherwise noted, indicates a 3/4-inch (I.D.) iron pipe survey marker with a plastic plug set in the top and bearing the initials BD & M:

Permanent survey markers, to be placed upon completion of construction necessary to the improvement of the subject premises, are indicated by the following symbol: Permanent survey markers are to be solid iron pins one-inch in diameter and approximately thirty inches long.

The bearings shown on this plat are based on the bearing of N00°04'E for the centerline of Coach Road as it is shown and delineated upon the recorded plat of Sandover Court (Subdivision) of record in Plat Book 64, Page 61, Recorder's Office, Franklin County, Ohio.

The 4.823 acres of land platted herein is located in Zone X (areas determined to be outside the 500-year floodplain as shown on the Flood Insurance Rate Map for Franklin County, Ohio Map No. 39049C0137 G, Dated: August 2, 1995).

BAUER, DAVIDSON & MERCHANT  
Consulting Engineers  
By Scott Bowman  
Gatis Erenpreiss  
Professional Surveyor No. 5712

BAUER, DAVIDSON & MERCHANT, INC.  
Consulting Engineers  
255 Green Meadows Drive S.  
Westerville, Ohio 43081  
(614) 846-3393

CURVE TABLE						
LOT NO.	CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD
Lot 10	C1	89°06'54"	25.00'	24.62'	38.88'	35.08'
Lot 1	C2	90°53'06"	25.00'	25.39'	39.66'	35.63'
Lot 4	C3	41°24'35"	50.00'	18.90'	36.14'	35.36'
Lot 4	C4	12°25'53"	50.00'	5.45'	10.85'	10.83'
Lot 5	C5	118°58'42"	50.00'	84.85'	103.83'	86.15'
Lot 6	C6	118°58'42"	50.00'	84.85'	103.83'	86.15'
Lot 7	C7	12°25'53"	50.00'	5.45'	10.85'	10.83'
Lot 7	C8	41°24'35"	50.00'	18.90'	36.14'	35.36'

LEGEND:  
 ○<sup>PF</sup> = 3/4" - Inch Iron Pipe Found  
 ● = 1" - Inch Solid Iron Pin Set

Situated in the State of Ohio, County of Franklin, City of Upper Arlington, being in Quarter Township 1, Township 1, Range 19, United States Military Lands, containing 4.823 acres of land, more or less (according to a survey conducted by Bauer, Davidson & Merchant, Inc. in November of 2004), said 4.823 acres being part of that 5.00 acre (with exception) tract of land described in the deed to COACH ROAD ASSOCIATES, LLC, record in instrument No. 2005-018001174, Recorder's Office, Franklin County, Ohio.

The undersigned MICHAEL A. EDWARDS, President of MICHAEL EDWARDS BUILDING & DESIGN, INC. Member of COACH ROAD ASSOCIATES, LLC, owner and ten holder of the land platted herein, duly authorized in the premises, does hereby certify that this plat accurately represents this FONTENAY, a subdivision of Lots numbered 1 through 10, both numbers inclusive, and does hereby accept this plat of some and dedicates to public use, as such, all of FONTENAY PLACE and COACH ROAD shown hereon and not heretofore dedicated.

The City shall not accept streets for public use until construction is satisfactorily completed.

In consideration of approval of this plat, I understand and agree to fulfill my obligations and responsibilities reflected in the Subdividers' Agreement and the Subdivision Regulations of the City of Upper Arlington, Ohio. Zoning, building and health permits may be withheld in this subdivision until the subdivider has complied with the Subdividers' Agreement.

General Utility Easements are granted to the public and to all owners of lots in the subdivision, and are reserved for the construction, operation and maintenance of public and private utilities above and beneath the surface of the ground and where necessary, the construction, operation and maintenance of service connections or subsurface drainage outlets, storm sewers and surface drainage features. No construction or landscaping shall be permitted in the designated Do Not Disturb Areas located within the storm sewer easements.

Following their satisfactory completion, all proposed roads and associated right-of-ways as herein indicated and represented on said plat shall be willfully dedicated to the City of Upper Arlington for public purposes, unless otherwise noted and approved.

The undersigned hereby certifies that all zoning, subdivision and platting requirements as set forth herein and by codified Ordinance and/or law have been observed.

In Witness Whereof, MICHAEL A. EDWARDS, President of MICHAEL EDWARDS BUILDING & DESIGN, INC. Member of COACH ROAD ASSOCIATES, LLC, has hereunto set his hand this 20<sup>th</sup> day of December, 2005.

Signed and acknowledged in the presence of \_\_\_\_\_  
 MICHAEL EDWARDS BUILDING & DESIGN, INC.  
 By Michael A. Edwards  
 Michael A. Edwards, President







5/20/2026 | 6:00 PM

**MUNICIPAL SERVICES CENTER, 3600 TREMONT ROAD  
CITY COUNCIL CHAMBERS**

**Members Present:** Todd Boyer, Kevin Carpenter, Matt McGrath, Kelsey Priebe, Shannon Tolliver, Bill Westbrook

**Members Absent:** Daniel Barringer

**Staff Present:** Senior Planner Justin Milam, City Planner Taylor Mullinax, Planning Intern Riley Stanek, Deputy City Clerk Brooke Bowman, Assistant City Attorney Darlene Pettit

**Call to Order/Roll Call**

Chair Tolliver called the meeting to order at 6:00 p.m.

Chair Tolliver called for a motion to excuse the absence of Mr. Barringer. Mr. Carpenter moved, seconded by Ms. Priebe, to excuse the absence of Mr. Barringer from the May 20, 2026, BZAP meeting. The motion carried unanimously.

**Consent Agenda**

- a. Approval of the Board of Zoning and Planning meeting minutes from April 22 and May 6, 2026.**

Chair Tolliver called for a motion to approve the Consent Agenda. Moved by Mr. Carpenter, seconded by Mr. Boyer to approve the Consent Agenda.

**VOTING AYE:** Todd Boyer, Kevin Carpenter, Matt McGrath, Kelsey Priebe, Shannon Tolliver, Bill Westbrook

**ABSENT:** Daniel Barringer

The motion carried (6-0).



Ms. Bowman administered an oath to those persons wishing to present testimony this evening, including applicants, representatives of applicants, and anyone speaking as a proponent or opponent of an application.

### **Variance/Conditional Uses**

- a. **1880 Tremont Road (VAR-20-26)- To permit a two-story addition to encroach up to five feet into the 10-foot rear yard setback and 22'-10" into the rear yard profile coefficient.**

Planner Taylor Mullinax presented the variance application to permit a two-story addition to encroach up to five feet into the 10-foot rear yard setback and 22'-10" into the rear yard profile coefficient. The property is located at the northwest corner of Tremont and Coventry Roads, is zoned R-1C, and contains a contributing historic structure built in 1925. The proposal introduces two variances, both of which increase existing nonconformities; however, staff found the design compatible with the home and surrounding historic district.

Chair Tolliver asked the applicant to come forward. The applicant's architect, Juliet Bullock, explained that due to the constraints of the corner lot and the historic character of the home, the north side addition was the least obtrusive option. The applicant, Adam Krystal, noted that the neighboring property owner to the north had no objections. Staff recommended approval with a condition requiring substantial landscaping species along the north property line at a minimum height of six feet, with any dead or dying trees to be removed and replaced.

Chair Tolliver asked if there was anyone in the audience who would like to speak on this variance and no one came forward.

Chair Tolliver called for a motion to approve VAR-20-26, to permit a two-story addition to encroach up to five feet into the 10-foot rear yard setback and 22'-10" into the rear yard profile coefficient findings #1, 3, 4, and 6, and the condition that all existing and proposed trees along the north property line shall be substantial species planted at a minimum height of six feet to provide adequate screening of the home addition, and that any dead or dying trees shall be removed and replaced. Moved by Mr. Carpenter, seconded by Mr. Westbrook to approve VAR-20-26.

**VOTING AYE:** Todd Boyer, Kevin Carpenter, Matt McGrath, Kelsey Priebe, Shannon Tolliver, Bill Westbrook

**ABSENT:** Daniel Barringer

The motion carried (6-0).

- b. **[Postponed by the Applicant] 2229 Ridgeview Road (Var-21-26)- To permit a two-story attached garage addition that encroaches 2'-11" into the eight-foot minimum side yard setback and reduces the side setback sum from 16 feet to 13'-11".**



- c. **3141 Asbury Drive (VAR-22-26)- To permit a one-story third bay garage addition to encroach ~~4'-9"~~ 1'-3" into the 10-foot minimum side yard setback.**

Senior Planner Justin Milam presented the variance application to permit a one-story third bay garage addition to encroach 1'-3" into the 10-foot minimum side yard setback. The applicant had initially received approval for a 10'-8" wide garage bay but determined that width to be insufficient for practical use; the requested encroachment would bring the bay to a more standard 12-foot width. Staff recommended approval with finding number 4, noting the addition would blend into the neighborhood and not adversely impact views from the street or surrounding properties. The item was not placed on the consent agenda due to a letter received from a neighboring property owner, though staff remained comfortable with the proposal.

Chair Tolliver asked the applicant to come forward. Kyle Rooney on behalf of the owners noted that the adjacent property to the north has 40 feet of setback from the shared property line, and that a survey of the block revealed 13 of 26 homes have three-car garages.

Chair Tolliver asked if there was anyone in the audience who would like to speak on this variance and no one came forward.

Chair Tolliver called for a motion to approve VAR-22-26, to permit a one-story third bay garage addition to encroach 1'-3" into the 10-foot minimum side yard setback with findings #4. Moved by Mr. Carpenter, seconded by Ms. Priebe to approve VAR-22-26.

**VOTING AYE:** Todd Boyer, Kevin Carpenter, Matt McGrath, Kelsey Priebe, Shannon Tolliver, Bill Westbrook

**ABSENT:** Daniel Barringer

The motion carried (6-0).

- d. **[Postponed by the City as conditional use required.] 2641 Alliston Court (VAR-23-26)- To permit the construction of a two-story addition that encroaches up to 6'-9" into the 12-foot minimum side yard setback and up to 7'-5" into the 18'-1" side yard longwall setback. A conditional use is also required in order to create a two-family dwelling.**

#### Plat Amendment/Variance

- a. **2082 Fontenay Place (VAR-24-26)- To permit an increase in development coverage from 45 percent (includes a swimming pool bonus) to 50 percent and to reduce the side yard swimming pool decking setback from 10 feet to zero, in order to permit the retention of swimming pool decking and a patio that installed without a permit**



The Board noted the applicant and their counsel arrived late; the Board had briefly considered postponing the item.

Applicants' counsel, Attorney Frank Reed, representing the property owners, summarized the history of the project: the pool permit was issued in August 2022, construction was approved and inspected in 2023, and a third contractor subsequently installed additional concrete decking without a separate permit. Cynthia Tzagournis submitted a video taken the morning of the meeting, following significant rainfall, demonstrating that the installed drainage improvements were functioning properly with no standing water.

The Board reviewed the three conditions of approval recommended by staff. The first condition, requiring the swimming pool fence to meet applicable ordinances, was deemed already satisfied following a city inspection earlier in the week. Discussion on the second condition clarified that the structure in question is a landscaping wall, not a structural retaining wall, and as such detailed engineering plans are not available. Staff and the Board agreed the conditions should be reworded accordingly, with the applicant providing documentation of the landscaping wall and drainage improvements to staff by July 1, 2026. The third condition, requiring future rear and side yard improvements to be reviewed by planning staff, was accepted without objection.

Chair Tolliver asked if there was anyone in the audience who would like to speak on this variance and no one came forward.

Chair Tolliver called for a motion to approve VAR-24-26, to permit an increase in development coverage from 45 percent (includes a swimming pool bonus) to 50 percent and to reduce the side yard swimming pool decking setback from 10 feet to zero, in order to permit the retention of swimming pool decking and a patio that was installed without a permit with findings #2 and the following two conditions, (1) the applicant shall provide details to staff regarding the landscaping wall and drainage improvements by July 1, 2026; and (2) any future improvements in the rear and side yards must be reviewed with planning staff to determine if additional variances would be required. Moved by Mr. Carpenter, seconded by Mr. McGrath to approve VAR-24-26.

**VOTING AYE:** Todd Boyer, Kevin Carpenter, Matt McGrath, Kelsey Priebe, Shannon Tolliver, Bill Westbrook

**ABSENT:** Daniel Barringer

The motion carried (6-0).

- b. 2082 Fontenay Place (OR-##-26)- Review and recommendation to City Council of a plat amendment to permit the retention of swimming pool decking and a patio that was installed without a permit and is located within the platted rear yard, which is prohibited.**

Chair Tolliver asked if there was anyone in the audience who would like to speak on this variance and no one came forward.



Chair Tolliver called for a motion to provide a positive recommendation to City Council for a plat amendment for 2082 Fontenay Place, to permit the retention of swimming pool decking and a patio that was installed without a permit and is located within the platted rear yard, which is prohibited, with the condition that the rear yard setback reduction applies to the swimming pool, including decking and walkways, for Lot 3 only. Moved by Mr. Carpenter, seconded by Mr. Westbrook to provide a positive recommendation to Council for a plat amendment.

**VOTING AYE:** Todd Boyer, Kevin Carpenter, Matt McGrath, Kelsey Priebe, Shannon Tolliver, Bill Westbrook

**ABSENT:** Daniel Barringer

The motion carried (6-0).

### **Adjournment**

There being no further business, Chair Tolliver called for a motion to adjourn. Mr. Westbrook moved, seconded by Mr. McGrath, to adjourn. The motion carried unanimously, and the meeting was adjourned at 6:53 p.m.

ATTEST:

CHAIR:



# Myers Surveying Company, Inc.

2740 East Main Street, Columbus 43209 (Bexley), Ohio  
614-235-8677 FAX:614-235-4559

A Mortgage Location Survey prepared for and certified to:

**Cindy & George Tzagornis**

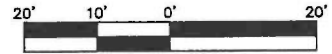
**Legal Description:** Situated in The State of Ohio, County of Franklin, City of Upper Arlington, in Quarter Township 1, Range 19, United States Military Lands, Being Lot 3 of Fontenay, Plat Book 108, Page 88.

**Applicant:** Buyer

**Posted Address:** 2082 Fontenay Drive, Upper Arlington, Ohio

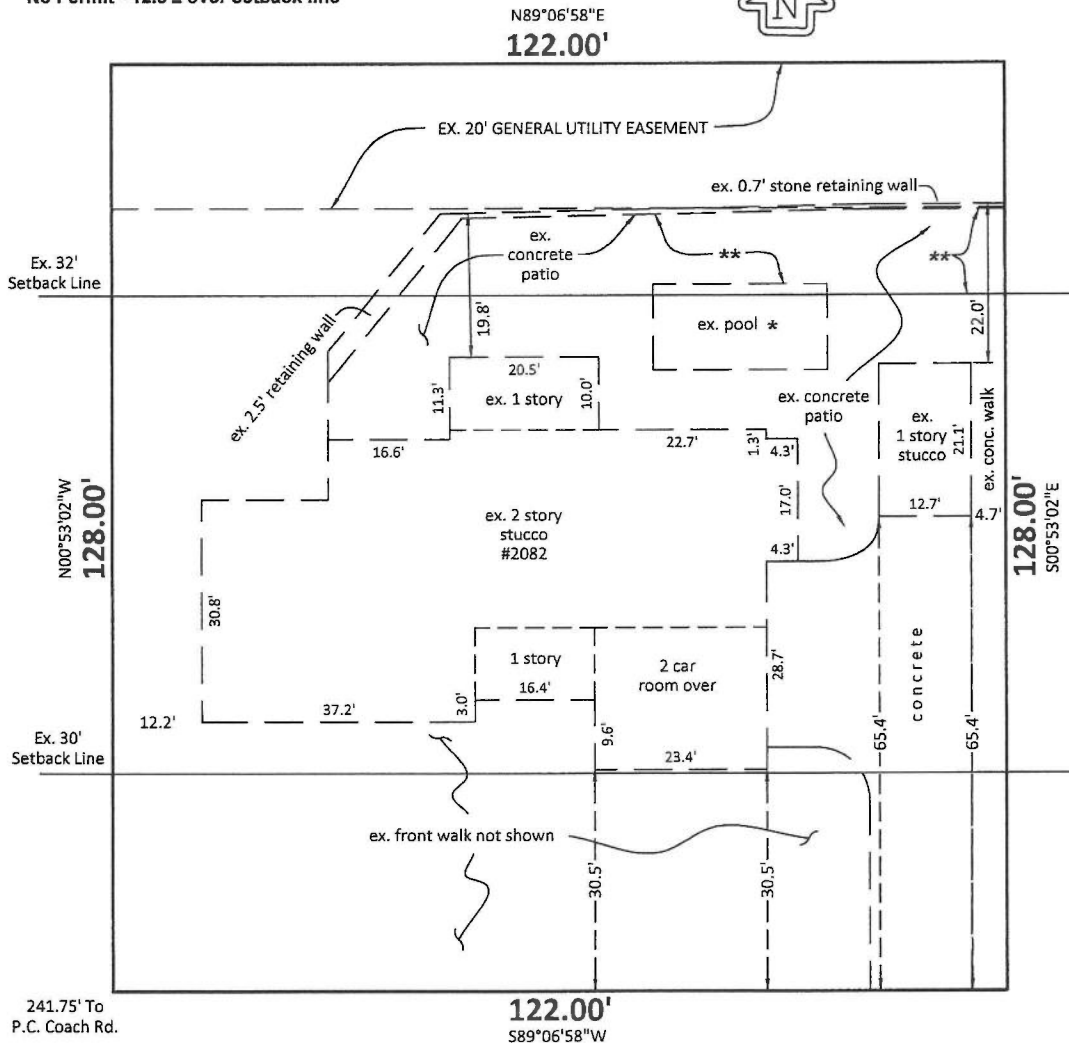
\* = Ex. pool - "Phase 1" Permit Improvement approved by City - ± 1.5' over setback line

\*\* = Ex. concrete patio - "Phase 2" No Permit - 12.5'± over setback line



Scale 1" = 20'

Date: 08/12/2024



## FONTENAY PLACE 50'

We hereby certify that the foregoing Mortgage Location Survey was prepared from actual field measurements in accordance with Chapter 4733-38 Ohio Administrative Code, and is not a boundary survey pursuant to Chapter 4733-37 of said code.

**THE INFORMATION SHOWN HEREON IS NOT TO BE UTILIZED FOR THE INSTALLATION OF BUILDINGS, FENCES, LANDSCAPING OR OTHER PERMANENT IMPROVEMENTS.**

Myers Surveying Co., Inc

By \_\_\_\_\_

Professional Surveyor

Myers Order No.-7-07/25/2024

Rec.

Field

DWG.

Ltr.

Ck.

# RECORD OF ORDINANCES

CITY OF UPPER ARLINGTON

STATE OF OHIO

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## ORDINANCE NO. 23-2026

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### TO AMEND THE FONTENAY SUBDIVISION PLAT TO PERMIT THE REDUCTION OF THE PLATTED REAR YARD SETBACK FROM 32 FEET TO 19.5 FEET FOR LOT #3, TO ALLOW FOR THE RETENTION OF A PATIO AND SWIMMING POOL DECKING

**WHEREAS,** the property owners of 2082 Fontenay Place, located within the City of Upper Arlington, submitted an application requesting a plat amendment to permit the reduction of the platted rear yard setback from 32 feet to 19.5 feet, to allow for the retention of a patio and swimming pool deck; and

**WHEREAS,** Fontenay Subdivision was originally platted in 2006, and includes ten lots along Fontenay Place and Coach Road, with lot sizes ranging from .358-.508 acres; and

**WHEREAS,** the Board of Zoning and Planning (BZAP) reviewed the request on May 20, 2026, and has recommended approval of the final plat amendment in accordance with Upper Arlington Codified Ordinances §4.06(F)(5); and

**WHEREAS,** City Council may amend the final plat, in whole or in part, where unusual or exceptional factors or conditions require the amendment to avoid undue hardship; and

**WHEREAS,** pursuant to Upper Arlington Codified Ordinances §4.06 (F)(6), the recommendation must be presented to City Council at their first meeting immediately following BZAP's recommendation; and

**WHEREAS,** City Council has determined that the proposed amendment is in the best interest of the City and consistent with applicable laws, regulations, and planning standards.

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

**SECTION 1.** The application to amend the Fontenay Subdivision to permit the reduction of the platted rear yard setback from 32 feet to 19.5 feet for Lot #3, to allow for the retention of a patio and swimming pool decking, submitted by property owners George and Cynthia Tzagournis of 2082 Fontenay Place, as described in Exhibit A, is hereby approved by City Council.

**SECTION 2.** The City Clerk is hereby directed to certify a copy of this ordinance for filing with the Franklin County Recorder's Office as required by law.

**SECTION 3.**

This ordinance shall take effect immediately upon passage.



**Authors:** Debbie McLaughlin, Parks & Recreation Director  
Samantha Simmons, Parks & Forestry Superintendent

**Council Meeting Date:** June 1, 2026

**Subject/Legislative Item:** Ordinance No. 26-2026 - To Authorize the City Manager to an Amended Contract With Clover Landscape LLC for Mowing Services for City-Owned Properties; Waiving Second and Third Readings; and Declaring an Emergency (*Walter*)

**Purpose:** To provide contractual mowing services for parks and City owned properties.

**Executive Summary:** Legislation authorizes the City Manager to enter into an amended contract with Clover Landscape LLC.

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### **Purpose and Impact**

The Parks & Recreation Department contracts mowing services for a portion of City owned properties to supplement services provided by staff. The contractual services include 48 small parks, pools, and other City owned properties. Services were bid in 2024 for a three-year contract. Properties were grouped to combine similar locations and provide flexibility in contract award options. The areas are 1) small parks and parcels, 2) aquatic facilities, and 3) administration and service facilities. In 2024 bids were awarded as follows:

- Cornwell Lawn and Landscape – Item #1 small parks and parcels
- Clover Landscape – Item #2 Aquatic Facilities and Item #3 administration and service facilities

Poor performance by Cornwell Lawn and Landscape in the 2026 season made it necessary for the City to terminate the contract. Knowing that mowing services are crucial and time sensitive, staff requested updated pricing for 2026 from the 3 companies that submitted a bid for mowing services in 2024. Based on those responses, Staff recommends amending the current contract with Clover Landscape LLC, for a not to exceed amount of \$183,025.64, which includes a base amount of \$96,793 and a \$20,000 allowance for additional mowing services as authorized by the City. This new not to exceed amount is based on a full season and the City will be billed per actual mowing service, resulting in a lower actual cost for services. The 2026 cost for services with Cornwell was \$60,931.86. Between savings due to lack of performance and the new contract being billed for actual services, the 2026 budget will



be able to cover these expenses.

Since the City has a current three-year contract with Clover Landscape LLC for other mowing services, the new combined amount for services exceeds the \$150,000 City Manager approval threshold and therefore requires City Council approval. As proper mowing services are essential in protecting the health and safety of our residents, staff requests that Council suspend the rules requiring three readings and waive the thirty (30) day period to allow services to begin immediately.

### History

For years, the Parks & Recreation Department has utilized a contractor to supplement staff mowing City owned properties. The City’s overall experience with contracted mowing has been positive, and the arrangement has proven cost-effective and efficient for the City. Unfortunately, in the 2026 season Cornwell failed to meet contract specifications including start time, frequency of mowing, and length of grass. Poor performance and communication have caused many resident complaints and cost the city staff time performing inspections, reinspection and supplemental mowing.

In 2024 Clover Landscape was awarded a 3-year contract for 2024-2026 for mowing services for our pools and facilities (Items #2&3) with a combined price of \$66,232.64. The City has been very happy with performance and communication. After receiving requested responses from Clover, Exscape Group of Columbus (formerly Pony Lawncare), and the Keller Group, Clover Landscape is the lowest and best bidder for 2026 at a cost of \$96,793 for the additional scope of work.

Name	2026
Clover Landscape LLC	\$96,793
Exscape Group of Columbus	\$147,102.68
Keller Group	Declined to offer 2026 services based on current schedule and workload

### Alternatives

The City relies on contractual services to supplement staff services. The City is not equipped with labor or equipment to self-perform these services. Given the poor performance of our current contractor, there are not any viable alternatives for a quick continuation of mowing services.

### Attachments

1.	Ordinance No. 26-2026
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# RECORD OF ORDINANCES

CITY OF UPPER ARLINGTON

STATE OF OHIO

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## ORDINANCE NO. 26-2026

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### TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AMENDED CONTRACT WITH CLOVER LANDSCAPE LLC FOR MOWING SERVICES FOR CITY-OWNED PROPERTIES; WAIVING SECOND AND THIRD READINGS; AND DECLARING AN EMERGENCY

**WHEREAS,** the Parks & Recreation Department contracts for mowing services to supplement City staff in maintaining parks, pools, and other City-owned properties; and

**WHEREAS,** the City previously awarded a contract for mowing services for certain small parks and parcels to Cornwell Lawn and Landscape as part of a 2024 competitive bidding process; and

**WHEREAS,** due to poor performance during the 2026 mowing season, including failure to meet contract specifications related to start time, frequency of mowing, and grass length, the City terminated the contract with Cornwell Lawn and Landscape; and

**WHEREAS,** in order to ensure continuation of essential mowing services, staff requested updated pricing quotes for 2026 services from the companies that previously submitted bids in 2024; and

**WHEREAS,** Clover Landscape LLC submitted the lowest and best quote for the required services in an amount not to exceed \$116,793, which includes a base contract amount of \$96,793 and a \$20,000 contingency allowance for additional mowing services authorized by the City; and

**WHEREAS,** the City has an existing contract with Clover Landscape LLC for other mowing services, and the combined contract amounts exceed \$150,000, making City Council authorization necessary; and

**WHEREAS,** proper mowing services are essential to maintaining the health, safety, and welfare of City residents.

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

**SECTION 1.** The City Manager is hereby authorized to amend its contract with Clover Landscape LLC to provide an increased total amount not to exceed \$183,025.64, for additional mowing services for City-owned properties.

**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.**

Article IV(4)(B) of the Council Rules, requiring this ordinance to have readings held “on three different days” is hereby suspended.

**SECTION 4.**

This ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, and safety in this city, such emergency arising from the need to maintain green spaces free of fire risks and disease-carrying pests and therefore shall take effect immediately upon passage.



**Authors:** Brent Lewis, Finance Department Director

**Council Meeting Date:** June 1, 2026

**Subject/Legislative Item:** Resolution No. 11-2026 - To Provide for the Submission to the Electors of the City of Upper Arlington at the 2026 General Election a Renewal Tax Levy and an Increase Dedicated to the Police and Fire Pension Fund

**Purpose:** To authorize the placement of a renewal property tax levy, with an increase, dedicated to the Police and Fire Pension Fund on the 2026 general election ballot.

**Executive Summary:** In order to place a question on a ballot, the City Council must adopt a resolution stating such. This proposed resolution pertains to submitting the following question to the voters:

A renewal of an existing tax of 0.89 mill and an increase of 0.24 mill, to constitute a tax for the benefit of the City of Upper Arlington for the purpose of paying the City's employer contributions to the Ohio Police and Fire Pension Fund at a rate not exceeding 1.13 mills for each \$1 of taxable value, that the county auditor estimates will collect \$2,190,393 annually, which amounts to \$25.90 for each \$100,000 of the county auditor's appraised value, for five (5) years, commencing in 2027, first due in calendar year 2028.

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### **Purpose and Impact**

This is the Resolution that is required to place a question on the ballot. All the background and history has been presented to you with the Resolutions requesting certification from the Franklin County Auditor. As of the first reading of this Resolution, the amount noted as certified by the Franklin County Auditor has only been informally certified because of the associated Resolution requesting certification being before you for approval. Once certification is received, this resolution will be adjusted, if needed.

For efficiency's sake, here are the key points to this proposed renewal with an increase:

- The proposed levy would be for a five-year period and increase annual revenue from approximately \$1.5 million per year to approximately \$2.2 million per year in order to address projected pension costs. To accomplish this, there are effectively two components:



- **Renewal of the existing levy**  
Renewing the existing levy does not reset the effective rate back to the original 0.89 mills. Instead, the levy continues at the current effective rate of approximately 0.50 mills and continues generating approximately \$1.5 million annually. This portion of the levy also remains eligible for the 12.5% state rollback, meaning the taxpayer burden is reduced by 12.5% and the State reimburses the City for that amount.
- **Additional levy increase**  
 To generate the additional approximately \$700,000 needed to reach the proposed \$2.2 million annual total, the City must levy additional millage. Based on current valuations, that additional amount equates to approximately 0.24 mills. Because this portion is considered a new levy under state law, it is not eligible for the 12.5% reduction.
- The proposed levy would impact taxpayers by increasing property taxes (starting in 2028) by \$8.40 per \$100,000 of home value, or \$42 for a home valued at \$500,000.

## History

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

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

## Alternatives

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

- City Council could decide not to renew the levy or renew a lower/higher amount than proposed.
  - Based on projections, not renewing or renewing at a lower rate would deplete police and fire pension reserve balances over time and cause a need for the City's General Fund to cover any costs not covered by the permanent levies (average \$4.1M annual obligation vs \$1.74M annual tax revenue). This could affect:
    - Future services or expansion of services (public safety, parks, capital maintenance, and other services)
    - Funding that the General Fund supports: Capital Improvement Program, Economic Development initiatives, swimming pool operations.
- City Council could decide to make the levy anywhere between 1 and 5 years in length.
  - Costs would be associated with each individual levy.



- City Council could wait to put the levy on the November 2027 ballot.
  - If the City waits to put the renewal on the November ballot and the levy does not pass, the current levy would expire and there would be no collections for tax year 2027.

**Attachments**

1.	Resolution No. 11-2026
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# RECORD OF RESOLUTIONS

CITY OF UPPER ARLINGTON

STATE OF OHIO

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## RESOLUTION NO. 11-2026

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### TO PROVIDE FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF UPPER ARLINGTON AT THE 2026 GENERAL ELECTION A RENEWAL TAX LEVY AND AN INCREASE DEDICATED TO THE POLICE AND FIRE PENSION FUND

**WHEREAS,** on November 2, 2021, the voters of the City approved a 0.89 mill levy to provide funds for payment of the employer's contribution to the Police and Fire Pension Fund and first placed on the tax list and duplicate in 2022 for collection years 2023, 2024, 2025, 2026, and 2027; and

**WHEREAS,** to meet the City's estimated police and fire pension employer liability over the next five years approval of a renewal tax levy of 0.89 mills and an increase of .24 mills, for a rate not to exceed 1.13 mills for each one dollar of taxable value, is necessary; and

**WHEREAS,** the Franklin County Auditor has certified that a renewal tax levy of 0.89 mills and an increase of .24 mills, for a rate of not to exceed 1.13 mills for \$1 of taxable value, will generate \$2,190,393 during the first year of collection, based on the current assessed valuation of the City of \$2,914,119,580.

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

**SECTION 1.** That the amount of taxes that may be raised within the ten-mill limitation will be insufficient to provide for the necessary requirements of the City of Upper Arlington and that it is necessary to levy a tax in excess of the ten-mill limitation for a period of five years, including a levy upon the duplicate of the current year, for the purpose of payment of the police officer employer's contribution and the firefighter employer's contribution to the Police and Fire Pension Fund required under Sections 742.33 and 742.34 of the Ohio Revised Code.

**SECTION 2.** That it is necessary to levy taxes for the tax years 2027 through 2031, a renewal of the existing tax of .89 mills and an increase of .24 mills, resulting in a rate for each year not exceeding one and thirteen hundredths (1.13) of one mill for each one dollar of taxable value within the City of Upper Arlington and that the proceeds be dedicated solely to the Police and Fire Pension Fund.

**SECTION 3.** That the City Clerk is hereby directed to certify a copy of this Resolution to the Board of Elections of Franklin County, Ohio, in order that said Board of Elections may make the necessary arrangements for the

submission of such question to the electors of said City of Upper Arlington, as provided by law.

**SECTION 4.**

That the Board of Elections shall provide for the submission of the following question to the electors of the City of Upper Arlington at the November 3, 2026, General Election, as authorized by Ohio Revised Code Sections 5705.19(W) and 5705.25. Said issue may be placed on a ballot with other issues, if authorized by law.

For the purposes of the ballot title, which said Board of Elections is required by law to prepare, the following statement of the issue to be so submitted is, in the opinion of this Council, true and impartial and in compliance with law:

A renewal of an existing tax of 0.89 mill and an increase of 0.24 mill, to constitute a tax for the benefit of the City of Upper Arlington for the purpose of paying the City's employer contributions to the Ohio Police and Fire Pension Fund at a rate not exceeding 1.13 mills for each one dollar of taxable value, that the county auditor estimates will collect \$2,190,393 annually, which amounts to \$25.90 for each \$100,000 of the county auditor's appraised value, for five (5) years, commencing in 2027, first due in calendar year 2028.

FOR THE TAX LEVY

AGAINST THE TAX LEVY

If a majority of the electors voting thereon, vote "For the Tax Levy," then, the tax levy shall be approved and shall take effect in accordance with its terms.

**SECTION 5.**

That this resolution shall be in full force and effective immediately upon its adoption, as provided in Ohio Revised Code Section 5705.19.



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

**Council Meeting Date:** June 1, 2026

**Subject/Legislative Item:** Ordinance No. 24-2026 - To Authorize the City Manager to Enter Into Contract with Decker Construction for Construction-Related Services for the Northwest Boulevard Improvements Phase 3 Project

**Purpose:** To Maintain and improve the Roadway System

**Executive Summary:** Legislation authorizes the City Manager to enter into a contract with Decker Construction for construction-related services for the Northwest Boulevard Improvements Phase 3 Project.

**Purpose and Impact**

This ordinance authorizes the City Manager to enter into a contract with Decker Construction in the amount of \$2,873,193.43 for the Northwest Boulevard Improvements Phase 3 Construction Contract.

On Monday, May 18, 2026, the City received bids from two (2) contractors. The results are summarized below:

<b>Contractor</b>	<b>Base Bid</b>
Decker Construction	\$2,611,994.02
Strawser Paving	\$2,800,487.01
<b>Engineer’s Estimate</b>	<b>\$2,807,672</b>

\*The construction budget is \$2,600,000 plus 10% contingency totaling \$2,860,000

Decker Construction submitted the lowest and best total bid of \$2,611,994.02. With a 10% contingency, the total contract amount is \$2,873,193.43 which is over the budgeted amount by \$13,193.43. This overage will easily be covered with interest earned on bond funds.

**History**



Improvements to Northwest Boulevard were proposed to occur over three phases with the third and final phase originally scheduled to occur in 2024. However, the project was shifted to 2026 to avoid adjacent construction conflicts. The individual phases and their locations are listed below:

Phase	Year	Limits
Phase 1	2020	Wilshire Drive to Barrington Road
Phase 2	2021	Barrington Road to North Star Road
Phase 3	2026	Wilshire Drive to Fishinger Road

The first and second phases of this project were primarily focused on enhancing the storm infrastructure on the south end of Northwest Boulevard to address flooding concerns in the area. The pavement and curb were also replaced in these phases. However, extensive replacement of the roadway base was unnecessary. The third phase of this project is primarily focused on addressing the pavement and road base.

### Northwest Boulevard, Columbia Gas, and the Fourth of July

When early discussions with Columbia Gas began regarding their transmission line, staff had to consider how the transmission line work would affect the timing of the final phase of improvements to Northwest Boulevard. With this phase already having been postponed once, and considering the condition of the pavement, the decision was made to keep the project in 2026 and coordinate construction schedules with Columbia Gas. Staff has been clear with Columbia Gas from the beginning that Northwest Boulevard must be open and walkable for the annual fourth of July parade. Today, pipeline installation on Northwest Boulevard is complete, and the affected pavement has mostly been restored to ensure the parade route can be safely navigated on foot. If this construction contract is awarded, Decker Construction will begin mobilizing to the site immediately following the parade weekend and begin the final phase of improvements to Northwest Boulevard.

### Alternatives

Should City Council choose not to award Decker Construction the Northwest Boulevard Phase 3 construction contract, the following options are available:

- City Council could award the contract to a different bidder. However, this would not be consistent with the City’s policy of awarding to the “lowest and best” bidder.
- City Council could decline to authorize a contract with any bidder. This would delay much needed repairs to Northwest Boulevard.

### Attachments

1.	Ordinance No. 24-2026
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# RECORD OF ORDINANCES

CITY OF UPPER ARLINGTON

STATE OF OHIO

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## ORDINANCE NO. 24-2026

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### TO AUTHORIZE THE CITY MANAGER TO ENTER INTO CONTRACT WITH DECKER CONSTRUCTION FOR CONSTRUCTION-RELATED SERVICES FOR THE NORTHWEST BOULEVARD IMPROVEMENTS PHASE 3 PROJECT

**WHEREAS,** improvements to Northwest Boulevard are occurring over three phases, with Phase 1 beginning in 2020, Phase 2 beginning in 2021, and Phase 3 proposed to begin in 2026; and

**WHEREAS,** Phase 1 covered Wilshire Drive to Barrington Road, Phase 2 covered Barrington Road to North Star Road, and Phase 3 will cover Wilshire Drive to Fishinger Road; and

**WHEREAS,** the first and second phases of the project focused on improving stormwater infrastructure and replacing pavement and curbs along the south end of Northwest Boulevard to address flooding concerns, and the third phase is primarily focused on roadway pavement and base improvements; and

**WHEREAS,** on May 18, 2026, the City received two bids for the replacement portion of the 2026 program, with the lowest bid from Decker Construction for an amount of \$2,611,994.02; and

**WHEREAS,** it is therefore recommended to award the Northwest Boulevard Improvements Phase 3 construction project contract to Decker Construction.

**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 Decker Construction for construction-related services for the Northwest Boulevard Improvements Phase 3 Project, in an amount of \$2,873,193.43, 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.



<b>Authors:</b>	Mike Hamer, Facilities Manager Jacolyn Thiel, Assistant City Manager
<b>Council Meeting Date:</b>	June 1, 2026
<b>Subject/Legislative Item:</b>	Ordinance No. 25-2026 - To Authorize the City Manager to Enter Into Contract With Clean All Services and Mr. B's Cleaning Services for Custodial Cleaning Services for City Buildings
<b>Purpose:</b>	To provide custodial cleaning services for the Bob Crane Community Center and all other City buildings.
<b>Executive Summary:</b>	To authorize the City Manager to enter into: <ul style="list-style-type: none"><li>• A contract with Clean All Services for custodial services at the Bob Crane Community Center for \$184,440 in Year 1, with annual renewal options up to Year 5 at \$207,564; and</li><li>• A contract with Mr. B's Cleaning Services for custodial services for all other City buildings for \$108,000 in Year 1, with annual renewal options up to Year 5 at \$122,400.</li></ul>

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## Purpose and Impact

The City issued a Request for Proposals (RFP) for custodial services for the Bob Crane Community Center (BCCC) and other City buildings on April 21, 2026. Site visits were conducted on April 29, 2026, and bids were opened on May 6, 2026. The City received eight bids.

Staff recommends awarding:

- A contract to Clean All Services for custodial services at the Bob Crane Community Center for \$184,440 in Year 1, with annual renewal options up to Year 5 at \$207,564; and
- A contract to Mr. B's Cleaning Services for custodial services for all other City buildings for \$108,000 in Year 1, with annual renewal options up to Year 5 at \$122,400.
- Staff also recommends authorizing a 10% contingency for each contract year for additional custodial services if needed.



The 2026 adopted budget includes \$260,000 for custodial cleaning services at the Bob Crane Community Center and \$120,000 for custodial services at all other City buildings.

The City’s procurement process evaluated proposals based on more than price alone. In accordance with City policy, proposals were reviewed based on reputation, experience, past performance, operational capabilities, staffing approach, and overall responsiveness.

The City removed Mid-American Cleaning from consideration due to previous contract performance issues that resulted in contract termination.

Staff completed reference checks for Clean All Services and received positive feedback regarding quality of work and responsiveness. However, references noted some challenges with retention of second and third shift staffing. Due to the operational needs and oversight available at the Bob Crane Community Center, staff believes this location is the most appropriate assignment for Clean All Services.

For the remaining City buildings, staff recommends continuing services with Mr. B’s Cleaning Services due to the City’s positive operational experience with the company in existing facilities. While Environment Control SW Ohio’s five-year total was marginally lower, Mr. B’s submitted the lower first-year cost proposal and has demonstrated satisfactory performance and familiarity with City operations.

**Recommended Contract Awards**

**Bob Crane Community Center**

Vendor	Year 1	Year 2	Year 3	Year 4	Year 5
Clean All Services	\$184,440	\$189,972	\$195,660	\$201,528	\$207,564

**Other City Buildings**

Vendor	Year 1	Year 2	Year 3	Year 4	Year 5
Mr. B's Cleaning Services	\$108,000	\$111,600	\$115,200	\$118,800	\$122,400



The proposed agreements will be for an initial 12-month term with the option for the City Manager to approve up to four additional one-year renewals, for a total potential contract term of five years.

Staff is also requesting authorization for a 10% contingency each year to address potential additional custodial needs related to special events, operational adjustments, emergency response cleaning, or expanded service demands.

### **Special Contract Provisions**

The proposed contracts include enhanced operational and security requirements due to the public nature of City facilities and after-hours access requirements. Key provisions include:

- Mandatory employee background checks through BCI and FBI screening;
- Bonding requirements;
- Immediate replacement of unsatisfactory personnel;
- Defined response times for biohazard cleanup and remedial work; and
- Specific operating hours for cleaning services at the BCCC and City facilities.

These provisions are intended to ensure security, service quality, operational reliability, and protection of City facilities.

### **History**

Custodial services for City facilities and the Bob Crane Community Center have historically been bid separately due to the differing operational needs and timing associated with the opening of the Bob Crane Community Center.

In June 2024, City Council approved a contract with Mr. B's Cleaning Services for custodial services at the Municipal Services Center, Public Service Center, Senior Center, and Fire Station 72. The initial contract amount was \$108,000 annually with an option to renew for an additional year. At that time, staff noted that custodial services for the Bob Crane Community Center would be bid separately once operational needs for the new facility were better understood.

In March 2025, City Council approved a separate custodial services contract with Environment Control for the Bob Crane Community Center. The initial contract was \$236,520 structured as an 18-month agreement to align future expiration dates with other City custodial contracts and allow the City to evaluate whether all facilities should eventually be bid together or continue under separate agreements. The BCCC contract included unique operational requirements, including seven-day-per-week cleaning schedules, midday staffing coverage, and event-related cleaning needs.



Following approximately one year of operations at the Bob Crane Community Center, staff evaluated custodial operations, service levels, and procurement options and determined that separate contracts continue to provide the best operational approach at this time due to the differing service demands, schedules, and staffing requirements between the Bob Crane Community Center and other City facilities.

Bob Crane Community Center  
3200 Tremont Road  
Upper Arlington, Ohio 43221

- Level 1 – 12,905 SF
- Level M – 6,414 SF
- Level 2 – 8,455 SF
- Level 3 – 8,748 SF
- Level 4 – 19,623 SF
- Level 5 – 17,695 SF

### **Other City Buildings**

- Municipal Services Center – 39,915 SF
- Fire Station 72 – 7,990 SF
- Public Service Center – 14,000 SF

### **Alternatives**

Council could choose to award the contracts to another qualified bidder, reject all proposals and direct staff to rebid the services, or direct staff to pursue a single consolidated custodial contract for all City facilities in the future. Staff believes the recommended approach provides the best balance of cost, operational experience, service quality, and staffing capability for the differing needs of the Bob Crane Community Center and other City buildings.

### **Attachments**

1.	Ordinance No. 25-2026
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# RECORD OF ORDINANCES

CITY OF UPPER ARLINGTON

STATE OF OHIO

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## ORDINANCE NO. 25-2026

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### TO AUTHORIZE THE CITY MANAGER TO ENTER INTO CONTRACT WITH CLEAN ALL SERVICES AND MR. B'S CLEANING SERVICES FOR CUSTODIAL CLEANING SERVICES FOR CITY BUILDINGS

**WHEREAS,** the City issued a Request for Proposals ("RFP") for custodial services for the Bob Crane Community Center and other City facilities on April 21, 2026; and

**WHEREAS,** site visits were conducted on April 29, 2026, and proposals were opened on May 6, 2026, with a total of eight proposals received; and

**WHEREAS,** proposals were evaluated in accordance with the City's procurement policies based upon qualifications, experience, reputation, past performance, operational capabilities, staffing approach, responsiveness, and cost; and

**WHEREAS,** staff recommends awarding a contract to Clean All Services for custodial services at the Bob Crane Community Center in the amount of \$184,440 for the initial contract year, with annual renewal options through Year 5 up to \$207,564; and

**WHEREAS,** staff further recommends awarding a contract to Mr. B's Cleaning Services for custodial services for all other City buildings in the amount of \$108,000 for the initial contract year, with annual renewal options through Year 5 up to \$122,400; and

**WHEREAS,** staff further recommends authorizing a contingency amount equal to ten percent (10%) annually for each contract to address additional custodial needs, including special events, emergency response cleaning, operational adjustments, or expanded service demands; and

**WHEREAS,** the 2026 adopted budget includes sufficient appropriations for custodial services at the Bob Crane Community Center and other City facilities.

**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 Clean All Services for custodial services at the Bob Crane Community Center for an initial one-year term in the amount of \$184,440, with the option to approve up to four additional one-year renewals, for a total

potential contract term of five years and a Year 5 contract amount up to \$207,564.

**SECTION 2.**

The City Manager is hereby authorized to enter into a contract with Mr. B's Cleaning Services for custodial services for all other City facilities for an initial one-year term in the amount of \$108,000, with the option to approve up to four additional one-year renewals, for a total potential contract term of five years and a Year 5 contract amount up to \$122,400.

**SECTION 3.**

The City Manager is hereby authorized to approve an annual contingency amount equal to ten percent (10%) of each contract amount for additional custodial services as necessary.

**SECTION 4.**

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 5.**

This ordinance shall take effect immediately upon passage.



<b>Authors:</b>	Michael Bell, Assistant Fire Chief Chris Zimmer, Fire Chief Darren Shulman, City Attorney Jacolyn Thiel, Assistant City Manager
<b>Council Meeting Date:</b>	June 1, 2026
<b>Subject/Legislative Item:</b>	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
<b>Purpose:</b>	To improve compliance tracking, reporting timeliness, and overall efficiency within Fire Prevention through adoption of a standardized third-party reporting requirement.
<b>Executive Summary:</b>	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).

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### **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

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## ORDINANCE NO. 22-2026

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### 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.



**Authors:** James Russell, Economic Development Manager

**Council Meeting Date:** June 1, 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

*This item was scheduled for Public Hearing/Council Action but will be postponed to the June 15, 2026 City Council meeting.*

**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 Arligton, 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.



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## 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

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## ORDINANCE NO. 20-2026

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### 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:** June 1, 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.*

**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.

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## 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.

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

**Changes from the May 11, 2026, meeting included in current draft:**

- replaced "his" with "his/her" in six locations
- removed change to 131.05
- provided a list of potential amendments based on Council discussion around the financial contributions (105.03), political activity (105.04), and marriages (135.01)

## 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 List 5.11.26v
2.	Code Change Summary
3.	Proposed Amendments 6.1.26
4.	Ordinance No. 21-2026
5.	Exhibit A - Draft Code Changes WORKING COPY Part_1___ADMINISTRATIVE_CODE - CODE CLEANUP 6.1.26v



## List of Proposed Code Changes by Section

### **PART 1 – ADMINISTRATIVE CODE**

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

§ 137.07 WATER SURCHARGE FUND.

§ 137.08 CENTRALIZED BILLING FUND. (RESERVE)

§ 137.09 STATE ISSUE TWO IMPROVEMENT FUND (RESERVE)

§ 137.10 INFRASTRUCTURE IMPROVEMENT FUND.

§ 137.12 ESTATE TAX CAPITAL PROJECT FUND. (RESERVE)

§ 137.13 TECHNOLOGY FUND.

§ 139.03 ASSISTANT CITY ATTORNEY. (RESERVE)

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

§ 139.06 SPECIAL COUNSEL AND CONSULTANTS.

CHAPTER 141. ENGINEERING DIVISION (RESERVE)

§ 141.01 ENGINEERING DIVISION (STRIKE)

§ 141.02 CITY ENGINEER (STRIKE)

§ 141.03 RESERVED (STRIKE)

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

§ 145.04 ENGINEERING DIVISION (NEW)

§ 145.05 CITY ENGINEER (NEW)

CHAPTER 146. BOARD AND COMMISSION MEETINGS (NEW)

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

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

§ 149.04 RULES.

§ 149.05 PROBATIONARY APPOINTMENTS.

§ 149.07 EXAMINATIONS. (RESERVE)

§ 149.13 POLITICAL ACTIVITY.

§ 149.99 PENALTY.

§ 151.03 ORGANIZATION AND PROCEDURE.

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

#### **PART 4 – SCHEDULE OF FEES**

- § 401.03 FEE PROVISIONS.

#### **PART 13 – BUILDING CODE**

- § 1305.08 GENERAL REQUIREMENTS.

#### CHAPTER 1306. BOARD OF BUILDING STANDARDS

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

## 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 4<sup>th</sup> 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

## Proposed Amendments

### **Amendment 1:**

For “§ 105.03 FINANCIAL CONTRIBUTION.”

Amend dollar figure in sections (D) and (E) from \$250 to \$400

### **Amendment 2:**

For “§ 105.03 FINANCIAL CONTRIBUTION.”

Add language making the effective date of the changes in Amendment 1 after the 2029 City Council election.

### **Amendment 3:**

For “§ 105.04 POLITICAL ACTIVITY.”

Amend (A) to read as follows: No council member or candidate for council in the City of Upper Arlington shall solicit any employee, including council appointed employees, to take any part in securing the nomination or election of any candidate for council in the City of Upper Arlington.

### **Amendment 4:**

For “§ 135.01 MARRIAGES.”

The city may establish a fee for providing the service based on the actual cost to the city. Any such fee shall be included in the city’s Master List of Fees.

# RECORD OF ORDINANCES

CITY OF UPPER ARLINGTON

STATE OF OHIO

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## ORDINANCE NO. 21-2026

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### 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.

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## 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.

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*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~~ 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.

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### § 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 ~~or entity, 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 more than \$100 or any other contribution in-kind contribution of more than two hundred and fifty dollars (\$250.00) in a calendar year from any person or entity 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 any 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/her 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/her private political views in a private context in such a manner that publication of his/her views does not result.

(34) Responding to factual questions put to him in his/her official capacity in areas of his/her official knowledge or expertise, or to requests for his/her 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.

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**~~§ 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)

**~~§ 131.09 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.

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(Ord. No. 111-2009)

**§ 131.14 CONTRACTS INVOLVING CITY SERVICES OR EQUIPMENT.**

- (A) The city manager may enter into contracts involving the payment of money or providing services, equipment, or other value in-kind to the city in exchange for city services or the loaning of city equipment without council approval provided that
  - (1) The finance ~~and administrator services~~ director determines the payment or provision of services, equipment, or other value in-kind reasonably compensates the city for the services provided or the equipment loaned;
  - (2) The contract requires the other party to be responsible for any damages to the loaned city equipment and is executed in accordance with C.O. § 138.11(B); and
  - (3) The city manager notifies council no later than thirty (30) days after entering into the contract.
- (B) The city manager may enter into contracts with another political subdivision involving the loaning of city equipment in exchange for the borrowing of equipment from the other political subdivision without council approval provided that
  - (1) The department director maintains a log of all equipment loans and annually reviews whether the rental value of equipment borrowed reasonably compensate the city for the rental value of equipment loaned;
  - (2) The contract requires the other political subdivision to be responsible for any damages to the loaned city equipment, permits the city to bill the other political subdivision if the city is not being reasonably compensated, does not involve an expenditure of more than ~~thirty~~ thirty-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.~~

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### § 135.01 MARRIAGES.

The mayor and acting mayor shall be permitted to solemnize marriages in accordance with Ohio Revised Code Section 3101.08. ~~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~~he employee benefit fund is hereby created in the treasury of the City of Upper Arlington for the sole purpose of providing for employee benefits, included but not limited to health care, life insurance, dental benefits and disability benefits.
- (B) Deposits into the fund shall come from the proportionate share of the costs of employee benefits budgeted in the operating accounts of the departments and divisions of the city, along with third party reimbursements for employee benefits, premiums and refunds.
- (C) Expenditures from the fund shall be to pay for the cost of employee benefits, administration of the benefits program and the cost of actuarial and advisory assistance.
- ~~(D) The fund shall be credited with interest based on the proportionate share of funds available for investment purposes.~~

### § 137.06 SANITARY SEWER SURCHARGE FUND.

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

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management, maintenance, operation and repair of the sewerage system of this city, or for the enlargement or replacement of ~~said-the~~ system, for construction and reconstruction of main and interceptor storm sewers and for the payment of the interest on any debt incurred for the construction thereof.

(Ord. No. 87-2018, § 5, 12-10-2018)

### § 137.07 WATER SURCHARGE FUND.

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

(Ord. No. 87-2018, § 6, 12-10-2018)

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

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

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

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

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

### § 137.10 INFRASTRUCTURE IMPROVEMENT FUND.

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

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- (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)

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## 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.~~

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### **§ 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~~

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~~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.
  - (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:*

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- (1) ~~Unless otherwise designated when a member is appointed, T~~erms 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 ~~RESERVED~~.**

~~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~~ 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.

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- (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)

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## 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.

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(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.

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(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~~

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~~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)

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**§ 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

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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)