



9/14/2026 | 6:00 PM

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

- 1. Call to Order/Roll Call**
- 2. Pledge of Allegiance Led by Council Member Ben Tracy**
- 3. Consent Agenda**
 - a. Approve August 24, 2026, City Council and Financial Policies Committee Meeting Minutes
 - b. Ordinance No. 32-2026 - To Authorize the City Manager to Enter into Contract with Performance Pipelining, Inc. for Construction-Related Services for the 2026 Sustainable Sewer Solutions Project
- 4. Reports/Presentations**
 - a. Recognition of Constitution Week
 - b. Five Points Intersection Improvements Update
- 5. Legislative Items for Fifth Reading/Public Hearing**
 - a. Ordinance No. 27-2026 - To Amend Chapters 301 - Definitions, 383 - Bicycles, Motorized Bicycles, Motorcycles, and Other Forms of Transportation Other Than Walking, and 543 - Parks, Playgrounds and Open Space Areas of the Upper Arlington Code of Ordinances to Establish an E-Mobility Device Registration, Safety Education, and Parking Restriction Program
- 6. Legislative Items for First Reading/Public Hearing/Council Action**
 - a. Resolution No. 15-2026 - To Confirm Support for the Zollinger Road Mobility and Safety Improvements Project Related to Mid-Ohio Regional Planning Commission Surface Transportation Program Funds (*Fortkamp*)
 - b. Resolution No. 16-2026 - To Express Support for the Henderson Road Improvements Project Phases I & II and Associated Mid-Ohio Regional Planning Commission Surface Transportation Program Grant Application (*Kulewicz*)

- c. Resolution No. 17-2026 - To Accept the Recommendations from the Upper Arlington Tax Incentive Review Council (TIRC) (*Munc*)
- d. Resolution No. 18-2026 - To Adopt the Recommendations of the Financial Policies Review Committee, Respective to the City's Debt Policy and Financial Policies (*Oldham*)
- e. Ordinance No. 33-2026 - To Amend 2026 Appropriations (*Tracy*)

7. Legislative Items for First Reading/Public Hearing

- a. Ordinance No. 34-2026 - To Authorize the Continuation of the City's Membership in the Central Ohio Risk Management Association (CORMA) Self-Insurance Pool and to Authorize Expenditures Thereto
- b. Ordinance No. 35-2026 - To amend Chapter 221 — Depositories and Investments, of the Upper Arlington Code of Ordinances

8. Liquor Control

- a. Ohio Division of Liquor Control Notice to Legislative Authority: Request Transfer of Existing D-3 and D-1 Permits from Fade by R10, LLC to Berrupp Management, LLC Hammer & Nails Grooming Shop for Guys, 1674 W. Lane Avenue, Upper Arlington, OH 43221

9. City Manager Update

10. Council Liaison Report

11. Executive Session

- a. Motion to enter into Executive Session under Council Rules (Article II, Sec. 13)(A)(3) - Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action or where the attorney conference is privileged based on attorney-client confidentiality, followed by a roll call vote.

12. Adjournment

August 24, 2026

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

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

Staff Present: City Manager Steven Schoeny, City Attorney Darren Shulman, City Clerk Krystal Grove, Assistant City Manager Jackie Thiel, Finance Director Brent Lewis, IT Director Ross Morrow, Public Service Director Gary Wilfong, Police Chief Keith Hall, Parks & Recreation Director Debbie McLaughlin, Community Affairs Director Emma Speight, Fire Chief Chris Zimmer, Community Development Director Chad Gibson, Economic Development Manager James Russell, Assistant City Engineer Rory Stimpson, Assistant Finance Director Ryan Schneider, and Finance Manager Rachel Ottavi

Pledge of Allegiance

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

Consent Agenda

- a. Approve August 17, 2026, City Council Meeting Minutes**
- b. Ordinance No. 30-2026- To Authorize the City Manager to Enter into an Amended Agreement with Perry Township for the Intergovernmental Contract for Fire and EMS Services**
- c. Ordinance No. 31-2026- To amend 2026 Appropriations and the Employee Strength Table as Authorized by Ordinance 42-2025**

Mr. Kulewicz recused himself from the vote to approve the Consent Agenda and left the Council Chamber at 6:04 p.m.

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

Voting Aye: President Awakessien Jeter, Vice President Heidi Munc, Nic Fortkamp, Laura Oldham, Ben Tracy, and Todd Walter

Abstain: John Kulewicz

Following the vote to approve the Consent Agenda, Mr. Kulewicz returned to the Council Chamber and was present for all further business.

Reports/Presentations

a. Economic Development Annual Update, Presented by Economic Development Manager James Russell

Economic Development Manager James Russell presented an annual update to Council on (presentation attached as Exhibit A). Mr. Russell discussed the annual Economic Development Dashboard, focusing on growth metrics and initiatives. Placer.ai data showed increased traffic to commercial areas year-over-year, with the Mallway up 11.4% and Lane Avenue 10%. Fifteen Business Retention and Expansion (BRE) visits have been completed; 50 are targeted for the year. Plans for enhancing the BRE program include building a full resource team and formalizing agreements. Business tax receipts totaled over \$25 million through Q2, excluding property tax. A 330% increase in private investment was largely due to the \$13 million Wellington project; excluding it, investment still rose 130%. Key permits are pending for Frazier Financial Advisors and National Church Residences projects. Since 2016, Upper Arlington has remained strong in office occupancy with over 200,000 square feet added and a declining vacancy, unlike rising retail vacancy. New retail demand focuses on health and wellness like yoga studios. Key submissions for permits or financing include National Church Residences, awarded \$4.6 million in tax credits, Frazier Financial, and 2471 Westmont. Feedback on the DORA concept showed only 5% opposition. Upcoming Designated Outdoor Refreshment Area (DORA) meetings will gather specific community input. A facade grant supports projects like the new Arlington Grill. Business walks aid business information sharing. A new strategic plan will follow the city's Master Plan. Notable demographics include high household incomes and education. It is a 2026 goal to advance DORA and BRE, while focusing on entrepreneurship and business resiliency in 2027, with strategic partnerships ongoing.

Mr. Tracy asked about parking concerns related to the 2471 Westmont development. Mr. Russell noted that staff is working to broker an additional parking agreement with Huntington Bank on the corridor to supplement the existing agreement with OhioHealth. A Lane Avenue parking study is also planned for the fall. Mr. Kulewicz inquired about how office and retail rents compare with peer communities; Mr. Russell indicated office rents are approximately \$0.50 below the regional average, while retail rents are roughly on par with peers.

Vice President Munc asked about the business resiliency plan's content and commended the data-driven approach. Mr. Tracy inquired about retail trends, and Mr. Russell confirmed that

current lease activity is expected to reduce vacancies. Ms. Oldham suggested that a planned Lane Avenue parking study consider the potential economic benefit of a circulator bus connecting commercial districts. City Manager Steven Schoeny and Assistant City Manager Jackie Thiel confirmed that a prior 2025 circulator study exists and that its findings, including a recommendation toward ride-sharing vouchers given the dispersed nature of resident origins and destinations, could be shared with the Ohio State University student team supporting the parking study.

Mr. Fortkamp acknowledged the competitive environment for small municipalities and inquired about visitor traffic at Kingsdale, noting that recent investments in apartments and community facilities might be expected to drive more growth. Mr. Russell indicated that a recent retail lease at Kingsdale commanded a roughly 25% premium over market, reflecting the real value of approximately 1,000 daily visitors to the Bob Crane Community Center and 500 nearby residents. He attributed the modest 3% visitor traffic growth to stabilization following a period of 8% annual growth during construction.

President Awakessien Jeter asked about the public accessibility of the dashboard and was informed it is hosted on the city's CivicServe website, with plans to integrate it more prominently into the economic development pages of the city's website. President Awakessien Jeter also asked about entrepreneurship initiatives, including the city's collaboration with Arlington Schools. Mr. Russell noted the new Incubator Edu program, a course of study through the IB curriculum that connects students with local business mentors to develop and scale business plans. The program is expected to grow into an accelerator in its second year.

On DORA outreach, President Awakessien Jeter encouraged staff to design survey methodology that captures the views of residents most directly impacted by the proposed district, such as those in closest proximity to Tremont Center, and to present that feedback in a way that distinguishes neighborhood sentiment from citywide sentiment. Mr. Russell indicated that a location-based cross-section question would be added to the survey instrument, and that all residents within 300 feet of Tremont Center would receive formal notice of the public meetings.

Mr. Kulewicz requested that future dashboard reports include city investment in economic development incentives as a corollary figure to private investment and tax receipt data, enabling a return-on investment analysis. Mr. Russell confirmed this would be added and noted that a look-back on past incentive deals is also under consideration.

Legislative Items for Fourth Reading/Public Hearing

- a. Ordinance No. 27-2026 - To Amend Chapters 301 - Definitions, 383 - Bicycles, Motorized Bicycles, Motorcycles, and Other Forms of Transportation Other Than Walking, and 543 - Parks, Playgrounds and Open Space Areas of the Upper Arlington Code of Ordinances to Establish an E-Mobility Device Registration, Safety Education, and Parking Restriction Program**

In response to President Awakessien Jeter's invitation to speak, there were no questions or comments from the public relative to Ordinance No. 27-2026.

Mr. Schoeny explained that following robust discussion at the prior meeting, staff chose to use the additional reading period to comprehensively rework the ordinance, rather than amend the existing draft piecemeal, starting from the foundational premise of focusing the registration program on individuals without a driver's license.

City Attorney Darren Shulman noted that a document titled "Proposed Amendments" was included in the packet to illustrate how last week's Council feedback had been translated into draft language. He clarified that Council is not being asked to vote on those amendments; rather, staff will incorporate them into a clean revised draft for the next reading. The one element not yet reflected in the proposed amendments document, the driver's license scope change, is being considered more holistically by the City Manager. Council Members were encouraged to contact the City Manager between meetings if they had objections to any of the proposed amendments, so those concerns could be addressed before the clean draft is circulated.

President Awakessien Jeter noted a preference for transparency in the legislative record, asking that the evolution of the ordinance be clearly documented. Mr. Shulman confirmed that staff reports accompanying subsequent readings will explicitly identify all changes made between drafts, and that all versions and supporting documents distributed to Council are preserved as part of the legislative history.

President Awakessien Jeter advised a fifth reading/public hearing will occur on September 14, 2026.

Legislative Items for First Reading/Public Hearing

a. Ordinance No. 32-2026 - To Authorize the City Manager to Enter into Contract with Performance Pipelining, Inc. for Construction-Related Services for the 2026 Sustainable Sewer Solutions Project

In response to President Awakessien Jeter's invitation to speak, there were no questions or comments from the public relative to Ordinance No. 32-2026.

Assistant City Engineer Rory Stimpson explained that the primary mechanism of sanitary sewer infiltration is stormwater entering the ground and seeping through cracks and defects in sewer pipes. The project addresses this through pipelining to seal defects, point repairs for partial collapses, and relocation of roof drains that have been improperly connected to the sanitary system. Camera inspection technology is used to identify and document each defect during scoping.

Mr. Kulewicz asked how the two project areas were selected. Ms. Stimpson explained that a study conducted approximately a decade ago identified the city's most problematic areas for infiltration, which were then prioritized into a ranked list. The city has been working through that list for the past eight to nine years. The 2028 construction season is anticipated to be the final year required to meet the EPA mandate for the worst areas citywide, after which a new study will guide long-term lifecycle management of the sewer system.

Vice President Munc clarified that the project is a combination of EPA-mandated work and repairs identified through routine inspection. Mr. Tracy noted for the public that these types of maintenance activities help prevent sewage backups in residential basements during heavy rain events, which Ms. Stimpson confirmed.

President Awakessien Jeter advised the second reading/public hearing/Council action will occur on September 14, 2026.

Legislative Items for Seventh Reading/Public Hearing/Council Action

a. 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 Ukeme Awakessien Jeter's invitation to speak, there were no questions or comments from the public relative to Ordinance No. 21-2026.

Mr. Shulman provided a final update, confirming that amendments approved at the prior meeting had been incorporated into the ordinance. He noted one item of particular attention, 105.03, the ordinance retains current donation limit language alongside the post-2029 language in order to clearly distinguish existing from future provisions. He suggested that the future Council may wish to remove the pre-2029 language once it becomes obsolete. President Awakessien Jeter acknowledged the significance of this long-running code cleanup effort and thanked the City Attorney for his work.

Mr. Tracy moved, seconded by Ms. Oldham, to adopt Ordinance No. 21-2026. The motion carried with the following vote:

Voting Aye: President Awakessien Jeter, Vice President Heidi Munc, Nic Fortkamp, John Kulewicz, Laura Oldham, Ben Tracy, and Todd Walter

Liquor Control

a. Liquor Permit Application Notice- Ohio CVS LLC, dba CVS Pharmacy #6149, 1855 W. Henderson Road, Upper Arlington, OH 43220

President Awakessien Jeter advised that no vote is required for this item unless there is an objection. There were no objections to the request for the liquor permit for Ohio CVS LLC, dba CVS Pharmacy #6149, 1855 W. Henderson Road, Upper Arlington, OH 43220.

City Manager Update

Mr. Schoeny provided an update on the storm cleanup. A second contract was signed for tree debris removal after a recent storm. The city aims to finish curbside debris collection by the end of the next week, with park cleanup ongoing. Mr. Schoeny will use emergency authority to modify a contract with Newcomer Concrete Services, adding \$120,000 to fix tree-damaged sidewalks, with confirmation that the scope is tree-related.

Council Liaison Report

Mr. Fortkamp reported on behalf of the Community Relations Commission (CRC). The CRC has welcomed new members, who have begun their orientation and training. The Commission is focused on refocusing, reorganizing, and repositioning itself for the future, with a meeting scheduled for that Thursday, which was open to the public.

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There being no further business to come before City Council, President Ukeme Awakessien Jeter adjourned the meeting at 6:55 p.m.

Economic Development Annual Update for City Council



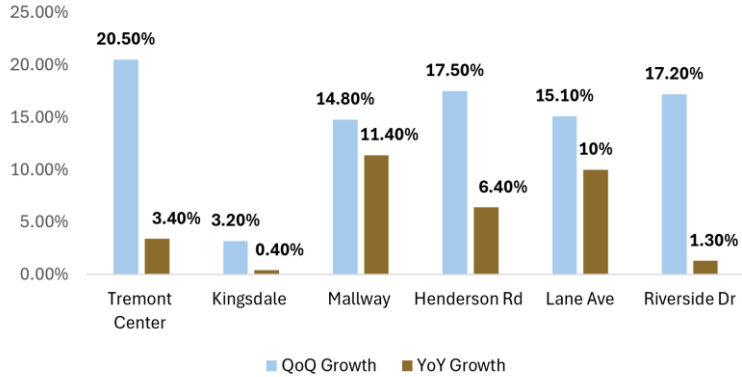
Agenda

- Ec Dev Dashboard
- Project Updates
- Community Activity
- DORA
- Economic Development Strategic Plan
- A Look at the Year Ahead

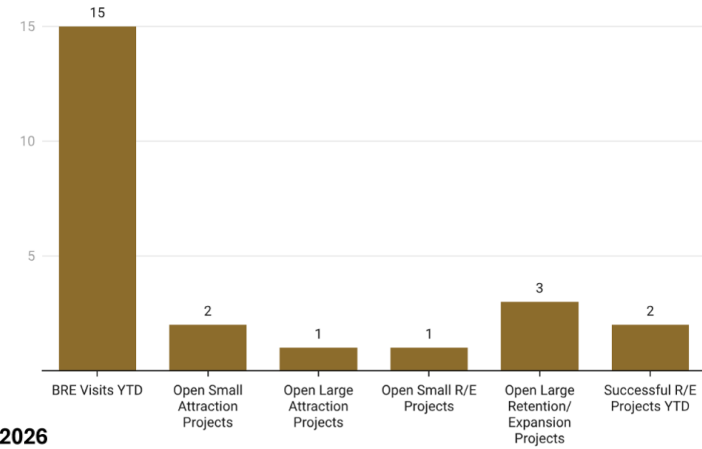


Ec Dev Dashboard

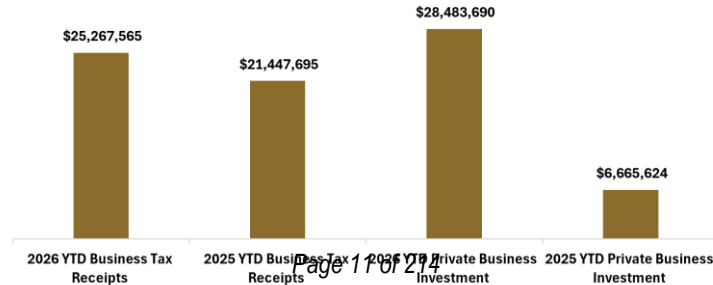
QoQ and YoY Change in Visitor Traffic, Placer AI



Ec Dev Activity Tracker



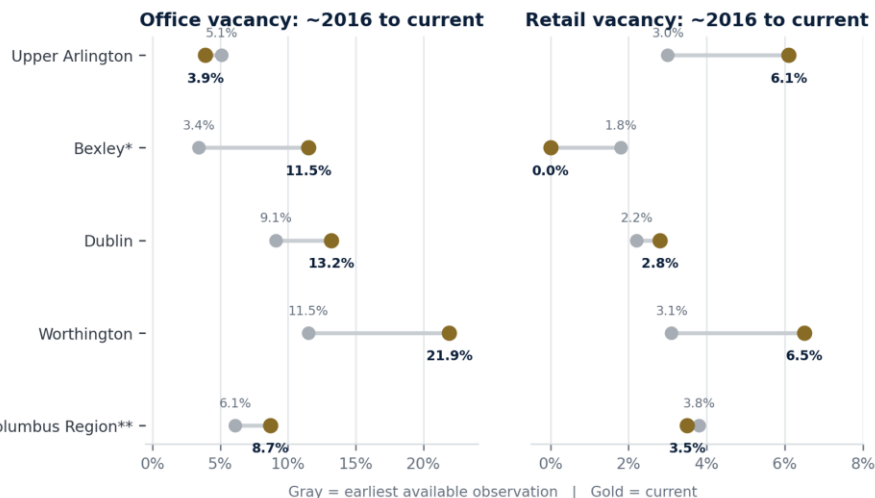
Business Tax Receipts and Private Investment Q2 YTD 2026 vs 2025





Ec Dev Dashboard

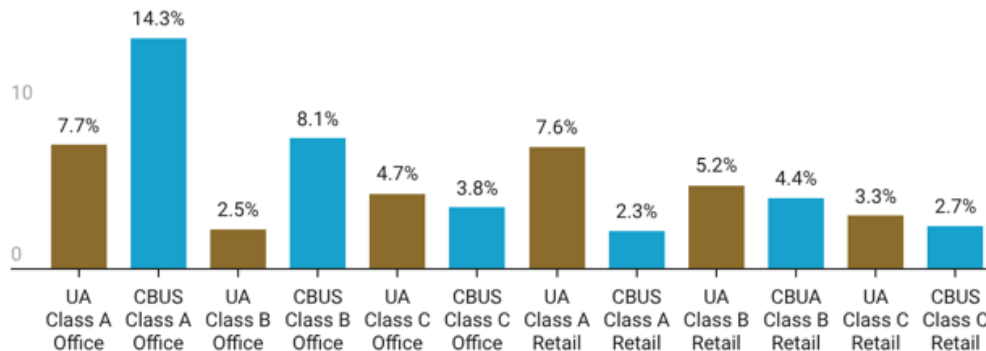
Office and Retail Vacancy, over the last decade, around Greater Columbus



*Bexley had a low building. While directionally correct, figure may be distorted
**Columbus Region data starts in 2018, while the rest of the analysis start in 2016

Upper Arlington vs Columbus MSA Office & Retail Vacancy

Vacancy Rate



Real Estate

Average Office Rent per SF: **\$21.49** (0.2% QoQ)

Average Retail Rent per SF: **\$28.43** (+1.2% QoQ)

Office Vacancy Rate: **3.8%** (+0.6% QoQ)

Retail Vacancy Rate: **5.3%** (+0.7% QoQ)

Q2 12 Month Office Absorption: **(16,229) sf**

Q2 12 Month Retail Absorption: **(25,123) sf**



Project Updates

● National Church Residences

- The Community Development Department has received building plans for the Phase 1 Office.
- The project was awarded \$4.6M in Transformational Mixed-Use Tax Credits from the Ohio Department of Development.

● Frazier Financial Advisors

- The Community Development Department has received plans for the Office Expansion.

● 2471 Westmont

- City staff continues to work with the project team as they complete project financing.
- The project will be before City Council with a development agreement after financing is sorted.





Community Activity Continued

- On July 15th Economic Development Staff was at the Farmers Market Community Booth.
- Economic Development Staff attended many ribbon cuttings in the last year, the most recent was for Alluvita Social Wellness on Riverside.
- Economic Development staff conducted business walks for: Winter Fest, Arts on Arlington, and Arts on the Block.
- Business District Walks continue to be effective, a master plan focus group attendee, said the in-person touchpoint helped build trust with City staff.



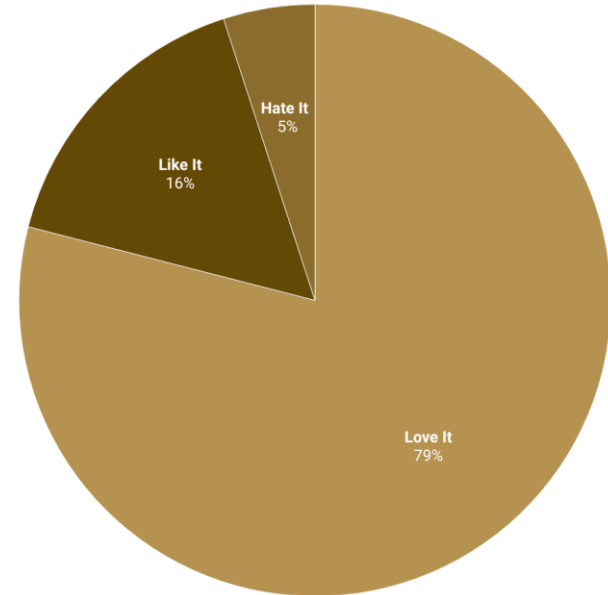


DORA

- Economic Development staff will be hosting two community meetings to discuss a DORA at Tremont Center. One is geared towards the business community, while the other is geared towards residents and will be accompanied with mandatory notice to residents within 300 feet.
- If Community sentiment remains positive, Economic Development staff will bring DORA Authorizing Legislation to City Council in November or early next year.

Tremont Center DORA Responses by % of Total Responses

Love It Like It Hate It



Created with Datawrapper



Economic Development Strategic Plan Overview

- The Economic Development Division is working on a new strategic plan that will replace The Blueprint (2021).
- The Market Analysis and a draft plan have been completed.
- There is more public outreach and expert interviews required to finalize the plan.
- Additionally, Economic Development is waiting for the Master Plan to be finalized to reflect those findings before the Ec Dev Strategic Plan is finalized.

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AUGUST 2021



CITY OF UPPER ARLINGTON

ECONOMIC DEVELOPMENT BLUEPRINT

Boyette





Market Analysis- Key Census Data

36,800

POPULATION
2020 Census

14,330

HOUSEHOLDS
2020-2024 ACS

40.2

MEDIAN AGE
5.1 years above county

19,614

RESIDENTS AGE 18-64
2024 ACS estimate

\$155,167

MEDIAN HOUSEHOLD INCOME
\$78,631 above county

2.03x

UA-TO-COUNTY RATIO
Franklin County: \$76,536

79.8%

BACHELOR'S OR HIGHER
+37.1 percentage points

39.0%

GRADUATE / PROFESSIONAL
+23.1 percentage points

66.9%

EMPLOYMENT RATE
66.2% county

2.0%

UNEMPLOYMENT RATE
4.1% county

68.2%

LABOR FORCE PARTICIPATION
69.0% county

27.3%

WORKED FROM HOME
16.9% county



The Year Ahead

- While the Strategic Plan will not be finalized until next year, work will commence immediately to meet action items.
- The biggest focus of the rest of this calendar year is a DORA at Tremont Center.
- The structured elements of the new BRE Program will be completed to end 2026. The new BRE program will start the in 2027.
- An entrepreneurship ecosystem analysis will be conducted in early 2027.
- Considering the recent storm, a business resiliency plan will be completed in 2027.
- The strategic plan contemplates pursuing strategic partnership agreements with: UA Schools, TVCP, UAPL, Ohio State and more. Those partnerships should be pursued over the 12 months.

Thank you for your time!

Questions?

James Russell, Economic Development Manager

jrussell@uaoh.net



August 24, 2026

The meeting was held in the Council Committee Meeting Room and called to order at 7:03 p.m., immediately following the regular meeting of City Council.

MEMBERS PRESENT: Council Member Todd Walter
Council Member Nic Fortkamp
Council Member Ben Tracy

STAFF PRESENT: City Manager Steven Schoeny
City Clerk Krystal Grove
Finance Director Brent Lewis
Assistant Finance Director Ryan Schneider
Finance Manager Rachel Ottavi

* * *

Finance Director Brent Lewis introduced financial advisors Andrew Brossart of Bradley Payne Advisors and Ryan Nelson of Redtree Investment Group.

Review of Credit Card Policy

Mr. Lewis reviewed the City's existing credit card policy (attached as Exhibit A) and noted that no changes are proposed. He reported that there is no history of mismanagement of City-issued credit cards. Credit card purchase rewards are used to offset charges. Mr. Lewis confirmed this is the first edition of the policy and explained that the Financial Policies Committee will review and approve the policy rather than sending changes to Council.

Review of Debt Policy

Mr. Brossart reviewed proposed updates to the debt policy (attached as Exhibit B), noting that the changes primarily modernize the policy and provide flexibility in managing interest rates and debt issuance. The city has historically taken a conservative approach to debt management. Committee members discussed volatility and the overall level of conservatism in the policy. Mr. Lewis noted that the policies are regularly reviewed by bond counsel and rating agencies and are intended to provide flexibility. Mr. Brossart noted that the policy permits up to 20% of the portfolio to be in higher-risk investments as a means of managing volatility. City Manager Steven Schoeny emphasized the benefits of a conservative approach, while Mr. Walter noted that the City has delayed bond

issuances when market conditions were unfavorable. Mr. Tracy commended the proposed redline changes.

Review of Financial Policies

Mr. Lewis reviewed proposed updates to the City's financial policies (attached as Exhibit C). He explained that the policies were compared with those of other municipalities and GFOA best practices, including using AI, to identify opportunities for modernization. Committee members expressed support for the strength of the policies and the benchmarking process.

Mr. Walter discussed the reserve policy, noting that the City has built reserves and established a Council working group in 2025 to address excess reserves. He noted that reserve funds may be accessed through Council legislative action in an emergency.

Mr. Tracy raised concerns about the wording of Item #8, particularly the terms "outsourcing" and "technology improvements," and suggested that the language be more clearly defined to limit outsourcing. Mr. Schoeny explained that the provision is intended to allow consideration of the full range of available options.

Review of Investment Policy

Mr. Nelson reviewed proposed updates to the investment policy and noted that the revisions address several items not previously included, including investment objectives, standards of care, ethics and conflicts of interest, and the use of a third-party custodian (attached as Exhibit D). He noted that these provisions are standard components of investment policies.

The Committee discussed investment maturity and flexibility. Mr. Nelson explained that investments may be managed individually or grouped to reduce exposure to market fluctuations. The maximum-security maturity is five years, with a portfolio maturity of approximately 2.5 years. Mr. Lewis noted that Finance Department staff and advisors meet monthly to review investments.

Mr. Tracy moved, seconded by Mr. Walter, to amend Section 221.12, Standards of Care (B), by replacing "conflict with" with "prejudice." The motion carried unanimously.

Mr. Walter moved, seconded by Mr. Tracy, to recommend to Council approval of the proposed Debt Policy, Financial Policies, and Investment Policy (as amended). The motion carried unanimously.

In response to a question from Mr. Fortkamp, Mr. Nelson reported that the City's current investment portfolio totals approximately \$122 million. Mr. Schneider noted that approximately \$40 million is held in STAR Ohio and that the city generally maintains a minimum of \$20 million there to accommodate construction-season needs and the December debt payment. Mr. Nelson noted that the current portfolio extends approximately three years.

Adjournment

There being no further business, the meeting was adjourned at 7:35 p.m.



CREDIT CARD POLICY

City Council hereby adopts the following policy concerning City-issued credit cards:

- Positions authorized to use credit cards. Credit cards will be issued upon request of the Finance Director, or designee, for City Council members, cabinet level employees, department heads, and any supervisor or employee authorized by the department head.
- Issuance of cards. Requests for the issuance of a credit card are to be made, in writing, to Finance Director, or designee. Credit cards are "corporate" cards that are issued in the name of the City with the employee as an authorized user. Prior to issuing a card to an employee, the Finance Director will determine how the purchasing cards will be used by the employee in accordance with this Policy and the specific credit card limit for that cardholder.
- Restrictions on use. Credit cards are authorized for the following uses:
 1. Authorized travel, including airfare, conference registration, hotel, meals, and any miscellaneous travel expenses, in accordance with the City's Personnel Rules.
 2. Purchase of materials and supplies from vendors when purchase orders, vendor accounts, or petty cash are not available or practical. (Note: All procurement rules and reimbursement of expense rules will be applicable to purchases made with credit cards.)
 3. Business meals, in accordance with the City's Personnel Rules.
 4. Other expenditures as deemed necessary as authorized and preapproved by the City Manager or Finance Director.

In all instances, the City's tax exempt status should be provided to a vendor so that sales tax is not charged. If a vendor fails to waive the tax, the employee should document their effort to have the tax waived. The Finance Director is authorized to determine whether the City or the employee is responsible for the tax liability.

City credit cards are to be used solely for City business as outlined above. Use of the credit card for personal items, personal use, or alcohol is prohibited.

- Management of credit cards. The Finance Director is responsible for administration of City credit cards to include, but not limited to, selection of the card provider, payment of credit card bills, managing issuance and cancellation of cards, and ensuring proper use.
- Compliance Officer. Council hereby appoints the Finance Director's Management Analyst as the Compliance Officer, unless otherwise determined by the City Manager. The Compliance Officer will quarterly review the number of cards and accounts issued, the number of active cards and accounts issued, the cards' and accounts' expiration dates, and the cards' and accounts' credit limits.
- Rewards. At least annually, the Finance Director, or designee, must report to City Council all rewards received based on the use of the City's credit card account.
- Itemized receipts required. Every purchase, including those made via the Internet, must have a detailed itemized receipt. A credit card signature slip with only the amount charged is not considered sufficient documentation.

Business meal receipts must also include the name(s) of the person(s) attending and the business objective.

In addition to a detailed itemized receipt, a copy of the authorized travel request form, if applicable, must accompany all travel related purchases (i.e., airfare, hotel, meals, etc.).

All receipts and documentation, with appropriate vendor information, account codes, and authorization, must be submitted to the Finance Department on a monthly basis to assure timely processing and payment.

- Protection of credit cards. It is the authorized cardholder's responsibility to safeguard the card and credit card account number at all times. If a City cardholder suspects the loss, theft, or possibility of unauthorized use of the card, the employee shall immediately notify the Finance Director, or designee, and the cardholder's supervisor, in writing. If a card is reported as lost or stolen, the Finance Director, or designee, will contact the card provider and may cancel or replace the card.
- Cancellation of cards. Requests for cancelation of a card should be directed to the Finance Director, or designee. Upon separation from employment with the City, or if the Finance Director determines that the cardholder's position no longer qualifies for a City-issued card, the cardholder must immediately return the card to the Finance Director or designee.
- Maximum credit limit. Unless specifically authorized by the Finance Director or City Manager (for a limited time or for a specific expenditure), individual credit card accounts shall not exceed \$10,000.00.
- Misuse of card. The use of a credit card account for expenses beyond those authorized by this Policy and/or any failure to comply with this Credit Card Policy or any additional directives issued pursuant to this Policy constitutes misuse of a credit card account. An officer or employee who misuses a credit card account is subject to discipline, including, but not limited to, loss of eligibility to use a City credit card, demotion, and/or termination. Further, the employee may be subject to civil liability and/or criminal proceedings as a result of this misuse.
- The City Manager, the Finance Director, and the City Attorney are hereby authorized to take all actions necessary to implement and administer this Policy.

DEBT POLICY

Introduction

This Debt Policy Statement is a companion document to the City's Capital Improvement Plan (CIP). The primary objective of this policy is to summarize certain conditions that support the use of debt, or cash, for capital improvements. The plan also provides guidance on best practices for debt issuance. The debt policy is a guide for City officials to reference as deemed appropriate to maintain sound financial management practices. This policy is designed to be flexible in its application, allowing exceptions to the guidelines under changing and extraordinary circumstances.

Overview

One of the key decisions facing the City regarding financing the City's various capital funding projects is whether to use cash on hand, debt, or a combination of each as the funding source. Section A — Debt Guidelines, addresses that question. Section B covers routine Debt Administration.

SECTION 1 Capital Funding Sources—Guidelines for Allocating Payment Sources

Cash Funding

This policy encourages City officials to fund capital projects with cash, on a "pay as you go" basis, to the extent possible and prudent. Cash funding is recommended under the following circumstances:

- a) To finance purchases of assets whose lives are five years or less;
- b) To finance recurring maintenance expenditures (e.g., street repair (short-term) vs. street reconstruction(long-term));
- c) To avoid issuing bonds in order to manage unstable market conditions or historically high interest rates.
- d) To contribute to the sources of project funding in situations where the best policy at the time may be to combine cash and borrowing to fund a particular need.

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Debt Financing

Short-term debt financing:

This policy defines short-term debt as securities with final principal and interest payments coming due within one-year from the date of issuance. Typically, this type of borrowingsshort-term debt takes the form of "short term" bond or revenue anticipation notes (BANs or RANs). It is suitable to issue BANs short-term debt as described below:

- a) Pay-As-You-Go: Certain projects in the capital plan are best suited to cash funding on a pay-as-you-go basis, for example, projects with useful lives of less than five years, or for unusual or emergency situations where the City needs a limited amount of borrowing at the time, for example, one-time borrowingsprojects of \$5 million, or less. For purposes of this policy, "pay-as-you-go" financing includes selling short-term notes with the expectation of paying the notes off in full within one year to five years of initial issuance.
- b) Interim Funding-financing precedent to a future for long-term bond financing: Short term notes are also appropriately used in anticipation of refunding them at a future date with

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~~long-term bonds.~~ Typically, such notes are referred to as "bond anticipation notes." ~~Bond anticipation notes are most suitable as a temporary funding source before and in anticipation of the completion of a bond sale. Whether issued in anticipation of a future bond sale or for short-term financing, short-term notes are best when limited to a five-year renewal period; that is, not designed as a long-term variable rate financing tool.~~

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Long-term debt financing:

It is policy to use BANs and bonds for long-term capital asset funding under the parameters set forth below — parameters should be considered under the current financial market and budgeting circumstances, ~~and in relation to the others.~~

The guidelines are as follows:

- a) Variable rate demand bonds (VRDBs) and short-term BANs are suitable to use for financing projects over \$5 million and with useful lives beyond ten years under the following conditions:
 - i) When either is used for long-term financing, the City will ~~schedule plan to make~~ annual principal payments in amounts that similar to what payments would be expected to be for a typical, traditional long-term bond and satisfy similar to a hypothetical fixed rate bond issue that satisfies the City's debt policy bond parameters herein, and
 - ii) To minimize overall interest rate risk, the City's outstanding combined variable rate and short-term borrowings will not exceed twenty percent (20%) of the City's overall outstanding debt, with the exception that, (Short-term bond anticipation notes may be issued for an aggregate amount greater than 20% of the City's outstanding debt, but provided such notes will be refinanced as necessary within two years of issuance to meet the 20% target.)
- b) Capital Project Fund supported debt is acceptable when the ratio of available capital fund dollars to debt payments, projected forward seven years, does not fall below 2 to 1. (For purposes of this guideline, debt payments are defined as general obligation and income tax special revenue bond debt payments, including projected payments for the refunding of outstanding general obligation or income tax special revenue BANs.)
- c) Non-tax supported debt funding will be considered providing the ratio of available non-tax revenue to all similarly funded debt payments, projected five years forward, does not fall below 1.5 times projected bond payments.
- d) Long-term fixed-rate bonds are especially appropriate when average long-term interest rates, as indicated by the Bond Buyer *General Obligation 20 Bond Index*, are at or below eighty-five percent of the twenty-year average index rate. Long-term bonds are less attractive when average rates for the index are at or above one hundred fifteen percent of the twenty-year average.
- e) Long-term general obligation, non-tax revenue, and special revenue bonds (such as income tax revenue bonds) are considered less appropriate when the City has reserves set aside for essential near-term capital funding needs and it is believed the issuance of any particular debt offering may significantly weaken the City's credit profile.
- f) Long-term debt securitized by non-tax or assessment revenues, but not by the City's general obligation pledge, is appropriate for project funding where the tax or revenue burden rests primarily on a select group of taxpayers or beneficiaries, such as for project revenue bonds, special assessment projects, tax increment financings, or economic development projects. Prior to seeking legislative approval for these types of financings,

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the City's Financing Team will have formed an opinion that a particular financing would ultimately receive a rating of "A2" Moody's or "A" Standard & Poor or higher.

- g) City officials will strive to structure the repayment of general obligation and special revenue income tax supported notes and bonds to achieve an aggregate pay-out ratio of all outstanding debt of this nature of fifty percent (50%) or more of the stated maturity within the upcoming ten year period. Non-tax revenue, special assessment and other debt specifically issued to support economic development project agreements will mature in line with the life of the supported agreement, or sooner.

SECTION 2 Recommended Administrative Procedures

Federal tax law — All tax-exempt financings must comply with the use of funds and expenditure timing restrictions set forth in federal tax law. In addition, the size and timing of notes or bonds may be affected by opportunities provided in the tax code, such as rebate exemptions. City officials will retain professional assistance to comply with federal law and assist in the preparation of rebate computations.

Note and Bond Maturities — Final bond maturities shall not exceed the average maximum useful life of the projects included in the financing as prescribed by Ohio bond law.

Debt instruments — The City will use the most efficient and economical debt instrument for its debt financings, including: voted general obligation notes and bonds; unvoted general obligation notes and bonds; non-tax revenue bonds; special assessment and tax increment notes and bonds; capital leases; special obligations; revenue bonds; or any other appropriate funding source provided for in the Ohio Revised Code. All of these instruments are considered "debt" for purposes of this policy.

Bond retirement fund — The City will attempt to maintain a bond retirement fund year-end balance equal to its maximum scheduled semi-annual debt payment.

Continuing Disclosure — The City will comply with its continuing disclosure obligations and its disclosure requirements as provided in its Continuing Disclosure Certificates associated with its various securities issuances. The City may retain a "disclosure agent" to assist with its compliance duties.

Refinancing Opportunities — City officials will work with the Municipal Advisor to monitor opportunities to refinance its outstanding bonds.

Bond Insurance — City officials will explore the value of purchasing bond insurance should the Finance Director, in consultation with the City's Municipal Advisor, determine that it is likely to benefit the City.

Economic Development — City officials will consider opportunities to foster economic development by issuing debt. Economic development debt offerings typically include tax increment financings, special revenue bonds, non-tax revenue and special assessment notes and bonds. The City may also serve as the conduit issuer for industrial revenue bonds. The City may also participate in economic development focused transactions supported by City revenues but where the debt is issued by a conduit borrower, such as the Columbus Port Authority, for example.

Interest Rate Hedges — The City may consider using the interest rate hedges provided for under Ohio law to the extent they are appropriate for limiting future interest rate risk or lowering the overall debt payments for the City's outstanding debt. City Council will not be asked to authorize any hedges without first receiving a full disclosure of the possible risks and rewards. Under no circumstances will the City enter into derivative contracts exposing the City to "basis risk" as defined by general industry guidelines.

Professional Services — Underwriters and Municipal Advisors retained by the City in connection with the City's debt program shall provide full disclosure to the City of any formal or informal relationships or agreements that may conflict with the City's best interest. The City shall retain professionals in connection with its debt issuances based upon demonstrated qualifications, including past successful performance. Officials will review its relationships, or request statements of qualification, from qualified providers not less than every fifth year.

Review of Debt Policy — Upon Council organization, review of the Debt Policy shall occur in conjunction with the review of the Financial Policies.

Resolution of Reimbursement — The Finance Director will present City Council with a reimbursement resolution at the beginning of any year in which the issuance of debt is anticipated (if needed).

SECTION 3 **Conformance to City Code**

The intent of these policies is to conform to the Upper Arlington City Code, which shall control in the event of inconsistency.

FINANCIAL POLICIES

These Financial Policies of the City of Upper Arlington, Ohio, are adopted by City Council to provide a framework within which the City is to conduct its fiscal operations. It is the anticipation of Council that the effect of fluctuations in the national, state and local economy on City services is to be managed through the creation and use of appropriate reserve funds.

Operating Management Policies

1. The City will develop budgets in which current expenditures, including transfers, ~~cannot~~shall not exceed current revenue and available resources. Additionally, unless directed by Council, current revenues must equal or exceed current expenditures. The City will avoid budgetary procedures that balance the budget at the expense of meeting future years' expenses, such as: postponing expenditures, accruing future years' revenues or funding current services with debt and/or drawing down the fund balance. One-time revenues should not be used to support recurring operating expenditures except with Council approval.
2. All appropriations that have not been expended or encumbered shall lapse at the end of the fiscal year. The City shall not increase appropriations for prior year encumbrances. Appropriations shall be for the current year only. Estimated prior-year encumbrances expected to lapse shall be incorporated into the five-year financial forecast. An estimate of "lapsed" encumbrances should be included in the five-year operating forecast.
3. The operating budget should maintain sustainable service levels consistent with Council priorities and available resources. The operating budget will be compiled in a manner to maintain as close as possible the existing level of services to the City.
4. The General Fund ~~undesignated-unrestricted~~ fund balance cannot be used to fund newly created operating expenditures or projects that are ongoing in nature. Fund balance may be used for one-time expenditures that do not create ongoing operating obligations.
5. The City shall set fees and user charges for each enterprise fund at a level to support the direct and appropriate indirect cost of the activity unless by affirmative action, Council directs a transfer from the General Fund sufficient to support the costs of the activity. Indirect costs shall include the lifecycle costs of annual depreciation of capital assets and the cost of debt service to procure capital assets, unless directed by Council.
6. Charges for services shall reflect the full cost of providing a specific service, including the cost of annual depreciation of capital assets and the cost of debt service to procure capital assets, unless directed by Council. The cost of providing specific services shall be recalculated periodically and the fees shall be adjusted accordingly.
7. Although the City's budget may be prepared on an annual or biennial basis, revenue and expenditure forecasts will be prepared for five years and will be updated annually to spot developing trends and provide early warning of future financial difficulties.
8. Alternative service delivery methods will be reviewed periodically to ensure that quality services are being provided at the most reasonable costs. Alternative service delivery could include shared services, regional partnerships, outsourcing, technology improvements, or process redesign.
9. The City shall develop a program to integrate performance measurement and productivity indicators with the budget. Where appropriate, comparisons with comparable cities may be made to ensure that quality services are provided at competitive and economical costs.
10. Cash management shall be conducted in accordance with the City's Investment Policy. City funds will be managed in a prudent and diligent manner with an emphasis on safety of principal and financial return on principal ensuring adequate liquidity to meet all necessary obligations.

11. Prior to applying for and accepting intergovernmental aid, the City shall examine the program to determine if it is consistent with the City's mission and financial policies. [The City should also consider future operating costs, staffing impacts, and grant sustainability after funding expires.](#)
12. Grants that require a matching commitment of City funds shall be evaluated on the availability of funding sources and on the merit of the grant program.
13. [Fees should be reviewed at least annually and adjusted periodically as appropriate. License and permit fees shall be reviewed at least annually to ensure that they match related processing and inspection services.](#)
14. [Vehicle-Fleet, facilities, and technology equipment](#), and other operating equipment replacement schedules shall be developed and updated annually, including proposed funding sources.
15. Fiscal impact analysis will be conducted when considering economic development incentives before a recommendation is brought to City Council.

Capital Improvement Program Management Policies

1. A ten-year capital improvement plan shall be developed and updated annually, with the goal [of prioritizing preservation of existing infrastructure while addressing growth and community priorities.](#)~~of achieving the annual replacement cost of the infrastructure.~~
2. Capital improvement life cycle costs will be coordinated with the development of the operating budget. Future operating, maintenance and replacement costs associated with new capital improvements shall be estimated for inclusion in the operating budget.
3. An infrastructure replacement program shall be developed based on the useful life of each infrastructure category (i.e., street repaving, street replacement, water lines, etc.). [Condition assessments should be utilized where practical.](#)
4. [Financing shall comply with the City's Debt Management Policy.](#)~~The long term financing of capital improvements or equipment shall not exceed the useful life.~~

Reserve Policies

1. A Facilities Maintenance Reserve shall be established to ensure adequate funding for operating equipment replacement [and renovations](#) of City facilities (HVAC, roofing, etc.).
2. Self-insurance reserves will be maintained at a level, which, together with purchased insurance policies, will adequately indemnify the City's property and liability risk. A qualified risk management advisor will be retained on an annual basis in order to recommend appropriate funding levels.
3. Contingency reserves to be determined annually will be maintained to offset unanticipated revenue shortfalls and/or unexpected expenditure increases. Contingency reserves may also be used for unanticipated and/or inadequately budgeted events threatening the public health or safety. A minimum reserve will be maintained in the General Fund at thirty percent (30%) of the current year General Fund operating budget. At the end of each fiscal year, to the extent the General Fund balance exceeds fifty percent of the current year General Fund operating budget, the excess amount above fifty percent (50%) shall be transferred as follows:
 - Fifty percent (50%) of the excess shall be transferred to the Facilities Maintenance Reserve under the following conditions:
 1. The amount of money to be reserved in any fiscal year shall not exceed 5% of the revenue credited in the preceding fiscal year (ORC 5705.13).
 2. The Facilities Maintenance Reserve account balance shall not exceed 10% of the General Fund operating budget. All amounts in excess of such threshold shall be transferred to the Capital Asset Management Fund.

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- Fifty percent (50%) of the excess, or any additional portion of the excess as noted above, shall be transferred to the Capital Asset Management Fund.

Any amount transferred from the Facilities Maintenance Reserve or Capital Asset Management Fund to the General Fund shall require separate legislative approval by City Council apart from City Council's approval of the City's annual budget.

Financial Accounting and Reporting Policies

1. The City's financial reporting systems shall be maintained in conformity with generally accepted accounting principles (GAAP), and the standards of the Governmental Accounting Standards Board (GASB).
2. An ~~annual independent financial audit in accordance with Ohio law~~ annual audit will be performed by the Auditor of State or an independent public accounting firm, with an audit opinion to be included in the City's published Annual Comprehensive Financial Report (ACFR).
3. The City's ACFR shall be submitted to the Government Finance Officers Association (GFOA) Certificate of Excellence in Financial Reporting Program. The ACFR should satisfy the criteria established by the GFOA.
4. The City's budget shall be submitted to the GFOA Distinguished Budget Presentation Program. The budget should satisfy the criteria established by the GFOA.
5. Financial systems shall be maintained to monitor revenues, expenditures, and program performance on an ongoing basis.
6. Financial reporting to Council shall include monthly budget reports as well as special reports as deemed appropriate by Council, the Finance Director, or the City Manager.

City Council Review

Upon Council organization, a Financial Policy Review subcommittee of Council will be named by the President. The subcommittee will conduct a review of all financial policies, ~~including the investment~~ and ~~the debt policy~~ policies. Modifications adopted by majority vote of the subcommittee will be recommended to the full Council for consideration and adoption.

At all other times, the financial policies, ~~including the investment~~ and ~~the debt policies~~ of the City may be modified by a majority vote of Council.

Conformance to City Code

The intent of these policies is to conform to the Upper Arlington City Code, which shall control in the event of inconsistency.

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CHAPTER 221. DEPOSITORIES AND INVESTMENTS

§ 221.01 DEFINITIONS.

Active deposit: means a public deposit necessary to meet current demands on the treasury that is deposited in any of the following:

- (A) A commercial account that is payable, in whole or in part, on demand.
- (B) A negotiable order of withdrawal account.
- (C) A money market deposit account.

Capital funds: means the sum of the following: the par value of the outstanding common capital stock, the par value of the outstanding preferred capital stock, the aggregate par value of all outstanding capital notes and debentures and the surplus.

Financial institution: means any eligible financial institution as defined in ORC § 135.03.

Interim moneys: means public moneys in the treasury of the city, which are not needed for immediate use and are available for investment.

Oversight agency: In the case of a bank means the superintendent of banks or the comptroller of the currency, and in the case of a savings and loan association, the superintendent of building and loan associations or the Federal Home Loan Bank Board.

Public deposit: means public moneys deposited in a public depository.

Public depository: means an institution which receives or holds any public deposits.

Public moneys: means all moneys in the city treasury or moneys coming lawfully into the possession or custody of the finance director.

§ 221.02 INSTITUTIONS ELIGIBLE FOR ACTIVE DEPOSITS.

Any financial institution located in the City of Upper Arlington is an institution, which is eligible to become a public depository for active deposits.

§ 221.03 INSTITUTIONS INELIGIBLE AS PUBLIC DEPOSITORIES.

No financial institution is eligible to become a public depository or to receive any new public deposits if:

- (A) In the case of a bank, the bank or any of its directors, officers, employees or controlling shareholders is currently a party to an active final or temporary cease-and-desist order issued under ORC § 1125.08.
- (B) In the case of an association, the association or any of its directors, officers, employees, or controlling shareholders is currently a party to an active final or temporary cease-and-desist order issued under ORC § 1155.02.

§ 221.04 CONTRACT WITH THE DEPOSITORY FOR ACTIVE DEPOSITS.

Within sixty (60) days prior to the expiration of the depository contract, the finance director shall prepare and distribute a request for proposals (RFP) for obtaining bids for active deposits from eligible institutions. The RFP

shall include qualifications required by the institution, descriptions of the accounts required, recent activity of the current accounts, provisions for investment of excess funds and such other information as is deemed necessary by the finance director.

Institutions desiring to submit proposals shall provide appropriate financial data as specified in the RFP, and shall provide a financial statement in sufficient detail as to show the capital funds of the applicant.

The RFP shall be mailed to each eligible institution, provided that if an institution has more than one (1) branch office in the City of Upper Arlington, the RFP need only be sent to one (1) of the branches.

The finance director shall evaluate all proposals and make a recommendation for the award of the depository for active deposits. After approval by city council, a contractual agreement shall be executed. The contract can be for a period of up to five (5) years.

§ 221.05 INVESTMENT OF INTERIM MONEYS.

The finance director shall determine the amount of interim moneys available for deposit, based on the anticipated cash flow requirements. Interim moneys may be invested in securities maturing more than two (2) years from the date of purchase provided that the securities can be converted to cash through trade in a secondary market prior to maturity.

§ 221.06 AUTHORIZED INVESTMENT INSTRUMENTS.

The following instruments are authorized for investment purposes:

- (A) U.S. Treasury Bills, Notes, and Bonds; various federal agency securities including issues of Federal National Mortgage Association (FNMA), Federal Home Loan Mortgage Corp. (FHLMC), Federal Home Loan Bank (FHLB), Federal Farm Credit Bank (FFCB), Government National Mortgage Association (GNMA), Tennessee Valley Authority (TVA) and other agencies or instrumentalities of the United States. GNMA mortgage-backed, pass-through securities are considered as eligible investments of the city and are not derivative securities, as defined under ORC § 135.14(C). Eligible investments include securities that may be "called", by the issuer, prior to the final maturity date. Any eligible investment may be purchased at a premium or a discount. All federal agency securities shall be direct issuances of federal government agencies or instrumentalities.
- (B) General obligations or revenue bonds of any state of the United States.
- (C) Bonds issued by local agencies of any state of the United States, including, general obligations and bonds payable solely out of the revenues of any county, township, school district, municipal corporation, or other legally constituted taxing subdivision, which is not at the time of such investment, in default in the payment of principal on any of its obligations, provided that all of the following apply:
 - (1) The debt is rated at the time of purchase in the three (3) highest classifications of at least one (1) nationally recognized rating agency and purchased through a registered securities broker or dealer.
 - (2) The aggregate value of the bonds/obligations does not exceed twenty percent (20%) of the portfolio.
 - (3) The bonds or other obligations mature within ten (10) years from the date of settlement.
- (D) Certificates of deposit issued by institutions whose deposits are insured by the Federal Deposit Insurance Corporation (FDIC). Certificates of deposit shall be collateralized using eligible securities or instruments as defined under ORC § 135.18 or 135.181. The selection of ORC § 135.18 or 135.181 for

purposes of collateralization, shall be determined by the finance director. Under either method, the finance director may require an additional percentage of eligible collateral to compensate for any depreciation of market value of such pledged collateral, less any portion insured by the FDIC.

- (E) Repurchase agreements with any eligible institution mentioned in ORC § 135.03, or any eligible securities dealer pursuant to ORC § 135.14(M). Repurchase agreements transacted with eligible securities dealers shall be executed on a delivery versus payment basis. Eligible repurchase agreement collateral is restricted to securities listed in C.O. § 221.06(A), limited to final maturity dates of ten (10) years. The market value of securities subject to a repurchase agreement must exceed the principal value of the repurchase agreement amount by at least two (2) percent and marked to market daily. Term repurchase agreements shall be limited to a maximum of thirty (30) days.
- (F) Banker's acceptances issued by any domestic bank rated in the highest category by one of two nationally recognized rating agencies.
- (G) No load money market mutual funds consisting exclusively of obligations described in ORC § 135.14(B)(1) or (2) and repurchase agreements secured by such obligations, provided that investments in securities described in this division are made only through eligible institutions mentioned in ORC § 135.03.
- (H) Commercial paper notes issued by an entity that is defined in ORC § 1705.01(D) and that has assets exceeding five hundred million dollars (\$500,000,000.00), to which notes all of the following apply:
- (1) The notes are rated at the time of purchase in the highest classification established by at least two (2) nationally recognized standard rating services.
 - (2) The aggregate value of the notes does not exceed ten (10) percent of the aggregate value of the outstanding commercial paper of the issuing corporation.
 - (3) The notes mature not later than two hundred seventy (270) days after purchase.
 - (4) The investment in commercial paper notes of a single issuer shall not exceed in the aggregate five (5) percent of interim moneys available for investment at the time of purchase.
- (I) Medium term notes issued by a corporation, domiciled within the United States and having assets in excess of \$500 million, provided that such medium term notes have a maximum maturity of five (5) years and are rated, at the time of purchase, by Standard & Poor's, Moody's or Fitch under the following limitations:

Standard & Poor's	Moody's	Fitch
A+(2-yr max maturity)	A1(2-yr max maturity)	A+(2-yr max maturity)
A(2-yr max maturity)	A2(2-yr max maturity)	A(2-yr max maturity)
A-(2-yr max maturity)	A3(2-yr max maturity)	A-(2-yr max maturity)
AA+(3-yr max maturity)	Aa1(3-yr max maturity)	AA+(3-yr max maturity)
AA(3-yr max maturity)	Aa2(3-yr max maturity)	AA(3-yr max maturity)
AA-(3-yr max maturity)	Aa3(3-yr max maturity)	AA-(3-yr max maturity)
AAA(maturities > 3 years)	Aaa(maturities>3-years)	AAA(maturities > 3 years)

If a security has a split rating, the higher of the two (2) ratings shall be used to determine the eligibility for investment purposes. In no event shall a corporate security, at the time of purchase, be rated less than A- by Standard & Poor's or less than an A3 by Moody's.

- (J) The state treasurer's investment pool (STAR OHIO), pursuant to ORC § 135.45.

(Ord. No. 38-2016, § 1, 7-11-2016; Ord. No. 75-2018, § 1, 10-22-2018; Ord. No. 55-2024, § 1, 10-14-2024)

§ 221.07 LIMITATIONS ON INVESTMENTS.

- (A) Limitations on investments of any single institution or issuer:
- (1) The city's investment with any individual issuer shall not constitute more than five percent (5%) of such issuer's total outstanding issue in banker's acceptances, commercial paper or corporate medium term notes.
 - (2) The total value of certificates of deposit, purchased from any individual financial institution, shall not exceed three percent (3%) of that institutions total time deposits, provided that such total deposits do not exceed five percent (5%) of the city's average portfolio at the time of purchase.
- (B) Limitations on the investment of interim funds: The aggregate investments in bankers acceptances and commercial paper shall not exceed forty percent (40%) of the city's average portfolio, at the time of purchase.
- (1) The aggregate total of all corporate medium term notes shall not exceed fifteen percent (15%) of the average portfolio, based upon purchase cost or book value, at the time of purchase. Commercial paper and bankers acceptances shall not be considered when calculating the maximum holdings in any single issuer.
 - (2) The use of derivative securities, as defined in ORC § 135.14 (C), is expressly prohibited.
 - (3) Collateralized mortgage obligations (CMOs) of any kind are expressly prohibited.
- (C) Except as otherwise defined in this policy, aAll eligible investments will mature within five (5) years from the date of settlement, unless the investment is matched to a specific obligation or debt of the city, and the investment is specifically approved by the finance director.

(Ord. No. 59-2020, § 1, 10-26-2020)

§ 221.08 COLLATERALIZATION OF CERTIFICATES OF DEPOSIT.

- (A) Securities pledged as collateral by any institution shall be delivered to a qualified trustee approved by the finance director. The finance director shall accept the written receipt of the trustee describing the securities which have been deposited with the trustee by the institution, a copy of which shall also be delivered to the institution.

If the institution fails to pay over any part of a deposit due the city, the finance director shall have the option to sell the securities delivered to the finance director, in a manner determined by the finance director. If the securities are on deposit with a trustee, the finance director may request the trustee to deliver the securities to the finance director, and the finance director shall have the option to sell the collateral. When a sale of securities has been made, the finance director shall deliver the securities versus payment, whereupon the absolute ownership of the securities shall pass to the purchasers. Any surplus remaining after deducting the principal amount and accrued interest due the city and any expenses of the sale shall be paid to the institution.

- (B) When the institution has deposited eligible securities with a trustee for safekeeping, the institution may at any time substitute or exchange eligible securities having a current market value equal to or greater than the current market value of the securities then on deposit and for which they are to be substituted or exchanged without specific authorization only if:
- (1) The finance director has authorized the institution to make such substitution or exchange on a continuing basis during a specified period without prior approval of each substitution or exchange. Such authorization may be effected by the finance director sending to the trustee a written notice stating that substitution may be effected on a continuing basis during a specified period which shall not

extend beyond the end of the period of designation during which the notice is given. The trustee may rely upon such notice, and upon the period of authorization stated therein.

- (2) No continuing authorization for substitution or exchange has been given by the finance director, the institution notifies the trustee and the finance director of the intended substitution or exchange, and the finance director fails to object to the trustee within ten (10) business days after the date appearing on the notice of proposed substitution. The notice to the finance director and to the trustee shall be in writing and delivered personally or by certified or registered letter with a return receipt requested. The trustee may assume in such case that the notice has been delivered to the finance director.
 - (3) The finance director gives written authorization for a substitution or exchange of specific securities. The institution shall notify the finance director of any substitution or exchange under C.O. § 221.08(B)(1) or (B)(2). Upon request from the finance director, the trustee shall furnish a statement of the securities pledged against such deposits.
- (C) In lieu of the pledging requirements prescribed in C.O. § 221.08(B) above, the finance director may accept collateral in the form of a pool of securities pledged by the financial institution, provided that:
- (1) Securities committed to the pool must have a market value at least equal to one hundred ten percent (110%) of the total amount of all public moneys on deposit with the institution secured by the pooled securities, including the portion covered by federal deposit insurance.
 - (2) The securities eligible for deposit in the pool shall be those described in C.O. §§ 221.06(A) through (C).
 - (3) The securities are deposited with a qualified trustee as described in C.O. § 221.08(A), and the fees and expenses of the trustees shall be paid by the depository.
 - (4) Each subdivision shall have an undivided security interest in the pool of securities in the proportion that the total amount of the subdivision's public moneys secured by the pool bears to the total amount of the deposits so secured.

If the depository fails to pay over any part of the deposits due the city, the finance director shall give written notice to the trustee, and at the same time, shall send a copy of the notice to the institution. Upon receipt of the notice, the trustee shall transfer to the finance director for public sale such of the pooled securities as may be necessary to produce an amount equal to the deposits due the city and not paid over, less the portion of deposits covered by the Federal Deposit Insurance Corporation, plus any accrued interest due on the deposits. When a sale of securities has been made, the finance director shall deliver the securities versus payment, whereupon the absolute ownership of such securities shall pass to the purchasers. Any surplus after deducting the amount due the city and expenses of the sale shall be paid to the institution.

The institution may at any time substitute, exchange or release eligible securities deposited with the trustee, provided such substitution, exchange or release does not reduce the total value of securities to an amount less than one hundred ten percent (110%) of the total amount of public deposits in the pool.

The institution will provide a detailed quarterly statement of the face value and market value of all securities pledged to the pool, and the dollar amount of deposits thereby secured.

§ 221.09 APPORTIONMENT OF INVESTMENT EARNINGS.

All investment earnings shall be credited to the general fund, with the following exceptions:

- (A) Balances in the solid waste management fund.
- (B) Balances in the self-insurance fund.

Any fund for which applicable laws require the crediting of interest.

Funds that are to be credited with investment earnings shall receive a proportionate share based on a method determined by the finance director.

(Ord. No. 38-2016, § 2, 7-11-2016)

§ 221.10 REQUIREMENTS OF INVESTMENT ADVISORS.

All investment advisors contracted by the city to make investment recommendations must be given a copy of C.O. ch. 221 entitled, depositories and investments. Such advisors, having read the contents of C.O. ch. 221, must acknowledge, by letter, their comprehension and receipt of the policies contained within this chapter.

§ 221.11 INVESTMENT OBJECTIVES.

The investment objectives of the City, in priority order, include:

(A) Safety of principal. Safety of principal is the foremost objective of the investment program. The investment of City funds shall be conducted in a manner that seeks to ensure the preservation of capital within the context of the following criteria:

- (1) Market risk (interest rate risk). The market value of securities in the City's portfolio will increase or decrease based upon changes in the general level of interest rates. The effects of market value fluctuations will be minimized by maintaining adequate liquidity so that current obligations can be met without a sale of securities; diversification of maturities; diversification of assets.
- (2) Credit risk. Credit risk is the risk of loss due to the failure of a security issuer to pay principal or interest, or the failure of the issuer to make timely payments of principal or interest. Credit risk will be minimized by diversifying assets by issuer; ensuring that required, minimum credit quality ratings exist and maintaining adequate collateralization of certificates of deposit.

(B) Liquidity. The portfolio shall remain sufficiently liquid to meet all current obligations of the City. Minimum liquidity levels [as a percentage of average investable funds] may be established to meet all current obligations. The portfolio may also be structured so that securities mature concurrently with cash needs.

(C) Yield return. The portfolio shall be managed to consistently attain a market rate of return throughout budgetary and economic cycles. Whenever possible, and consistent with risk limitations and prudent investment management, the City will seek to augment returns above the market average rate of return through the implementation of active portfolio management strategies.

§ 221.12 STANDARDS OF CARE.

(A) Prudence.

- (1) Investments shall be made with the exercise of that degree of judgement and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation but for investment, considering the probable safety of their capital as well as the probable income to be derived.
- (2) The standard of prudence to be used by investments officials shall be the "prudent person" standard and shall be applied within the context of managing an overall portfolio. Investment officers or

registered investment advisors, acting in accordance with established procedures and the approved investment policy, and exercising due diligence, shall be relieved of responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

(B) Ethics and conflicts of interest. Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Employees and investment officials shall disclose to the City Manager any material financial interests in financial institutions with which they conduct business. They shall further disclose any personal financial or investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the City.

§ 221.13 SAFEKEEPING AND CUSTODY.

Securities purchased for the City will be held in safekeeping by a qualified trustee [hereinafter referred to as the "custodian"], as provided in O.R.C. § 135.37. Securities held in safekeeping by the custodian will be evidenced by a monthly statement describing such securities. The custodian may safekeep the City's securities in Federal Reserve Bank book entry form; Depository Trust Company (OTC) book entry form in the account of the custodian or the custodian's correspondent bank; or non-book entry (physical) securities held by the custodian or the custodian's correspondent bank. All securities transactions will settle using standard delivery-vs-payment (DVP) procedures. The records of the custodian shall identify such securities in the name of the City. Broker/dealer firms used by the City or broker/dealer firms used by the City's designated investment advisor to purchase or sell investment assets shall not hold any such investment assets in safekeeping. All investment assets of the City will be held in safekeeping by a custodian bank where such custodian bank and the City have entered into a custodian agreement.

City of Upper Arlington
Investment Policy Recommended Modifications
July 2026



Section 221	Discovery	Suggested Language
New section after 04	No stated investment objectives/priority order. Most policies start with an explicit - Safety, Liquidity, Yield — in that priority order statement. This is important paragraph in a policy.	§ 221.05 INVESTMENT OBJECTIVES. The investment objectives of the City, in priority order, include: (A) Safety of principal. Safety of principal is the foremost objective of the investment program. The investment of City funds shall be conducted in a manner that seeks to ensure the preservation of capital within the context of the following criteria: (1) Market risk (interest rate risk). The market value of securities in the City's portfolio will increase or decrease based upon changes in the general level of interest rates. The effects of market value fluctuations will be minimized by maintaining adequate liquidity so that current obligations can be met without a sale of securities; diversification of maturities; diversification of assets. (2) Credit risk. Credit risk is the risk of loss due to the failure of a security issuer to pay principal or interest, or the failure of the issuer to make timely payments of principal or interest. Credit risk will be minimized by diversifying assets by issuer; ensuring that required, minimum credit quality ratings exist and maintaining adequate collateralization of certificates of deposit. (B) Liquidity. The portfolio shall remain sufficiently liquid to meet all current obligations of the City. Minimum liquidity levels [as a percentage of average investable funds] may be established to meet all current obligations. The portfolio may also be structured so that securities mature concurrently with cash needs. (C) Yield return. The portfolio shall be managed to consistently attain a market rate of return throughout budgetary and economic cycles. Whenever possible, and consistent with risk limitations and prudent investment management, the City will seek to augment returns above the market average rate of return through the implementation of active portfolio management strategies.
New Section after the above new section (before "Investment of Interim Moneys")	No prudent person/prudent investor standard of care. No language establishing that the Finance Director will act with the judgment and care of a prudent person managing funds, and no language limiting personal liability for individual security losses when the policy and prudent procedures were	§ 221.06 STANDARDS OF CARE. (A) Prudence. (1) Investments shall be made with the exercise of that degree of judgement and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation but for investment, considering the probable safety of their capital as well as the probable income to be derived. (2) The standard of prudence to be used by investments officials shall be the "prudent person" standard and shall be applied within the context of managing an overall portfolio. Investment officers or registered

City of Upper Arlington
Investment Policy Recommended Modifications
July 2026



	followed in good faith. This protects both the City and the Finance Director.	investment advisors, acting in accordance with established procedures and the approved investment policy, and exercising due diligence, shall be relieved of responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments. (C) Ethics and conflicts of interest. Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Employees and investment officials shall disclose to the City Manager any material financial interests in financial institutions with which they conduct business. They shall further disclose any personal financial or investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the City.
Included in the above	No ethics/conflict-of-interest section. No requirement that investment officials disclose material financial interests in institutions doing business with the City, or refrain from personal business relationships that could impair decisions. This is a standard GFOA-recommended provision.	Included in the above section (C)
New section after 06 "Authorized Investment Instruments"	Safekeeping/custody and DVP settlement only appear for repos and CD collateral. There's no blanket requirement that all purchased securities settle delivery-versus-payment and be held by an independent third-party custodian. The City does utilize Fifth Third as a third-party custodian.	§ 221.09 SAFEKEEPING AND CUSTODY. Securities purchased for the City will be held in safekeeping by a qualified trustee [hereinafter referred to as the "custodian"], as provided in O.R.C. § 135.37. Securities held in safekeeping by the custodian will be evidenced by a monthly statement describing such securities. The custodian may safekeep the City's securities in Federal Reserve Bank book entry form; Depository Trust Company (OTC) book entry form in the account of the custodian or the custodian's correspondent bank; or Non-book entry (physical) securities held by the custodian or the custodian's correspondent bank. All securities transactions will settle using standard delivery-vs-payment (DVP) procedures. The records of the custodian shall identify such securities in the name of the City. Broker/dealer firms used by the City or broker/dealer firms used by the City's designated investment advisor to purchase or sell investment assets shall not hold any such investment assets in safekeeping. All investment assets of the City will be held in safekeeping by a custodian bank where such custodian bank and the City have entered into a custodian agreement.

City of Upper Arlington
Investment Policy Recommended Modifications
July 2026



Current 221.07 “Limitations on Investments”	The 5-year blanket maturity cap (§221.07(C)) could be extended for specifically designated long-term reserves, especially as the policy does allow the City to purchase 10-year municipal bonds.	Except as otherwise defined in this policy, all eligible investments will mature within five years from the date of settlement, unless the investment is matched to a specific obligation or debt of the City, and the investment is specifically approved by the Director of Finance.
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New Order of Sections:

- 221.01 DEFINITIONS
- 221.02 INSTITUTIONS ELIGIBLE FOR ACTIVE DEPOSITS
- 221.03 INSTITUTIONS INELIGIBLE AS PUBLIC DEPOSITORIES
- 221.04 CONTRACT WITH THE DEPOSITORY FOR ACTIVE DEPOSITS
- 221.05 INVESTMENT OBJECTIVES - new section from above
- 221.06 STANDARDS OF CARE - new section from above
- 221.07 INVESTMENT OF INTERIM MONEYS
- 221.08 AUTHORIZED INVESTMENT INSTRUMENTS
- 221.09 SAFEKEEPING AND CUSTODY - new section from above
- 221.10 LIMITATIONS ON INVESTMENTS
- 221.11 COLLATERALIZATION OF CERTIFICATES OF DEPOSIT
- 221.12 APPORTIONMENT OF INVESTMENT EARNINGS
- 221.13 REQUIREMENTS OF INVESTMENT ADVISORS



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

Council Meeting Date: September 14, 2026

Subject/Legislative Item: Ordinance No. 32-2026 - To Authorize the City Manager to Enter into Contract with Performance Pipelining, Inc. for Construction-Related Services for the 2026 Sustainable Sewer Solutions Project

Purpose: To Maintain and Improve the Wastewater System

Executive Summary: Legislation authorizes the City Manager to enter into contract with Performance Pipelining, Inc. for construction related services for the 2026 Sustainable Sewer Solutions Project

Purpose and Impact

This is an ordinance authorizing the City Manager to enter into contract with Performance Pipelining, Inc. in the amount of \$1,406,411.03 for the 2026 Sustainable Sewer Solutions (SSS) Project. On Wednesday, August 5, 2026, the City received bids from three contractors. The results are summarized below:

Contractor	Base Bid – 2026 SSS	Alternate A
Performance Pipelining, Inc.	\$891,328.90	\$387,226.58
BLD Services, LLC	\$986,384.00	\$435,756.25
United Survey	\$1,116,887.00	\$510,518.50
Engineer's Estimate	\$1,029,976.34	\$406,826.44

Performance Pipelining, Inc. submitted the lowest and best bid of \$891,328.90 for the Base Bid. Staff recommends awarding the Base Bid together with Alternate A, for a combined total of \$1,278,555.48. Alternate A covers the area shown on the second page of the project map, located just south of Clifton Road, east of Riverside Drive. This area is part of the overall 2026 planned project but was structured as a bid alternate so that at least a portion of the project could move forward if bid pricing came in higher than expected. This project also includes quantities for the Sanitary Sewer Repair project, which has historically been bid separately, however this year staff bid a combined project as both accomplish similar work.

With the standard 10% contingency added, the total contract amount is \$1,406,411.03 —



\$498,446.37 below the 2026 budgeted amount for this project.

Under the requirements of the Ohio Environmental Protection Agency (OEPA) Director's Final Findings and Orders, the Engineering Division studied the sewer systems and developed a remediation plan to reduce excessive inflow and infiltration (I/I) of rain water into the sanitary sewer system. The OEPA has approved the remediation plan which we call the Sustainable Sewer Solutions projects. This program also updates and improves the overall sanitary sewer system for Upper Arlington. The attached exhibit shows the limits of the 2026 SSS project, which is generally located near the intersection of Mountview Road & Northam Road and Riverside Drive & Clifton Road.

The Sanitary Sewer Repair work included with this contract has been prioritized based on recommendations from the Public Works Division from conditions found while performing periodic video inspection of the sanitary system. Point Repairs are prioritized by Public Works and are completed as funds remain.

History

This project is part of the Ohio EPA approved plan to address inflow and infiltration of the sanitary sewer system. The total program cost of the plan is estimated at \$18,150,000. Construction of the program began in 2017 and must be completed by 2028 to meet EPA requirements.

A map of the overall SSS plan can be found on the city's website

at: <https://upperarlingtonoh.gov/wp-content/uploads/2018/07/Sustainable-Sewer-Solutions-Map.pdf>

A video overview of the program can be found

at: <https://www.youtube.com/watch?v=j3okYViZVPQ>

More information on the overall 2026 CIP can be found on the city's GIS system at:

<https://storymaps.arcgis.com/collections/a618ce4fe1d649fc9f7da209eefb2e8d?item=1>

Alternatives

Council could choose not to authorize the City Manager to enter into contract with Performance Pipeline, Inc. for the project. Upper Arlington would still be required to complete this project prior to the 2028 deadline.

Attachments

1.	2026 SSS Map
2.	Ordinance No. 32-2026



RECORD OF ORDINANCES

CITY OF UPPER ARLINGTON

STATE OF OHIO

ORDINANCE NO. 32-2026

TO AUTHORIZE THE CITY MANAGER TO ENTER INTO CONTRACT WITH PERFORMANCE PIPELINING, INC. FOR CONSTRUCTION-RELATED SERVICES FOR THE 2026 SUSTAINABLE SEWER SOLUTIONS PROJECT

WHEREAS, under the requirements of the Ohio Environmental Protection Agency (OEPA) Director's Final Findings and Orders, the Engineering Division studied the City's sewer systems and developed a remediation plan to reduce excessive inflow and infiltration of rainwater into the sanitary sewer system; and

WHEREAS, this investment supports both the OEPA and City's objectives to reduce water entering the sanitary sewer system, which will reduce water-in-basement events; and

WHEREAS, on August 5, 2026, the City received bids from three contractors, with Performance Pipelining, Inc. having the lowest and best bid; and

WHEREAS, staff recommends awarding the Base Bid together with Alternate A, which covers the project area located south of Clifton Road, east of Riverside Drive, to Performance Pipelining, Inc. in an amount not to exceed \$1,406,411.03, which includes a 10-percent contingency for construction-related services for the 2026 Sustainable Sewer Solutions Project.

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 Performance Pipelining, Inc. in an amount not to exceed \$ 1,406,411.03, which includes a 10-percent contingency, for construction-related services for the 2026 Sustainable Sewer Solutions Project.

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.

Five Points Intersection Improvements

Tremont Road / Northwest Boulevard /
Fishing Road



AMERICAN
STRUCTUREPOINT
INC.

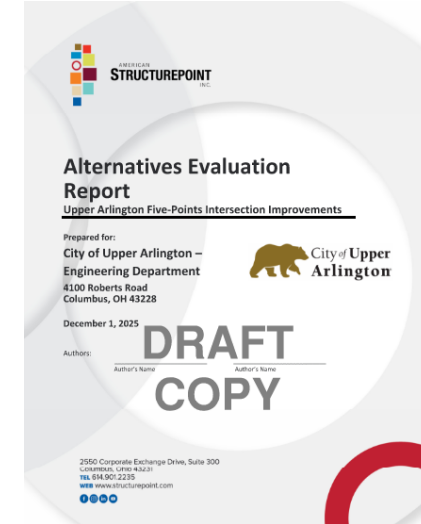


City of **Upper**
Arlington

Five Points Intersection Improvements

Work Completed to Date

- **Alternative Evaluation Report (AER)**
 - Evaluated different intersection configurations
 - Completed traffic analysis
 - Developed comparison matrix
- **Public Engagement Session**
 - Presented AER findings
 - Question and Answer session
 - Online survey and feedback
- **Presentation to Council** **(CURRENT STEP)**
 - Further refined design to determine property impacts
 - Visual simulation



Five Points Intersection Improvements

Public Engagement Recap

- Presentation of Findings
- Formal Question and Answer Session
- Open House with Individual Questions
- Exit Survey and Questionnaire
- Online recording and survey for 30 Days

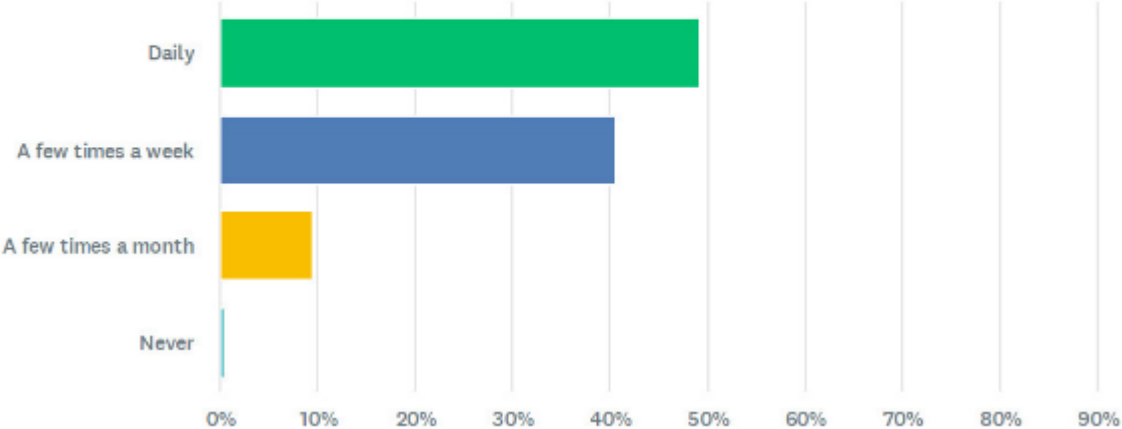


Five Points Intersection Improvements

Survey Results

Q1 How often do you use the Five Points Intersection?

Answered: 1,455 Skipped: 50

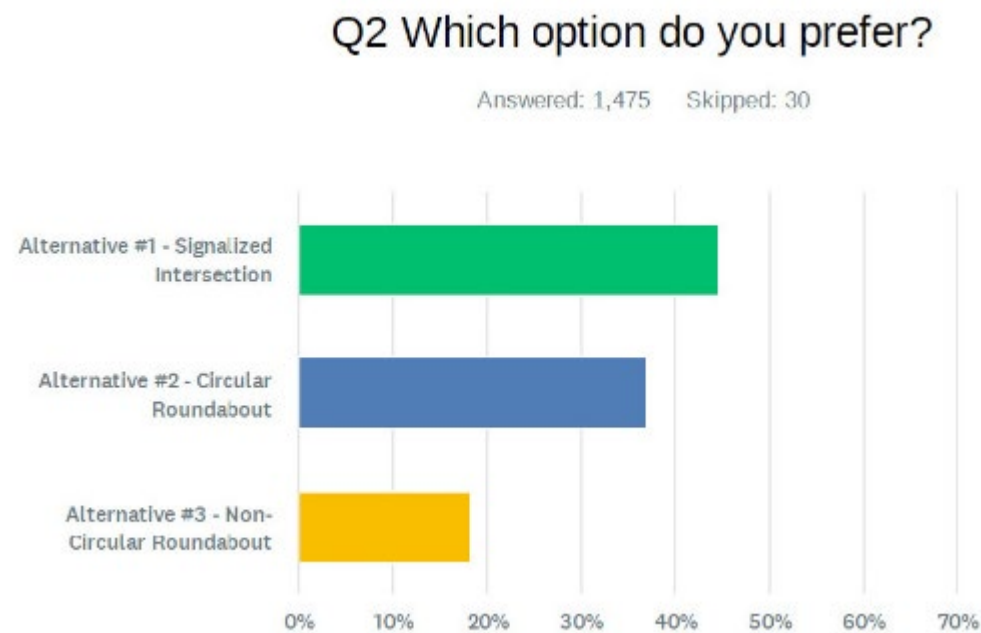


Answer Choices	Percentage	Responses
Daily	49.28%	717
A few times a week	40.69%	592
A few times a month	9.48%	138
Never	0.55%	8
Total		1455

90% are frequent users of the intersection

Five Points Intersection Improvements

Survey Results



Answer Choices	Percentage	Responses
Alternative #1 - Signalized Intersection	44.75%	660
Alternative #2 - Circular Roundabout	37.02%	546
Alternative #3 - Non-Circular Roundabout	18.24%	269
Total		1475

55% in favor of a Roundabout solution

Five Points Intersection Improvements

Common positive sentiments were the following:

- Time management
- Simple construction
- No stopped traffic
- Smoother traffic flow
- In particular reference to the circular roundabout, proposed Option #2:
 - Green space
 - Better consistency
- In particular reference to the circular roundabout, proposed Option #3:
 - Appears to be a better geometric fit for the intersection
 - Larger green space
 - Better opportunity for entrance, through experience, exit



Five Points Intersection Improvements

Comment Response

"Roundabouts are safer + better."

"The Roundabout options will improve travel time + traffic flow. It's the most logical solution for a complex travel issue."

"I think it will provide the best traffic flow."

"I believe a roundabout is ideal for this intersection... more about the pointless waiting at slow times when almost no cars are clearing the intersection and yet I have to wait for three other points to cycle before it's my turn."

"This intersection desperately needs a roundabout. Either scenario, circular or oblong, is fine with me! It is proven that traffic circles are safer and more efficient than signalized intersections!"

Five Points Intersection Improvements

Common concerns were the following:

- Pedestrian safety
- User error, especially for those unfamiliar with roundabouts and populations who are older
- Learning curve and education
- Construction costs
- Construction impact(s) to local businesses
- Too much volume for a roundabout
- Emergency vehicle access
- Property damage
- Interactions with micro and other-mobility users, including cyclists
- Traffic volume during peak hours

Five Points Intersection Improvements

Comment Response

"Seniors do not like roundabouts. UA is 75% seniors. How are we to get pass Fishinger & Tremont?"

"Ohioans seem to have little understanding of how to use a roundabout... The giant one up in Dublin feels dangerous every time I try to enter it."

"This intersection is way too busy for a roundabout."

"Our community is in need of a new timing sequence, but a roundabout is too extensive a change. Has the committee considered diverting some traffic to other connectors?"

"People don't know how to drive unsignaled light."

Five Points Intersection Improvements

Evaluation Matrix

UA 5 Points Intersection	Description	Alternatives		
		1	2	3
		Roundabout - Circular	Roundabout - "Kidney Bean"	Traffic Signal & Lane Lengthening
Level of Service LOS	Fishinger Road (2048 AM / PM)	B / B *		D / D
	Tremont Road (2048 AM / PM)	B / B *		D / D
	Northwest Blvd (2048 AM / PM)	A / A *		D / D
Key Factors	Improve Safety			
	Improve Mobility			
Addt. Factors	Approach and Intersection Geometry			
	Intersection Style Familiarity with Local Population			
	Impact to Existing Utilities			
	Minimize Impacts to Adjacent Properties			
LEGEND		GOOD	FAIR	POOR
* - Alternatives 1 and 2 traffic patterns were not analyzed separately, they have the same lane configuration thus the analysis from the 2025 Carpenter Marty study should be considered to apply to both options.				

Five Points Intersection Improvements

Evaluation Matrix

UA 5 Points Intersection	Description	Alternatives		
		1	2	3
		Roundabout - Circular	Roundabout - "Kidney Bean"	Traffic Signal & Lane Lengthening
ROW	Estimated Permanent Right-of-way Acquired (Parcels)	3	3	0
	Estimated Permanent Right-of-way Acquired (Acres)	0.24	0.32	0.00
	Estimated Temporary Easements Acquired (Parcels)	6	6	0
	Estimated Temporary Easements Acquired (Acres)	0.37	0.03	0
	Estimated Utility Easements Acquired (Parcels)	2	2	0
	Estimated Utility Easements Acquired (Acres)	0.07	0.07	0
	Estimated Right-of-Way Cost (Dollars)	\$785,500	\$882,500	\$49,500
Cost	Estimated Construction Cost (Million)	\$4.548	\$4.576	\$4.499

Five Points Intersection Improvements

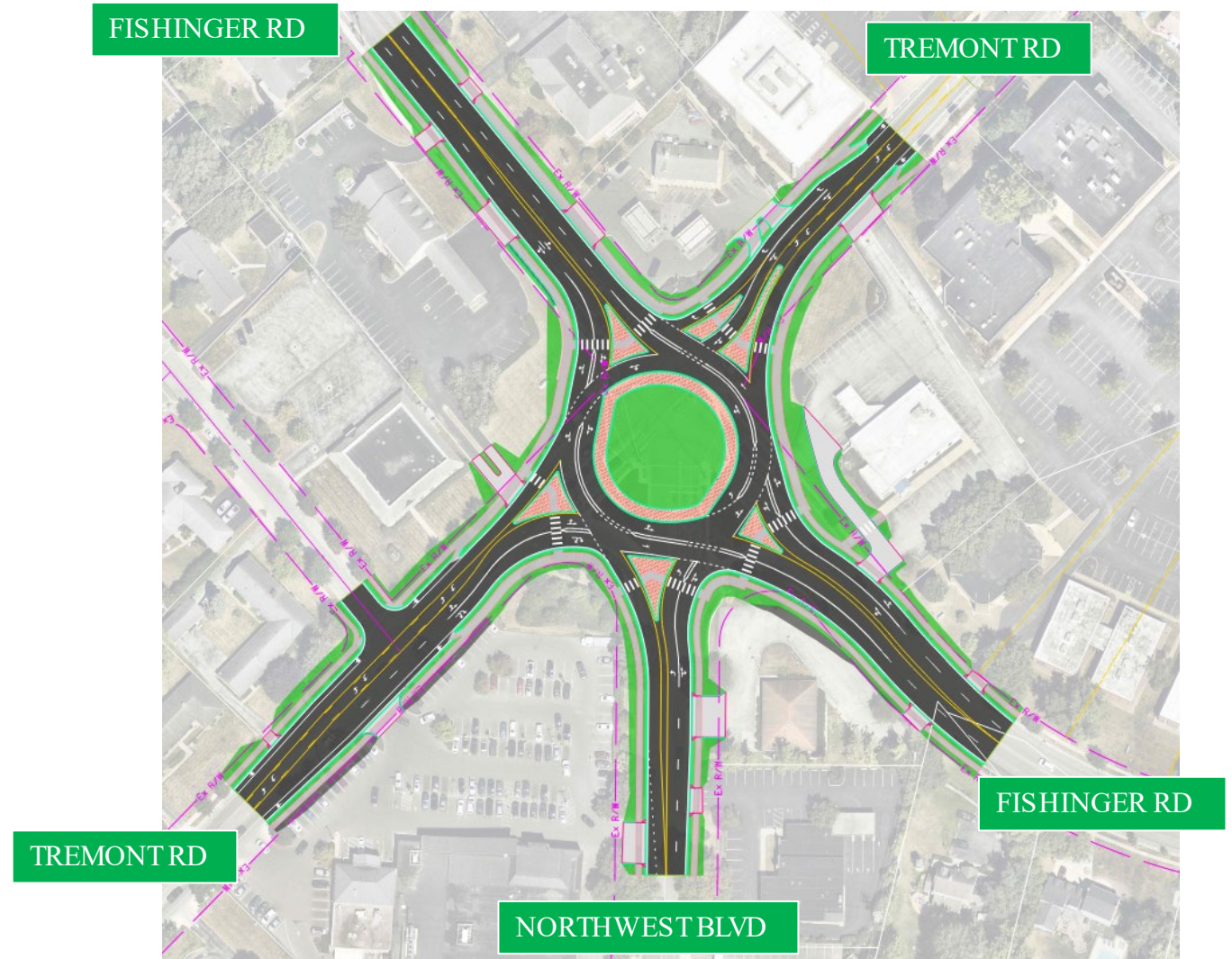
Preliminary Engineering Cost Estimate

Upper Arlington 5-Points Stage 1 Estimate	
Roadway	\$ 592,900.00
Erosion Control	\$ 119,100.00
Drainage	\$ 533,600.00
Pavement	\$1,415,300.00
Structures	\$ 75,500.00
Water Work	\$ 500,000.00
Lighting	\$ 268,800.00
Traffic Control	\$ 118,300.00
Landscaping	\$ 50,000.00
Subtotal	\$3,673,500.00
20% Contingency	\$ 753,100.00
9.5% Inflation	\$ 429,300.00
Total Construction Cost	\$4,855,900.00
Maintenance of Traffic	\$ 400,000.00
Field Office, Type B	\$ 12,000.00
Construction Layout Stakes (0.5% of Total Construction Cost)	\$ 24,700.00
Mobilization (Per ODOT CMS)	\$ 200,000.00
Total Incidentals Cost	\$ 636,700.00
TOTAL PROJECT COST	\$5,492,600.00
Right of Way Acquisition	\$ 750,000.00
Utility Relocations	\$ 100,000.00
Project Construction + ROW & Utilities	\$6,342,600.00

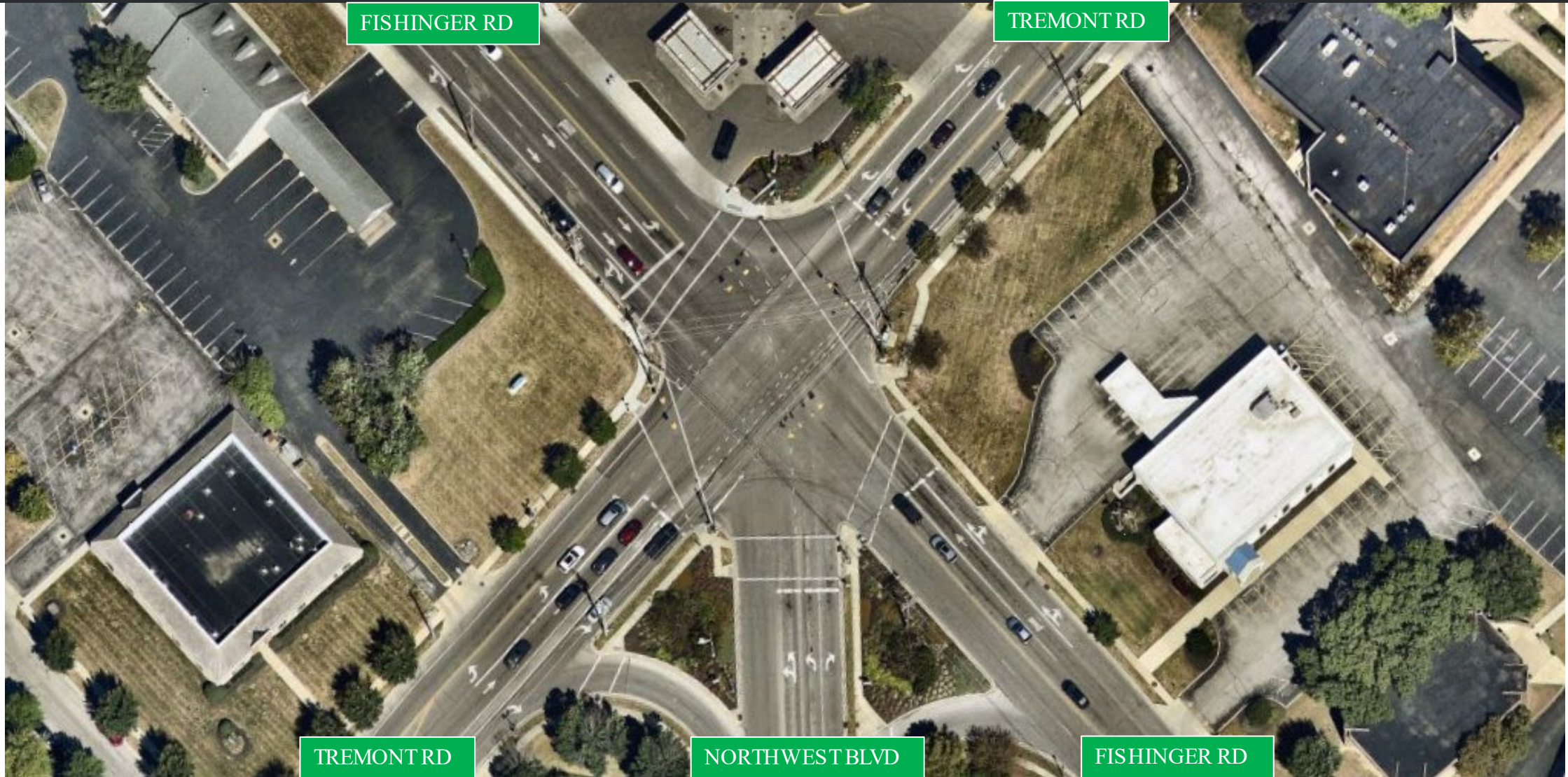
Five Points Intersection Improvements

Roundabout Information:

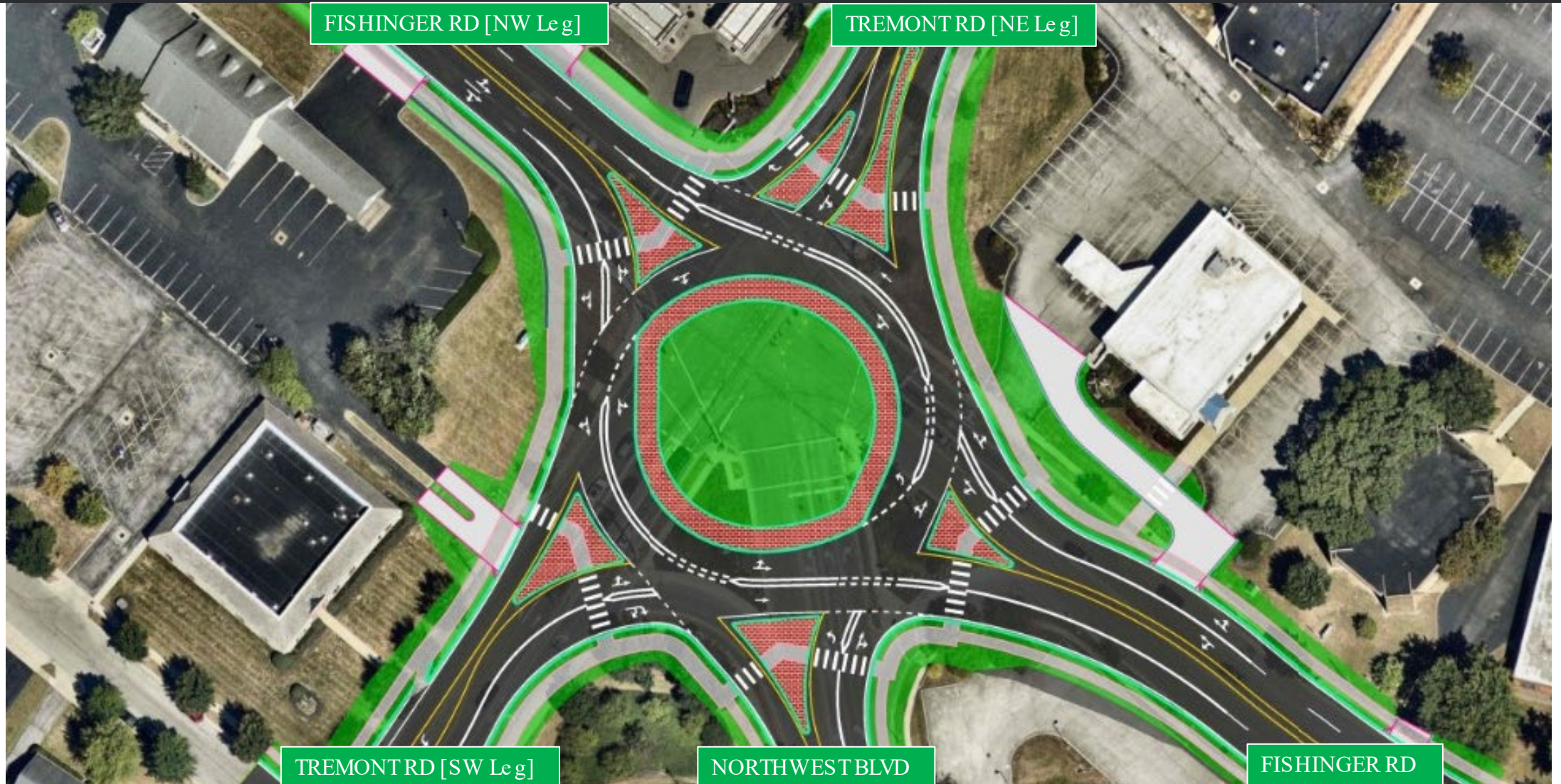
Center Circle Diameter:	194 ft - 210 ft
Center Circle Lane Widths:	16 ft
Truck Apron Width:	12 ft
Approach Entry/Exit width:	16 ft
Approach Lane widths:	10 ft – 12 ft



Five Points Intersection Improvements



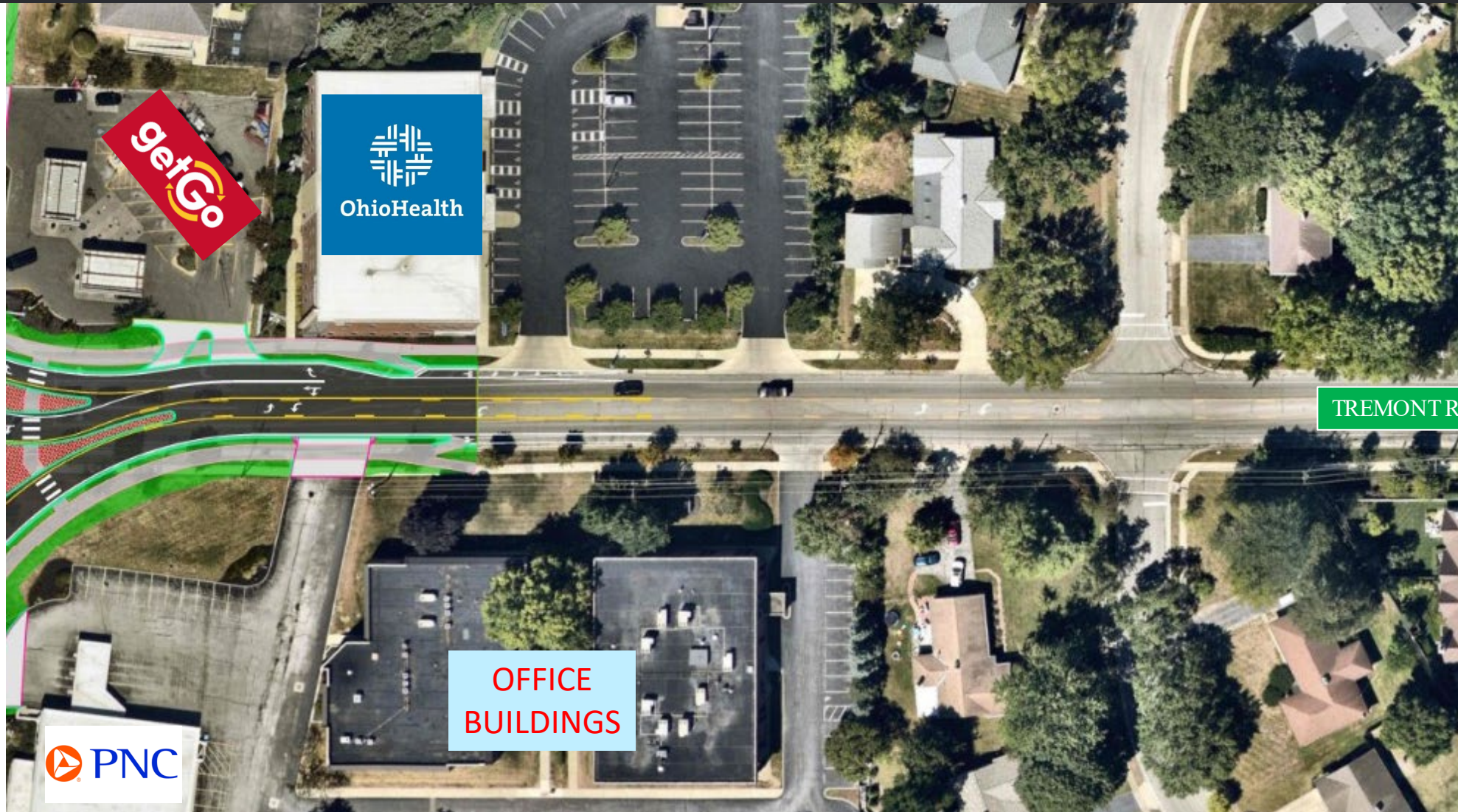
Five Points Intersection Improvements



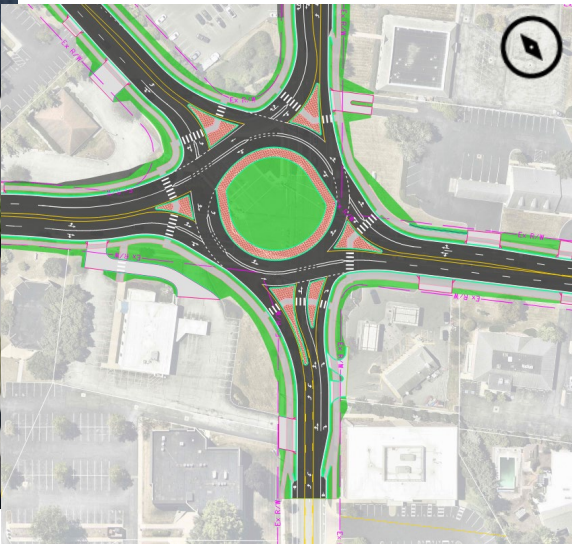
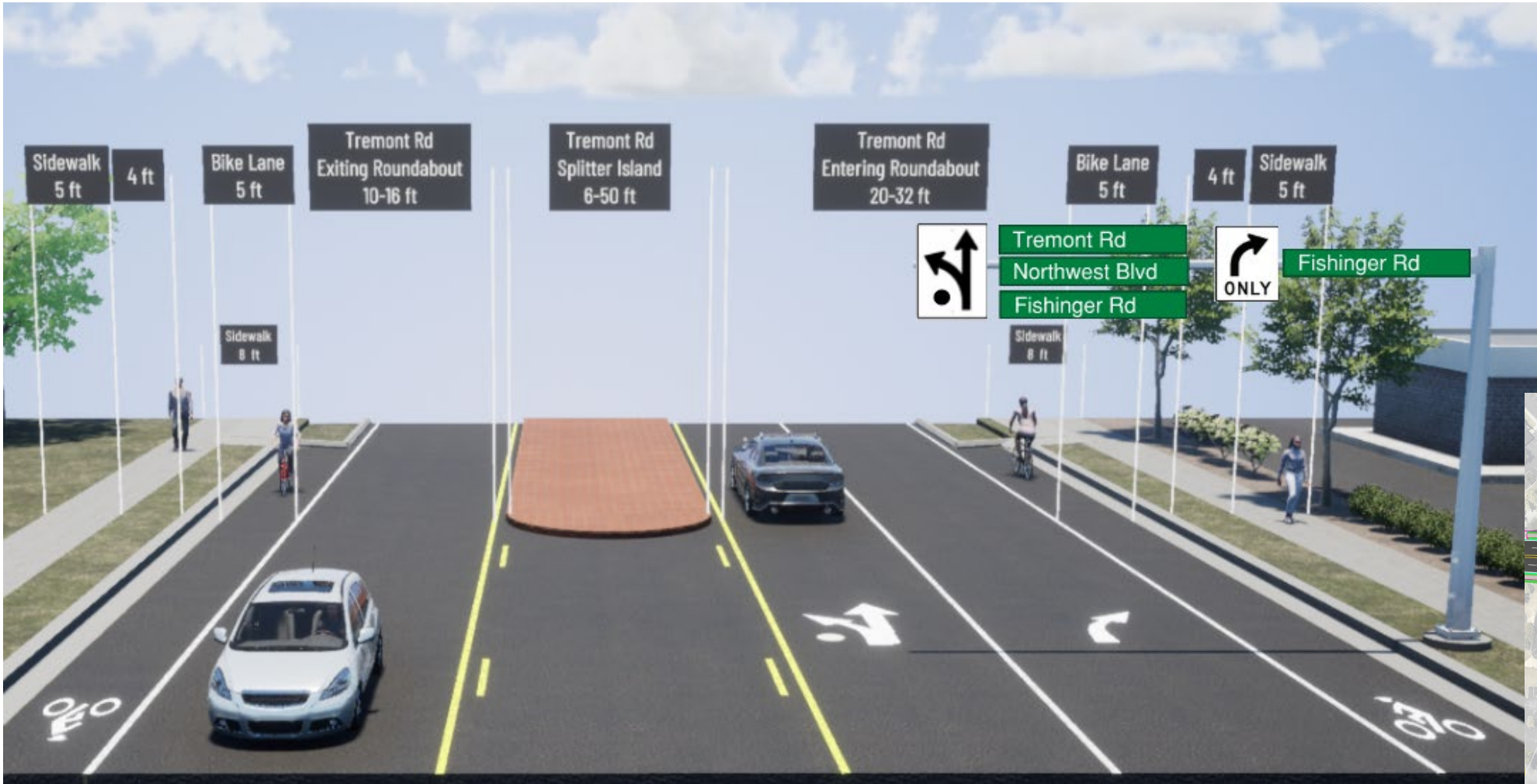
Five Points Intersection Improvements



Five Points Intersection Improvements



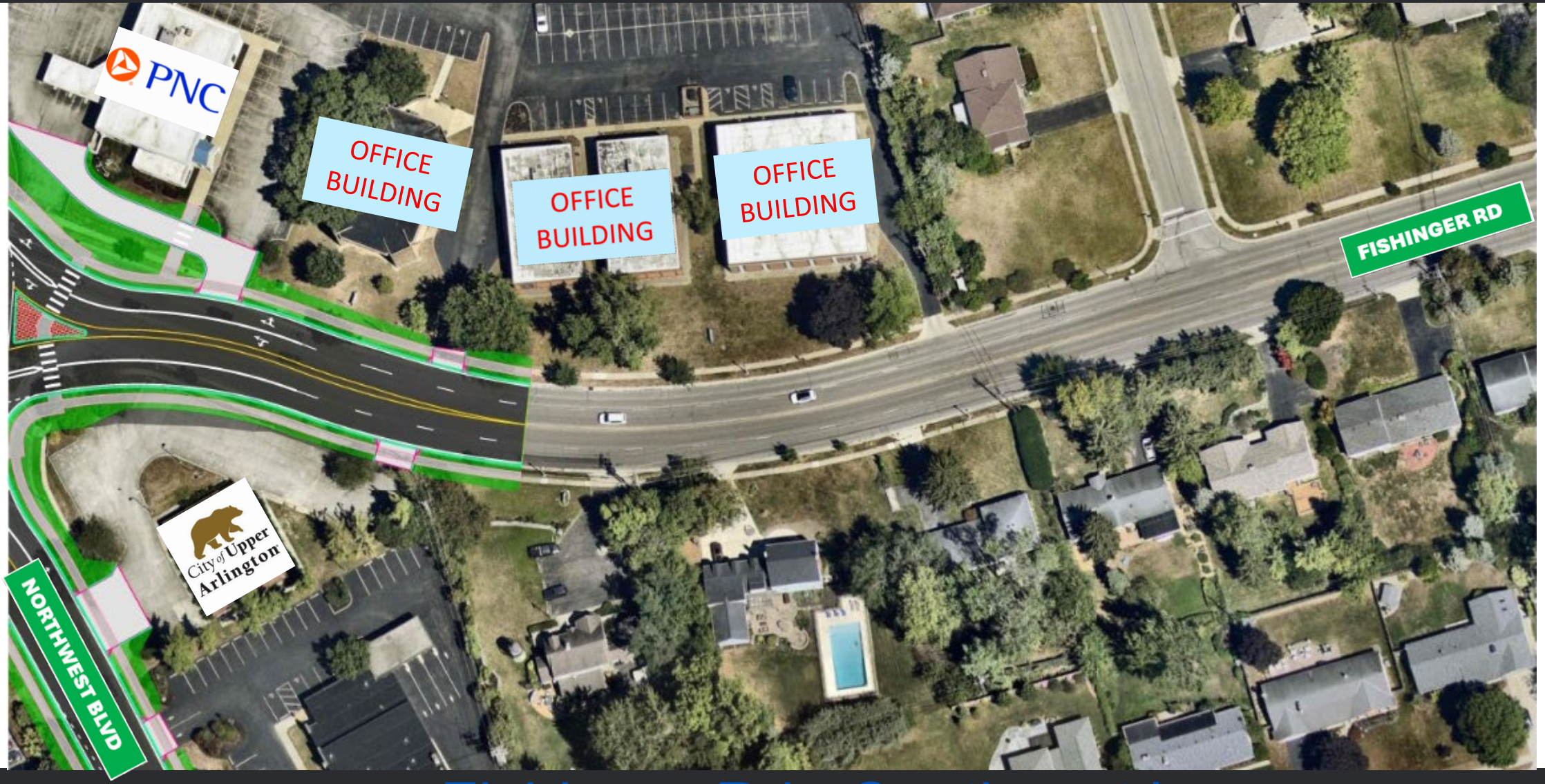
Five Points Intersection Improvements



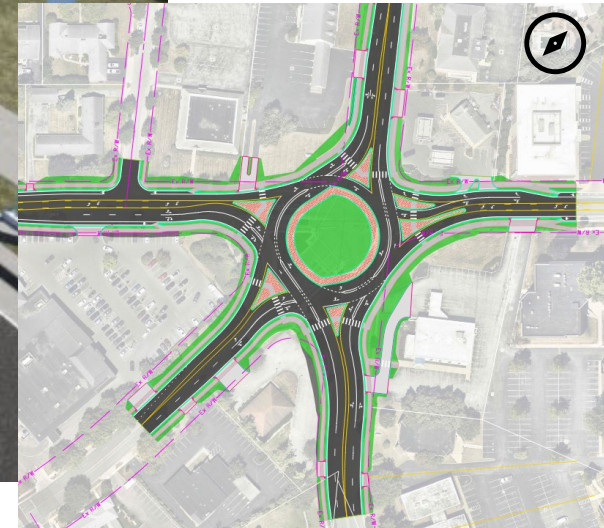
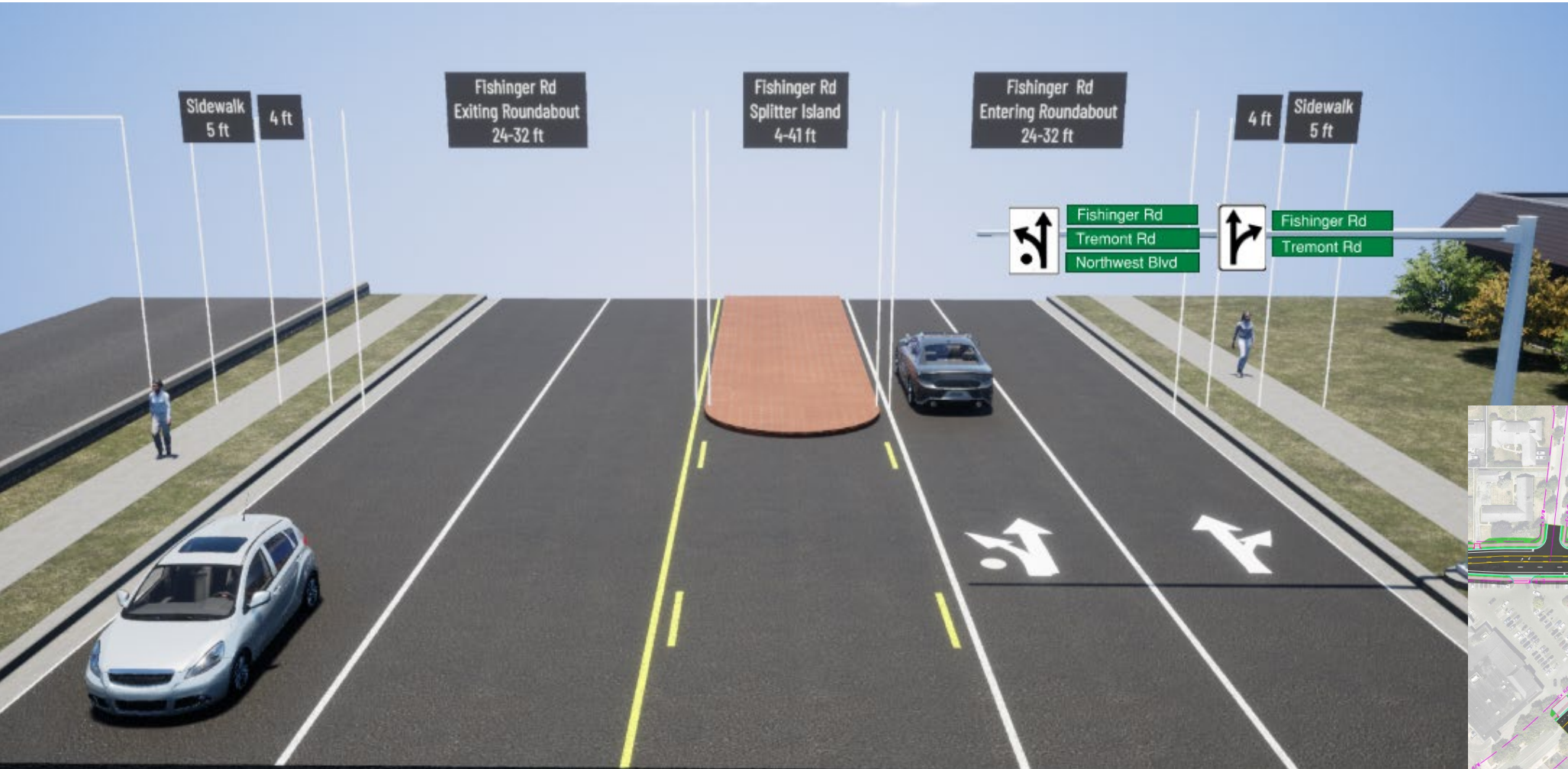
Five Points Intersection Improvements



Five Points Intersection Improvements



Five Points Intersection Improvements



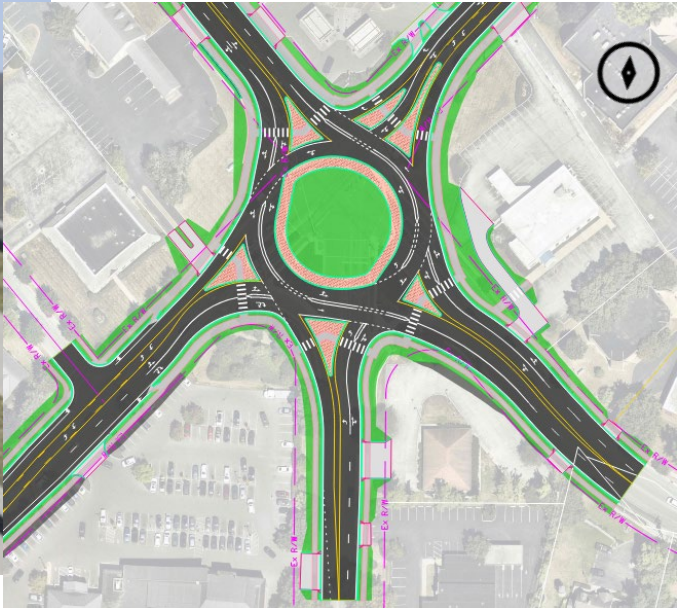
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Five Points Intersection Improvements



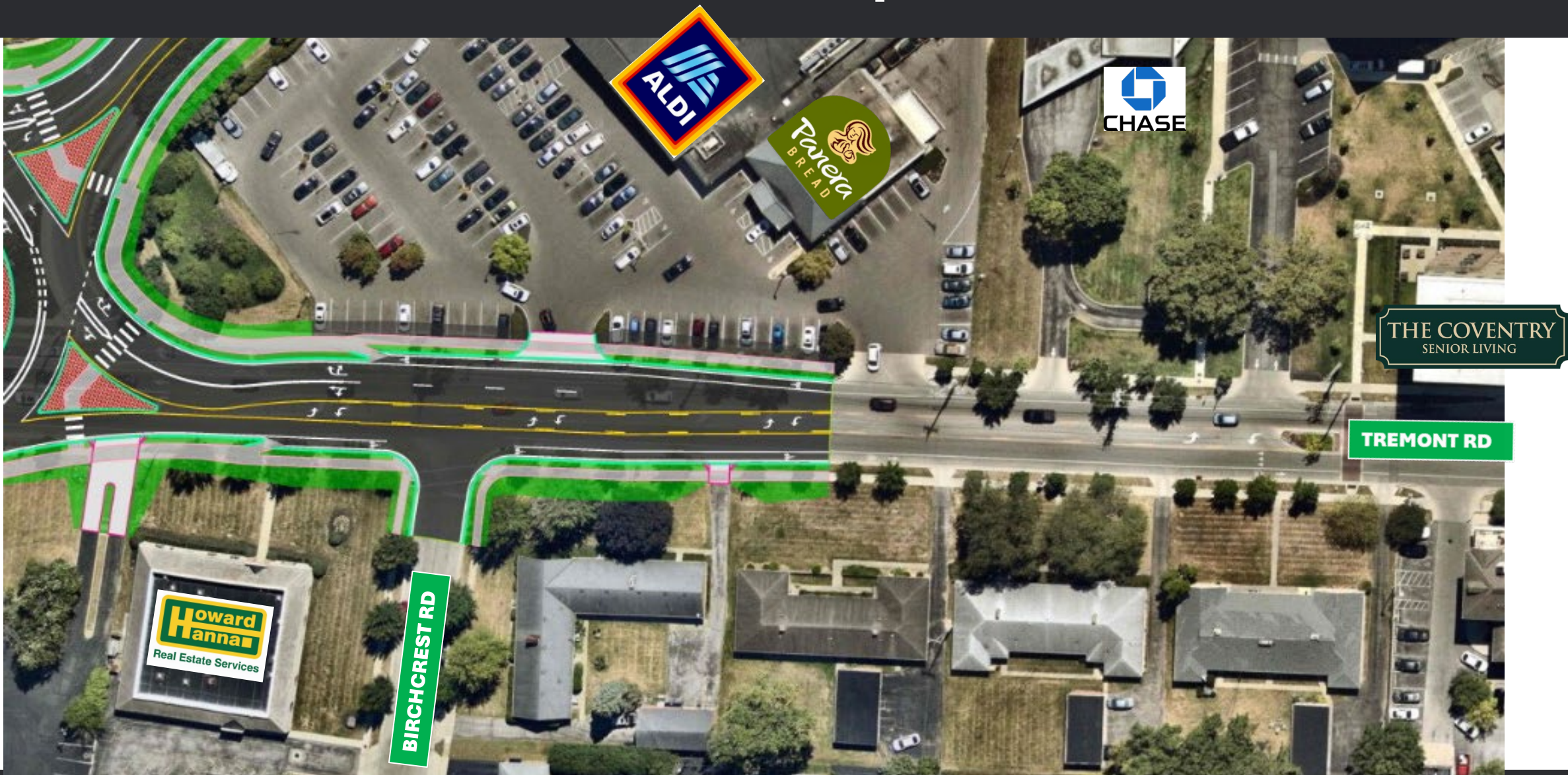
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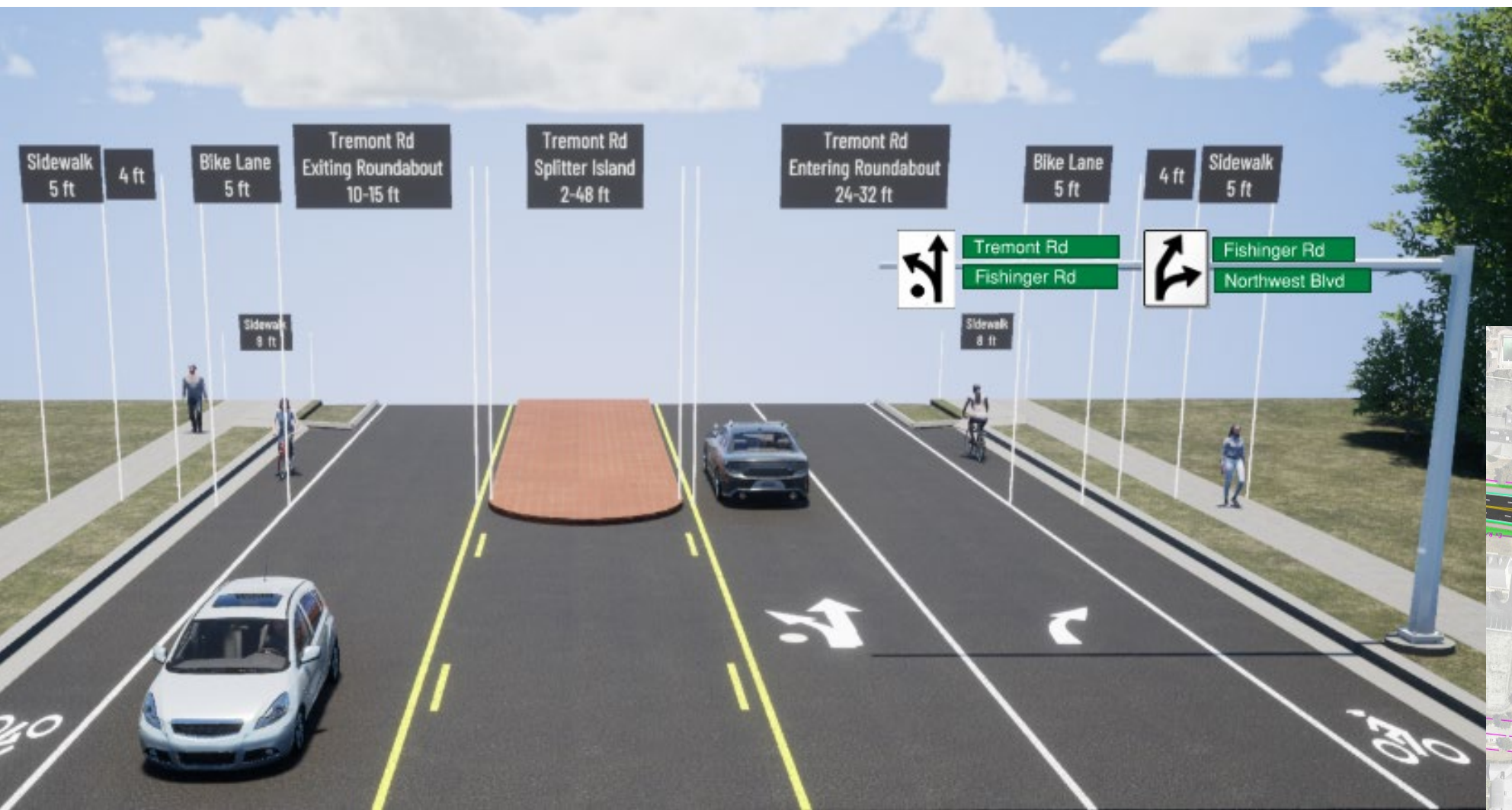
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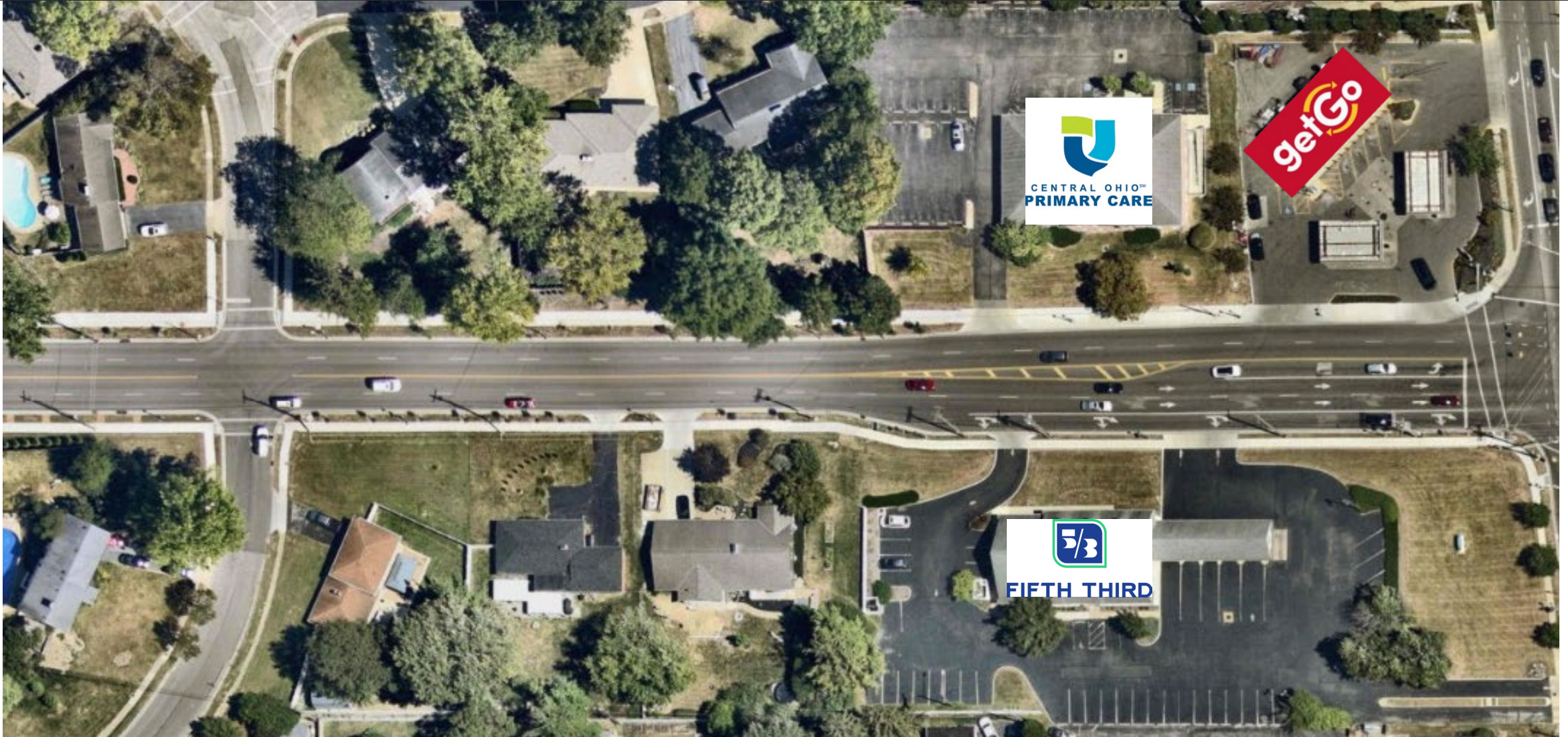
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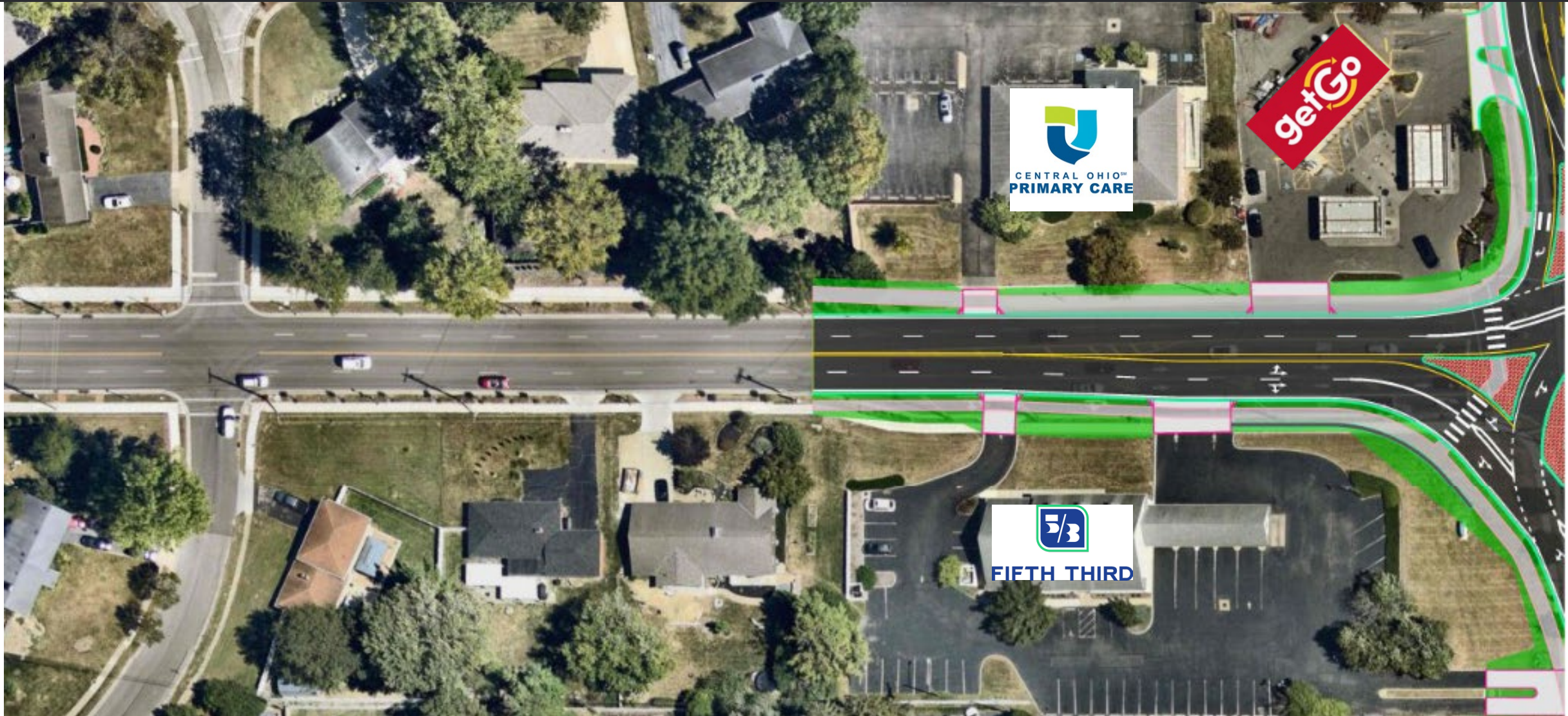
Five Points Intersection Improvements



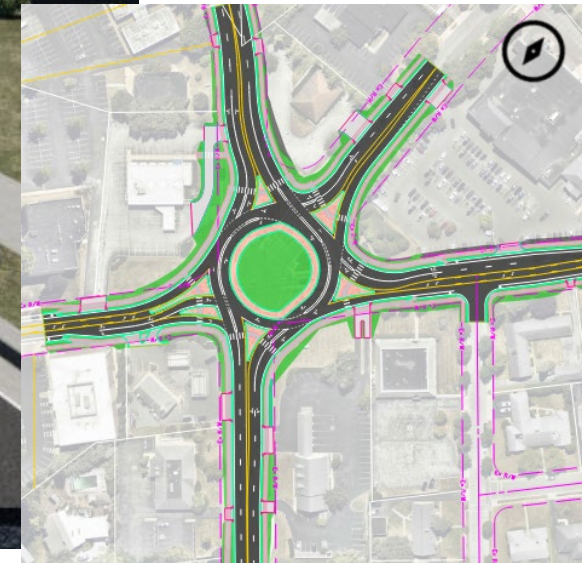
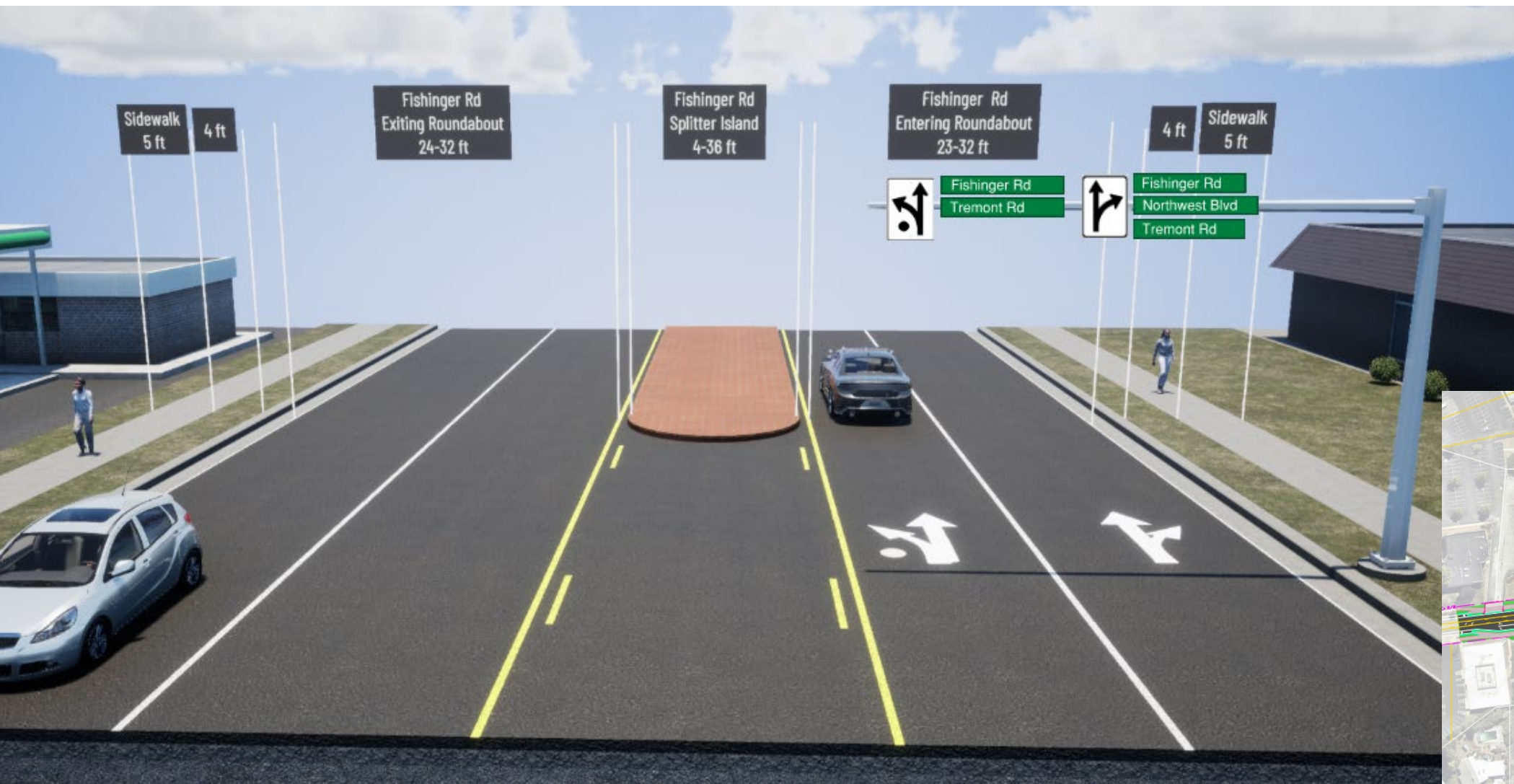
Five Points Intersection Improvements



Five Points Intersection Improvements



Five Points Intersection Improvements



Five Points Intersection Improvements

Overhead Lane Assignment Signs



Five Points Intersection Improvements

Pedestrian Crossings Enhancements



Rectangular Rapid Flashing Beacon (RRFB)



Safety Benefits:
RRFBs can reduce crashes up to:
47%
for pedestrian crashes.⁴

RRFBs can increase motorist yielding rates up to:
98%
(varies by speed limit, number of lanes, crossing distance, and time of day).³

Five Points Intersection Improvements

Pedestrian Crossings Enhancements



Pedestrian Refuge Islands allow for Pedestrians to safely wait for a gap in traffic to cross the lane.

At roundabouts, pedestrians only need to navigate one direction of travel per crossing movement.



Safety Benefits:

**Median with
Marked
Crosswalk**

46%

reduction in pedestrian
crashes.²

**Pedestrian
Refuge Island**

56%

reduction in pedestrian
crashes.²

Five Points Intersection Improvements

Comparable Intersections

ADTs:

Massillon Rd: 25,600

Boettler Rd: 9,700

Franks Pkwy: 2,800

Corporate Woods: 11,000

Thorn Dr: 1,000

Upper Arlington Traffic

Fishing Rd: 13,100

Tremont Rd: 9,000

Northwest Blvd: 10,400

(Video taken at approx. 2:30 PM)



Five Points Intersection Improvements

Comparable Intersections

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(Video taken at approx. 2:30 PM)



Five Points Intersection Improvements

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Upper Arlington Traffic

Fishing Rd: 13,100

Tremont Rd: 9,000

Northwest Blvd: 10,400

(Video taken at approx. 2:30 PM)



Five Points Intersection Improvements

Comparable Intersections

ADTs:

Plainfield Rd: 26,400

Hunt Rd: 15,400

Upper Arlington Traffic

Fishing Rd: 13,100

Tremont Rd: 9,000

Northwest Blvd: 10,400

(Video taken at approx. 5:00 PM)



Five Points Intersection Improvements

Comparable Intersections

ADTs:

Plainfield Rd: 26,400

Hunt Rd: 15,400

Upper Arlington Traffic

Fishing Rd: 13,100

Tremont Rd: 9,000

Northwest Blvd: 10,400

(Video taken at approx. 5:00 PM)



Five Points Intersection Improvements

Hold for Video Simulation



Thank You

AMERICAN STRUCTUREPOINT



Authors:	Steven Schoeny, City Manager
Council Meeting Date:	September 14, 2026
Subject/Legislative Item:	Ordinance No. 27-2026 - To Amend Chapters 301 - Definitions, 383 - Bicycles, Motorized Bicycles, Motorcycles, and Other Forms of Transportation Other Than Walking, and 543 - Parks, Playgrounds and Open Space Areas of the Upper Arlington Code of Ordinances to Establish an E-Mobility Device Registration, Safety Education, and Parking Restriction Program
Purpose:	The purpose of this legislation is to proactively safeguard pedestrians, motorists, and the operators of motorized micro-mobility (e-mobility) devices within Upper Arlington. With the rapid growth of electric scooters, electric skateboards, and e-bikes, this program fills a crucial regulatory gap. By establishing a formalized registration process, mandatory safety instruction, and public parking parameters, the City will facilitate accountability, build public awareness of safe riding practices, and provide the Upper Arlington Police Division (UAPD) with the standard enforcement tools needed to maintain orderly and safe public rights-of-way. The legislation also amends Upper Arlington Parks rules to increase safety and protect parks from reckless operation of motorized devices.
Executive Summary:	In response to escalating public safety complaints and a 2026 community engagement survey confirming that over 90% of residents view motorized micro-mobility as a moderate-to-significant safety concern, the City administration proposes a comprehensive regulatory and public education framework. This ordinance requires motorized vehicles not licensed by the Ohio Bureau of Motor Vehicles (BMV)—such as e-bikes, motorized scooters, and electric skateboards—to be formally registered with the UAPD to operate within the City of UA or park on any public property in Upper Arlington. Licensed drivers receive free registration via a simple affidavit, while unlicensed riders (primarily minors) must pass a collaborative public safety course to obtain a registration sticker. Additionally, minors are required to wear a helmet. Violations are categorized as unclassified misdemeanors, subjecting devices to immediate immobilization or physical seizure and a \$150 fee.



Purpose and Impact

There are 5 key elements to the proposed legislative changes:

1. Two-Tiered Registration Framework & Sticker Identification

To balance resident convenience with public accountability, the program splits registrations into two categories:

Driver's License Registration: Designed for operators possessing a valid Ohio Motor Vehicle Driver's License. The application will be free and completed online or at the UAPD desk (3600 Tremont Rd). Applicants must supply the device make, model, and serial number, and a signed affidavit attesting that only licensed drivers will operate the device and that operators will carry their licenses.

Non-Driver's License Registration: Required if any user of the device lacks a valid driver's license. To qualify, all authorized operators must attend and pass a free safety class. Minors under 18 require a parent/guardian signature confirming review of training materials, accepting financial responsibility for fines, and acknowledging key terms of the City's registration program, including helmet requirements.

2. Parking Restrictions

This ordinance explicitly outlaws parking any unregistered electronic scooter, electric skateboard, or motorized bicycle on public property — including City Parks, Upper Arlington City Schools, Upper Arlington Public Libraries, and the Bob Crane Community Center. Furthermore, to prevent regulatory circumvention, any device ridden by an individual under the age of 16 but displaying a "Driver's License" registration sticker is subject to immediate parking enforcement on these designated public properties.

3. Operational Rules, Helmets, and State Law Intersections

The proposed addition of Section 383.02 establishes a requirement that helmets be worn by anyone under 18 years old operating an e-mobility device, regardless of whether they have a valid driver's license.

4. Enforcement, Seizure, and Immobilization Protocols

A citation is explicitly *not* required for law enforcement to secure an offending device. UAPD officers are granted clear discretion to stop young riders lacking visible registration stickers. Under the proposed framework, if a device is illegally operated or improperly parked, the City has two distinct enforcement pathways:

- **Immobilization (Preferred Method):** Securing the device at a public bike rack using a City-owned lock, which can only be removed by UAPD personnel upon compliance.



- **Seizure:** Physical transportation of the device to a City facility—either the UAPD Headquarters at 3600 Tremont Road or the City's Public Service Center at 4100 Roberts Road.

For an initial registration violation, the \$150 impoundment or locking device removal fee may be waived upon successful device registration (and completion of the safety course if applicable). Second and subsequent violations strictly mandate the payment of the \$150 fee before the device is released or unlocked. Any item left unclaimed after six months will be legally disposed of as forfeited property.

5. Park Rules Clarifications

The legislation also requires operators of wheeled transportation in Upper Arlington parks to abide by the following rules:

- a. Obey city laws and requirements
- b. Operate in a safe manner per manufacturer's requirements
- c. Travel only on paved areas
- d. Use on natural trails and in natural areas is prohibited
- e. Speed limit of 10 miles per hour
- f. Must yield to pedestrians
- g. Walk through crowded areas and over park bridges
- h. Use lights before dawn or after dusk
- i. All motorcycles, including e-dirt bikes, are prohibited

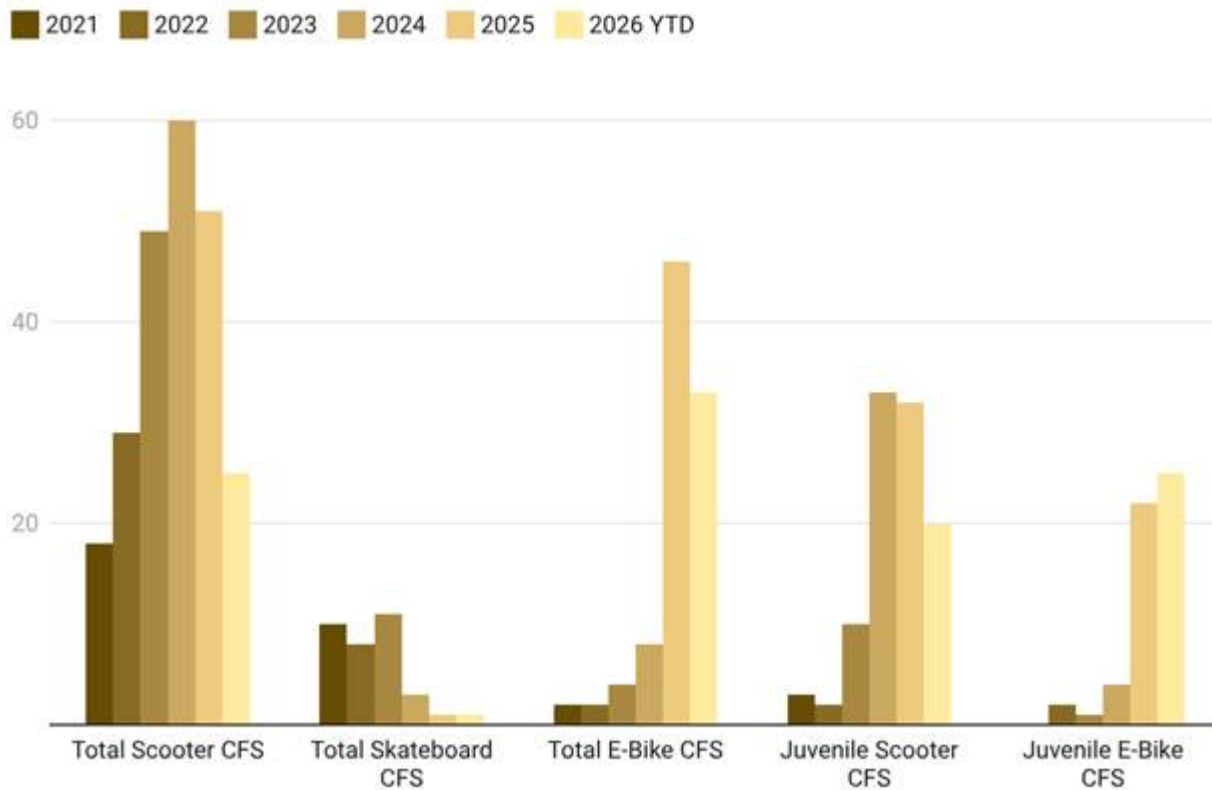
History

1. Quantitative Need: UAPD Calls for Service (CFS) Trends

An evaluation of UAPD data from 2021 through 2026 Year-to-Date (YTD) reveals a spike in e-mobility issues, heavily driven by juvenile operators and the rapid adoption of e-bikes. Total e-bike calls skyrocketed from a mere 2 in 2021 to 46 in 2025, with 2026 YTD already reaching 33 calls. Crucially, juvenile-specific e-bike calls grew from 0 in 2021 to 22 in 2025 and 25 in 2026 YTD.



UAPD Calls For Service (CFS)



Created with Datawrapper

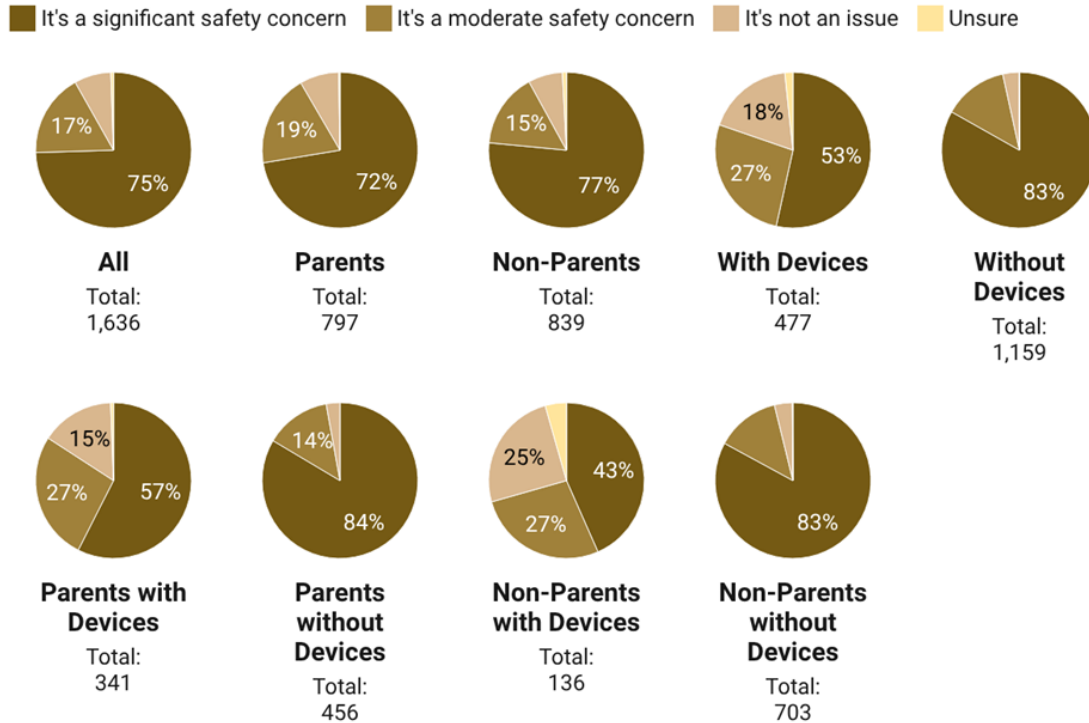
2. Stakeholder and Community Survey Feedback

In May 2026, the City launched an opt-in community survey to compile stakeholder sentiments. The feedback overwhelmingly supported robust legislative intervention. Across all respondents, 1,219 individuals classified e-mobility devices as a "significant safety concern," while 283 labeled them a "moderate concern." Only 125 felt it was not an issue.



Respondents Are Worried About e-Mobility Devices

All Respondents



Source: City of Upper Arlington May 2026 Survey • Created with Datawrapper

When asked about specific anxieties, the community highlighted the following core areas:

Unsafe operation on City streets and sidewalks: 1,444 respondents

Operators not wearing helmets: 1,069 respondents

Pedestrian safety: 1,018 respondents

Operation of devices in parks: 728 respondents

Inappropriate parking/placement when not in use: 400 respondents

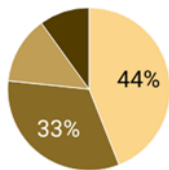
Regarding the proposed two-class registration plan, 712 respondents liked the concept exactly as written, and an additional 528 supported it with minor adjustments. Only 217 expressed a general dislike of the policy. Looking specifically at Upper Arlington residents, 669 approved as proposed and 504 approved with adjustments, representing an overwhelming supermajority in favor of the program in some form.



Ownership Impacts Opinion, To A Degree

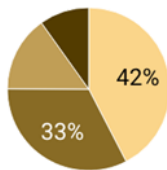
All Survey Respondents

■ I like it as proposed
 ■ I like it, but it needs some adjustments to be most effective
 ■ I don't like it
 ■ I'm not sure, I would need to know more



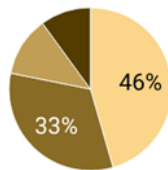
All

Total:
1,618



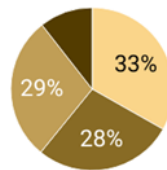
Parents

Total:
790



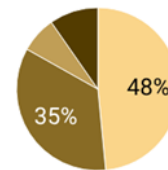
Non-Parents

Total:
828



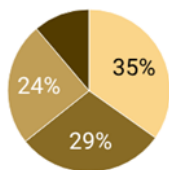
With Devices

Total:
473



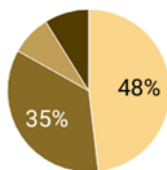
Without Devices

Total:
1,145



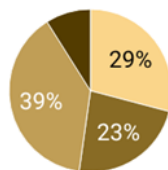
Parents with Devices

Total:
339



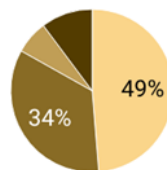
Parents without Devices

Total:
451



Non-Parents with Devices

Total:
134



Non-Parents without Devices

Total:
694

Source: City of Upper Arlington May 2026 Survey • Created with Datawrapper

3. Program Development and Implementation Timeline

The policy has been systematically advanced through the following community and administrative milestones in 2026:

Week of April 20: Completed initial regional outreach to UA Schools and UA Public Library; issued introductory community Insight post.

Week of May 4: Formally released the draft regulatory framework alongside the community opt-in survey.

Week of May 25: Aggregated and analyzed survey data.

June 8 & June 9: First Council reading/public hearing and subsequent School Board presentation.

June 15: Second reading/public hearing

August 17: Third reading/public hearing. Review and discussion of proposed amendments.

August 25: Proposed Final Fourth Reading and official legislative roll-call vote.



City of Upper Arlington

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Fall / Winter: Finalize safety class schedules in September for the Winter activity guide, launch courses in November or December.

Implementation: Registration officially opens January 1, with active police enforcement commencing March 1.

Staff Report Update for the 9/14/2026 Council Meeting

Following Council discussions, staff took the feedback received and made changes to the legislation. The current draft includes the following:

Additions to Transportation other than Walking: Adds items to Transportation Other Than Walking Code that had previously been recommended for park rules, making these items (10 miles per hour speed limit, lights, helmet for those under 18) required for all forms of transportation other than walking on streets, sidewalks, and shared-use paths (which would include parks). This draft also contains a prohibition on traveling recklessly on private property that is open to the public to capture parking lots.

Registration requirements: Registration is now only required for people using electronic scooters, electric skateboards, or motorized bicycles who do not have a driver's license. The program parameters were not included in the code amendments to allow flexibility. Instead, the update allows Council to authorize the City Manager to establish program guidelines, which can be adjusted without requiring additional Council approval through the code change process.

Impounding: Impounding is permitted for violations of the code and for abandoned items.

Alternatives

Through the survey, several suggestions were made. Those suggestions included:

1. Universal helmet requirement
2. Require lights
3. Minimum age/Parental supervision requirement
4. Sidewalk speed limit
5. Sidewalk ban
6. Park ban
7. Ban riding after dark
8. Full ban
9. More police staffing

Staff is prepared to talk through each of these suggested modifications. In discussing these modifications, staff will be focused on evaluating the impact of these potential changes on:

- The ability of UAPD to effectively enforce the law.
- The probability of achieving voluntary compliance from the public.
- The potential for positive impact on the community, especially related to safety.
- The potential for unintended negative consequences.



- Financial costs of the proposed change.

Attachments

1.	eMobility Code Changes summary
2.	Scooter Program Presentation Slides
3.	Ordinance No. 27-2026
4.	Council Proposed Amendments List 8.17.26
5.	Ordinance No. 27-2026 - Council Proposed Amendments 8.17.26 Exhibit
6.	Council Proposed Amendments List 8.24.26
7.	Ordinance No. 27-2026 - Proposed Amendments 9.14.26



Proposed Code for e-Mobility Registration Program

§ 301.02 - DEFINITIONS (D-H)

Add: Electric skateboard is a vehicle or device consisting of a floorboard that is designed to be stood upon while riding and is powered by an electric motor.

§ 383.01 - TRANSPORTATION RULES FOR FORMS OF TRANSPORTATION OTHER THAN WALKING.

- (A) This section shall apply to all forms of transportation other than walking.
- (B) All traffic laws must be followed when using any form of transportation. All traffic laws that by their nature could apply to a mode of transportation other than walking, do apply upon any public street, highway, sidewalk, or shared-use path, or upon any portion of a roadway set aside for the exclusive use of bicycles.
- (C) When using a vehicle or other transportation device, the vehicle/device may only carry the number of people the vehicle is designed for.
- (D) Due care must be taken when passing.
- (E) No person shall travel recklessly on any public or private property a city street or sidewalk.

§ 383.02 - REGISTRATION AND HELMET REQUIREMENTS

- (A) It shall be unlawful to operate any electronic scooter, electric skateboard, or motorized bicycle on the city streets or on any public right of way, including public paths or sidewalks unless:
 - (1) The operator is wearing a helmet and has successfully completed a safe riding course through the Upper Arlington Police Division and the device bears a City registration sticker certifying completion and providing contact information for the rider's parent, guardians, or other person legally responsible for the immediate care of the rider; or
 - (2) The operator has registered the device with the Upper Arlington Police Division, provided a valid driver's license, and attested that only persons bearing a valid

driver's license will operate the device in Upper Arlington, and the device bears a registration sticker certifying the above; or

(3) The operator has successfully completed a safe riding course through the Upper Arlington Police Division, is over 18 years of age, and the device bears a City registration sticker certifying completion.

(B) It shall be unlawful to park an electronic scooter, electric skateboard, or motorized bicycle on public property, including but not limited to City, Upper Arlington City Schools or Upper Arlington Public Library property, without a registration sticker.

(C) It shall be unlawful to permit an operator who is not authorized under (A) to use a registered device.

(D) A violation of this section is an unclassified misdemeanor.

§ 383.15 – IMPOUNDING AND IMMOBILIZATION.

(A) Whenever any mode of transportation is used in violation of 383.01, such mode of transportation may be impounded until such time as the \$150 impound fee has been paid.

(B) Whenever any mode of transportation is in violation of 383.02, such mode of transportation may be immobilized or impounded as follows:

(1) Impound: A seized mode of transportation will be returned upon registering the device and paying a \$150 impound fee.

(2) Immobilization: A mode of transportation may be immobilized by a locking device. A locking device will be removed upon registering the device and paying a \$150 locking device removal fee.

(3) The fee associated with an initial violation of this subsection section may be waived upon registration of the device.

(C) A citation is not required to impound or immobilize a mode of transportation under this section.

(D) The City Manager may designate employees who have authority to enforce this section by immobilizing parked devices with equipment approved by the Upper Arlington Police Division.

- (E) Items unclaimed after six months shall be disposed of as unclaimed and forfeited property pursuant to C.O. 551.03.

§ 543.02 ADOPTION OF RULES, VIOLATIONS; UNAUTHORIZED AND PROHIBITED ACTS.

- (A) The following rules and regulations are ordained and established for the conduct in the parkettes, public parks, playgrounds and open space areas of the city.

(1) No person shall cut, injure, deface, remove or disturb any tree, shrub, building, fence, sign, bench or other structure, apparatus or property; or pick, cut, or remove any shrub, bush or flower; or mark or write upon any building, fence, bench or other structure. No person shall modify any park grounds in any way, including but not limited, to creating or altering paths. The use of a metal detector is permitted, but digging is not permitted.

(2) No person shall make or kindle an open fire except in barrels, fireplaces or picnic grills provided by the city for that purpose.

(3) No abusive, profane or indecent language, or any lewd or obscene conduct, or any other conduct that may annoy others, shall be allowed.

(4) (a) No person, except law enforcement officers within the scope of their duties, shall shoot or discharge any firearms of any description, knives, bows and arrows, crossbows, air and gas guns, slingshots, missiles or missile-throwing devices, or other dangerous ordnance or deadly weapon as defined in C.O. ch. 523.

(b) No person shall have in his or her possession or ignite or detonate any fireworks or explosive devices, or model rockets, as defined in C.O. ch. 523, without having first obtained in writing the permission of the director of parks and recreation and fire chief.

(c) Model rocketry, archery and similar hobbies and/or activities shall be prohibited without the written permission of the director of parks and recreation.

(5) No person shall sell, offer or solicit for sale any goods or merchandise, conduct business, or provide instructional services on park grounds or parking lots without a written permit from the director of parks and recreation. The following are considerations for granting a permit:

(a) Person has entered into a contract with the city for such sales as a service to patrons at facilities specifically designed for such purpose, including, but not

limited to, pool concession stands, community center café, and vending machines.

(b) Sales are being done as part of either a city-hosted or city-permit-approved special event. Special events for the purpose of promoting a private business shall not be approved. Specifically, the sale of beverages, pre-packaged goods, or sales from food trucks are only permitted on park grounds or parking lots if part of a permitted event.

(c) Instructional services are being performed by a person that has entered into a contract with the city for such purposes. This shall include group programs as well as individual lessons.

(6) No person shall use, consume, carry or bring any alcoholic beverage in or upon any parkette, public park, playground or open space areas.

(a) This subsection does not apply to intoxicating liquor or beer consumed on the premises of the Amelita Mirolo Barn or within the event areas designated by the city manager in accordance with a city permit issued by the city manager pursuant to C.O. § 131.05.

(7) Betting, gambling in any form or maintaining any gambling equipment is prohibited.

(8) The playing of baseball, golf and other games, activities, or contests involving risk of injury to persons or property is prohibited except in areas expressly set aside for such activities, unless otherwise approved by the director of parks and recreation.

(9) No person shall distribute any advertising, commercial or promotional circulars, cards or written matter, or place signs within any parkette, public park, or playground or open space areas.

(10) No events, entertainment or exhibition (public or private) shall be given in any parkette, public park, playground or open space areas except under the direction or by written permission of the director of parks and recreation.

(11) It shall be unlawful for any person to scatter or litter any form of waste material including but not limited to wrappers, gum, seeds, and cigarette butts.

(12) No motor vehicles of any description, other than municipal service or emergency vehicles, may enter upon a parkette, public park, playground or open space areas, except as authorized by the director of parks and recreation.

(13) No person or group of persons shall erect, place or cause to be placed, alter or cause to be altered any equipment (including stakes or inflatable apparatus), facilities or grounds in the city-owned parkette, public park, playground or open space areas without special written permission from the director of parks and recreation.

(14) No person or group of persons shall enter, use or remain upon city parkette, public park, playground or open space areas between the hours of 11:00 p.m. to 5:00 a.m. except upon the express authorization of the director of parks and recreation.

(a) Lights for the multi-sport court at Sunny 95 park are limited to use up to 9:30 p.m.

(b) All other park lighting systems for active areas such as ball diamonds and courts shall only be used within the designated park hours.

(15) No person shall feed, cause to be fed or provide food for any wildlife on any public property within the boundaries of the city. Exceptions to this will only be granted through city, state and/or federal permitting processes.

(a) Signs shall be conspicuously posted to notify individuals that feeding of waterfowl is prohibited on public property within the city.

(b) The absence of a sign shall not be an indication that the no feeding of waterfowl policy does not apply to a particular water source.

(c) Defacing, tampering, moving, or damaging such signs shall constitute a violation of this chapter in addition to any other penalties that may apply regarding the defacement of public property.

(16) No person in a park shall engage in the activities of swimming, wading, boating and/or ice skating in areas or at times which have not been set aside for these purposes by appropriate signage.

(a) Signs shall be conspicuously posted to notify individuals that these activities are prohibited on public property within the city.

(b) The absence of a sign shall not be an indication that these activities do not apply to a particular water source.

(c) Defacing, tampering, moving or damaging such signs shall constitute a violation of this chapter in addition to any other penalties that may apply regarding the defacement of public property.

(17) *Regulations regarding animals.*

(a) No person in a park shall hunt, capture, take, trap or in any other way abuse, molest, injure, pursue or destroy any animal without the permission of the director other than by fishing.

(b) No person shall release any domesticated or exotic fish or animals in any park.

(c) All persons using a park must comply with C.O. § 519.02 (animals at large and animals causing physical harm).

(18) Fishing on a catch-and-release only basis is permitted within the City of Upper Arlington. After capture, all fish must be unhooked and returned to the water unharmed. No person shall take or carry away or attempt to take or carry away any fish caught in a public body of water within the City of Upper Arlington.

(a) Signs shall be conspicuously posted to notify individuals that a water source is catch-and-release fishing only and criminal penalties exist for taking or carrying away, or attempting to take or carry away fish from the water source.

(b) The absence of a sign shall not be an indication that this catch and release policy does not apply to a particular water source.

(c) Defacing, tampering, moving or damaging such signs shall constitute a violation of this chapter in addition to any other penalties that may apply regarding the defacement of public property.

(d) No person in a park shall fish in public park waters in violation of any sign or signs prohibiting fishing or a manner thereof.

(19) Smoking and the use of any smoking, vaping, or e-cigarette materials or devices within any areas of any parkette, public park, playground, or open space areas is prohibited.

(20) Any wheeled transportation in parks must abide by the following:

(a) Obey city laws and requirements

(b) Operate in a safe manner per manufacturer's requirements

(c) Travel only on paved areas

(d) Use on natural trails and in natural areas is prohibited

(e) Speed limit of 10 miles per hour

(f) Must yield to pedestrians

(g) Walk through crowded areas and over park bridges

(h) Use lights before dawn or after dusk

(i) All motorcycles, including e-dirt bikes, are prohibited

(B) (1) Except as provided in subsections (B)(2) and (B)(3), whoever violates this section is guilty of violating park rules and regulations, a minor misdemeanor.

(2) If the offender has previously been convicted of a violation of this section, violating park rules is a misdemeanor of the fourth degree.

(3) If a violation of this section constitutes a higher classification of offense under another section of the general offenses code or under a state or federal statute, then the offender may also be prosecuted for said section of the general offense code or state or federal statute. It is the intent of this section that the offender be subject to the full range of penalties provided by said section of the general offense code or state or federal statute.

E-Mobility Device Safety in Upper Arlington

Version as of June 4, 2026

For June 8, 2026 Upper Arlington City Council meeting



City of Upper Arlington

Agenda

- Define the issue
- Elements of a Successful Safety Effort
- Current State
- Proposed New System
- Strengths and Weaknesses
- What we heard from the community
- Next Steps



Bottom Line Up Front

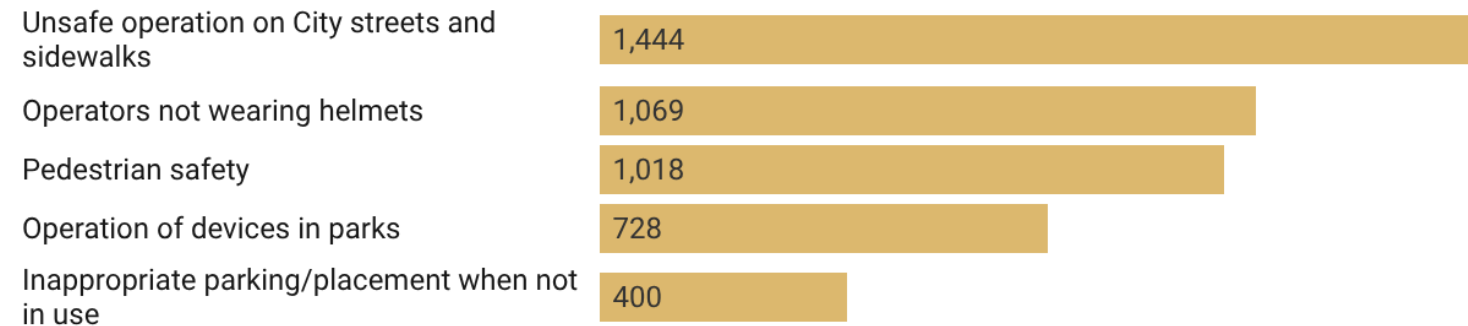
City staff recommends implementing an e-mobility device registration system, coupled with an education requirement for operators without a driver's license and changes to our park rules. We believe this program fills a critical gap in the safety system for these devices and is the most workable solution that we have identified.



Defining the issue

What kinds of problems?

Concerns About Both Riders and Pedestrians



1,626 people responded to this question. More than one answer was allowed.

Source: City of Upper Arlington, May 2026 • Created with Datawrapper

What kinds of devices?

- Transportation devices with a motor that don't require a license plate.
- Low-speed assistive devices intended for someone with a mobility challenge are exempt



Elements of a successful safety effort

- Easy to understand
 - Overall principles
 - Specifics and technicalities
- Easy to enforce
 - Limited ambiguity
 - Easily demonstrated standards
 - Ease of observation
- Low barrier to comply
- A penalty that is higher than the barriers to compliance
- Easy for the target audience to see the self-interest in compliance



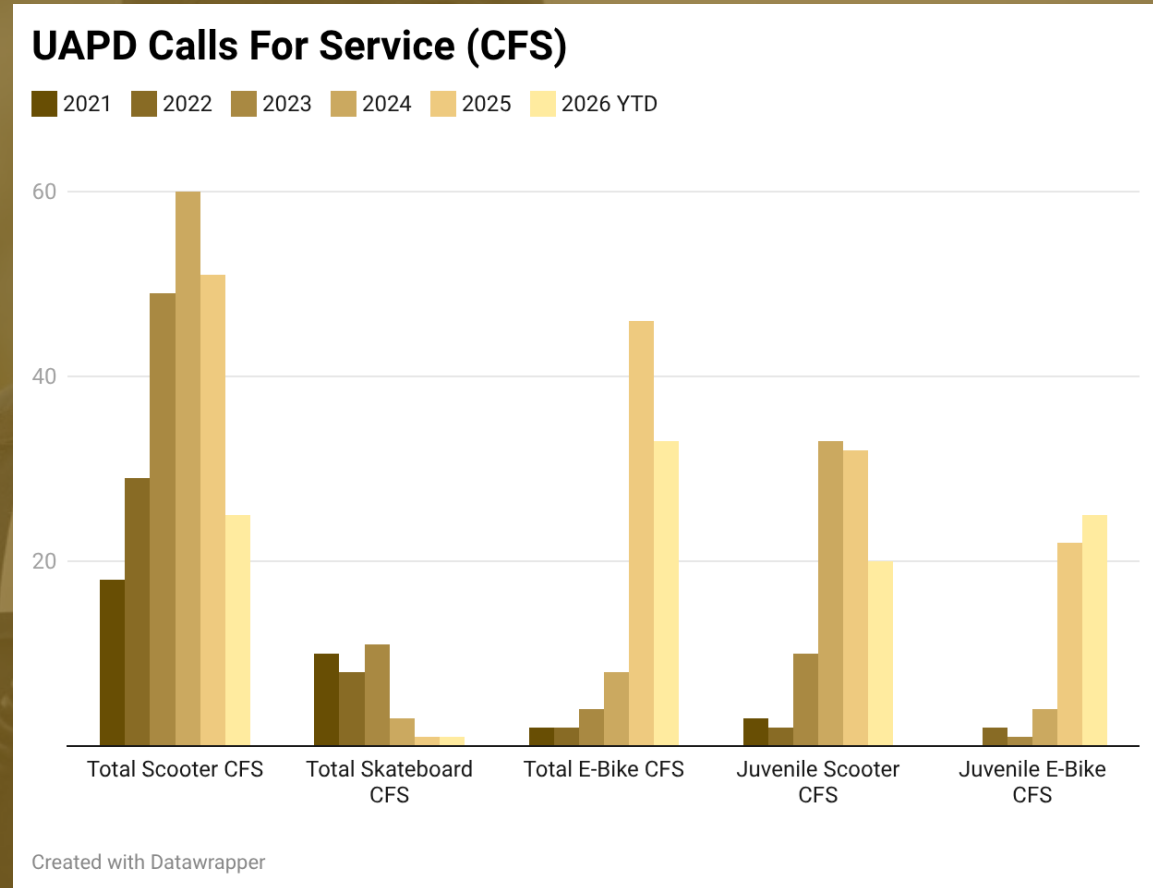
The current state

- The following things are currently illegal in UA:
 - Operating Class 3 devices underage and without a helmet
 - Riding an e-motorcycle without license and registration
 - Riding more than 2 abreast
 - Riding double
 - Riding the wrong way on a street.
 - Running stop signs
 - Weaving in the road
 - Any other violations of the federal, state or city traffic laws
- The following things are NOT currently illegal in UA:
 - Riding without a helmet
 - Riding on the sidewalk (except in a business district)
 - Riding in a park
 - Riding 2 abreast
 - There is no minimum age for riding a motorized device



Enforcement

- Typically, UAPD has 4-6 officers assigned to patrol at all times.
 - 10 square miles
 - 166 miles of roads
 - 183 acres of park land
 - 10 public schools, 3 private schools
 - Multiple shopping centers
- Most people stop illegal or unsafe behavior when they see a police officer or a patrol vehicle.
- We cannot use unmarked vehicles for traffic enforcement
- UAPD officers know to stop anyone they see operating any e-device device unsafely
- Enforcement of moving violations can lead to more unsafe behavior (running from police)



The new system

The Theory

- UA's legal framework already prohibits most of the unsafe behavior we see
- Kids under 16 have not had any education on the rules of the road since Safety Town
- Rules for Parks need clarified
- Ensure everyone operating a device knows the rules of the road
- Simplify enforcement for UAPD
- Easy compliance with appropriate penalties



Program Specifics - Registration

- **If you have a driver's license**
 - Supply a copy of driver's license
 - Sign an affidavit that only individuals with a valid driver's license will operate the device
 - Put the sticker on your device
- **If you do not have a driver's license**
 - Take a class taught by UAPD
 - If you are under 18, a parent must sign an acknowledgement of financial responsibility and appropriate laws.
 - Put a sticker on your device
 - Put a helmet on your head



Program Specifics - Enforcement

- Devices without a registration sticker may be immobilized (locked in place with a UAPD lock) or seized.
 - Release of the device will require the device to be properly registered.
 - Unregistered motorcycles will be towed.
- If someone without a driver's license operates a device with a "licensed" sticker, the device will be immobilized or seized.
- Devices parked on City, UA Public Library, or UA City School District property may be immobilized if they do not have the appropriate sticker or the operator cannot produce a valid driver's license.
- All laws for safe operation still apply.
- Repeat violations are subject to a \$150 fine.



Program Specifics – Helmets

- Anyone under 18 operating an e-mobility device must wear a helmet.
- The same penalties (immobilization, seizure and fine) apply to failure to wear a helmet.



Program Specifics - Parks Rule Changes

Wheeled transportation in Parks must:

- Be registered and operate only when parks are open
- Travel only on paved areas
- Stay under 10 mph
- Yield to pedestrians
- Walk through crowded areas and over bridges
- Use lights after dusk and before dawn



Universal Registration

Strengths

- Does not rely on age assessment in the field.
- Ensures universal safety education

Weaknesses and Questions

- Imposes a burden on law-abiding adult riders
- Requires affixing a sticker that owners may find unappealing.
- Need to include exceptions for assistive devices.
- What about non-residents?



Required education for unlicensed operators

Strengths

- Ensures that everyone knows the rules of the road
- Mechanism in place to deliver the training through partnership with schools and library

Weaknesses

- May not successfully change behavior



Parking restrictions

Strengths

- Helps avoid safety hazard of kids fleeing police
- Allows police to actively enforce on larger numbers of devices and operators
- Protects officers by not needing to lift/transport devices

Weaknesses

- Could push parking to private property



Helmets

Strengths

- Requires a widely accepted, proven safety device for minors
- Does not impose a burden on adults

Weaknesses

- Removes some personal choice
- Does not cover adults on a key safety strategy.



Community Feedback

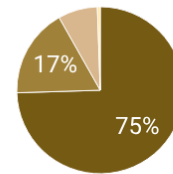
Whether you have an e-bike or e-scooter in your household has a large impact on whether you think that they are a “significant” or “moderate” safety concern.

Non-residents make up 22.4% of the people who don’t think this is an issue. Non-residents make up 7.6% of survey respondents.

Respondents Are Worried About e-Mobility Devices

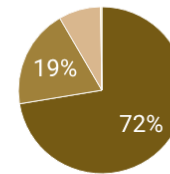
All Respondents

■ It's a significant safety concern ■ It's a moderate safety concern ■ It's not an issue ■ Unsure



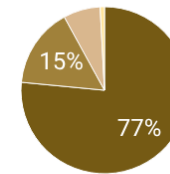
All

Total:
1,636



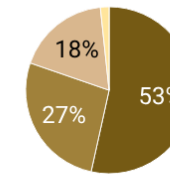
Parents

Total:
797



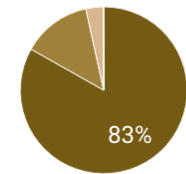
Non-Parents

Total:
839



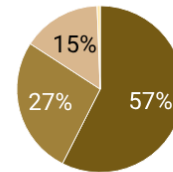
With Devices

Total:
477



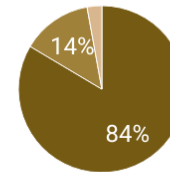
Without Devices

Total:
1,159



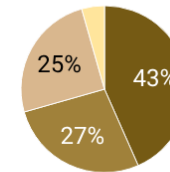
Parents with Devices

Total:
341



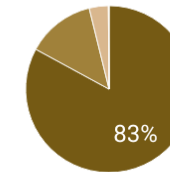
Parents without Devices

Total:
456



Non-Parents with Devices

Total:
136



Non-Parents without Devices

Total:
703

Source: City of Upper Arlington May 2026 Survey • Created with Datawrapper



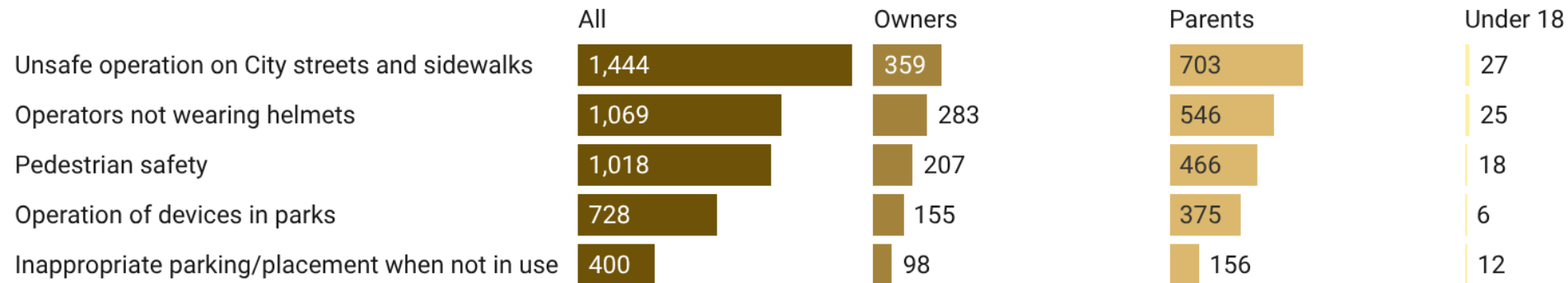
City of Upper Arlington

Consistent areas of concern

Surprising consistency across demographics on the areas of concern with a few items of note:

- Owners of devices reported less concern about pedestrian and park safety than others.
- Respondents under 18 reported relatively high concerns about riders without helmets.

Consistent concerns about both riders and pedestrians



1,626 respondents included at least one concern

Source: City of Upper Arlington, May 2026 • Created with Datawrapper



Where you stand depends on what you own

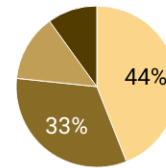
People without an e-mobility device were 45% more likely to like the device registration as proposed.

Nonetheless, 77 percent overall, and at least 50 percent of each of the main groupings, support the framework as proposed or with some adjustments.

Ownership Impacts Opinion, To A Degree

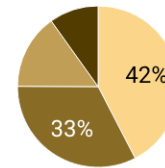
All Survey Respondents

■ I like it as proposed ■ I like it, but it needs some adjustments to be most effective ■ I don't like it ■ I'm not sure, I would need to know more



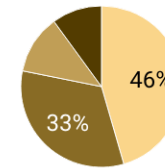
All

Total:
1,618



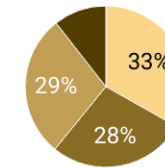
Parents

Total:
790



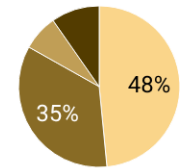
Non-Parents

Total:
828



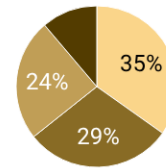
With Devices

Total:
473



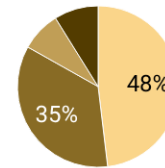
Without Devices

Total:
1,145



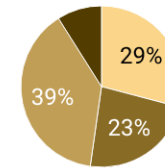
Parents with Devices

Total:
339



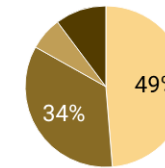
Parents without Devices

Total:
451



Non-Parents with Devices

Total:
134



Non-Parents without Devices

Total:
694

Source: City of Upper Arlington May 2026 Survey • Created with Datawrapper



City of Upper Arlington

Ideas for Improvement from the Survey

Ideas

1. Universal helmet requirement
2. Require lights
3. Minimum age/Parental supervision requirement
4. Sidewalk speed limit
5. Sidewalk ban
6. Park ban
7. Ban riding after dark
8. Full ban
9. More police staffing

Standards for evaluation

- Can police enforce without making assumptions?
- Probability of compliance
- Potential for positive impact
- Law of unintended consequences
- Financial cost



Next Steps

- First Reading - June 8
- School Board Presentation - June 9
- Second Reading - June 15
- Development and analysis of proposed changes - July
- 3rd Reading and Review proposed amendments, if needed - August 17
- 4th Reading and Vote - August 25
- Education and registration begins in 4th quarter
- Requirements are effective January 1, 2027



RECORD OF ORDINANCES

CITY OF UPPER ARLINGTON
STATE OF OHIO

ORDINANCE NO. 27-2026

TO AMEND CHAPTERS 301 – DEFINITIONS, 383 – BICYCLES, MOTORIZED BICYCLES, MOTORCYCLES, AND OTHER FORMS OF TRANSPORTATION OTHER THAN WALKING, AND 543 – PARKS, PLAYGROUNDS AND OPEN SPACE AREAS OF THE UPPER ARLINGTON CODE OF ORDINANCES TO ESTABLISH AN E-MOBILITY DEVICE REGISTRATION, SAFETY EDUCATION, AND PARKING RESTRICTION PROGRAM

WHEREAS, the use of electric bicycles, electric scooters, electric skateboards, and other motorized micro-mobility devices has increased within the City of Upper Arlington; and

WHEREAS, the Upper Arlington Police Division has experienced an increase in calls for service related to motorized micro-mobility devices, particularly involving juvenile operators; and

WHEREAS, a 2026 community survey found that more than ninety percent of respondents identified motorized micro-mobility devices as a moderate or significant public safety concern and expressed strong support for enhanced regulation and education efforts; and

WHEREAS, City Council finds it necessary and appropriate to establish a registration, education, safety, parking, and enforcement program to promote the safe operation of motorized micro-mobility devices and protect the health, safety, and welfare of residents and visitors.

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

SECTION 1. Chapter 301 – DEFINITIONS, § 301.02 - DEFINITIONS (D-H) of the Upper Arlington Code of Ordinances is hereby amended as follows:

§ 301.02 - DEFINITIONS (D - H).

The following words and phrases when used in this traffic code or any traffic ordinance of the city shall have the meanings respectively ascribed to them in this chapter unless otherwise stated.

Drive: means any person who drives or operates a motor vehicle upon any street, highway or private property.

Driver: means every person who drives, operates, or is in actual physical control of a vehicle, trackless trolley or streetcar.

Drug abuse offense, cocaine, and L.S.D.: have the same meanings as in ORC § 2925.01.

Drug of abuse: has the same meaning as in ORC § 3719.011 and ORC § 4506.01.

Electronic scooter is a vehicle consisting of a two-wheeled device with handlebars and a floorboard that is designed to be stood upon while riding, and is powered by an electric motor.

Electric skateboard is a vehicle or device consisting of a floorboard that is designed to be stood upon while riding and is powered by an electric motor.

Electronic wireless communications device: includes any of the following:

- (A) A wireless telephone;
- (B) A text-messaging device;
- (C) A personal digital assistant;
- (D) A computer, including a laptop computer and a computer tablet;
- (E) Any device capable of displaying a video, movie, broadcast television image, or visual image;
- (F) Any other substantially similar wireless device that is designed or used to communicate text, initial or receive communication, or exchange information or data.

An "electronic wireless communications device" does not include a two-way radio transmitter or receiver used by a person who is licensed by the federal communications commission to participate in the amateur radio service.

Emergency vehicle: means emergency vehicles of municipal, township or county departments or public utility corporations when identified as such as required by law, the Ohio Director of Public Safety, or local authorities, and motor vehicles when commandeered by a law enforcement officer.

Equivalent offense: means any of the following:

- (A) A violation of a municipal ordinance, law of this state, law of another state, or law of the United States that is substantially similar or equivalent;
- (B) A violation of a former law of this state that is substantially similar or equivalent.

Explosives: means any chemical compound or mechanical mixture that is intended for the purpose of producing an explosion, that contains any oxidizing and combustible units or other ingredients in such proportions, quantities or packing that an ignition by fire, by friction by concussion, by percussion or by a detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects, or of destroying life or limb.

Manufactured articles shall not be held to be explosives when the individual units contain explosives in such limited quantities of such nature, or in such packing, that it is impossible to procure a simultaneous or a destructive explosion of such units, to the injury of life, limb or property by fire, by friction, by concussion, percussion, or by a detonator, such as fixed ammunition for small arms, firecrackers or safety fuse matches.

Flammable liquid: means any liquid which has a flash point of 70° Fahrenheit, or less, as determined by a tagliabue or equivalent closed cup test device.

Fronting: means facing a street or highway without regard to the placement of the school building and may include one (1) or more sides of the school property.

Funeral escort vehicle: means any motor vehicle, including funeral hearse, while used to facilitate the movement of a funeral procession.

Gross weight: means the weight of a vehicle plus the weight of any load thereon.

Handicapped parking space or disability parking spaces: means clearly marked parking spaces on public or private streets, parking lots and parking garages designated for the exclusive use of a handicapped designated vehicle and denoted in accordance with the requirements of ORC § 4511.60(E) and ORC § 3781.111(C).

Handicapped designated vehicle: means a motor vehicle that displays either (1) a parking card issued under ORC § 4503.44 or (2) a special license plate issued under ORC § 4503.44 and is being operated by or for the transport of a handicapped person. When a motor vehicle displays a temporary parking pass, disabled veteran plate, permanent parking card from the appropriate state agency, or special license plate, that is being operated by or transporting a disabled or handicapped person, the motor vehicle shall have the decal or parking card clearly displayed on the left

dashboard or in the left front windshield of enclosed vehicles so that the parking privilege information is on the front side of the card and is readily readable from outside the windshield.

Handicapped person: means any person who has lost the use of one (1) or both legs or one (1) or both arms, who is blind, deaf, or so severely handicapped as to be unable to move without the aid of crutches or a wheelchair, or whose mobility is restricted by a permanent cardiovascular, pulmonary, or other handicapping condition.

Highway or laned street: means a street or highway, the roadway of which is divided into two (2) or more clearly marked lanes for vehicular traffic.

House arrest: means a period of confinement of an offender that is in the offender's home or in other premises specified by the sentencing court or by the parole board pursuant to ORC § 2967.28 and during which all of the following apply:

- (1) The offender is required to remain in the offender's home or other specified premises for the specified period of confinement, except for periods of time during which the offender is at the offender's place of employment or at other premises as authorized by the sentencing court or by the parole board.
- (2) The offender is required to report periodically to a person designated by the court or parole board.
- (3) The offender is subject to any other restrictions and requirements that may be imposed by the sentencing court or by the parole board.

SECTION 2. Chapter 383 – BICYCLES, MOTORIZED BICYCLES, MOTORCYCLES, AND OTHER FORMS OF TRANSPORTATION OTHER THAN WALKING, § 383.01 – TRANSPORTATION RULES FOR FORMS OF TRANSPORTATION OTHER THAN WALKING of the Upper Arlington Code of Ordinances is hereby amended as follows:

§ 383.01 - TRANSPORTATION RULES FOR FORMS OF TRANSPORTATION OTHER THAN WALKING.

- (A) This section shall apply to all forms of transportation other than walking.
- (B) All traffic laws must be followed when using any form of transportation. All traffic laws that by their nature could apply to a mode of transportation other than walking, do apply upon any public street, highway, sidewalk, or shared-use path, or upon any portion of a roadway set aside for the exclusive use of bicycles.
- (C) When using a vehicle or other transportation device, the vehicle/device may only carry the number of people the vehicle is designed for.
- (D) Due care must be taken when passing.
- (E) No person shall travel recklessly on any public or private property ~~a city street or sidewalk~~.

SECTION 3. Chapter 383 – BICYCLES, MOTORIZED BICYCLES, MOTORCYCLES, AND OTHER FORMS OF TRANSPORTATION OTHER THAN WALKING, § 383.02 – RESERVED of the Upper Arlington Code of Ordinances is hereby amended as follows:

§ 383.02 – REGISTRATION AND HELMET REQUIREMENTS.

- (A) It shall be unlawful to operate any electronic scooter, electric skateboard, or motorized bicycle on the city streets or on any public right of way, including public paths or sidewalks unless:
 - (1) The operator is wearing a helmet and has successfully completed a safe riding course through the Upper Arlington Police Division and the device bears a City registration sticker certifying completion and providing

- contact information for the rider's parent, guardians, or other person legally responsible for the immediate care of the rider; or
- (2) The operator has registered the device with the Upper Arlington Police Division, provided a valid driver's license, and attested that only persons bearing a valid driver's license will operate the device in Upper Arlington, and the device bears a registration sticker certifying the above; or
- (3) The operator has successfully completed a safe riding course through the Upper Arlington Police Division, is over 18 years of age, and the device bears a City registration sticker certifying completion.
- (B) It shall be unlawful to park an electronic scooter, electric skateboard, or motorized bicycle on public property, including but not limited to City, Upper Arlington City Schools, or Upper Arlington Public Library property, without a registration sticker.
- (C) It shall be unlawful to permit an operator who is not authorized under (A) to use a registered device.
- (D) A violation of this section is an unclassified misdemeanor.

SECTION 4. Chapter 383 – BICYCLES, MOTORIZED BICYCLES, MOTORCYCLES, AND OTHER FORMS OF TRANSPORTATION OTHER THAN WALKING, § 383.15 – RESERVED of the Upper Arlington Code of Ordinances is hereby amended as follows:

§ 383.15 – IMPOUNDING AND IMMOBILIZATION.

- (A) Whenever any mode of transportation is used in violation of 383.01, such mode of transportation may be impounded until such time as the \$150 impound fee has been paid.
- (B) Whenever any mode of transportation is in violation of 383.02, such mode of transportation may be immobilized or impounded as follows:
- (1) Impound: A seized mode of transportation will be returned upon registering the device and paying a \$150 impound fee.
- (2) Immobilization: A mode of transportation may be immobilized by a locking device. A locking device will be removed upon registering the device and paying a \$150 locking device removal fee.
- (3) The fee associated with an initial violation of this subsection section may be waived upon registration of the device.
- (C) A citation is not required to impound or immobilize a mode of transportation under this section.
- (D) The City Manager may designate employees who have authority to enforce this section by immobilizing parked devices with equipment approved by the Upper Arlington Police Division.
- (E) Items unclaimed after six months shall be disposed of as unclaimed and forfeited property pursuant to C.O. 551.03.

SECTION 5. Chapter 543 – PARKS, PLAYGROUNDS AND OPEN SPACE AREAS, 543.02 – ADOPTION OF RULES, VIOLATIONS; UNAUTHORIZED AND PROHIBITED ACTS of the Upper Arlington Code of Ordinances is hereby amended as follows:

§ 543.02 – ADOPTION OF RULES, VIOLATIONS; UNAUTHORIZED AND PROHIBITED ACTS.

- (A) The following rules and regulations are ordained and established for the conduct in the parkettes, public parks, playgrounds and open space areas of the city.
- (1) No person shall cut, injure, deface, remove or disturb any tree, shrub, building, fence, sign, bench or other structure, apparatus or property; or pick, cut, or remove any shrub, bush or flower; or mark or write upon any building, fence, bench or other structure. No person shall modify any park grounds in any way, including but not limited to, creating or altering paths. The use of a metal detector is permitted, but digging is not permitted.
 - (2) No person shall make or kindle an open fire except in barrels, fireplaces or picnic grills provided by the city for that purpose.
 - (3) No abusive, profane or indecent language, or any lewd or obscene conduct, or any other conduct that may annoy others, shall be allowed.
 - (4)
 - (a) No person, except law enforcement officers within the scope of their duties, shall shoot or discharge any firearms of any description, knives, bows and arrows, crossbows, air and gas guns, slingshots, missiles or missile-throwing devices, or other dangerous ordnance or deadly weapon as defined in C.O. ch. 523.
 - (b) No person shall have in his or her possession or ignite or detonate any fireworks or explosive devices, or model rockets, as defined in C.O. ch. 523, without having first obtained in writing the permission of the director of parks and recreation and fire chief.
 - (c) Model rocketry, archery and similar hobbies and/or activities shall be prohibited without the written permission of the director of parks and recreation.
 - (5) No person shall sell, offer or solicit for sale any goods or merchandise, conduct business, or provide instructional services on park grounds or parking lots without a written permit from the director of parks and recreation. The following are considerations for granting a permit:
 - (a) Person has entered into a contract with the city for such sales as a service to patrons at facilities specifically designed for such purpose, including, but not limited to, pool concession stands, community center café, and vending machines.
 - (b) Sales are being done as part of either a city-hosted or city-permit-approved special event. Special events for the purpose of promoting a private business shall not be approved. Specifically, the sale of beverages, pre-packaged goods, or sales from food trucks are only permitted on park grounds or parking lots if part of a permitted event.
 - (c) Instructional services are being performed by a person that has entered into a contract with the city for such purposes. This shall include group programs as well as individual lessons.
 - (6) No person shall use, consume, carry or bring any alcoholic beverage in or upon any parkette, public park, playground or open space areas.
 - (a) This subsection does not apply to intoxicating liquor or beer consumed on the premises of the Amelita Mirolo Barn or within the event areas designated by the city manager in accordance with a city permit issued by the city manager pursuant to C.O. § 131.05.
 - (7) Betting, gambling in any form or maintaining any gambling equipment is prohibited.
 - (8) The playing of baseball, golf and other games, activities, or contests involving risk of injury to persons or property is prohibited except in areas expressly set aside for such activities, unless otherwise approved by the director of parks and recreation.
 - (9) No person shall distribute any advertising, commercial or promotional circulars, cards or written matter, or place signs within any parkette, public park, or playground or open space areas.
 - (10) No events, entertainment or exhibition (public or private) shall be given in any parkette, public park, playground or open space areas except under the direction or by written permission of the director of parks and recreation.
 - (11) It shall be unlawful for any person to scatter or litter any form of waste material including but not limited to wrappers, gum, seeds, and cigarette butts.

- (12) No motor vehicles of any description, other than municipal service or emergency vehicles, may enter upon a parkette, public park, playground or open space areas, except as authorized by the director of parks and recreation.
- (13) No person or group of persons shall erect, place or cause to be placed, alter or cause to be altered any equipment (including stakes or inflatable apparatus), facilities or grounds in the city-owned parkette, public park, playground or open space areas without special written permission from the director of parks and recreation.
- (14) No person or group of persons shall enter, use or remain upon city parkette, public park, playground or open space areas between the hours of 11:00 p.m. to 5:00 a.m. except upon the express authorization of the director of parks and recreation.
 - (a) Lights for the multi-sport court at Sunny 95 park are limited to use up to 9:30 p.m.
 - (b) All other park lighting systems for active areas such as ball diamonds and courts shall only be used within the designated park hours.
- (15) No person shall feed, cause to be fed or provide food for any wildlife on any public property within the boundaries of the city. Exceptions to this will only be granted through city, state and/or federal permitting processes.
 - (a) Signs shall be conspicuously posted to notify individuals that feeding of waterfowl is prohibited on public property within the city.
 - (b) The absence of a sign shall not be an indication that the no feeding of waterfowl policy does not apply to a particular water source.
 - (c) Defacing, tampering, moving, or damaging such signs shall constitute a violation of this chapter in addition to any other penalties that may apply regarding the defacement of public property.
- (16) No person in a park shall engage in the activities of swimming, wading, boating and/or ice skating in areas or at times which have not been set aside for these purposes by appropriate signage.
 - (a) Signs shall be conspicuously posted to notify individuals that these activities are prohibited on public property within the city.
 - (b) The absence of a sign shall not be an indication that these activities do not apply to a particular water source.
 - (c) Defacing, tampering, moving or damaging such signs shall constitute a violation of this chapter in addition to any other penalties that may apply regarding the defacement of public property.
- (17) *Regulations regarding animals.*
 - (a) No person in a park shall hunt, capture, take, trap or in any other way abuse, molest, injure, pursue or destroy any animal without the permission of the director other than by fishing.
 - (b) No person shall release any domesticated or exotic fish or animals in any park.
 - (c) All persons using a park must comply with C.O. § 519.02 (animals at large and animals causing physical harm).
- (18) Fishing on a catch-and-release only basis is permitted within the City of Upper Arlington. After capture, all fish must be unhooked and returned to the water unharmed. No person shall take or carry away or attempt to take or carry away any fish caught in a public body of water within the City of Upper Arlington.
 - (a) Signs shall be conspicuously posted to notify individuals that a water source is catch-and-release fishing only and criminal penalties exist for taking or carrying away, or attempting to take or carry away fish from the water source.
 - (b) The absence of a sign shall not be an indication that this catch and release policy does not apply to a particular water source.
 - (c) Defacing, tampering, moving or damaging such signs shall constitute a violation of this chapter in addition to any other penalties that may apply regarding the defacement of public property.
 - (d) No person in a park shall fish in public park waters in violation of any sign or signs prohibiting fishing or a manner thereof.
- (19) Smoking and the use of any smoking, vaping, or e-cigarette materials or devices within any areas of any parkette, public park, playground, or open space areas is prohibited.
- (20) Any wheeled transportation in parks must abide by the following:
 - (a) Obey city laws and requirements

- (b) Operate in a safe manner per manufacturer's requirements
- (c) Travel only on paved areas
- (d) Use on natural trails and in natural areas is prohibited
- (e) Speed limit of 10 miles per hour
- (f) Must yield to pedestrians
- (g) Walk through crowded areas and over park bridges
- (h) Use lights before dawn or after dusk
- (i) All motorcycles, including e-dirt bikes, are prohibited

(B) (1) Except as provided in subsections (B)(2) and (B)(3), whoever violates this section is guilty of violating park rules and regulations, a minor misdemeanor.

(2) If the offender has previously been convicted of a violation of this section, violating park rules is a misdemeanor of the fourth degree.

(3) If a violation of this section constitutes a higher classification of offense under another section of the general offenses code or under a state or federal statute, then the offender may also be prosecuted for said section of the general offense code or state or federal statute. It is the intent of this section that the offender be subject to the full range of penalties provided by said section of the general offense code or state or federal statute.

SECTION 5. This ordinance shall take effect 30 days after passage.

8/17/2026 Amendments

Amendment 1 (Changes reflected in green text)

Strike references to establishing “an e-mobility registration, safety education, and parking program”:

- Ordinance title: Amend Ordinance No. 27-2026 title to strike “TO ESTABLISH AN E-MOBILITY DEVICE REGISTRATION, SAFETY EDUCATION, AND PARKING RESTRICTION PROGRAM”)
- 4th “Whereas” clause (Strike “WHEREAS, City Council finds it necessary and appropriate to establish a registration, education, safety, parking, and enforcement program to promote the safe operation of motorized micro mobility devices and protect the health, safety, and welfare of residents and visitors”)
- Sections 3 & 4, related to Chapter 383: strike “Section 3” and “Section 4” in their entirety)

Amendment 2 (Changes reflected in blue text)

Moves some of the parks requirements to “transportation other than walking”:

Section 2:

- For “(D) Due care must be taken when passing” add “and operators must yield to pedestrians”
- Add “(F) All forms of transportation other than walking must be operated in a safe manner.”
- Add “(G) Use of a vehicle or transportation device must not exceed 10 miles per hour on a city sidewalk, shared use path, or park path.”
- Add “(H) Lights must be used before dawn and after dusk on all forms of transportation other than walking.”

Section 3 (formerly 5):

- For “(A)(20)” strike the following:
 - “(b) Operate in a safe manner per manufacturer’s requirements”
 - “(e) Speed limit of 10 miles per hour”
 - “(f) Must yield to pedestrians”
 - “(h) Use lights before dawn or after dusk”

Amendment 3 (Changes reflected in orange text)

Moving helmet requirement to “transportation other than walking” and applying to those under 18 years of age:

Section 2:

- Add “(l) All operators of any vehicle or device who are under the age of 18 must wear a helmet.”

RECORD OF ORDINANCES

CITY OF UPPER ARLINGTON
STATE OF OHIO

ORDINANCE NO. 27-2026

TO AMEND CHAPTERS 301 – DEFINITIONS, 383 – BICYCLES, MOTORIZED BICYCLES, MOTORCYCLES, AND OTHER FORMS OF TRANSPORTATION OTHER THAN WALKING, AND 543 – PARKS, PLAYGROUNDS AND OPEN SPACE AREAS OF THE UPPER ARLINGTON CODE OF ORDINANCES ~~TO ESTABLISH AN E-MOBILITY DEVICE REGISTRATION, SAFETY EDUCATION, AND PARKING RESTRICTION PROGRAM~~

WHEREAS, the use of electric bicycles, electric scooters, electric skateboards, and other motorized micro-mobility devices has increased within the City of Upper Arlington; and

WHEREAS, the Upper Arlington Police Division has experienced an increase in calls for service related to motorized micro-mobility devices, particularly involving juvenile operators; and

WHEREAS, a 2026 community survey found that more than ninety percent of respondents identified motorized micro-mobility devices as a moderate or significant public safety concern and expressed strong support for enhanced regulation and education efforts ~~;~~ **and**

~~**WHEREAS,** City Council finds it necessary and appropriate to establish a registration, education, safety, parking, and enforcement program to promote the safe operation of motorized micro-mobility devices and protect the health, safety, and welfare of residents and visitors.~~

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

SECTION 1. Chapter 301 – DEFINITIONS, § 301.02 - DEFINITIONS (D-H) of the Upper Arlington Code of Ordinances is hereby amended as follows:

§ 301.02 - DEFINITIONS (D - H).

The following words and phrases when used in this traffic code or any traffic ordinance of the city shall have the meanings respectively ascribed to them in this chapter unless otherwise stated.

Drive: means any person who drives or operates a motor vehicle upon any street, highway or private property.

Driver: means every person who drives, operates, or is in actual physical control of a vehicle, trackless trolley or streetcar.

Drug abuse offense, cocaine, and L.S.D.: have the same meanings as in ORC § 2925.01.

Drug of abuse: has the same meaning as in ORC § 3719.011 and ORC § 4506.01.

Electronic scooter is a vehicle consisting of a two-wheeled device with handlebars and a floorboard that is designed to be stood upon while riding, and is powered by an electric motor.

Electric skateboard is a vehicle or device consisting of a floorboard that is designed to be stood upon while riding and is powered by an electric motor.

Electronic wireless communications device: includes any of the following:

- (A) A wireless telephone;
- (B) A text-messaging device;
- (C) A personal digital assistant;
- (D) A computer, including a laptop computer and a computer tablet;
- (E) Any device capable of displaying a video, movie, broadcast television image, or visual image;
- (F) Any other substantially similar wireless device that is designed or used to communicate text, initial or receive communication, or exchange information or data.

An "electronic wireless communications device" does not include a two-way radio transmitter or receiver used by a person who is licensed by the federal communications commission to participate in the amateur radio service.

Emergency vehicle: means emergency vehicles of municipal, township or county departments or public utility corporations when identified as such as required by law, the Ohio Director of Public Safety, or local authorities, and motor vehicles when commandeered by a law enforcement officer.

Equivalent offense: means any of the following:

- (A) A violation of a municipal ordinance, law of this state, law of another state, or law of the United States that is substantially similar or equivalent;
- (B) A violation of a former law of this state that is substantially similar or equivalent.

Explosives: means any chemical compound or mechanical mixture that is intended for the purpose of producing an explosion, that contains any oxidizing and combustible units or other ingredients in such proportions, quantities or packing that an ignition by fire, by friction by concussion, by percussion or by a detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects, or of destroying life or limb.

Manufactured articles shall not be held to be explosives when the individual units contain explosives in such limited quantities of such nature, or in such packing, that it is impossible to procure a simultaneous or a destructive explosion of such units, to the injury of life, limb or property by fire, by friction, by concussion, percussion, or by a detonator, such as fixed ammunition for small arms, firecrackers or safety fuse matches.

Flammable liquid: means any liquid which has a flash point of 70° Fahrenheit, or less, as determined by a tagliabue or equivalent closed cup test device.

Fronting: means facing a street or highway without regard to the placement of the school building and may include one (1) or more sides of the school property.

Funeral escort vehicle: means any motor vehicle, including funeral hearse, while used to facilitate the movement of a funeral procession.

Gross weight: means the weight of a vehicle plus the weight of any load thereon.

Handicapped parking space or disability parking spaces: means clearly marked parking spaces on public or private streets, parking lots and parking garages designated for the exclusive use of a handicapped designated vehicle and denoted in accordance with the requirements of ORC § 4511.60(E) and ORC § 3781.111(C).

Handicapped designated vehicle: means a motor vehicle that displays either (1) a parking card issued under ORC § 4503.44 or (2) a special license plate issued under ORC § 4503.44 and is being operated by or for the transport of a handicapped person. When a motor vehicle displays a temporary parking pass, disabled veteran plate, permanent parking card from the appropriate state agency, or special license plate, that is being operated by or transporting a disabled or handicapped person, the motor vehicle shall have the decal or parking card clearly displayed on the left

dashboard or in the left front windshield of enclosed vehicles so that the parking privilege information is on the front side of the card and is readily readable from outside the windshield.

Handicapped person: means any person who has lost the use of one (1) or both legs or one (1) or both arms, who is blind, deaf, or so severely handicapped as to be unable to move without the aid of crutches or a wheelchair, or whose mobility is restricted by a permanent cardiovascular, pulmonary, or other handicapping condition.

Highway or laned street: means a street or highway, the roadway of which is divided into two (2) or more clearly marked lanes for vehicular traffic.

House arrest: means a period of confinement of an offender that is in the offender's home or in other premises specified by the sentencing court or by the parole board pursuant to ORC § 2967.28 and during which all of the following apply:

- (1) The offender is required to remain in the offender's home or other specified premises for the specified period of confinement, except for periods of time during which the offender is at the offender's place of employment or at other premises as authorized by the sentencing court or by the parole board.
- (2) The offender is required to report periodically to a person designated by the court or parole board.
- (3) The offender is subject to any other restrictions and requirements that may be imposed by the sentencing court or by the parole board.

SECTION 2. Chapter 383 – BICYCLES, MOTORIZED BICYCLES, MOTORCYCLES, AND OTHER FORMS OF TRANSPORTATION OTHER THAN WALKING, § 383.01 – TRANSPORTATION RULES FOR FORMS OF TRANSPORTATION OTHER THAN WALKING of the Upper Arlington Code of Ordinances is hereby amended as follows:

§ 383.01 - TRANSPORTATION RULES FOR FORMS OF TRANSPORTATION OTHER THAN WALKING.

- (A) This section shall apply to all forms of transportation other than walking.
- (B) All traffic laws must be followed when using any form of transportation. All traffic laws that by their nature could apply to a mode of transportation other than walking, do apply upon any public street, highway, sidewalk, or shared-use path, or upon any portion of a roadway set aside for the exclusive use of bicycles.
- (C) When using a vehicle or other transportation device, the vehicle/device may only carry the number of people the vehicle is designed for.
- (D) Due care must be taken when passing [and operators must yield to pedestrians](#).
- (E) No person shall travel recklessly on [any public or private property](#) ~~a city street or sidewalk~~.
- (F) [All forms of transportation other than walking must be operated in a safe manner.](#)
- (G) [Use of a vehicle or transportation device must not exceed 10 miles per hour on a city sidewalk, shared use path, or park path.](#)
- (H) [Lights must be used before dawn and after dusk on all forms of transportation other than walking.](#)
- (I) [All operators of any vehicle or device who are under the age of 18 must wear a helmet.](#)

SECTION 3. ~~Chapter 383 – BICYCLES, MOTORIZED BICYCLES, MOTORCYCLES, AND OTHER FORMS OF TRANSPORTATION~~

OTHER THAN WALKING, § 383.02 — RESERVED of the Upper Arlington Code of Ordinances is hereby amended as follows:

§ 383.02 — REGISTRATION AND HELMET REQUIREMENTS.

- (A) ~~It shall be unlawful to operate any electronic scooter, electric skateboard, or motorized bicycle on the city streets or on any public right of way, including public paths or sidewalks unless:~~
- ~~(1) The operator is wearing a helmet and has successfully completed a safe riding course through the Upper Arlington Police Division and the device bears a City registration sticker certifying completion and providing contact information for the rider's parent, guardians, or other person legally responsible for the immediate care of the rider; or~~
 - ~~(2) The operator has registered the device with the Upper Arlington Police Division, provided a valid driver's license, and attested that only persons bearing a valid driver's license will operate the device in Upper Arlington, and the device bears a registration sticker certifying the above; or~~
 - ~~(3) The operator has successfully completed a safe riding course through the Upper Arlington Police Division, is over 18 years of age, and the device bears a City registration sticker certifying completion.~~
- (B) ~~It shall be unlawful to park an electronic scooter, electric skateboard, or motorized bicycle on public property, including but not limited to City, Upper Arlington City Schools, or Upper Arlington Public Library property, without a registration sticker.~~
- (C) ~~It shall be unlawful to permit an operator who is not authorized under (A) to use a registered device.~~
- (D) ~~A violation of this section is an unclassified misdemeanor.~~

SECTION 4. Chapter 383 — BICYCLES, MOTORIZED BICYCLES, MOTORCYCLES, AND OTHER FORMS OF TRANSPORTATION OTHER THAN WALKING, § 383.15 — RESERVED of the Upper Arlington Code of Ordinances is hereby amended as follows:

§ 383.15 — IMPOUNDING AND IMMOBILIZATION.

- (A) ~~Whenever any mode of transportation is used in violation of 383.01, abandoned on City Property or in the Right of Way, such mode of transportation may be impounded until such time as the \$150 impound fee has been paid. A mode of transportation is considered abandoned if it remains on City Property or Right of Way (other than a bike rack or other approved location) for more than 48 hours.~~
- (B) ~~Whenever any mode of transportation is in violation of 383.02, such mode of transportation may be immobilized or impounded as follows:~~
- ~~(1) Impound: A seized mode of transportation will be returned upon registering the device and paying a \$150 impound fee.~~
 - ~~(2) Immobilization: A mode of transportation may be immobilized by a locking device. A locking device will be removed upon registering the device and paying a \$150 locking device removal fee.~~
 - ~~(3) The fee associated with an initial violation of this subsection section may be waived upon registration of the device.~~
- (C) ~~A citation is not required to impound or immobilize a mode of transportation under this section.~~

~~(D) The City Manager may designate employees who have authority to enforce this section by immobilizing parked devices with equipment approved by the Upper Arlington Police Division.~~

~~(E) Items unclaimed after six months shall be disposed of as unclaimed and forfeited property pursuant to C.O. 551.03.~~

SECTION 35. Chapter 543 – PARKS, PLAYGROUNDS AND OPEN SPACE AREAS, 543.02 – ADOPTION OF RULES, VIOLATIONS; UNAUTHORIZED AND PROHIBITED ACTS of the Upper Arlington Code of Ordinances is hereby amended as follows:

§ 543.02 – ADOPTION OF RULES, VIOLATIONS; UNAUTHORIZED AND PROHIBITED ACTS.

- (A) The following rules and regulations are ordained and established for the conduct in the parkettes, public parks, playgrounds and open space areas of the city.
- (1) No person shall cut, injure, deface, remove or disturb any tree, shrub, building, fence, sign, bench or other structure, apparatus or property; or pick, cut, or remove any shrub, bush or flower; or mark or write upon any building, fence, bench or other structure. No person shall modify any park grounds in any way, including but not limited to, creating or altering paths. The use of a metal detector is permitted, but digging is not permitted.
 - (2) No person shall make or kindle an open fire except in barrels, fireplaces or picnic grills provided by the city for that purpose.
 - (3) No abusive, profane or indecent language, or any lewd or obscene conduct, or any other conduct that may annoy others, shall be allowed.
 - (4)
 - (a) No person, except law enforcement officers within the scope of their duties, shall shoot or discharge any firearms of any description, knives, bows and arrows, crossbows, air and gas guns, slingshots, missiles or missile-throwing devices, or other dangerous ordnance or deadly weapon as defined in C.O. ch. 523.
 - (b) No person shall have in his or her possession or ignite or detonate any fireworks or explosive devices, or model rockets, as defined in C.O. ch. 523, without having first obtained in writing the permission of the director of parks and recreation and fire chief.
 - (c) Model rocketry, archery and similar hobbies and/or activities shall be prohibited without the written permission of the director of parks and recreation.
 - (5) No person shall sell, offer or solicit for sale any goods or merchandise, conduct business, or provide instructional services on park grounds or parking lots without a written permit from the director of parks and recreation. The following are considerations for granting a permit:
 - (a) Person has entered into a contract with the city for such sales as a service to patrons at facilities specifically designed for such purpose, including, but not limited to, pool concession stands, community center café, and vending machines.
 - (b) Sales are being done as part of either a city-hosted or city-permit-approved special event. Special events for the purpose of promoting a private business shall not be approved. Specifically, the sale of beverages, pre-packaged goods, or sales from food trucks are only permitted on park grounds or parking lots if part of a permitted event.
 - (c) Instructional services are being performed by a person that has entered into a contract with the city for such purposes. This shall include group programs as well as individual lessons.
 - (6) No person shall use, consume, carry or bring any alcoholic beverage in or upon any parkette, public park, playground or open space areas.
 - (a) This subsection does not apply to intoxicating liquor or beer consumed on the premises of the Amelita Mirolo Barn or within the event areas designated by the city manager in accordance with a city permit issued by the city manager pursuant to C.O. § 131.05.

- (7) Betting, gambling in any form or maintaining any gambling equipment is prohibited.
- (8) The playing of baseball, golf and other games, activities, or contests involving risk of injury to persons or property is prohibited except in areas expressly set aside for such activities, unless otherwise approved by the director of parks and recreation.
- (9) No person shall distribute any advertising, commercial or promotional circulars, cards or written matter, or place signs within any parkette, public park, or playground or open space areas.
- (10) No events, entertainment or exhibition (public or private) shall be given in any parkette, public park, playground or open space areas except under the direction or by written permission of the director of parks and recreation.
- (11) It shall be unlawful for any person to scatter or litter any form of waste material including but not limited to wrappers, gum, seeds, and cigarette butts.
- (12) No motor vehicles of any description, other than municipal service or emergency vehicles, may enter upon a parkette, public park, playground or open space areas, except as authorized by the director of parks and recreation.
- (13) No person or group of persons shall erect, place or cause to be placed, alter or cause to be altered any equipment (including stakes or inflatable apparatus), facilities or grounds in the city-owned parkette, public park, playground or open space areas without special written permission from the director of parks and recreation.
- (14) No person or group of persons shall enter, use or remain upon city parkette, public park, playground or open space areas between the hours of 11:00 p.m. to 5:00 a.m. except upon the express authorization of the director of parks and recreation.
 - (a) Lights for the multi-sport court at Sunny 95 park are limited to use up to 9:30 p.m.
 - (b) All other park lighting systems for active areas such as ball diamonds and courts shall only be used within the designated park hours.
- (15) No person shall feed, cause to be fed or provide food for any wildlife on any public property within the boundaries of the city. Exceptions to this will only be granted through city, state and/or federal permitting processes.
 - (a) Signs shall be conspicuously posted to notify individuals that feeding of waterfowl is prohibited on public property within the city.
 - (b) The absence of a sign shall not be an indication that the no feeding of waterfowl policy does not apply to a particular water source.
 - (c) Defacing, tampering, moving, or damaging such signs shall constitute a violation of this chapter in addition to any other penalties that may apply regarding the defacement of public property.
- (16) No person in a park shall engage in the activities of swimming, wading, boating and/or ice skating in areas or at times which have not been set aside for these purposes by appropriate signage.
 - (a) Signs shall be conspicuously posted to notify individuals that these activities are prohibited on public property within the city.
 - (b) The absence of a sign shall not be an indication that these activities do not apply to a particular water source.
 - (c) Defacing, tampering, moving or damaging such signs shall constitute a violation of this chapter in addition to any other penalties that may apply regarding the defacement of public property.
- (17) *Regulations regarding animals.*
 - (a) No person in a park shall hunt, capture, take, trap or in any other way abuse, molest, injure, pursue or destroy any animal without the permission of the director other than by fishing.
 - (b) No person shall release any domesticated or exotic fish or animals in any park.
 - (c) All persons using a park must comply with C.O. § 519.02 (animals at large and animals causing physical harm).
- (18) Fishing on a catch-and-release only basis is permitted within the City of Upper Arlington. After capture, all fish must be unhooked and returned to the water unharmed. No person shall take or carry away or attempt to take or carry away any fish caught in a public body of water within the City of Upper Arlington.

- (a) Signs shall be conspicuously posted to notify individuals that a water source is catch-and-release fishing only and criminal penalties exist for taking or carrying away, or attempting to take or carry away fish from the water source.
 - (b) The absence of a sign shall not be an indication that this catch and release policy does not apply to a particular water source.
 - (c) Defacing, tampering, moving or damaging such signs shall constitute a violation of this chapter in addition to any other penalties that may apply regarding the defacement of public property.
 - (d) No person in a park shall fish in public park waters in violation of any sign or signs prohibiting fishing or a manner thereof.
- (19) Smoking and the use of any smoking, vaping, or e-cigarette materials or devices within any areas of any parkette, public park, playground, or open space areas is prohibited.
- (20) Any wheeled transportation in parks must abide by the following:
- (a) Obey city laws and requirements
 - ~~— (b) Operate in a safe manner per manufacturer's requirements~~
 - ~~(be) Travel only on paved areas~~
 - ~~(cd) Use on natural trails and in natural areas is prohibited~~
 - ~~— (e) Speed limit of 10 miles per hour~~
 - ~~— (f) Must yield to pedestrians~~
 - ~~(dg) Walk through crowded areas and over park bridges~~
 - ~~— (h) Use lights before dawn or after dusk~~
 - ~~(ei) All motorcycles, including e-dirt bikes, are prohibited~~
- (B) (1) Except as provided in subsections (B)(2) and (B)(3), whoever violates this section is guilty of violating park rules and regulations, a minor misdemeanor.
- (2) If the offender has previously been convicted of a violation of this section, violating park rules is a misdemeanor of the fourth degree.
- (3) If a violation of this section constitutes a higher classification of offense under another section of the general offenses code or under a state or federal statute, then the offender may also be prosecuted for said section of the general offense code or state or federal statute. It is the intent of this section that the offender be subject to the full range of penalties provided by said section of the general offense code or state or federal statute.

SECTION 45.

This ordinance shall take effect 30 days after passage.

Ord. 27-2026 Council Proposed Amendments 8/24/2026

Amendment 1

Moving helmet requirement to “transportation other than walking” and applying to those under 18 years of age:

Section 2:

- Add “(I) All operators of any vehicle or device who are under the age of 18 must wear a helmet.”

Amendment 2

Moves some of the parks requirements to “transportation other than walking.” Note, there is an amendment below that would modify this further:

Section 2:

- For “(D) Due care must be taken when passing” add “and operators must yield to pedestrians”
- Add “(F) All forms of transportation other than walking must be operated in a safe manner.”
- Add “(G) Use of a vehicle or transportation device must not exceed 10 miles per hour on a city sidewalk, shared use path, or park path.”
- Add “(H) Lights must be used before dawn and after dusk on all forms of transportation other than walking.”

Section 3 (formerly 5):

- For “(A)(20)” strike the following:
 - “(b) Operate in a safe manner per manufacturer’s requirements”
 - “(e) Speed limit of 10 miles per hour”
 - “(f) Must yield to pedestrians”
 - “(h) Use lights before dawn or after dusk”

Amendment 3:

Strike reference to operating in a safe manner from either the parks rules (543.02(20)(b)) or Transportation other than Walking (383.01(F)) depending on vote on amendment 2.

~~383.01 (F) All forms of transportation other than walking must be operated in a safe manner.~~

OR

543.02(20)(b): ~~—(b) Operate in a safe manner per manufacturer’s requirements~~

Amendment 4:

Add clause to proposed inclusion of private property, limiting the applicability to private property that is open to the public. Staff believes this phrase would provide enough of a basis to enforce on parking lots but would prevent action based on activity in someone’s yard.

(E) No person shall travel recklessly on any public or private property that is open to the public ~~a city street or sidewalk~~.

RECORD OF ORDINANCES

CITY OF UPPER ARLINGTON
STATE OF OHIO

ORDINANCE NO. 27-2026

TO AMEND CHAPTERS 301 – DEFINITIONS, 383 – BICYCLES, MOTORIZED BICYCLES, MOTORCYCLES, AND OTHER FORMS OF TRANSPORTATION OTHER THAN WALKING, AND 543 – PARKS, PLAYGROUNDS AND OPEN SPACE AREAS OF THE UPPER ARLINGTON CODE OF ORDINANCES TO ESTABLISH AN E-MOBILITY DEVICE REGISTRATION, SAFETY EDUCATION, AND PARKING RESTRICTION PROGRAM

WHEREAS, the use of electric bicycles, electric scooters, electric skateboards, and other motorized micro-mobility devices has increased within the City of Upper Arlington; and

WHEREAS, the Upper Arlington Police Division has experienced an increase in calls for service related to motorized micro-mobility devices, particularly involving juvenile operators; and

WHEREAS, a 2026 community survey found that more than ninety percent of respondents identified motorized micro-mobility devices as a moderate or significant public safety concern and expressed strong support for enhanced regulation and education efforts; and

WHEREAS, City Council finds it necessary and appropriate to establish a registration, education, safety, parking, and enforcement program to promote the safe operation of motorized micro-mobility devices and protect the health, safety, and welfare of residents and visitors.

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

SECTION 1. Chapter 301 – DEFINITIONS, § 301.02 - DEFINITIONS (D-H) of the Upper Arlington Code of Ordinances is hereby amended as follows:

§ 301.02 - DEFINITIONS (D - H).

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Driver: means every person who drives, operates, or is in actual physical control of a vehicle, trackless trolley or streetcar.

Drug abuse offense, cocaine, and L.S.D.: have the same meanings as in ORC § 2925.01.

Drug of abuse: has the same meaning as in ORC § 3719.011 and ORC § 4506.01.

Electronic scooter is a vehicle consisting of a two-wheeled device with handlebars and a floorboard that is designed to be stood upon while riding, and is powered by an electric motor.

Electric skateboard is a vehicle or device consisting of a floorboard that is designed to be stood upon while riding and is powered by an electric motor.

Electronic wireless communications device: includes any of the following:

- (A) A wireless telephone;
- (B) A text-messaging device;
- (C) A personal digital assistant;
- (D) A computer, including a laptop computer and a computer tablet;
- (E) Any device capable of displaying a video, movie, broadcast television image, or visual image;
- (F) Any other substantially similar wireless device that is designed or used to communicate text, initial or receive communication, or exchange information or data.

An "electronic wireless communications device" does not include a two-way radio transmitter or receiver used by a person who is licensed by the federal communications commission to participate in the amateur radio service.

Emergency vehicle: means emergency vehicles of municipal, township or county departments or public utility corporations when identified as such as required by law, the Ohio Director of Public Safety, or local authorities, and motor vehicles when commandeered by a law enforcement officer.

Equivalent offense: means any of the following:

- (A) A violation of a municipal ordinance, law of this state, law of another state, or law of the United States that is substantially similar or equivalent;
- (B) A violation of a former law of this state that is substantially similar or equivalent.

Explosives: means any chemical compound or mechanical mixture that is intended for the purpose of producing an explosion, that contains any oxidizing and combustible units or other ingredients in such proportions, quantities or packing that an ignition by fire, by friction by concussion, by percussion or by a detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects, or of destroying life or limb.

Manufactured articles shall not be held to be explosives when the individual units contain explosives in such limited quantities of such nature, or in such packing, that it is impossible to procure a simultaneous or a destructive explosion of such units, to the injury of life, limb or property by fire, by friction, by concussion, percussion, or by a detonator, such as fixed ammunition for small arms, firecrackers or safety fuse matches.

Flammable liquid: means any liquid which has a flash point of 70° Fahrenheit, or less, as determined by a tagliabue or equivalent closed cup test device.

Fronting: means facing a street or highway without regard to the placement of the school building and may include one (1) or more sides of the school property.

Funeral escort vehicle: means any motor vehicle, including funeral hearse, while used to facilitate the movement of a funeral procession.

Gross weight: means the weight of a vehicle plus the weight of any load thereon.

Handicapped parking space or disability parking spaces: means clearly marked parking spaces on public or private streets, parking lots and parking garages designated for the exclusive use of a handicapped designated vehicle and denoted in accordance with the requirements of ORC § 4511.60(E) and ORC § 3781.111(C).

Handicapped designated vehicle: means a motor vehicle that displays either (1) a parking card issued under ORC § 4503.44 or (2) a special license plate issued under ORC § 4503.44 and is being operated by or for the transport of a handicapped person. When a motor vehicle displays a temporary parking pass, disabled veteran plate, permanent

parking card from the appropriate state agency, or special license plate, that is being operated by or transporting a disabled or handicapped person, the motor vehicle shall have the decal or parking card clearly displayed on the left dashboard or in the left front windshield of enclosed vehicles so that the parking privilege information is on the front side of the card and is readily readable from outside the windshield.

Handicapped person: means any person who has lost the use of one (1) or both legs or one (1) or both arms, who is blind, deaf, or so severely handicapped as to be unable to move without the aid of crutches or a wheelchair, or whose mobility is restricted by a permanent cardiovascular, pulmonary, or other handicapping condition.

Highway or laned street: means a street or highway, the roadway of which is divided into two (2) or more clearly marked lanes for vehicular traffic.

House arrest: means a period of confinement of an offender that is in the offender's home or in other premises specified by the sentencing court or by the parole board pursuant to ORC § 2967.28 and during which all of the following apply:

- (1) The offender is required to remain in the offender's home or other specified premises for the specified period of confinement, except for periods of time during which the offender is at the offender's place of employment or at other premises as authorized by the sentencing court or by the parole board.
- (2) The offender is required to report periodically to a person designated by the court or parole board.
- (3) The offender is subject to any other restrictions and requirements that may be imposed by the sentencing court or by the parole board.

SECTION 2. Chapter 383 – BICYCLES, MOTORIZED BICYCLES, MOTORCYCLES, AND OTHER FORMS OF TRANSPORTATION OTHER THAN WALKING, § 383.01 – TRANSPORTATION RULES FOR FORMS OF TRANSPORTATION OTHER THAN WALKING of the Upper Arlington Code of Ordinances is hereby amended as follows:

§ 383.01 - TRANSPORTATION RULES FOR FORMS OF TRANSPORTATION OTHER THAN WALKING.

- (A) This section shall apply to all forms of transportation other than walking.
- (B) All traffic laws must be followed when using any form of transportation. All traffic laws that by their nature could apply to a mode of transportation other than walking, do apply upon any public street, highway, sidewalk, or shared-use path, or upon any portion of a roadway set aside for the exclusive use of bicycles.
- (C) When using a vehicle or other transportation device, the vehicle/device may only carry the number of people the vehicle is designed for.
- (D) Due care must be taken when passing and operators must yield to pedestrians.
- (E) No person shall travel recklessly on any public or private property that is open to the public ~~a city street or sidewalk.~~
- (F) Use of a vehicle or transportation device must not exceed 10 miles per hour on a city sidewalk, shared use path, or park path.
- (G) Lights must be used before dawn and after dusk on all forms of transportation other than walking.
- (H) All operators of any vehicle or device who are under the age of 18 must wear a helmet.

SECTION 3. Chapter 383 – BICYCLES, MOTORIZED BICYCLES,

MOTORCYCLES, AND OTHER FORMS OF TRANSPORTATION
OTHER THAN WALKING, § 383.02 – RESERVED of the Upper
Arlington Code of Ordinances is hereby amended as follows:

§ 383.02 – REGISTRATION REQUIREMENTS.

- (A) The City Manager shall establish a registration program for electronic scooters, electric skateboards, and motorized bicycles for operators who do not have a valid driver's license.
- (B) It shall be unlawful to operate any electronic scooter, electric skateboard, or motorized bicycle on the city streets or on any public right of way, including public paths or sidewalks unless:
 - (1) The operator has successfully completed a safe riding course through the Upper Arlington Police Division and the device bears a City registration sticker certifying completion; or
 - (2) The operator has a valid driver's license.
- (C) It shall be unlawful to park any electronic scooter, electric skateboard, or motorized bicycle on public property, including parks, schools, and libraries unless the requirements of (A) and (B) have been met.
- (D) It shall be unlawful to permit an operator who is not authorized under (A) and (B) to use a registered device.
- (E) A violation of this section is an unclassified misdemeanor.

SECTION 4. Chapter 383 – BICYCLES, MOTORIZED BICYCLES,
MOTORCYCLES, AND OTHER FORMS OF TRANSPORTATION
OTHER THAN WALKING, § 383.15 – RESERVED of the Upper
Arlington Code of Ordinances is hereby amended as follows:

§ 383.15 – IMPOUNDING AND IMMOBILIZATION.

- (A) Impound: Whenever any mode of transportation is used in violation of 383.01, 383.02, or abandoned on City Property or in the Right of Way, such mode of transportation may be impounded until such time as the \$150 impound fee has been paid. A mode of transportation is considered abandoned if it remains on City Property or Right of Way (other than a bike rack or other approved location).
- (B) Immobilization: Whenever any mode of transportation is in violation of 383.02, such mode of transportation may be immobilized by a locking device. A locking device will be removed upon registering the device and paying a \$150 locking device removal fee.
- (C) The fee associated with an initial violation of this section may be waived upon registration of the device.
- (D) A citation is not required to impound or immobilize a mode of transportation under this section.
- (E) The City Manager may designate employees who have authority to enforce this section by immobilizing parked devices with equipment approved by the Upper Arlington Police Division.
- (F) Items unclaimed after six months shall be disposed of as unclaimed and forfeited property pursuant to C.O. 551.03.

SECTION 35.

Chapter 543 – PARKS, PLAYGROUNDS AND OPEN SPACE AREAS,
543.02 – ADOPTION OF RULES, VIOLATIONS; UNAUTHORIZED
AND PROHIBITED ACTS of the Upper Arlington Code of Ordinances
is hereby amended as follows:

§ 543.02 – ADOPTION OF RULES, VIOLATIONS; UNAUTHORIZED AND PROHIBITED ACTS.

- (A) The following rules and regulations are ordained and established for the conduct in the parkettes, public parks, playgrounds and open space areas of the city.
- (1) No person shall cut, injure, deface, remove or disturb any tree, shrub, building, fence, sign, bench or other structure, apparatus or property; or pick, cut, or remove any shrub, bush or flower; or mark or write upon any building, fence, bench or other structure. No person shall modify any park grounds in any way, including but not limited to, creating or altering paths. The use of a metal detector is permitted, but digging is not permitted.
 - (2) No person shall make or kindle an open fire except in barrels, fireplaces or picnic grills provided by the city for that purpose.
 - (3) No abusive, profane or indecent language, or any lewd or obscene conduct, or any other conduct that may annoy others, shall be allowed.
 - (4)
 - (a) No person, except law enforcement officers within the scope of their duties, shall shoot or discharge any firearms of any description, knives, bows and arrows, crossbows, air and gas guns, slingshots, missiles or missile-throwing devices, or other dangerous ordnance or deadly weapon as defined in C.O. ch. 523.
 - (b) No person shall have in his or her possession or ignite or detonate any fireworks or explosive devices, or model rockets, as defined in C.O. ch. 523, without having first obtained in writing the permission of the director of parks and recreation and fire chief.
 - (c) Model rocketry, archery and similar hobbies and/or activities shall be prohibited without the written permission of the director of parks and recreation.
 - (5) No person shall sell, offer or solicit for sale any goods or merchandise, conduct business, or provide instructional services on park grounds or parking lots without a written permit from the director of parks and recreation. The following are considerations for granting a permit:
 - (a) Person has entered into a contract with the city for such sales as a service to patrons at facilities specifically designed for such purpose, including, but not limited to, pool concession stands, community center café, and vending machines.
 - (b) Sales are being done as part of either a city-hosted or city-permit-approved special event. Special events for the purpose of promoting a private business shall not be approved. Specifically, the sale of beverages, pre-packaged goods, or sales from food trucks are only permitted on park grounds or parking lots if part of a permitted event.
 - (c) Instructional services are being performed by a person that has entered into a contract with the city for such purposes. This shall include group programs as well as individual lessons.
 - (6) No person shall use, consume, carry or bring any alcoholic beverage in or upon any parkette, public park, playground or open space areas.
 - (a) This subsection does not apply to intoxicating liquor or beer consumed on the premises of the Amelita Mirolo Barn or within the event areas designated by the city manager in accordance with a city permit issued by the city manager pursuant to C.O. § 131.05.
 - (7) Betting, gambling in any form or maintaining any gambling equipment is prohibited.
 - (8) The playing of baseball, golf and other games, activities, or contests involving risk of injury to persons or property is prohibited except in areas expressly set aside for such activities, unless otherwise approved by the director of parks and recreation.
 - (9) No person shall distribute any advertising, commercial or promotional circulars, cards or written matter, or place signs within any parkette, public park, or playground or open space areas.

- (10) No events, entertainment or exhibition (public or private) shall be given in any parkette, public park, playground or open space areas except under the direction or by written permission of the director of parks and recreation.
- (11) It shall be unlawful for any person to scatter or litter any form of waste material including but not limited to wrappers, gum, seeds, and cigarette butts.
- (12) No motor vehicles of any description, other than municipal service or emergency vehicles, may enter upon a parkette, public park, playground or open space areas, except as authorized by the director of parks and recreation.
- (13) No person or group of persons shall erect, place or cause to be placed, alter or cause to be altered any equipment (including stakes or inflatable apparatus), facilities or grounds in the city-owned parkette, public park, playground or open space areas without special written permission from the director of parks and recreation.
- (14) No person or group of persons shall enter, use or remain upon city parkette, public park, playground or open space areas between the hours of 11:00 p.m. to 5:00 a.m. except upon the express authorization of the director of parks and recreation.
 - (a) Lights for the multi-sport court at Sunny 95 park are limited to use up to 9:30 p.m.
 - (b) All other park lighting systems for active areas such as ball diamonds and courts shall only be used within the designated park hours.
- (15) No person shall feed, cause to be fed or provide food for any wildlife on any public property within the boundaries of the city. Exceptions to this will only be granted through city, state and/or federal permitting processes.
 - (a) Signs shall be conspicuously posted to notify individuals that feeding of waterfowl is prohibited on public property within the city.
 - (b) The absence of a sign shall not be an indication that the no feeding of waterfowl policy does not apply to a particular water source.
 - (c) Defacing, tampering, moving, or damaging such signs shall constitute a violation of this chapter in addition to any other penalties that may apply regarding the defacement of public property.
- (16) No person in a park shall engage in the activities of swimming, wading, boating and/or ice skating in areas or at times which have not been set aside for these purposes by appropriate signage.
 - (a) Signs shall be conspicuously posted to notify individuals that these activities are prohibited on public property within the city.
 - (b) The absence of a sign shall not be an indication that these activities do not apply to a particular water source.
 - (c) Defacing, tampering, moving or damaging such signs shall constitute a violation of this chapter in addition to any other penalties that may apply regarding the defacement of public property.
- (17) *Regulations regarding animals.*
 - (a) No person in a park shall hunt, capture, take, trap or in any other way abuse, molest, injure, pursue or destroy any animal without the permission of the director other than by fishing.
 - (b) No person shall release any domesticated or exotic fish or animals in any park.
 - (c) All persons using a park must comply with C.O. § 519.02 (animals at large and animals causing physical harm).
- (18) Fishing on a catch-and-release only basis is permitted within the City of Upper Arlington. After capture, all fish must be unhooked and returned to the water unharmed. No person shall take or carry away or attempt to take or carry away any fish caught in a public body of water within the City of Upper Arlington.
 - (a) Signs shall be conspicuously posted to notify individuals that a water source is catch-and-release fishing only and criminal penalties exist for taking or carrying away, or attempting to take or carry away fish from the water source.
 - (b) The absence of a sign shall not be an indication that this catch and release policy does not apply to a particular water source.
 - (c) Defacing, tampering, moving or damaging such signs shall constitute a violation of this chapter in addition to any other penalties that may apply regarding the defacement of public property.
 - (d) No person in a park shall fish in public park waters in violation of any sign or signs prohibiting fishing or a

manner thereof.

(19) Smoking and the use of any smoking, vaping, or e-cigarette materials or devices within any areas of any parkette, public park, playground, or open space areas is prohibited.

(20) Any wheeled transportation in parks must abide by the following:

(a) Obey city laws and requirements

(b) Travel only on paved areas

(c) Use on natural trails and in natural areas is prohibited

(d) Walk through crowded areas and over park bridges

(e) All motorcycles, including e-dirt bikes, are prohibited

(B) (1) Except as provided in subsections (B)(2) and (B)(3), whoever violates this section is guilty of violating park rules and regulations, a minor misdemeanor.

(2) If the offender has previously been convicted of a violation of this section, violating park rules is a misdemeanor of the fourth degree.

(3) If a violation of this section constitutes a higher classification of offense under another section of the general offenses code or under a state or federal statute, then the offender may also be prosecuted for said section of the general offense code or state or federal statute. It is the intent of this section that the offender be subject to the full range of penalties provided by said section of the general offense code or state or federal statute.

SECTION 45. This ordinance shall take effect 30 days after passage.



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

Council Meeting Date: September 14, 2026

Subject/Legislative Item: Resolution No. 15-2026 - To Confirm Support for the Zollinger Road Mobility and Safety Improvements Project Related to Mid-Ohio Regional Planning Commission Surface Transportation Program Funds (*Fortkamp*)

Purpose: To confirm the City of Upper Arlington's support of the Zollinger Road Mobility and Safety Improvements project.

Executive Summary: This resolution confirms the City's support for the Zollinger Road Mobility and Safety Improvements project. Support of this legislative body is required by MORPC for funding.

Purpose and Impact

Per the Mid-Ohio Regional Planning Commission's (MORPC) policy 'Policies for Managing MORPC-Attributable Funds', projects with funding commitments are required to submit a project update form every two years. The update includes updated cost estimates and schedule changes, as well as legislation expressing support executed within the last year. This resolution, if passed, will be submitted to MORPC along with updated project information and is due no later than October 28, 2026, for this project.

History

The federal transportation program in the United States was authorized in 2015 by the Fixing America's Surface Transportation Act, or FAST Act. Three of the many funding programs that this law reauthorized are the Surface Transportation Program (STP), the Congestion Mitigation & Air Quality Improvement Program (CMAQ), and the Transportation Alternatives Program (TAP). The Ohio Department of Transportation (ODOT) sub-allocates a portion of these funds to the state's metropolitan planning organizations (MPOs), including the Mid-Ohio Regional Planning Commission (MORPC). MORPC's program depends on the continuation of federal funding programs and ODOT's policy. Each MPO is charged with attributing the funds to projects and activities sponsored by local public transportation agencies located within the MPO. MORPC's allocations are about \$32 million annually. In 2022, the City passed Resolution No. 15-2022 authorizing the City Manager to apply for and receive grant funding from MORPC—Attributable funds. In March 2023, MORPC passed resolution T-2-21 formally awarding funding to 23 projects, including \$3,294,352 for the Zollinger Road Mobility and Safety Improvements Project.



As with all federally funded projects, the project process has been lengthy. Below is a summary of the project's timeline:

- July 2022 – Early public outreach conducted via virtual meeting
- July 2022 – Initial grant application submitted to MORPC (Resolution No. 15-2022)
- April 2024 – Project update submitted to MORPC (Resolution No. 5-2024)
- July 2025 – Open House #1 – Residents asked for their perspective on existing concerns and desired changes
- September 2025 – Project update & public feedback summary presented to Council
- February 2026 – Open House #2 – Residents presented with alternative cross-sections for feedback

Following the second open house, staff have been working with the design team to determine which alternatives are most responsive to resident feedback while also addressing the underlying speed and accident concerns on Zollinger Road. As this project will span the entire Zollinger Road corridor, staff has also met with Upper Arlington Schools to discuss potential changes and construction timing. The design team is currently working on detailed design, and staff intends to present the selected alternative along with the construction plans in early 2027 prior to construction.

Alternatives

The alternative is to not pass this resolution thereby denying City support of the Zollinger Road Mobility and Safety Improvements project. This alternative would delay and/or prevent the City from receiving grant funding for this project in 2027.

Attachments

1.	Resolution No. 15-2026
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RECORD OF RESOLUTIONS

CITY OF UPPER ARLINGTON
STATE OF OHIO

RESOLUTION NO. 15-2026

TO CONFIRM SUPPORT FOR THE ZOLLINGER ROAD MOBILITY AND SAFETY IMPROVEMENTS PROJECT RELATED TO MID-OHIO REGIONAL PLANNING COMMISSION SURFACE TRANSPORTATION PROGRAM FUNDS

WHEREAS, by passing this resolution, the City confirms support for the Zollinger Road Mobility and Safety Improvements Project, which is a requirement of the Mid-Ohio Regional Planning Commission (MORPC), outlined in the “Policies for Managing MORPC-Attributable Funds”; and

WHEREAS, MORPC requires projects with funding commitments to submit a project update form every two years, which includes updated cost estimates and schedule changes, as well as legislation expressing support executed within the last year; and

WHEREAS, in 2022, the City passed Resolution No. 15-2022, authorizing the City Manager to apply for and receive grant funding from MORPC-Attributable funds; and

WHEREAS, in March of 2023, MORPC passed a resolution to formally award funding to 23 projects, including \$3,294,352 for the Zollinger Road Mobility and Safety Improvements Project; and

WHEREAS, in 2024, the City passed Resolution No. 5-2024, confirming support of the project and funding; and

WHEREAS, the Zollinger Road Mobility and Safety Improvements Project has been included in the Capital Improvement Plan (CIP).

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

SECTION 1. The City of Upper Arlington hereby confirms support for the Zollinger Road Mobility and Safety Improvements Project, which is a requirement of the Mid-Ohio Regional Planning Commission (MORPC), outlined in the “Policies for Managing MORPC-Attributable Funds.”

SECTION 2. This resolution shall be submitted to MORPC along with updated project information no later than October 28, 2026.

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



Authors:	Gary Wilfong, P.E., Public Service Director Aaron Scott, City Engineer
Council Meeting Date:	September 14, 2026
Subject/Legislative Item:	Resolution No. 16-2026 - To Express Support for the Henderson Road Improvements Project Phases I & II and Associated Mid-Ohio Regional Planning Commission Surface Transportation Program Grant Application (<i>Kulewicz</i>)
Purpose:	To request support for the Henderson Road Improvement Project.
Executive Summary:	This resolution establishes the City's support for the Henderson Road Improvement Project. Support from this legislative body is required by MORPC for applications for funding.

Purpose and Impact

Per the Mid-Ohio Regional Planning Commission's (MORPC) policy 'Policies for Managing MORPC-Attributable Funds', projects that apply for grant funding must be identified as supported by Council through a Resolution of Support. This resolution, if passed, will be submitted to MORPC and is due no later than October 28, 2026, for this project. Staff recommends that Council pass a resolution of support for the Henderson Road Improvement Projects Phases I & II. Staff will provide this support to MORPC prior to their deadline for those items on October 28, 2026. Additionally, should Council choose to support this resolution, staff will propose an amended schedule in the CIP during the next budget review cycle.

History

The federal transportation program in the United States was authorized in 2015 by the Fixing America's Surface Transportation Act, or FAST Act. Three of the many funding programs that this law reauthorized are the Surface Transportation Program (STP), the Congestion Mitigation & Air Quality Improvement Program (CMAQ), and the Transportation Alternatives Program (TAP). The Ohio Department of Transportation (ODOT) sub-allocates a portion of these funds to the state's metropolitan planning organizations (MPOs), including the Mid-Ohio Regional Planning Commission (MORPC). MORPC's program depends on the continuation of federal funding programs and ODOT's policy. Each MPO is charged with attributing the funds to projects and activities sponsored by local public transportation agencies located within the MPO. MORPC's allocations are about \$32 million annually.

Below is a summary of the project's timeline:



- September 2023 – March 2025: The Envision Henderson Study was executed over an 18-month period. Options for improvement were evaluated including utility undergrounding, roadway safety/crash reduction improvements, business access management, roundabouts, shared use path(s), as well as landscaping improvements and public art location siting
- October 2024: Ordinance No. 63-2024 passed which annexed 12.47 acres of land to Upper Arlington; adding a portion of Henderson Road between approximately 405 feet east of Reed Road to approximately 405 feet west of Stonehaven Drive
- September 2025: Staff entered into contract with Burgess & Niple for the preparation of stage 1 design plans. This includes detailed real estate investigation of the corridor, conceptual plans for utility undergrounding and cost analysis, public involvement, and the drawing up of engineering plans for improvements. During this period, staff determined that the execution of these improvements should be done over the course of two projects, a Phase I and Phase II project
- December 2025: Two Henderson Road Projects were approved for inclusion in our Capital Improvement Plan (CIP) with construction years of 2030 and 2031.
- July 2026: Staff began working to identify and apply for grant funding. It was identified that MORPC attributable funding availability was limited until fiscal years 2031 and 2032. Staff decided to submit two initial applications for the Henderson Road Projects in 2031 (Phase I) and 2032 (Phase 2). These initial applications are a screening tool to assess eligibility. The feedback for both applications was that they were both generally competitive for funding. Staff will submit final applications, which are due September 25, 2026.

A public meeting was held on September 10, 2026, where the progress on the design for the Henderson Road Improvement Project Phases I & II was shared with residents and businesses. Feedback was gathered from those who attended.

Alternatives

The following alternatives are available:

- Council could not pass this resolution thereby delaying or denying City support for the Henderson Road Projects Phases I & II. This alternative would delay or prevent the City from receiving MORPC attributable grant funding for these projects
- Council could choose to support only one Phase of the program. Phase I includes improvements between Gettysburg Road and Reed Road. Phase II includes improvements between Stonehaven Drive and Gettysburg Road

Attachments

1.	Resolution No. 16-2026
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RECORD OF RESOLUTIONS

CITY OF UPPER ARLINGTON
STATE OF OHIO

RESOLUTION NO. 16-2026

TO EXPRESS SUPPORT FOR THE HENDERSON ROAD IMPROVEMENTS PROJECT PHASES I & II AND ASSOCIATED MID-OHIO REGIONAL PLANNING COMMISSION SURFACE TRANSPORTATION PROGRAM GRANT APPLICATION

WHEREAS, by passing this resolution, the City expresses support for the Henderson Road Improvements Project Phases I & II, which is a requirement of the Mid-Ohio Regional Planning Commission (MORPC) grant application process for Surface Transportation Program (STP) funds; and

WHEREAS, in December 2025, the Henderson Road Improvement Project Phases I & II were approved for inclusion in the Capital Improvement Plan (CIP) with construction years of 2030 and 2031; and

WHEREAS, MORPC Policies for Managing MORPC-Attributable Funds require the support of the governing body to accompany any application for Attributable Funding.

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

SECTION 1. City Council hereby expresses support for the Henderson Road Improvements Project and associated Mid-Ohio Regional Planning Commission (MORPC) Surface Transportation Program grant application.

SECTION 2. City Council authorizes the City Manager to apply for and receive grant funding from the MORPC Surface Transportation Program for the Henderson Road Improvements Project.

SECTION 3. This resolution shall be submitted to MORPC no later than October 28, 2026.

SECTION 4. The City Manager, City Attorney, and Finance Director are hereby authorized to execute all documents, including any subsequent amendments to such documents, consistent with the purposes of this resolution.

SECTION 5. This resolution shall take effect immediately upon passage.



Authors:	Suzanne Beach, Executive Assistant Brent Lewis, Finance Department Director
Council Meeting Date:	September 14, 2026
Subject/Legislative Item:	Resolution No. 17-2026 - To Accept the Recommendations from the Upper Arlington Tax Incentive Review Council (TIRC) <i>(Munc)</i>
Purpose:	To accept the recommendations of the Upper Arlington TIRC as presented.
Executive Summary:	The City staff is requesting the City Council accept the recommendations of the Upper Arlington Tax Incentive Review Council (TIRC). The TIRC found all the City's TIF's to be in compliance.

Purpose and Impact

Each year, the TIRC meets to review Community Reinvestment Areas (CRAs), Enterprise Zones (EZ), and Tax Increment Finance (TIF) projects. The TIRC makes recommendations to City Council regarding the continuance of the agreements based on performance and conformance with contract terms. The TIRC met on August 27, 2026, to review compliance in calendar year 2025 and found all the City's TIF's to be in compliance (the City does not have any active CRAs or EZs) and recommended them to continue. The TIRCs in Franklin County monitor three specific kinds of programs — Community Reinvestment Areas (CRAs), Enterprise Zones (EZ), and Tax Increment Finance (TIF) projects. TIFs, CRAs and EZs are established by the local municipality, township, and the Franklin County Economic Development Department.

History

The Ohio Revised Code requires that each municipality utilizing tax incentives must review these incentives annually. Per the Ohio Revised Code, municipalities must provide the TIRC with “any information necessary to perform its review.” The municipalities are charged with forming their TIRC each year. Statute names the County Auditor as chair of each TIRC and appoints representatives from impacted townships and school districts, as well as citizens to serve as part of this annual review. As the TIRC Chair, the Auditor along with appropriate TIRC board members conduct meetings across the county where we review tax incentives granted to businesses and communities.

Alternatives



N/A

Attachments

1.	Resolution No. 17-2026
2.	Exhibit A - 2025 City Review TIF Projects



RECORD OF RESOLUTIONS

CITY OF UPPER ARLINGTON
STATE OF OHIO

RESOLUTION NO. 17-2026

TO ACCEPT THE RECOMMENDATIONS OF THE UPPER ARLINGTON TAX INCENTIVE REVIEW COUNCIL (TIRC)

WHEREAS, the Tax Incentive Review Council (TIRC) is responsible for reviewing all Community Reinvestment Area Agreements (CRAs), Enterprise Zone (EZs), and Tax Increment Financing Agreements (TIFs) within the City of Upper Arlington and for making recommendations regarding their compliance with the terms of the agreements; and

WHEREAS, the TIRC held its annual meeting on August 27, 2026, to review compliance in calendar year 2025 and made recommendations thereupon; and

WHEREAS, currently, there are active TIFs within the City, but no active CRAs or EZs; and

WHEREAS, the TIRC found the active TIFs to comply and therefore recommended their continuance.

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

SECTION 1. City Council hereby accepts the Upper Arlington Tax Incentive Review Council (TIRC) recommendations from August 27, 2026, attached hereto and incorporated herein as Exhibit A.

SECTION 2. This resolution shall take effect immediately upon passage.

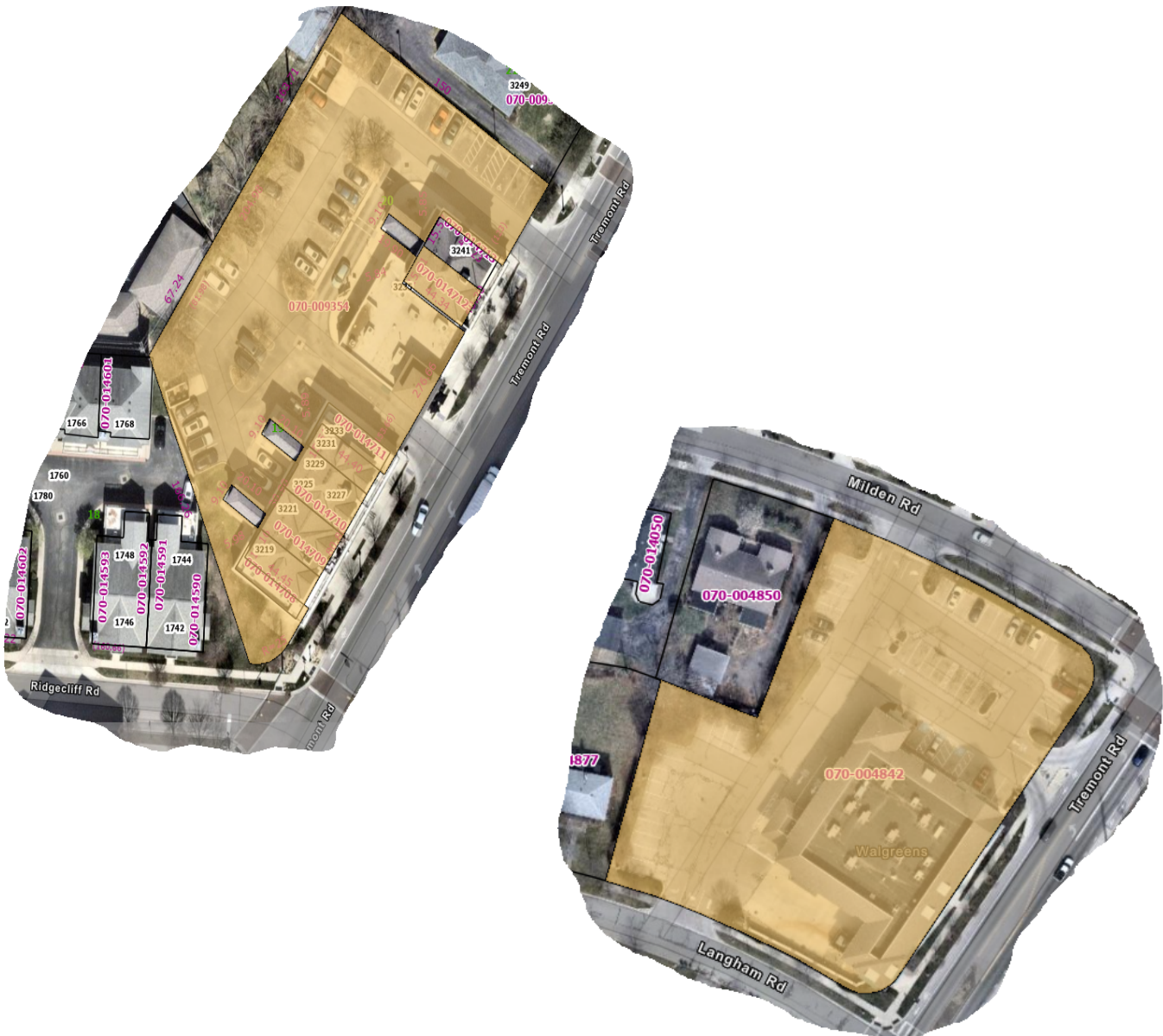
Resolution No. 17-2026 Exhibit A

CITY OF UPPER ARLINGTON

Review of TIF Projects as of December 31, 2025

a) (90-134) Kingsdale West (Upper Arlington City Schools)

- TIF Fund - Established by Ordinance 125-2007, this district was established to capture any incremental increases in value within parcels located west of Tremont Road within the Kingsdale corridor. This TIF is set to expire in tax year 2037 (final settlement in 2038).
 - *Walgreens, Starbucks, Jimmy Johns, etc.*
- 2025 Beginning Fund Balance = \$395,386
- 2025 Revenue to the Fund = \$57,924 (PILOT payments; Homestead & Rollback)
- 2025 Expenditures = \$50,568 (includes \$50,000 for repayment of BCCC debt)
- 2025 Ending Fund Balance = \$402,742
- Obligations of Revenue: Repayment of the debt issued for the Bob Crane City Community Center (BCCC).



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- TIF Fund - Established by Ordinance 89-2008, this fund was created to receive PILOT payments for the redevelopment of various parcels on West Lane Avenue and adjacent streets. This TIF is set to expire in tax year 2038 (final settlement in 2039).

- *Shops on Lane, Chase Bank, Ohio Health (Lane)*
- 2025 Beginning Fund Balance = \$304,986
- 2025 Revenue to the Fund = \$79,348 (PILOT payments)
- 2025 Expenditures = \$120,177 (includes \$120,000 for repayment of BCCC debt)
- 2025 Ending Fund Balance = \$264,157
- Obligations of Revenue: Repayment of the debt issued for the BCCC.



CITY OF UPPER ARLINGTON

Review of TIF Projects as of December 31, 2025

Page 3 of 14

c) (90-201 + 90-204) Lane Avenue Mixed Use (Upper Arlington City Schools)

- TIF Fund - Established by Ordinance 38-2012, this fund was established to capture any incremental increases in value for the redevelopment of the property formerly owned by Lane Avenue Baptist Church. This TIF had two different inception dates based on the development of parcels. The first portion began in tax year 2013 and is set to expire in 2042 (final settlement in 2043). The second portion began in tax year 2014 and is set to expire in 2043 (final settlement on 2044).
 - *Homewood Suites, Lane Ave Mixed Use Building*
- 2025 Beginning Fund Balance = \$738,355
- 2025 Revenue to the Fund = \$1,035,933 (PILOT payments)
- 2025 Expenditures = \$996,961 (includes \$331,000 for repayment of debt; \$454,629 in revenue sharing with UA Schools; \$200,000 for repayment of BCCC debt)
- 2025 Ending Fund Balance = \$777,327
- Obligations of Revenue: Repayment of issued bonds for this project; revenue sharing with Upper Arlington Schools; repayment of the debt issued for the BCCC.



CITY OF UPPER ARLINGTON

Review of TIF Projects as of December 31, 2025

Page 4 of 14

d) (90-175) Arlington Crossing Incentive District – Progress Report (Upper Arlington City Schools)

- TIF Fund - Established by Ordinance 90-2008, this district was established to capture any incremental increases in value within residential parcels located within the Kingsdale Corridor. This TIF is set to expire in tax year 2039 (final settlement in 2040).
 - *Residential*
- 2025 Beginning Fund Balance = \$1,068,524
- 2025 Revenue to the Fund = \$110,877 (PILOT payments; Homestead & Rollback)
- 2025 Expenditures = \$201,608 (includes \$200,000 for repayment of BCCC debt)
- 2025 Ending Fund Balance = \$977,793
- Obligations of Revenue: Repayment of the debt issued for the BCCC.



CITY OF UPPER ARLINGTON

Review of TIF Projects as of December 31, 2025

Page 5 of 14

e) **(90-167 + 90-223) Kingsdale Core** (Upper Arlington City Schools)

- TIF Fund - Established by Ordinance 104-2009, this fund was created to receive the PILOT payments for the redevelopment of the retail portion of the Kingsdale Shopping Center. Ordinance 41-2015 added an additional parcel to the TIF, which is now occupied by Ohio State Wexner Medical Center. The original portion of the TIF is set to expire in tax year 2039 (final settlement in 2040). The newer portion of the TIF (ORD 41-2015) is set to expire in tax year 2045 (final settlement in 2046).
 - *Kingsdale Shopping Center, OSU Wexner Medical Center*
- 2025 Beginning Fund Balance = \$668,801
- 2025 Revenue to the Fund = \$1,818,041 (PILOT payments)
- 2025 Expenditures = \$1,458,171 (includes \$255,251 for repayment of debt; \$934,619 in revenue sharing with UA Schools; \$200,000 for repayment of BCCC debt)
- 2025 Ending Fund Balance = \$1,028,671
- Obligations of Revenue: Repayment of issued bonds for this project; revenue sharing with Upper Arlington Schools; repayment of the debt issued for the BCCC.



CITY OF UPPER ARLINGTON

Review of TIF Projects as of December 31, 2025

Page 6 of 14

f) (90-165 + 90-166) Riverside North and South (Upper Arlington City Schools)

- TIF Funds – **(RN)** Established by Ordinance 88-2010, this fund was established to capture any incremental increases in value for infrastructure improvements made to the area on and around 3518 Riverside Dr. This TIF is set to expire in tax year 2040 (final settlement in 2041). **(RS)** Established by Ordinance 89-2010, this fund was established to capture any incremental increases in value for infrastructure improvements made to the area on and around 2196 Riverside Drive. This TIF is set to expire in tax year 2040 (final settlement in 2041).
 - *Scioto Country Club (RS), Various (RN) – Consolidated Employer Services, Engineering Mechanics Corp of Columbus, Comfort Keepers of UA*
- 2025 Beginning Fund Balance = \$244,376
- 2025 Revenue to the Fund = \$47,751 (PILOT payments)
- 2025 Expenditures = \$52,267 (includes \$51,800 for repayment of BCCC debt)
- 2025 Ending Fund Balance = \$239,860
- Obligations of Revenue: Repayment of the debt issued for the BCCC.



Riverside North



Riverside South

CITY OF UPPER ARLINGTON

Review of TIF Projects as of December 31, 2025

Page 7 of 14

g) (90-227) Arlington Centre (Upper Arlington City Schools)

- TIF Fund - Established by Ordinance 80-2015, this fund was established to capture any incremental increases in value for the redevelopment of various parcels on Arlington Centre Boulevard and adjacent streets. This TIF is set to expire in tax year 2046 (final settlement in 2047).
 - *CAPS*
- 2025 Beginning Fund Balance = \$116,976
- 2025 Revenue to the Fund = \$25,758 (PILOT payments)
- 2025 Expenditures = \$32,252 (includes \$32,000 for repayment of BCCC debt)
- 2025 Ending Fund Balance = \$110,482
- Obligations of Revenue: Repayment of the debt issued for the BCCC.



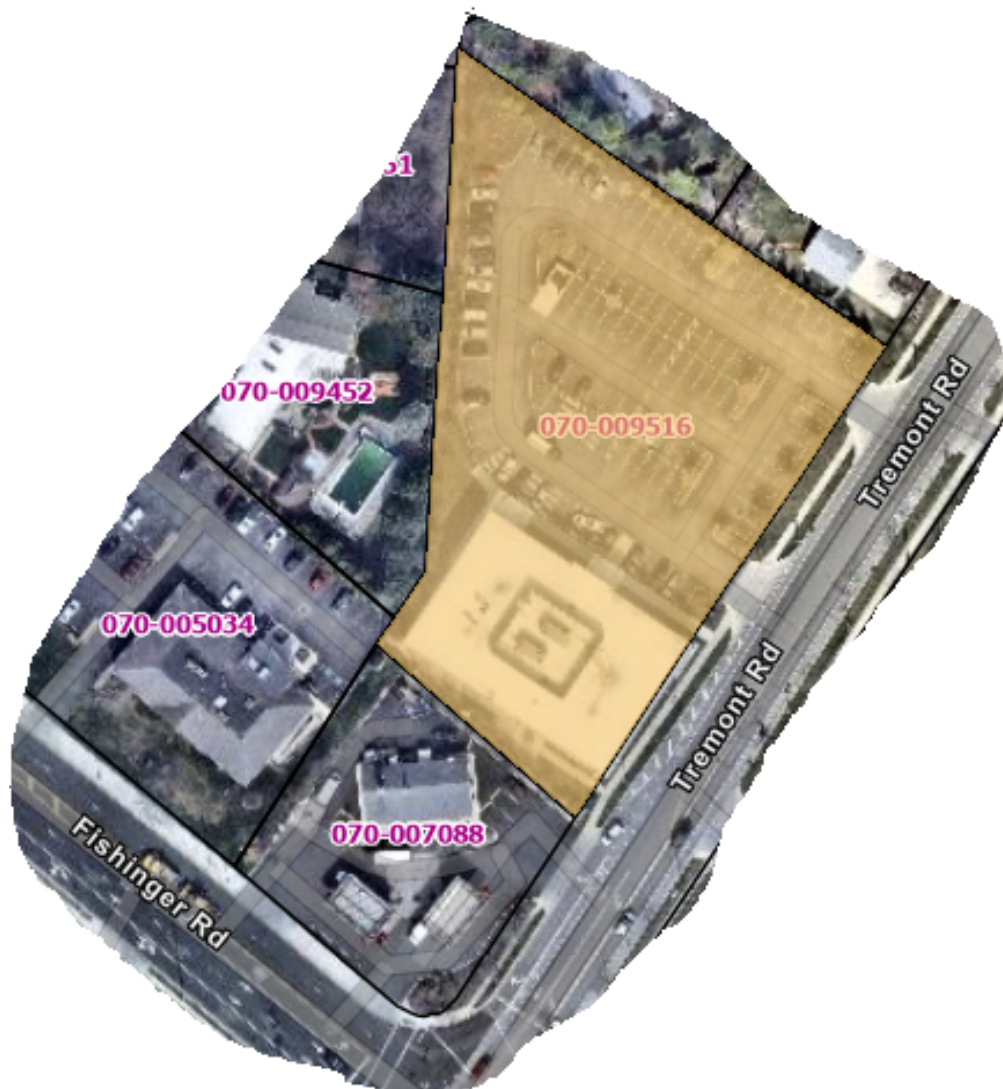
CITY OF UPPER ARLINGTON

Review of TIF Projects as of December 31, 2025

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h) (90-261) Tremont Road (Upper Arlington City Schools)

- TIF Fund - Established by Ordinance 81-2015, this fund was established to capture any incremental increases in value for the redevelopment of various parcels on Tremont Road and adjacent streets. This TIF is set to expire in tax year 2046 (final settlement in 2047).
 - *Ohio Health*
- 2025 Beginning Fund Balance = \$18,760
- 2025 Revenue to the Fund = \$40,534 (PILOT payments)
- 2025 Expenditures = \$37,897 (includes \$37,500 repayment of an advance from the City's General Fund)
- 2025 Ending Fund Balance = \$21,397
- Obligations of Revenue: Repayment of advance from City's General Fund; repayment of debt issued for the BCCC.



CITY OF UPPER ARLINGTON

Review of TIF Projects as of December 31, 2025

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i) (90-310) West Lane - Northwest (Upper Arlington City Schools)

- TIF Fund - Established by Ordinance 24-2018, this fund was established to capture any incremental increases in value for the redevelopment of the surrounding areas of a former gas station property at 1800 Lane Avenue. This TIF is set to expire in tax year 2048 (final settlement in 2049).
 - *Heartland Bank*
- 2025 Beginning Fund Balance = \$22,542
- 2025 Revenue to the Fund = \$18,115 (PILOT payments)
- 2025 Expenditures = \$15,178 (includes \$15,000 repayment of an advance from the City's General Fund)
- 2025 Ending Fund Balance = \$25,479
- Obligations of Revenue: Repayment of advance from City's General Fund; repayment of the debt issued for the BCCC.



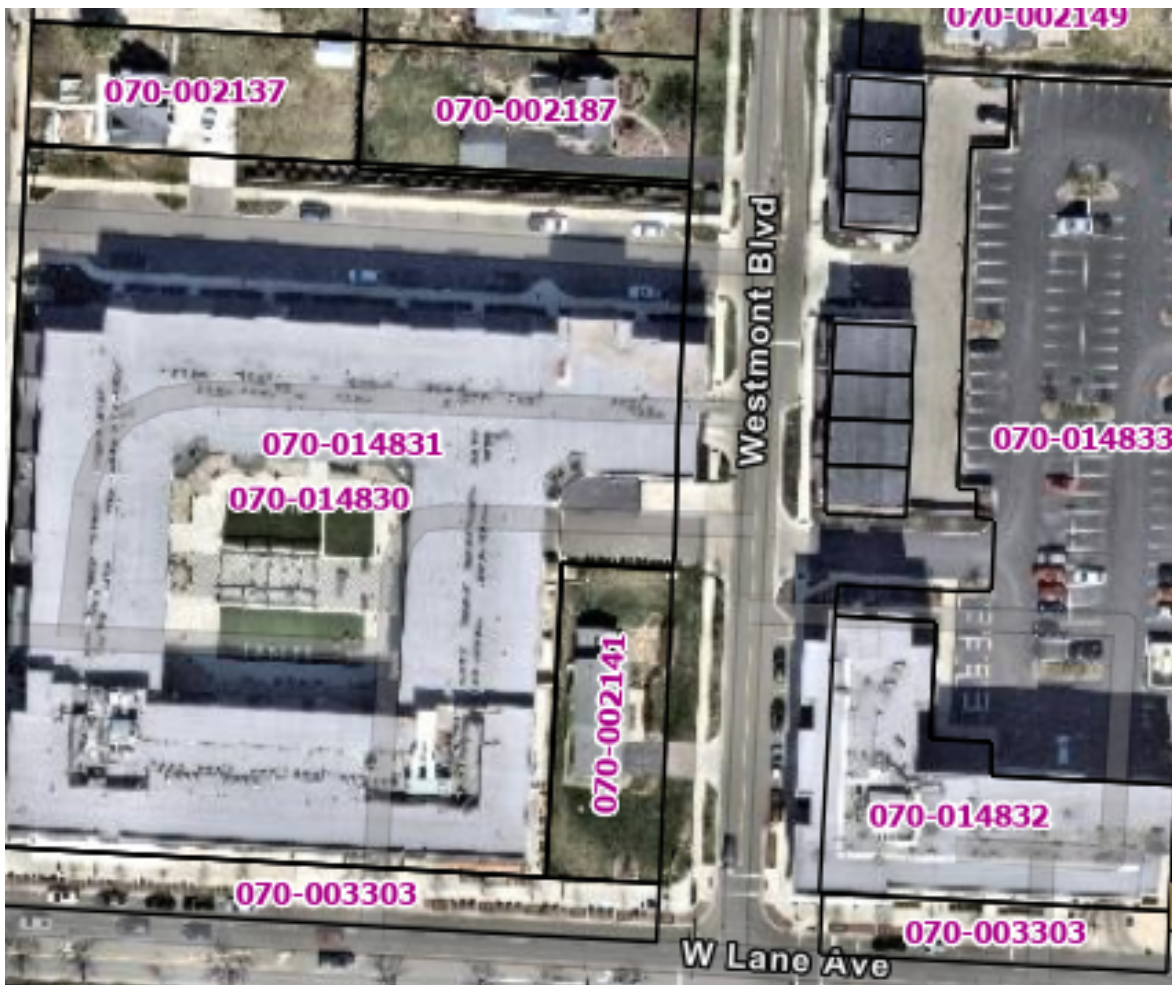
CITY OF UPPER ARLINGTON

Review of TIF Projects as of December 31, 2025

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j) (90-319 + 90-362) Lane Avenue II (Upper Arlington City Schools)

- TIF Fund - Established by Ordinance 42-2019, this fund was established to capture any incremental increases in value for the redevelopment of several parcels of real property located on the north side of West Lane Avenue, between Chester Road and Westmont Boulevard. This TIF has two different inception dates based on the development of the parcels included in the TIF. The first portion, which currently includes a hotel, began in tax year 2020 and will expire in 2049 (final settlement in 2050). The second portion began in tax year 2022 and will expire in 2051 (final settlement in 2052).
 - *TownePlace Suites, Lane II Mixed Use*
- 2025 Beginning Fund Balance = \$1,265,563
- 2025 Revenue to the Fund = \$1,307,566 (PILOT payments and \$53,304 in special assessments)
- 2025 Expenditures = \$1,200,066 (includes \$966,300 for repayment of debt; \$220,483 in revenue sharing with UA Schools)
- 2025 Ending Fund Balance = \$1,373,063
- Obligations of Revenue: Repayment of issued bonds for this project; revenue sharing with Upper Arlington Schools



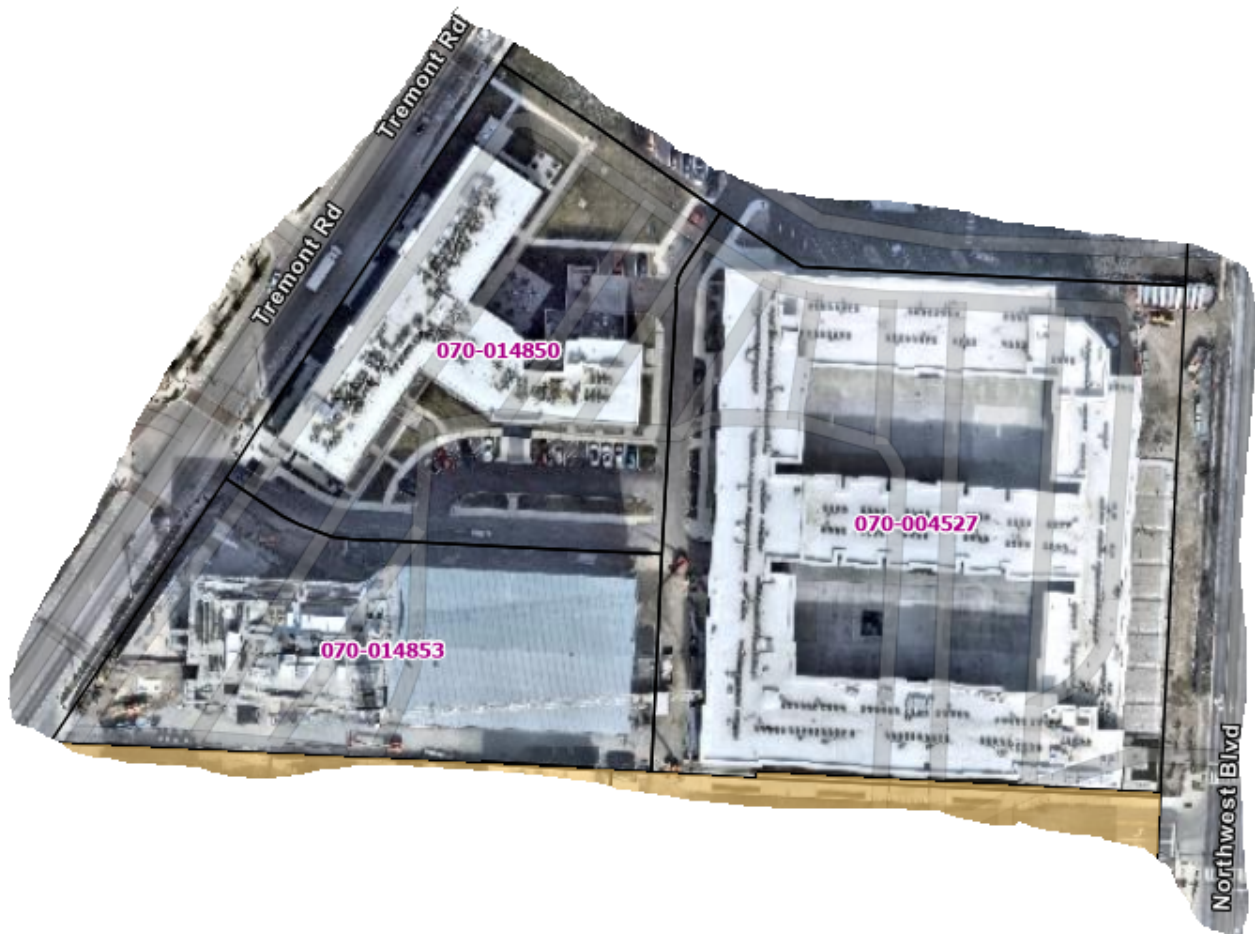
CITY OF UPPER ARLINGTON

Review of TIF Projects as of December 31, 2025

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k) (90-409) Kingsdale Center (Upper Arlington City Schools)

- TIF Fund - Established by Ordinance 1-2021, this fund was established to capture any incremental increases in value for the redevelopment of the former Macy's/Kroger site located at Kingsdale Center. The redevelopment began in 2021, and it is expected that the TIF will begin in tax year 2023 (first settlement in 2024) and expire in 2052 (final settlement in 2053).
 - *The Coventry, The Kingston, Bob Crane CC*
- 2025 Beginning Fund Balance = \$30,032
- 2025 Revenue to the Fund = \$1,534,043 (includes \$362,578 in PILOT payments, \$171,465 in special assessments; \$1,000,000 in advances from the General Fund)
- 2025 Expenditures = \$1,340,026 (includes \$123,760 in revenue sharing and \$1,194,105 for repayment of debt)
- 2025 Ending Fund Balance = \$224,049
- Obligations of Revenue: Repayment of issued bonds for this project; repayment of the debt issued for the BCCC



CITY OF UPPER ARLINGTON

Review of TIF Projects as of December 31, 2025

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I) (90-051) Horizons (Dublin City Schools)

- TIF Fund - Established by Ordinance 45-2004, this fund was created to receive the PILOT payments for the improvements to the Horizons TIF District. This TIF is set to expire in tax year 2034 (final settlement in 2035).
 - *UBS Financial, Camelot Dental, etc.*
- 2025 Beginning Fund Balance = \$1,053,912
- 2025 Revenue to the Fund = \$448,247 (PILOT payments)
- 2025 Expenditures = \$405,465 (includes \$400,000 for repayment of BCCC debt)
- 2025 Ending Fund Balance = \$1,096,694
- Obligations of Revenue: Repayment of the debt issued for BCCC



CITY OF UPPER ARLINGTON

Review of TIF Projects as of December 31, 2025

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m) (90-408) Gateway (Columbus City Schools)

- TIF Fund - Established by Ordinance 55-2021, this fund was established to capture any incremental increases in value for the redevelopment of several parcels of real property located on the southeast of the intersection of West Lane Avenue and North Star Road of West Lane Avenue. The redevelopment began in 2021, and it is expected that the TIF will begin in tax year 2023 (first settlement in 2024) and expire in 2052 (final settlement in 2053).
- 2024 Beginning Fund Balance = \$39,409
- 2024 Revenue to the Fund = \$1,814,496 (PILOT payments)
- 2024 Expenditures = \$1,696,701 (includes \$450,000 for revenue sharing and \$1,228,500 for repayment of debt)
- 2024 Ending Fund Balance = \$157,204
- Obligations of Revenue: Repayment of issued bonds for this project); revenue sharing with Columbus City Schools; repayment of the debt issued for BCCC







Authors:	Brent Lewis, Finance Department Director
Council Meeting Date:	September 14, 2026
Subject/Legislative Item:	Resolution No. 18-2026 - To Adopt the Recommendations of the Financial Policies Review Committee, Respective to the City's Debt Policy and Financial Policies (<i>Oldham</i>)
Purpose:	To pass a Resolution to approve the recommendations set forth by the Financial Policies Review Committee in regard to proposed changes to the City's debt and financial policies.
Executive Summary:	Members of the Financial Policies Review Committee (Todd Walter, Ben Tracy, Nic Fortkamp) met on August 24, 2026, to discuss and review the City's various financial policies. The Committee voted to bring various changes to be brought forth to City Council for adoption.

Purpose and Impact

The Financial Policies Review Committee met with City staff to discuss the City's financial policies on August 24, 2026. The meeting consisted of reviewing the City's various financial policies, including: credit card policy, debt policy, investment policy, and general financial policies. At this meeting, the City's investment (Red Tree Investment Advisors) and debt (Bradley Payne Advisors) consultants attended the meeting to discuss the related policies and any proposed changes to the policies and answer any questions of the committee members. At the conclusion of the meeting, the Committee agreed to bring the following changes forward for City Council approval (proposed changes briefly described below and included in the attached documents).

Credit Card Policy (not included) — This policy is required by the Ohio Auditor of State and outlines the City policies over the use of credit cards. *There are no recommended changes to this policy.*

Debt Policy (Exhibits 1 and 1A) — This policy primarily provides guidance on what types of debt can be issued and when it should be issued. There are no substantive changes to this policy. The proposed changes are to modernize and clarify existing language or to specifically identify actions that the City utilizes.

Financial Policies (Exhibits 2 and 2A)— These are the council's general financial policies covering items such as budgeting, reserves, reporting, etc. The recommended changes primarily consist of language modernization and to provide additional clarity. These policies



were run through AI and compared the GFOA best practices, which assisted in the recommended changes.

As noted above, the Committee also reviewed the **Investment Policy**. In order to invest in certain types of instruments, the Ohio Revised Code requires the City to have an adopted investment policy. Therefore, the City's investment policy is codified under section 221 of the Upper Arlington Code of Ordinances. Any changes to this policy require a separate ordinance and three readings, as with any other code change. The proposed changes to the Investment Policy are under a separate Ordinance.

History

The Financial Policies Review Committee is appointed by the City Council and generally meets every two years.

The last meeting of this committee was in 2025 to discuss the amendment of the Reserve Policy, as authorized by Resolution 14-2025.

Alternatives

City Council can choose to reject or amend any of the recommended changes.

Attachments

1.	Resolution No. 18-2026
2.	Exhibit 1 - Debt Policy_redline
3.	Exhibit 1A - Debt Policy_clean
4.	Exhibit 2 - Financial Policies_redline
5.	Exhibit 2A - Financial Policies_clean



RECORD OF RESOLUTIONS

CITY OF UPPER ARLINGTON
STATE OF OHIO

RESOLUTION NO. 18-2026

TO ADOPT THE FINANCIAL POLICIES COMMITTEE RECOMMENDATIONS, RESPECTIVE TO THE CITY'S DEBT POLICY AND FINANCIAL POLICIES

WHEREAS, the Financial Policies Review Committee met with City staff and the City's investment and debt consultants on August 24, 2026, to review the City's financial policies; and

WHEREAS, the Committee recommends updates to the City's Debt Policy and general Financial Policies to modernize language, provide clarity, and reflect current City practices and applicable best practices, with no recommended changes to the City's Credit Card Policy; and

WHEREAS, proposed amendments to the City's Investment Policy, which is codified in Section 221 of the Upper Arlington Code of Ordinances, are being considered separately by ordinance.

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

SECTION 1. City Council hereby approves the amended Debt Policy, attached as Exhibits 1 & 1A, and the amended General Financial Policies, attached as Exhibits 2 & 2A.

SECTION 2. This resolution shall take effect immediately upon passage.

Resolution No. 18-2026 Exhibit 1

DEBT POLICY

Introduction

This Debt Policy Statement is a companion document to the City's Capital Improvement Plan (CIP). The primary objective of this policy is to summarize certain conditions that support the use of debt, or cash, for capital improvements. The plan also provides guidance on best practices for debt issuance. The debt policy is a guide for City officials to reference as deemed appropriate to maintain sound financial management practices. This policy is designed to be flexible in its application, allowing exceptions to the guidelines under changing and extraordinary circumstances.

Overview

One of the key decisions facing the City regarding financing the City's various capital funding projects is whether to use cash on hand, debt, or a combination of each as the funding source. Section A — Debt Guidelines, addresses that question. Section B covers routine Debt Administration.

SECTION 1 Capital Funding Sources—Guidelines for Allocating Payment Sources

Cash Funding

This policy encourages City officials to fund capital projects with cash, on a "pay as you go" basis, to the extent possible and prudent. Cash funding is recommended under the following circumstances:

- a) To finance purchases of assets whose lives are five years or less;
- b) To finance recurring maintenance expenditures (e.g., street repair (short-term) vs. street reconstruction(long-term));
- c) To avoid issuing bonds in order to manage unstable market conditions or historically high interest rates.
- d) To contribute to the sources of project funding in situations where the best policy at the time may be to combine cash and borrowing to fund a particular need.

Debt Financing

Short-term debt financing:

This policy defines short-term debt as securities with final principal and interest payments ~~coming~~ due within one-year from the date of issuance. Typically, ~~this type of borrowings~~short-term debt takes the form of "~~short-term~~" bond or revenue anticipation notes (BANs or RANs). It is suitable to issue ~~BANs~~ short-term debt as described below:

- a) Pay-As-You-Go: Certain projects in the capital plan are best suited to cash funding on a pay-as-you-go basis, for example, projects with useful lives of less than five years, or for unusual or emergency situations where the City needs a limited amount of borrowing at the time, for example, one-time borrowings~~projects~~ of \$5 million, or less. For purposes of this policy, "pay-as-you-go" financing includes selling short-term notes with the expectation of paying the notes off in full within one year to five years of initial issuance.

- b) Interim ~~Funding financing precedent to a future for~~ long-term bond financing: ~~Short-term notes are also appropriately used in anticipation of refunding them at a future date with long-term bonds.~~ Typically, such notes are referred to as "bond anticipation notes." ~~Bond anticipation notes are most suitable as a temporary funding source before and in anticipation of the completion of a bond sale. Whether issued in anticipation of a future bond sale or for short-term financing, short-term notes are best when limited to a five-year renewal period; that is, not designed as a long-term variable rate financing tool.~~

Long-term debt financing:

It is policy to use BANs and bonds for long-term capital asset funding under the parameters set forth below — parameters should be considered under the current financial market and budgeting circumstances, ~~and in relation to the others.~~

The guidelines are as follows:

- a) Variable rate demand bonds (VRDBs) and short-term BANs are suitable to use for financing projects over \$5 million and with useful lives beyond ten years under the following conditions:
 - i) When either is used for long-term financing, the City will schedule plan to make annual principal payments in amounts that similar to what payments would be expected to be for a typical, traditional long-term bond and satisfy similar to a hypothetical fixed rate bond issue that satisfies the City's debt policy bond parameters herein, and
 - ii) To minimize overall interest rate risk, the City's outstanding combined variable rate and short-term borrowings will not exceed twenty percent (20%) of the City's overall outstanding debt, with the exception that. ~~(Short-term bond anticipation notes may be issued for an aggregate amount greater than 20% of the City's outstanding debt, but provided such notes will be refinanced as necessary within two years of issuance to meet the 20% target.)~~
- b) Capital Project Fund supported debt is acceptable when the ratio of available capital fund dollars to debt payments, projected forward seven years, does not fall below 2 to 1. (For purposes of this guideline, debt payments are defined as general obligation and income tax special revenue bond debt payments, including projected payments for the refunding of outstanding general obligation or income tax special revenue BANs.)
- c) Non-tax supported debt funding will be considered providing the ratio of available non-tax revenue to all similarly funded debt payments, projected five years forward, does not fall below 1.5 times projected bond payments.
- d) Long-term fixed-rate bonds are especially appropriate when average long-term interest rates, as indicated by the Bond Buyer *General Obligation 20 Bond Index*, are at or below eighty-five percent of the twenty-year average index rate. Long-term bonds are less attractive when average rates for the index are at or above one hundred fifteen percent of the twenty-year average.
- e) Long-term general obligation, non-tax revenue, and special revenue bonds (such as income tax revenue bonds) are considered less appropriate when the City has reserves set aside for essential near-term capital funding needs and it is believed the issuance of any particular debt offering may significantly weaken the City's credit profile.
- f) Long-term debt securitized by non-tax or assessment revenues, but not by the City's general obligation pledge, is appropriate for project funding where the tax or revenue burden rests primarily on a select group of taxpayers or beneficiaries, such as for project revenue bonds, special assessment projects, tax increment financings, or economic

development projects. Prior to seeking legislative approval for these types of financings, the City's Financing Team will have formed an opinion that a particular financing would ultimately receive a rating of "A2" Moody's or "A" Standard & Poor or higher.

- g) City officials will strive to structure the repayment of general obligation and special revenue income tax supported notes and bonds to achieve an aggregate pay-out ratio of all outstanding debt of this nature of fifty percent (50%) or more of the stated maturity within the upcoming ten year period. Non-tax revenue, special assessment and other debt specifically issued to support economic development project agreements will mature in line with the life of the supported agreement, or sooner.

SECTION 2 Recommended Administrative Procedures

Federal tax law — All tax-exempt financings must comply with the use of funds and expenditure timing restrictions set forth in federal tax law. In addition, the size and timing of notes or bonds may be affected by opportunities provided in the tax code, such as rebate exemptions. City officials will retain professional assistance to comply with federal law and assist in the preparation of rebate computations.

Note and Bond Maturities — Final bond maturities shall not exceed the average maximum useful life of the projects included in the financing as prescribed by Ohio bond law.

Debt instruments — The City will use the most efficient and economical debt instrument for its debt financings, including: voted general obligation notes and bonds; unvoted general obligation notes and bonds; non-tax revenue bonds; special assessment and tax increment notes and bonds; capital leases; special obligations; revenue bonds; or any other appropriate funding source provided for in the Ohio Revised Code. All of these instruments are considered "debt" for purposes of this policy.

Bond retirement fund — The City will attempt to maintain a bond retirement fund year-end balance equal to its maximum scheduled semi-annual debt payment.

Continuing Disclosure — The City will comply with its continuing disclosure obligations and its disclosure requirements as provided in its Continuing Disclosure Certificates associated with its various securities issuances. The City may retain a "disclosure agent" to assist with its compliance duties.

Refinancing Opportunities — City officials will work with the Municipal Advisor to monitor opportunities to refinance its outstanding bonds.

Bond Insurance — City officials will explore the value of purchasing bond insurance should the Finance Director, in consultation with the City's Municipal Advisor, determine that it is likely to benefit the City.

Economic Development — City officials will consider opportunities to foster economic development by issuing debt. Economic development debt offerings typically include tax increment financings, special revenue bonds, non-tax revenue and special assessment notes and bonds. The City may also serve as the conduit issuer for industrial revenue bonds. The City may also participate in economic development focused transactions supported by City revenues but where the debt is issued by a conduit borrower, such as the Columbus Port Authority, for example.

Interest Rate Hedges — The City may consider using the interest rate hedges provided for under Ohio law to the extent they are appropriate for limiting future interest rate risk or lowering the overall debt payments for the City's outstanding debt. City Council will not be asked to authorize any hedges without first receiving a full disclosure of the possible risks and rewards. Under no circumstances will the City enter into derivative contracts exposing the City to "basis risk" as defined by general industry guidelines.

Professional Services — Underwriters and Municipal Advisors retained by the City in connection with the City's debt program shall provide full disclosure to the City of any formal or informal relationships or agreements that may conflict with the City's best interest. The City shall retain professionals in connection with its debt issuances based upon demonstrated qualifications, including past successful performance. Officials will review its relationships, or request statements of qualification, from qualified providers not less than every fifth year.

Review of Debt Policy — Upon Council organization, review of the Debt Policy shall occur in conjunction with the review of the Financial Policies.

Resolution of Reimbursement — The Finance Director will present City Council with a reimbursement resolution at the beginning of any year in which the issuance of debt is anticipated (if needed).

SECTION 3 Conformance to City Code

The intent of these policies is to conform to the Upper Arlington City Code, which shall control in the event of inconsistency.

Resolution No. 18-2026 Exhibit 1a

DEBT POLICY

Introduction

This Debt Policy Statement is a companion document to the City's Capital Improvement Plan (CIP). The primary objective of this policy is to summarize certain conditions that support the use of debt, or cash, for capital improvements. The plan also provides guidance on best practices for debt issuance. The debt policy is a guide for City officials to reference as deemed appropriate to maintain sound financial management practices. This policy is designed to be flexible in its application, allowing exceptions to the guidelines under changing and extraordinary circumstances.

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- b) To finance recurring maintenance expenditures (e.g., street repair (short-term) vs. street reconstruction(long-term));
- c) To avoid issuing bonds in order to manage unstable market conditions or historically high interest rates.
- d) To contribute to the sources of project funding in situations where the best policy at the time may be to combine cash and borrowing to fund a particular need.

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- b) Interim financing precedent to a future long-term bond financing: Typically, such notes are referred to as "bond anticipation notes." Whether issued in anticipation of a future bond sale or for short-term financing, short-term notes are best when limited to a five-year renewal period; that is, not designed as a long-term variable rate financing tool.

Long-term debt financing:

It is policy to use BANs and bonds for long-term capital asset funding under the parameters set forth below — parameters should be considered under the current financial market and budgeting circumstances.

The guidelines are as follows:

- a) Variable rate demand bonds (VRDBs) and short-term BANs are suitable to use for financing projects over \$5 million and with useful lives beyond ten years under the following conditions:
 - i) When either is used for long-term financing, the City will plan to make annual principal payments in amounts that similar to what payments would be expected to be for a typical, traditional long-term bond and satisfy the City's debt policy bond parameters herein, and
 - ii) To minimize overall interest rate risk, the City's outstanding combined variable rate and short-term borrowings will not exceed twenty percent (20%) of the City's overall outstanding debt, with the exception that short-term bond anticipation notes may be issued for an aggregate amount greater than 20% of the City's outstanding debt, provided such notes will be refinanced as necessary within two years of issuance to meet the 20% target.
- b) Capital Project Fund supported debt is acceptable when the ratio of available capital fund dollars to debt payments, projected forward seven years, does not fall below 2 to 1. (For purposes of this guideline, debt payments are defined as general obligation and income tax special revenue bond debt payments, including projected payments for the refunding of outstanding general obligation or income tax special revenue BANs.)
- c) Non-tax supported debt funding will be considered providing the ratio of available non-tax revenue to all similarly funded debt payments, projected five years forward, does not fall below 1.5 times projected bond payments.
- d) Long-term fixed-rate bonds are especially appropriate when average long-term interest rates, as indicated by the Bond Buyer *General Obligation 20 Bond Index*, are at or below eighty-five percent of the twenty-year average index rate. Long-term bonds are less attractive when average rates for the index are at or above one hundred fifteen percent of the twenty-year average.
- e) Long-term general obligation, non-tax revenue, and special revenue bonds (such as income tax revenue bonds) are considered less appropriate when the City has reserves set aside for essential near-term capital funding needs and it is believed the issuance of any particular debt offering may significantly weaken the City's credit profile.
- f) Long-term debt securitized by non-tax or assessment revenues, but not by the City's general obligation pledge, is appropriate for project funding where the tax or revenue burden rests primarily on a select group of taxpayers or beneficiaries, such as for project revenue bonds, special assessment projects, tax increment financings, or economic development projects. Prior to seeking legislative approval for these types of financings, the City's Financing Team will have formed an opinion that a particular financing would ultimately receive a rating of "A2" Moody's or "A" Standard & Poor or higher.

- g) City officials will strive to structure the repayment of general obligation and special revenue income tax supported notes and bonds to achieve an aggregate pay-out ratio of all outstanding debt of this nature of fifty percent (50%) or more of the stated maturity within the upcoming ten year period. Non-tax revenue, special assessment and other debt specifically issued to support economic development project agreements will mature in line with the life of the supported agreement, or sooner.

SECTION 2 Recommended Administrative Procedures

Federal tax law — All tax-exempt financings must comply with the use of funds and expenditure timing restrictions set forth in federal tax law. In addition, the size and timing of notes or bonds may be affected by opportunities provided in the tax code, such as rebate exemptions. City officials will retain professional assistance to comply with federal law and assist in the preparation of rebate computations.

Note and Bond Maturities — Final bond maturities shall not exceed the average maximum useful life of the projects included in the financing as prescribed by Ohio bond law.

Debt instruments — The City will use the most efficient and economical debt instrument for its debt financings, including: voted general obligation notes and bonds; unvoted general obligation notes and bonds; non-tax revenue bonds; special assessment and tax increment notes and bonds; capital leases; special obligations; revenue bonds; or any other appropriate funding source provided for in the Ohio Revised Code. All of these instruments are considered "debt" for purposes of this policy.

Bond retirement fund — The City will attempt to maintain a bond retirement fund year-end balance equal to its maximum scheduled semi-annual debt payment.

Continuing Disclosure — The City will comply with its continuing disclosure obligations and its disclosure requirements as provided in its Continuing Disclosure Certificates associated with its various securities issuances. The City may retain a "disclosure agent" to assist with its compliance duties.

Refinancing Opportunities — City officials will work with the Municipal Advisor to monitor opportunities to refinance its outstanding bonds.

Bond Insurance — City officials will explore the value of purchasing bond insurance should the Finance Director, in consultation with the City's Municipal Advisor, determine that it is likely to benefit the City.

Economic Development — City officials will consider opportunities to foster economic development by issuing debt. Economic development debt offerings typically include tax increment financings, special revenue bonds, non-tax revenue and special assessment notes and bonds. The City may also serve as the conduit issuer for industrial revenue bonds. The City may also participate in economic development focused transactions supported by City revenues but where the debt is issued by a conduit borrower, such as the Columbus Port Authority, for example.

Interest Rate Hedges — The City may consider using the interest rate hedges provided for under Ohio law to the extent they are appropriate for limiting future interest rate risk or lowering the overall debt payments for the City's outstanding debt. City Council will not be asked to authorize any hedges without first receiving a full disclosure of the possible risks and rewards. Under no circumstances will the City enter into derivative contracts exposing the City to "basis risk" as defined by general industry guidelines.

Professional Services — Underwriters and Municipal Advisors retained by the City in connection with the City's debt program shall provide full disclosure to the City of any formal or informal relationships or agreements that may conflict with the City's best interest. The City shall retain professionals in connection with its debt issuances based upon demonstrated qualifications, including past successful performance. Officials will review its relationships, or request statements of qualification, from qualified providers not less than every fifth year.

Review of Debt Policy — Upon Council organization, review of the Debt Policy shall occur in conjunction with the review of the Financial Policies.

Resolution of Reimbursement — The Finance Director will present City Council with a reimbursement resolution at the beginning of any year in which the issuance of debt is anticipated (if needed).

SECTION 3 Conformance to City Code

The intent of these policies is to conform to the Upper Arlington City Code, which shall control in the event of inconsistency.

Resolution No. 18-2026 Exhibit 2

FINANCIAL POLICIES

These Financial Policies of the City of Upper Arlington, Ohio, are adopted by City Council to provide a framework within which the City is to conduct its fiscal operations. It is the anticipation of Council that the effect of fluctuations in the national, state and local economy on City services is to be managed through the creation and use of appropriate reserve funds.

Operating Management Policies

1. The City will develop budgets in which current expenditures, including transfers, ~~cannot~~shall not exceed current revenue and available resources. Additionally, unless directed by Council, current revenues must equal or exceed current expenditures. The City will avoid budgetary procedures that balance the budget at the expense of meeting future years' expenses, such as: postponing expenditures, accruing future years' revenues or funding current services with debt and/or drawing down the fund balance. One-time revenues should not be used to support recurring operating expenditures except with Council approval.
2. All appropriations that have not been expended or encumbered shall lapse at the end of the fiscal year. The City shall not increase appropriations for prior year encumbrances. Appropriations shall be for the current year only. Estimated prior-year encumbrances expected to lapse shall be incorporated into the five-year financial forecast.~~An estimate of "lapsed" encumbrances should be included in the five year operating forecast.~~
3. The operating budget should maintain sustainable service levels consistent with Council priorities and available resources.~~The operating budget will be compiled in a manner to maintain as close as possible the existing level of services to the City.~~
4. The General Fund ~~undesignated-unrestricted~~ fund balance cannot be used to fund newly created operating expenditures or projects that are ongoing in nature. Fund balance may be used for one-time expenditures that do not create ongoing operating obligations.
5. The City shall set fees and user charges for each enterprise fund at a level to support the direct and appropriate indirect cost of the activity unless by affirmative action, Council directs a transfer from the General Fund sufficient to support the costs of the activity. Indirect costs shall include the lifecycle costs of ~~annual depreciation~~ of capital assets and the cost of debt service to procure capital assets, unless directed by Council.
6. Charges for services shall reflect the full cost of providing a specific service, including the cost of annual depreciation of capital assets and the cost of debt service to procure capital assets, unless directed by Council. The cost of providing specific services shall be recalculated periodically and the fees shall be adjusted accordingly.
7. Although the City's budget may be prepared on an annual or biennial basis, revenue and expenditure forecasts will be prepared for five years and will be updated annually to spot developing trends and provide early warning of future financial difficulties.
8. Alternative service delivery methods will be reviewed periodically to ensure that quality services are being provided at the most reasonable costs. Alternative service delivery could include shared services, regional partnerships, outsourcing, technology improvements, or process redesign.
9. The City shall develop a program to integrate performance measurement and productivity indicators with the budget. Where appropriate, comparisons with comparable cities may be made to ensure that quality services are provided at competitive and economical costs.

10. ~~Cash management shall be conducted in accordance with the City's Investment Policy. City funds will be managed in a prudent and diligent manner with an emphasis on safety of principal and financial return on principal ensuring adequate liquidity to meet all necessary obligations.~~
11. Prior to applying for and accepting intergovernmental aid, the City shall examine the program to determine if it is consistent with the City's mission and financial policies. The City should also consider future operating costs, staffing impacts, and grant sustainability after funding expires.
12. Grants that require a matching commitment of City funds shall be evaluated on the availability of funding sources and on the merit of the grant program.
13. ~~Fees should be reviewed at least annually and adjusted periodically as appropriate. License and permit fees shall be reviewed at least annually to ensure that they match related processing and inspection services.~~
14. ~~Vehicle Fleet, facilities, and technology equipment~~, and other operating equipment replacement schedules shall be developed and updated annually, including proposed funding sources.
15. Fiscal impact analysis will be conducted when considering economic development incentives before a recommendation is brought to City Council.

Capital Improvement Program Management Policies

1. A ten-year capital improvement plan shall be developed and updated annually, with the goal of prioritizing preservation of existing infrastructure while addressing growth and community priorities.~~of achieving the annual replacement cost of the infrastructure.~~
2. Capital improvement life cycle costs will be coordinated with the development of the operating budget. Future operating, maintenance and replacement costs associated with new capital improvements shall be estimated for inclusion in the operating budget.
3. An infrastructure replacement program shall be developed based on the useful life of each infrastructure category (i.e., street repaving, street replacement, water lines, etc.). Condition assessments should be utilized where practical.
4. Financing shall comply with the City's Debt Management Policy.~~The long-term financing of capital improvements or equipment shall not exceed the useful life.~~

Reserve Policies

1. A Facilities Maintenance Reserve shall be established to ensure adequate funding for operating equipment replacement and renovations of City facilities (HVAC, roofing, etc.).
2. Self-insurance reserves will be maintained at a level, which, together with purchased insurance policies, will adequately indemnify the City's property and liability risk. A qualified risk management advisor will be retained on an annual basis in order to recommend appropriate funding levels.
3. Contingency reserves to be determined annually will be maintained to offset unanticipated revenue shortfalls and/or unexpected expenditure increases. Contingency reserves may also be used for unanticipated and/or inadequately budgeted events threatening the public health or safety. A minimum reserve will be maintained in the General Fund at thirty percent (30%) of the current year General Fund operating budget. At the end of each fiscal year, to the extent the General Fund balance exceeds fifty percent of the current year General Fund operating budget, the excess amount above fifty percent (50%) shall be transferred as follows:
 - Fifty percent (50%) of the excess shall be transferred to the Facilities Maintenance Reserve under the following conditions:
 1. The amount of money to be reserved in any fiscal year shall not exceed 5% of the revenue credited in the preceding fiscal year (ORC 5705.13).

-
2. The Facilities Maintenance Reserve account balance shall not exceed 10% of the General Fund operating budget. All amounts in excess of such threshold shall be transferred to the Capital Asset Management Fund.
 - Fifty percent (50%) of the excess, or any additional portion of the excess as noted above, shall be transferred to the Capital Asset Management Fund.

Any amount transferred from the Facilities Maintenance Reserve or Capital Asset Management Fund to the General Fund shall require separate legislative approval by City Council apart from City Council's approval of the City's annual budget.

Financial Accounting and Reporting Policies

1. The City's financial reporting systems shall be maintained in conformity with generally accepted accounting principles (GAAP), and the standards of the Governmental Accounting Standards Board (GASB).
2. An annual independent financial audit in accordance with Ohio law.~~annual audit will be performed by the Auditor of State or an independent public accounting firm,~~ with an audit opinion to be included in the City's published Annual Comprehensive Financial Report (ACFR).
3. The City's ACFR shall be submitted to the Government Finance Officers Association (GFOA) Certificate of Excellence in Financial Reporting Program. The ACFR should satisfy the criteria established by the GFOA.
4. The City's budget shall be submitted to the GFOA Distinguished Budget Presentation Program. The budget should satisfy the criteria established by the GFOA.
5. Financial systems shall be maintained to monitor revenues, expenditures, and program performance on an ongoing basis.
6. Financial reporting to Council shall include monthly budget reports as well as special reports as deemed appropriate by Council, the Finance Director, or the City Manager.

City Council Review

Upon Council organization, a Financial Policy Review subcommittee of Council will be named by the President. The subcommittee will conduct a review of all financial policies, including the investment and ~~the debt policy~~policies. Modifications adopted by majority vote of the subcommittee will be recommended to the full Council for consideration and adoption.

At all other times, the financial policies, including the investment and ~~the debt policies,~~y of the City may be modified by a majority vote of Council.

Conformance to City Code

The intent of these policies is to conform to the Upper Arlington City Code, which shall control in the event of inconsistency.

Resolution No. 18-2026 Exhibit 2a

FINANCIAL POLICIES

These Financial Policies of the City of Upper Arlington, Ohio, are adopted by City Council to provide a framework within which the City is to conduct its fiscal operations. It is the anticipation of Council that the effect of fluctuations in the national, state and local economy on City services is to be managed through the creation and use of appropriate reserve funds.

Operating Management Policies

1. The City will develop budgets in which current expenditures, including transfers, shall not exceed current revenue and available resources. Additionally, unless directed by Council, current revenues must equal or exceed current expenditures. The City will avoid budgetary procedures that balance the budget at the expense of meeting future years' expenses, such as: postponing expenditures, accruing future years' revenues or funding current services with debt and/or drawing down the fund balance. One-time revenues should not be used to support recurring operating expenditures except with Council approval.
2. All appropriations that have not been expended or encumbered shall lapse at the end of the fiscal year. The City shall not increase appropriations for prior year encumbrances. Appropriations shall be for the current year only. Estimated prior-year encumbrances expected to lapse shall be incorporated into the five-year financial forecast.
3. The operating budget should maintain sustainable service levels consistent with Council priorities and available resources.
4. The General Fund unrestricted fund balance cannot be used to fund newly created operating expenditures or projects that are ongoing in nature. Fund balance may be used for one-time expenditures that do not create ongoing operating obligations.
5. The City shall set fees and user charges for each enterprise fund at a level to support the direct and appropriate indirect cost of the activity unless by affirmative action, Council directs a transfer from the General Fund sufficient to support the costs of the activity. Indirect costs shall include the lifecycle costs of capital assets and the cost of debt service to procure capital assets, unless directed by Council.
6. Charges for services shall reflect the full cost of providing a specific service, including the cost of annual depreciation of capital assets and the cost of debt service to procure capital assets, unless directed by Council. The cost of providing specific services shall be recalculated periodically and the fees shall be adjusted accordingly.
7. Although the City's budget may be prepared on an annual or biennial basis, revenue and expenditure forecasts will be prepared for five years and will be updated annually to spot developing trends and provide early warning of future financial difficulties.
8. Alternative service delivery methods will be reviewed periodically to ensure that quality services are being provided at the most reasonable costs. Alternative service delivery could include shared services, regional partnerships, outsourcing, technology improvements, or process redesign.
9. The City shall develop a program to integrate performance measurement and productivity indicators with the budget. Where appropriate, comparisons with comparable cities may be made to ensure that quality services are provided at competitive and economical costs.
10. Cash management shall be conducted in accordance with the City's Investment Policy.

11. Prior to applying for and accepting intergovernmental aid, the City shall examine the program to determine if it is consistent with the City's mission and financial policies. The City should also consider future operating costs, staffing impacts, and grant sustainability after funding expires.
12. Grants that require a matching commitment of City funds shall be evaluated on the availability of funding sources and on the merit of the grant program.
13. Fees should be reviewed at least annually and adjusted periodically as appropriate..
14. Fleet, facilities, technology, and other operating equipment replacement schedules shall be developed and updated annually, including proposed funding sources.
15. Fiscal impact analysis will be conducted when considering economic development incentives before a recommendation is brought to City Council.

Capital Improvement Program Management Policies

1. A ten-year capital improvement plan shall be developed and updated annually, with the goal of prioritizing preservation of existing infrastructure while addressing growth and community priorities.
2. Capital improvement life cycle costs will be coordinated with the development of the operating budget. Future operating, maintenance and replacement costs associated with new capital improvements shall be estimated for inclusion in the operating budget.
3. An infrastructure replacement program shall be developed based on the useful life of each infrastructure category (i.e., street repaving, street replacement, water lines, etc.). Condition assessments should be utilized where practical.
4. Financing shall comply with the City's Debt Management Policy.

Reserve Policies

1. A Facilities Maintenance Reserve shall be established to ensure adequate funding for operating equipment replacement and renovations of City facilities (HVAC, roofing, etc.).
2. Self-insurance reserves will be maintained at a level, which, together with purchased insurance policies, will adequately indemnify the City's property and liability risk. A qualified risk management advisor will be retained on an annual basis in order to recommend appropriate funding levels.
3. Contingency reserves to be determined annually will be maintained to offset unanticipated revenue shortfalls and/or unexpected expenditure increases. Contingency reserves may also be used for unanticipated and/or inadequately budgeted events threatening the public health or safety. A minimum reserve will be maintained in the General Fund at thirty percent (30%) of the current year General Fund operating budget. At the end of each fiscal year, to the extent the General Fund balance exceeds fifty percent of the current year General Fund operating budget, the excess amount above fifty percent (50%) shall be transferred as follows:
 - Fifty percent (50%) of the excess shall be transferred to the Facilities Maintenance Reserve under the following conditions:
 1. The amount of money to be reserved in any fiscal year shall not exceed 5% of the revenue credited in the preceding fiscal year (ORC 5705.13).
 2. The Facilities Maintenance Reserve account balance shall not exceed 10% of the General Fund operating budget. All amounts in excess of such threshold shall be transferred to the Capital Asset Management Fund.
 - Fifty percent (50%) of the excess, or any additional portion of the excess as noted above, shall be transferred to the Capital Asset Management Fund.

Any amount transferred from the Facilities Maintenance Reserve or Capital Asset Management Fund to the General Fund shall require separate legislative approval by City Council apart from City Council's approval of the City's annual budget.

Financial Accounting and Reporting Policies

1. The City's financial reporting systems shall be maintained in conformity with generally accepted accounting principles (GAAP), and the standards of the Governmental Accounting Standards Board (GASB).
2. An annual independent financial audit in accordance with Ohio law, with an audit opinion to be included in the City's published Annual Comprehensive Financial Report (ACFR).
3. The City's ACFR shall be submitted to the Government Finance Officers Association (GFOA) Certificate of Excellence in Financial Reporting Program. The ACFR should satisfy the criteria established by the GFOA.
4. The City's budget shall be submitted to the GFOA Distinguished Budget Presentation Program. The budget should satisfy the criteria established by the GFOA.
5. Financial systems shall be maintained to monitor revenues, expenditures, and program performance on an ongoing basis.
6. Financial reporting to Council shall include monthly budget reports as well as special reports as deemed appropriate by Council, the Finance Director, or the City Manager.

City Council Review

Upon Council organization, a Financial Policy Review subcommittee of Council will be named by the President. The subcommittee will conduct a review of all financial policies, including the investment and debt policies. Modifications adopted by majority vote of the subcommittee will be recommended to the full Council for consideration and adoption.

At all other times, the financial policies, including the investment and debt policies may be modified by a majority vote of Council.

Conformance to City Code

The intent of these policies is to conform to the Upper Arlington City Code, which shall control in the event of inconsistency.

Authors: Brent Lewis, Finance Department Director

Council Meeting Date: September 14, 2026

Subject/Legislative Item: Ordinance No. 33-2026 - To Amend 2026 Appropriations
(Tracy)

Purpose: To have the City Council authorize certain amendments to the 2026 adopted budget.

Executive Summary: Staff recommends passage of an ordinance to amend the 2026 appropriations to cover unexpected costs associated with storm-related expenditures.

Purpose and Impact

The 2026 appropriations require amendment as a result of the 2026 storm-related expenditures. The additional, or reallocated, appropriations will be utilized for contracts associated with debris cleanup, tree and stump removal, and sidewalk repairs. Additionally, the City would be purchasing additional trees.

The following amendments are proposed:

- Transfer \$360,000 in appropriations from the General Fund — Facilities Maintenance Department to the General Fund — Parks Department.
- Add \$45,000 in appropriations within the General Fund — Parks Department for tree and stump removal.
- Add \$30,000 in appropriations within the Tree Planting Fund — Parks Department for the purchase of additional trees.

History

N/A

Alternatives

No recommended alternatives at this time.

Attachments

1.	Ordinance No. 33-2026
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RECORD OF ORDINANCES

CITY OF UPPER ARLINGTON
STATE OF OHIO

ORDINANCE NO. 33-2026

TO AMEND 2026 APPROPRIATIONS

- WHEREAS,** it is necessary to adjust appropriations and effect certain transfers; and
- WHEREAS,** City Council adopted the 2025-2026 Biennial Budget Supplement (draft) via Ordinance 42-2025; and
- WHEREAS,** on occasion, there are changes that require amendments of the adopted budget through Council action.

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

- SECTION 1.** The Finance Director is hereby authorized and directed to transfer \$360,000 in appropriations within the General Fund from the Facilities Maintenance – Other Than Personal Services category to the Parks and Recreation – Other Than Personal Services category.
- SECTION 2.** The Finance Director is hereby authorized and directed to appropriate \$45,000 from the unappropriated balance of the General Fund to the General Administration – Other Than Personal Service category.
- SECTION 3.** The Finance Director is authorized and directed to appropriate \$30,000 from the unappropriated balance of the Tree Planting Fund to the Parks and Recreation – Other Than Personal Service category.
- SECTION 4.** This ordinance shall take effect immediately upon passage.



Authors:	Brent Lewis, Finance Department Director
Council Meeting Date:	September 14, 2026
Subject/Legislative Item:	Ordinance No. 34-2026 - To Authorize the Continuation of the City's Membership in the Central Ohio Risk Management Association (CORMA) Self-Insurance Pool and to Authorize Expenditures Thereto
Purpose:	An ordinance authorizing the continuation of the City's membership in the Central Ohio Risk Management Association (CORMA) self-insurance pool and to authorize expenditures thereto.
Executive Summary:	This is the annual legislation to approve the City's participation in CORMA and to authorize the expenditure for the renewal of the property and casualty insurance plan.

Purpose and Impact

Staff requests approval of the ordinance authorizing the City's membership in Central Ohio Risk Management Agency (CORMA) Self-Insurance Pool, Inc. and authorizing the necessary expenditures in an amount not to exceed **\$512,000 for the annual contribution** related to such (property and liability insurance premiums, loss fund, admin fees, etc.).

Insurance maintained through CORMA:

Property

Commercial Property
Terrorism
Excess Property
Boiler and Machine
Inland Marine
Bridge

Casualty

Automobile Liability and Physical Damage
General Liability
Law Enforcement Liability
Public Officials/Employment Practice Liability

The **participation costs** for 2026/2027 represent a **15.73% increase** from the prior year. The increase is justified due to higher insurable values and a decision to increase the funding of the loss fund (the pool of money collected from the group to pay for claims). No changes were made to the pool's coverage thresholds.

It should also be noted that the City does maintain crime and cyber insurance policies. These policies are outside the scope of CORMA.



History

On October 1, 1997, the City established membership in the Central Ohio Risk Management Agency (CORMA) Self-Insurance Pool, Inc. CORMA was formed pursuant to ORC Section 2744.081. Members consist of the cities of Upper Arlington, Westerville, Pickerington, Dublin, Powell, Grove City, Groveport, Canal Winchester, Grandview Heights, Gahanna, and Hilliard. Each member has two representatives on the Board of Trustees. This Board establishes its own budget, determines its annual rates for its members, and hires its own legal counsel (Isaac Wiles) and third-party administrator/consultant (Wichert Insurance).

Membership in CORMA enables the City to take advantage of any economies to be realized from an insurance pool with other cities and also provides the City with more control over claims than what is normally available with traditional liability insurance coverage. Each year, CORMA's third-party administrator/consultant issues proposals for the upcoming year. The proposals are then presented to the CORMA Board for review, discussion, and a vote.

Each year, as part of the October 1st renewal of CORMA's insurance coverage, the City Council authorizes the expenditures necessary to pay for the City's share of CORMA's expenses for the coming fiscal year. Those expenses include premiums for insurance coverage, contributions to the loss fund, and administrative expenses. Each city's proportionate share is based upon several factors including population, size of safety forces, property values, titled vehicles, ratable expenditures, and four-plus years of claims history.

Alternatives

City Council could elect to not participate in CORMA. However, this is not recommended at this time due to the City not being able to obtain the same level of coverage on its own for a cheaper price.

Attachments

1.	Ordinance No. 34-2026
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RECORD OF ORDINANCES

CITY OF UPPER ARLINGTON
STATE OF OHIO

ORDINANCE NO. 34-2026

TO AUTHORIZE THE CONTINUATION OF THE CITY'S MEMBERSHIP IN THE CENTRAL OHIO RISK MANAGEMENT ASSOCIATION (CORMA) SELF-INSURANCE POOL AND TO AUTHORIZE EXPENDITURES THERETO

- WHEREAS,** the Central Ohio Risk Management Association Self-Insurance Pool (CORMA) was formed, pursuant to Section 2744.081 of the Ohio Revised Code for the purpose of pooling risk and insurance coverage; and
- WHEREAS,** the City has been a member of CORMA since its inception in 1997; and
- WHEREAS,** participating member cities include Upper Arlington, Westerville, Pickerington, Dublin, Powell, Grove City, Groveport, Canal Winchester, Grandview Heights, Gahanna, and Hilliard; and
- WHEREAS,** membership in CORMA enables the City to take advantage of any economies to be realized from an insurance pool with other cities and also provides the City with more control over claims than is normally available; and
- WHEREAS,** participation will be effective October 1, 2026, and expire on September 30, 2027; and
- WHEREAS,** participation costs for 2027 have increased by 15.73% from the prior year due to higher insurable values and a decision to increase the funding of the loss fund; and
- WHEREAS,** staff recommends that City Council approve participation in the self-insurance pool and approve an amount not to exceed \$512,000 for the annual contribution.

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

SECTION 1. City Council hereby approves the City of Upper Arlington's continued participation in the Central Ohio Risk Management Association (CORMA) Self-Insurance Pool through September 30, 2027, and hereby authorizes an expenditure for the annual contribution in an amount not to exceed \$512,000.

SECTION 2. The City Manager, City Attorney, and Finance Director are hereby authorized to take all actions necessary for the City's continued

participation in CORMA that are not substantially inconsistent with this ordinance.

SECTION 3.

This ordinance shall take effect immediately upon passage.



Authors:	Brent Lewis, Finance Department Director
Council Meeting Date:	September 14, 2026
Subject/Legislative Item:	Ordinance No. 35-2026 - To amend Chapter 221 — Depositories and Investments, of the Upper Arlington Code of Ordinances
Purpose:	To amend C.O. Chapter 221 Depositories and Investments in accordance with the recommendations of the Financial Policies Review Committee.
Executive Summary:	The Financial Policies Review Committee recommended changes to the City's investment policy. Since the policy is codified in Chapter 221, it requires an ordinance to adopt the changes.

Purpose and Impact

The Financial Policies Review Committee met with City staff to discuss the City's financial policies on August 24, 2026. The meeting consisted of reviewing the City's various financial policies, including: credit card policy, debt policy, investment policy, and general financial policies. At this meeting, the City's investment (Red Tree Investment Advisors) and debt (Bradley Payne Advisors) consultants attended the meeting to discuss the related policies and any proposed changes to the policies and answer any questions of the committee members. At the conclusion of the meeting, the Committee agreed to bring the following changes to the investment policy forward for City Council approval.

- **Add Investment Objectives** — The current policy did not have stated investment objectives/priority order. Most policies start with an explicit - Safety, Liquidity, Yield — in that priority order statement. This is an important paragraph in a policy.
- **Add Standards of Care** —
 - The current policy did not in a prudent person/prudent investor standard of care. Additionally, there was no language establishing that the Finance Director will act with the judgment and care of a prudent person managing funds, and no language limiting personal liability for individual security losses when the policy and prudent procedures were followed in good faith. This proposed language protects both the City and the Finance Director.
 - The current policy also did not include an ethics/conflict-of-interest section. There was no requirement that investment officials disclose material financial interests in institutions doing business with the City, or refrain from personal



business relationships that could impair decisions. This is a standard GFOA-recommended provision.

- **Add Safekeeping and Custody** — The current policy only had safekeeping/custody and delivery vs payment (DVP) settlement noted for repos and CD collateral. There's no blanket requirement that all purchased securities settle DVP and be held by an independent third-party custodian. The City does utilize Fifth Third as a third-party custodian.
- **Update Limitations on Investments** — The 5-year blanket maturity cap (§221.10 (C)) could be extended for specifically designated long-term reserves, especially as the policy does allow the City to purchase 10-year municipal bonds.

In order to invest in certain types of instruments, the Ohio Revised Code requires the City to have an adopted investment policy. Therefore, the City's investment policy is codified under section 221 of the Upper Arlington Code of Ordinances. Any changes to this policy require a separate ordinance and three readings, as with any other code change.

History

N/A

Alternatives

City Council could elect to reject or amend any of the proposed changes to the investment policy.

Attachments

1.	Ordinance No. 35-2026
2.	Exhibit A - CHAPTER 221. DEPOSITORY AND INVESTMENTS redline



RECORD OF ORDINANCES

CITY OF UPPER ARLINGTON
STATE OF OHIO

ORDINANCE NO. 35-2026

TO AMEND CHAPTER 221 – DEPOSITORIES AND INVESTMENTS, OF THE UPPER ARLINGTON CODE OF ORDINANCES

WHEREAS, the Financial Policies Review Committee met with City staff and the City's investment and debt consultants on August 24, 2026, to review the City's financial policies; and

WHEREAS, following its review, the Committee recommended amendments to the City's Investment Policy to strengthen investment objectives, standards of care, ethics and conflict-of-interest requirements, safekeeping and custody provisions, and investment maturity limitations; and

WHEREAS, the City's Investment Policy is codified in §221 of the Upper Arlington Code of Ordinances, and amendments to the policy require approval by ordinance.

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

SECTION 1. Part 2 – Revenue & Finance Code, Chapter 221 – Depositories and Investments, of the Upper Arlington Code of Ordinances is hereby amended as described in Exhibit A (attached hereto and incorporated herein).

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

CHAPTER 221. DEPOSITORIES AND INVESTMENTS

§ 221.01 DEFINITIONS.

Active deposit: means a public deposit necessary to meet current demands on the treasury that is deposited in any of the following:

- (A) A commercial account that is payable, in whole or in part, on demand.
- (B) A negotiable order of withdrawal account.
- (C) A money market deposit account.

Capital funds: means the sum of the following: the par value of the outstanding common capital stock, the par value of the outstanding preferred capital stock, the aggregate par value of all outstanding capital notes and debentures and the surplus.

Financial institution: means any eligible financial institution as defined in ORC § 135.03.

Interim moneys: means public moneys in the treasury of the city, which are not needed for immediate use and are available for investment.

Oversight agency: In the case of a bank means the superintendent of banks or the comptroller of the currency, and in the case of a savings and loan association, the superintendent of building and loan associations or the Federal Home Loan Bank Board.

Public deposit: means public moneys deposited in a public depository.

Public depository: means an institution which receives or holds any public deposits.

Public moneys: means all moneys in the city treasury or moneys coming lawfully into the possession or custody of the finance director.

§ 221.02 INSTITUTIONS ELIGIBLE FOR ACTIVE DEPOSITS.

Any financial institution located in the City of Upper Arlington is an institution, which is eligible to become a public depository for active deposits.

§ 221.03 INSTITUTIONS INELIGIBLE AS PUBLIC DEPOSITORIES.

No financial institution is eligible to become a public depository or to receive any new public deposits if:

- (A) In the case of a bank, the bank or any of its directors, officers, employees or controlling shareholders is currently a party to an active final or temporary cease-and-desist order issued under ORC § 1125.08.
- (B) In the case of an association, the association or any of its directors, officers, employees, or controlling shareholders is currently a party to an active final or temporary cease-and-desist order issued under ORC § 1155.02.

§ 221.04 CONTRACT WITH THE DEPOSITORY FOR ACTIVE DEPOSITS.

Within sixty (60) days prior to the expiration of the depository contract, the finance director shall prepare and distribute a request for proposals (RFP) for obtaining bids for active deposits from eligible institutions. The RFP shall include qualifications required by the institution, descriptions of the accounts required, recent activity of the current accounts, provisions for investment of excess funds and such other information as is deemed necessary by the finance director.

Institutions desiring to submit proposals shall provide appropriate financial data as specified in the RFP, and shall provide a financial statement in sufficient detail as to show the capital funds of the applicant.

The RFP shall be mailed to each eligible institution, provided that if an institution has more than one (1) branch office in the City of Upper Arlington, the RFP need only be sent to one (1) of the branches.

The finance director shall evaluate all proposals and make a recommendation for the award of the depository for active deposits. After approval by city council, a contractual agreement shall be executed. The contract can be for a period of up to five (5) years.

§ 221.05 INVESTMENT OF INTERIM MONEYS.

The finance director shall determine the amount of interim moneys available for deposit, based on the anticipated cash flow requirements. Interim moneys may be invested in securities maturing more than two (2) years from the date of purchase provided that the securities can be converted to cash through trade in a secondary market prior to maturity.

§ 221.06 AUTHORIZED INVESTMENT INSTRUMENTS.

The following instruments are authorized for investment purposes:

- (A) U.S. Treasury Bills, Notes, and Bonds; various federal agency securities including issues of Federal National Mortgage Association (FNMA), Federal Home Loan Mortgage Corp. (FHLMC), Federal Home Loan Bank (FHLB), Federal Farm Credit Bank (FFCB), Government National Mortgage Association (GNMA), Tennessee Valley Authority (TVA) and other agencies or instrumentalities of the United States. GNMA mortgage-backed, pass-through securities are considered as eligible investments of the city and are not derivative securities, as defined under ORC § 135.14(C). Eligible investments include securities that may be "called", by the issuer, prior to the final maturity date. Any eligible investment may be purchased at a premium or a discount. All federal agency securities shall be direct issuances of federal government agencies or instrumentalities.
- (B) General obligations or revenue bonds of any state of the United States.
- (C) Bonds issued by local agencies of any state of the United States, including, general obligations and bonds payable solely out of the revenues of any county, township, school district, municipal corporation, or other legally constituted taxing subdivision, which is not at the time of such investment, in default in the payment of principal on any of its obligations, provided that all of the following apply:
 - (1) The debt is rated at the time of purchase in the three (3) highest classifications of at least one (1) nationally recognized rating agency and purchased through a registered securities broker or dealer.
 - (2) The aggregate value of the bonds/obligations does not exceed twenty percent (20%) of the portfolio.

- (3) The bonds or other obligations mature within ten (10) years from the date of settlement.
- (D) Certificates of deposit issued by institutions whose deposits are insured by the Federal Deposit Insurance Corporation (FDIC). Certificates of deposit shall be collateralized using eligible securities or instruments as defined under ORC § 135.18 or 135.181. The selection of ORC § 135.18 or 135.181 for purposes of collateralization, shall be determined by the finance director. Under either method, the finance director may require an additional percentage of eligible collateral to compensate for any depreciation of market value of such pledged collateral, less any portion insured by the FDIC.
- (E) Repurchase agreements with any eligible institution mentioned in ORC § 135.03, or any eligible securities dealer pursuant to ORC § 135.14(M). Repurchase agreements transacted with eligible securities dealers shall be executed on a delivery versus payment basis. Eligible repurchase agreement collateral is restricted to securities listed in C.O. § 221.06(A), limited to final maturity dates of ten (10) years. The market value of securities subject to a repurchase agreement must exceed the principal value of the repurchase agreement amount by at least two (2) percent and marked to market daily. Term repurchase agreements shall be limited to a maximum of thirty (30) days.
- (F) Banker's acceptances issued by any domestic bank rated in the highest category by one of two nationally recognized rating agencies.
- (G) No load money market mutual funds consisting exclusively of obligations described in ORC § 135.14(B)(1) or (2) and repurchase agreements secured by such obligations, provided that investments in securities described in this division are made only through eligible institutions mentioned in ORC § 135.03.
- (H) Commercial paper notes issued by an entity that is defined in ORC § 1705.01(D) and that has assets exceeding five hundred million dollars (\$500,000,000.00), to which notes all of the following apply:
- (1) The notes are rated at the time of purchase in the highest classification established by at least two (2) nationally recognized standard rating services.
 - (2) The aggregate value of the notes does not exceed ten (10) percent of the aggregate value of the outstanding commercial paper of the issuing corporation.
 - (3) The notes mature not later than two hundred seventy (270) days after purchase.
 - (4) The investment in commercial paper notes of a single issuer shall not exceed in the aggregate five (5) percent of interim moneys available for investment at the time of purchase.
- (I) Medium term notes issued by a corporation, domiciled within the United States and having assets in excess of \$500 million, provided that such medium term notes have a maximum maturity of five (5) years and are rated, at the time of purchase, by Standard & Poor's, Moody's or Fitch under the following limitations:

Standard & Poor's	Moody's	Fitch
A+(2-yr max maturity)	A1(2-yr max maturity)	A+(2-yr max maturity)
A(2-yr max maturity)	A2(2-yr max maturity)	A(2-yr max maturity)
A-(2-yr max maturity)	A3(2-yr max maturity)	A-(2-yr max maturity)
AA+(3-yr max maturity)	Aa1(3-yr max maturity)	AA+(3-yr max maturity)
AA(3-yr max maturity)	Aa2(3-yr max maturity)	AA(3-yr max maturity)
AA-(3-yr max maturity)	Aa3(3-yr max maturity)	AA-(3-yr max maturity)
AAA(maturities > 3 years)	Aaa(maturities>3-years)	AAA(maturities > 3 years)

If a security has a split rating, the higher of the two (2) ratings shall be used to determine the eligibility for investment purposes. In no event shall a corporate security, at the time of purchase, be rated less than A- by Standard & Poor's or less than an A3 by Moody's.

(J) The state treasurer's investment pool (STAR OHIO), pursuant to ORC § 135.45.

(Ord. No. 38-2016, § 1, 7-11-2016; Ord. No. 75-2018, § 1, 10-22-2018; Ord. No. 55-2024, § 1, 10-14-2024)

§ 221.07 LIMITATIONS ON INVESTMENTS.

(A) Limitations on investments of any single institution or issuer:

- (1) The city's investment with any individual issuer shall not constitute more than five percent (5%) of such issuer's total outstanding issue in banker's acceptances, commercial paper or corporate medium term notes.
- (2) The total value of certificates of deposit, purchased from any individual financial institution, shall not exceed three percent (3%) of that institutions total time deposits, provided that such total deposits do not exceed five percent (5%) of the city's average portfolio at the time of purchase.

(B) Limitations on the investment of interim funds: The aggregate investments in bankers acceptances and commercial paper shall not exceed forty percent (40%) of the city's average portfolio, at the time of purchase.

- (1) The aggregate total of all corporate medium term notes shall not exceed fifteen percent (15%) of the average portfolio, based upon purchase cost or book value, at the time of purchase. Commercial paper and bankers acceptances shall not be considered when calculating the maximum holdings in any single issuer.
- (2) The use of derivative securities, as defined in ORC § 135.14 (C), is expressly prohibited.
- (3) Collateralized mortgage obligations (CMOs) of any kind are expressly prohibited.

(C) Except as otherwise defined in this policy, aAll eligible investments will mature within five (5) years from the date of settlement, unless the investment is matched to a specific obligation or debt of the city, and the investment is specifically approved by the finance director.

(Ord. No. 59-2020, § 1, 10-26-2020)

§ 221.08 COLLATERALIZATION OF CERTIFICATES OF DEPOSIT.

(A) Securities pledged as collateral by any institution shall be delivered to a qualified trustee approved by the finance director. The finance director shall accept the written receipt of the trustee describing the securities which have been deposited with the trustee by the institution, a copy of which shall also be delivered to the institution.

If the institution fails to pay over any part of a deposit due the city, the finance director shall have the option to sell the securities delivered to the finance director, in a manner determined by the finance director. If the securities are on deposit with a trustee, the finance director may request the trustee to deliver the securities to the finance director, and the finance director shall have the option to sell the collateral. When a sale of securities has been made, the finance director shall deliver the securities versus payment, whereupon the absolute ownership of the securities shall pass to the purchasers. Any surplus remaining after deducting the principal amount and accrued interest due the city and any expenses of the sale shall be paid to the institution.

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- (B) When the institution has deposited eligible securities with a trustee for safekeeping, the institution may at any time substitute or exchange eligible securities having a current market value equal to or greater than the current market value of the securities then on deposit and for which they are to be substituted or exchanged without specific authorization only if:
- (1) The finance director has authorized the institution to make such substitution or exchange on a continuing basis during a specified period without prior approval of each substitution or exchange. Such authorization may be effected by the finance director sending to the trustee a written notice stating that substitution may be effected on a continuing basis during a specified period which shall not extend beyond the end of the period of designation during which the notice is given. The trustee may rely upon such notice, and upon the period of authorization stated therein.
 - (2) No continuing authorization for substitution or exchange has been given by the finance director, the institution notifies the trustee and the finance director of the intended substitution or exchange, and the finance director fails to object to the trustee within ten (10) business days after the date appearing on the notice of proposed substitution. The notice to the finance director and to the trustee shall be in writing and delivered personally or by certified or registered letter with a return receipt requested. The trustee may assume in such case that the notice has been delivered to the finance director.
 - (3) The finance director gives written authorization for a substitution or exchange of specific securities. The institution shall notify the finance director of any substitution or exchange under C.O. § 221.08(B)(1) or (B)(2). Upon request from the finance director, the trustee shall furnish a statement of the securities pledged against such deposits.
- (C) In lieu of the pledging requirements prescribed in C.O. § 221.08(B) above, the finance director may accept collateral in the form of a pool of securities pledged by the financial institution, provided that:
- (1) Securities committed to the pool must have a market value at least equal to one hundred ten percent (110%) of the total amount of all public moneys on deposit with the institution secured by the pooled securities, including the portion covered by federal deposit insurance.
 - (2) The securities eligible for deposit in the pool shall be those described in C.O. §§ 221.06(A) through (C).
 - (3) The securities are deposited with a qualified trustee as described in C.O. § 221.08(A), and the fees and expenses of the trustees shall be paid by the depository.
 - (4) Each subdivision shall have an undivided security interest in the pool of securities in the proportion that the total amount of the subdivision's public moneys secured by the pool bears to the total amount of the deposits so secured.

If the depository fails to pay over any part of the deposits due the city, the finance director shall give written notice to the trustee, and at the same time, shall send a copy of the notice to the institution. Upon receipt of the notice, the trustee shall transfer to the finance director for public sale such of the pooled securities as may be necessary to produce an amount equal to the deposits due the city and not paid over, less the portion of deposits covered by the Federal Deposit Insurance Corporation, plus any accrued interest due on the deposits. When a sale of securities has been made, the finance director shall deliver the securities versus payment, whereupon the absolute ownership of such securities shall pass to the purchasers. Any surplus after deducting the amount due the city and expenses of the sale shall be paid to the institution.

The institution may at any time substitute, exchange or release eligible securities deposited with the trustee, provided such substitution, exchange or release does not reduce the total value of securities to an amount less than one hundred ten percent (110%) of the total amount of public deposits in the pool.

The institution will provide a detailed quarterly statement of the face value and market value of all securities pledged to the pool, and the dollar amount of deposits thereby secured.

§ 221.09 APPORTIONMENT OF INVESTMENT EARNINGS.

All investment earnings shall be credited to the general fund, with the following exceptions:

- (A) Balances in the solid waste management fund.
- (B) Balances in the self-insurance fund.

Any fund for which applicable laws require the crediting of interest.

Funds that are to be credited with investment earnings shall receive a proportionate share based on a method determined by the finance director.

(Ord. No. 38-2016, § 2, 7-11-2016)

§ 221.10 REQUIREMENTS OF INVESTMENT ADVISORS.

All investment advisors contracted by the city to make investment recommendations must be given a copy of C.O. ch. 221 entitled, depositories and investments. Such advisors, having read the contents of C.O. ch. 221, must acknowledge, by letter, their comprehension and receipt of the policies contained within this chapter.

§ 221.11 INVESTMENT OBJECTIVES.

The investment objectives of the city, in priority order, include:

(A) Safety of principal. Safety of principal is the foremost objective of the investment program. The investment of City funds shall be conducted in a manner that seeks to ensure the preservation of capital within the context of the following criteria:

(1) Market risk (interest rate risk). The market value of securities in the City's portfolio will increase or decrease based upon changes in the general level of interest rates. The effects of market value fluctuations will be minimized by maintaining adequate liquidity so that current obligations can be met without a sale of securities; diversification of maturities; diversification of assets.

(2) Credit risk. Credit risk is the risk of loss due to the failure of a security issuer to pay principal or interest, or the failure of the issuer to make timely payments of principal or interest. Credit risk will be minimized by diversifying assets by issuer; ensuring that required, minimum credit quality ratings exist and maintaining adequate collateralization of certificates of deposit.

(B) Liquidity. The portfolio shall remain sufficiently liquid to meet all current obligations of the City. Minimum liquidity levels [as a percentage of average investable funds] may be established to meet all current obligations. The portfolio may also be structured so that securities mature concurrently with cash needs.

(C) Yield return. The portfolio shall be managed to consistently attain a market rate of return throughout budgetary and economic cycles. Whenever possible, and consistent with risk limitations and prudent investment management, the city will seek to augment returns above the market average rate of return through the implementation of active portfolio management strategies.

§ 221.12 STANDARDS OF CARE.

(A) Prudence.

- (1) Investments shall be made with the exercise of that degree of judgement and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation but for investment, considering the probable safety of their capital as well as the probable income to be derived.
- (2) The standard of prudence to be used by investments officials shall be the "prudent person" standard and shall be applied within the context of managing an overall portfolio. Investment officers or registered investment advisors, acting in accordance with established procedures and the approved investment policy, and exercising due diligence, shall be relieved of responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

(B) Ethics and conflicts of interest. Officers and employees involved in the investment process shall refrain from personal business activity that could prejudice the proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Employees and investment officials shall disclose to the City Manager any material financial interests in financial institutions with which they conduct business. They shall further disclose any personal financial or investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the City.

§ 221.13 SAFEKEEPING AND CUSTODY.

Securities purchased for the City will be held in safekeeping by a qualified trustee [hereinafter referred to as the "custodian"], as provided in O.R.C. § 135.37. Securities held in safekeeping by the custodian will be evidenced by a monthly statement describing such securities. The custodian may safekeep the City's securities in Federal Reserve Bank book entry form; Depository Trust Company (OTC) book entry form in the account of the custodian or the custodian's correspondent bank; or non-book entry (physical) securities held by the custodian or the custodian's correspondent bank. All securities transactions will settle using standard delivery-vs-payment (DVP) procedures. The records of the custodian shall identify such securities in the name of the City. Broker/dealer firms used by the City or broker/dealer firms used by the City's designated investment advisor to purchase or sell investment assets shall not hold any such investment assets in safekeeping. All investment assets of the city will be held in safekeeping by a custodian bank where such custodian bank and the city have entered into a custodian agreement.



Authors:	Suzanne Beach, Executive Assistant
Council Meeting Date:	September 14, 2026
Subject/Legislative Item:	Ohio Division of Liquor Control Notice to Legislative Authority: Request Transfer of Existing D-3 and D-1 Permits from Fade by R10, LLC to Berrupp Management, LLC Hammer & Nails Grooming Shop for Guys, 1674 W. Lane Avenue, Upper Arlington, OH 43221
Purpose:	To review the liquor permit request for an application filed for transfer of existing D1 and D3 Liquor Permits for Hammer & Nails.
Executive Summary:	The City Clerk has received notice from the Ohio Department of Liquor Control that an application has been filed for transfer of existing D1 and D3 Liquor Permits from Hammer and Nails to Hammer and Nails Grooming Shop for Guys at 1674 W. Lane Avenue, Upper Arlington, OH 43221. Within 30 days of the date listed on the notice, the City must provide a response that indicates whether the City objects and requests a hearing on the application, requests a one-time only 30-day extension for review, or that the City has no objection to the application.

Purpose and Impact

The City Clerk has received notice from the Ohio Department of Liquor Control that a transfer application has been filed for existing D1 and D3 Liquor Permits from Fade by R10, LLC to Berrupp Management, LLC Hammer & Nails Grooming Shop for Guys, 1674 W. Lane Avenue, Upper Arlington, OH 43221. Hammer & Nails, from (New Wave Hair Salon) 1695 Old Henderson Road, Ste 101, Upper Arlington, OH 43220.

Description:

D1 -Beer only for on premises consumption or in original sealed containers for carry out only until 1:00am.

D3 - Spirituous liquor for on premises consumption only until 1:00am

History

The Ohio Department of Commerce, Division of Liquor Control, submits legislative notice of liquor permit applications. Within 30 days of the date listed on the notice, the City must provide a response that indicates whether the City objects and requests a hearing on the application,



requests a one-time only 30-day extension for review, or that the City has no objection to the application.

Alternatives

If there is no objection, the City Clerk will send notice that no hearing is requested.

Attachments

1.	Hammer & Nails Liquor Notice
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UPPER ARLINGTON CITY COUNCIL
ATTN CLERK
3600 TREMONT RD
UPPER ARLINGTON OH 43221-1595

NOTICE TO LEGISLATIVE AUTHORITY

TO

10019468-1 PERMIT NUMBER	TRFO TYPE	Berrupp Management, LLC Hammer & Nails Grooming Shop for Guys 1674 W LANE AVE UPPER ARLINGTON OH 25242 Muni/Village/Twp: Upper Arlington
ISSUE DATE:		
FILING DATE: 8/11/2026		
PERMIT CLASSES: D-3 D-1		
25242 TAX DISTRICT	FEB RECEIPT NO	

FROM 8/14/2026

02598920-1 PERMIT NUMBER	TYPE	FADE BY R10 LLC HAMMER & NAILS 1674 W LANE AVE UPPER ARLINGTON OH 43221 Muni/Village/Twp: Upper Arlington
ISSUE DATE:		
FILING DATE:		
PERMIT CLASSES:		
25242 TAX DISTRICT	FEB RECEIPT NO	

MAILED 8/18/2026

RESPONSES MUST BE POSTMARKED NO LATER THAN 09/18/2026

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL WHETHER OR NOT
THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES: FEB TRFO 10019468-1
(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT THE HEARING
BE HELD ☐ IN OUR COUNTY SEAT ☐ IN COLUMBUS

WE DO NOT REQUEST A HEARING ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title) - ☐ Clerk of City Council
☐ Township Fiscal Officer

(Date)

(Printed Name)

(Email Address)

(Telephone No.)



Dear Local Legislative Authority Official:

Please find enclosed the legislative notice that is being sent to you regarding the applied for liquor permit as captioned on the notice. You **must**, within 30 days from the "mailed" date listed on the notice under the bar code:

- Notify the Division whether you object and want a hearing; or
- Ask for your one-time only, 30-day extension. o Any requests for a one-time, 30-day extension will be reviewed by the Division upon timely receipt. If granted, your additional 30-days runs from the expiration of the original 30-day period.

To be considered **timely**, your above response **MUST** be faxed, emailed, or mailed to the Division no later than the postmark deadline date stated on the form. To speed up processing times and reduce paper, the Division respectfully asks that you either fax or email your response. Please send your response to:

FAX: (614) 644 – 3166
EMAIL: Liquordocs@com.ohio.gov
MAIL: Ohio Division of Liquor Control
Attn: Licensing Unit
6606 Tussing Road
PO Box 4005
Reynoldsburg, Ohio 43068-9005

To find out who has disclosed an ownership interest in the permit application to us you can:

- Visit com.ohio.gov/liquorinfo. Select the "Search who has disclosed an ownership interest" tab. Where asked, enter the permit number listed on the legislative notice; or
- Contact your police department or county sheriff (if you are a township fiscal officer or county clerk). We also sent them detailed ownership information to review for any criminal background issues involving the disclosed persons.

We have resources for you at com.ohio.gov/govhelp. Never miss out on when renewal objections are due! Sign-up for our emails at com.ohio.gov/stayinformed.

Thank you in advance for your cooperation,
Division Licensing Section
(rev. 2.12.25)