AGENDA

CITY COUNCIL MEETING

City of Upper Arlington

3600 Tremont Road | Upper Arlington, OH 43221
614-583-5030 | upperarlingtonoh.gov

8/19/2024 | 7:00 PM

Municipal Services Center, Council Chamber
3600 Tremont Road

If you are joining through Zoom, please click the link below to join the meeting:
https://us06web.zoom.us/j/88268224042
Or Telephone: 1 929 205 6099
Webinar ID:882 6822 4042

1. **Call to Order/Roll Call**

2. **Pledge of Allegiance led by Council Member Jim Lynch**

3. **Consent Agenda**

   a. Approve City Council Meeting Minutes

4. **Reports/Presentations**

   a. Resolution of Commendation Recognizing Chef-O-Nette

   b. Heritage Trail Extension Presentation by Tim Moloney, Executive Director of Franklin County Metro Parks

5. **Legislative Items for First Reading/Public Hearing**

   a. Ordinance No. 50-2024 - An ordinance authorizing the City Manager to enter into contract with Atlantic Emergency Solutions to refurbish Fire Engine 72

   b. Ordinance No. 51-2024 - An ordinance authorizing the City Manager to enter into a contract with HK Solutions for sanitary sewer inspection and cleaning services

6. **Liquor Control**

   a. The City Clerk has received notice from the Ohio Department of Liquor Control that an application has been filed for change of stock ownership from Tupelo Honey Hospitality Corp DBA Tupelo Honey Southern Kitchen and Bar, for existing D1, D2, D3, D3A and D6 Liquor Permits.
   (no action needed from Council unless there is an objection)

   b. Motion to approve the transfer of liquor license (TREX) to Chefo-Arlington,LLC, 2090 Tremont Center, for economic development purposes

7. **City Manager Update**

8. Adjournment

2024 City Council Retreat
8/12/2024

Amelita Mirolo Barn
4395 Carriage Hill Lane
Upper Arlington, OH 43220

Members Present:	President Ukeme Awakessien Jeter**,** Vice President Brian Close, Kathy Adams, John J. Kulewicz, Jim Lynch, Heidi Munc, and Todd Walter
Staff Present:	City Attorney Darren Shulman, City Manager Steven Schoeny, Assistant City Manager Jackie Thiel, Cares Manager Christine Leyshon, City Clerk Krystal Gonchar, Finance Director Brent Lewis, Fire Chief Chris Zimmer, HR Director Abby Cochran, Parks and Recreation Director Debbie McLaughlin, Police Chief Keith Hall, Public Service Director Gary Wilfong

1. **Call to Order**
   President Awakessien Jeter called the meeting to order at 4:08 p.m.

2. **Review Reserve Policies**
   The City Manager discussed the objective of the retreat: to follow-up from the annual retreat, held on February 21, 2024. Due to the current reserve surplus, there is an estimated $17M that Council can allocate in the upcoming budget relative to their priorities. These discussions will provide necessary guidance to staff. The City Attorney informed those in attendance that nothing in this process constitutes an official vote, that everything selected will need to go before City Council for a formal vote during the 2025-2026 Budget process.

   The Finance Director provided an update from the Financial Policies Committee (attached hereto and incorporated herein as Exhibit A). The Committee meets every two years to review and make recommendations to City Council. Only one of the policies is codified (Investment Policy), which is a state requirement. The other two policies that were reviewed include Debt Policy, Credit Card Policy, and Financial Policies. For those three policies, Council typically approves via motion. The new and previous investment advisors have reviewed each policy.

Mr. Lewis stated that two policies are related to fees. The Committee also discussed the contingency reserve (currently set for 30 percent); the City currently has 80 percent contingency reserve. The City has been saving money for the last five years, in preparation for the construction and opening of the community center. Services were not reduced and yet the savings balance has continued to increase. Income-tax has exceeded expectations. The reserve is currently $26M over.

Historically, it was normal that every two years, Council would determine how to fund certain items. That was the process prior to the decision to save for the community center. Prior to bringing these proposed changes forward to Council, staff researched what other cities are doing and GFOA recommendations. Mr. Schoeny stated that the increase of reserve from 30 to 50 percent would allow for a cushion. Cost for the community center has been projected out, with an expected $3M annual cost. Mr. Lewis reiterated that this would allow the City to be more flexible related to debt. Mr. Kulewicz asked if there are any unintended consequences for spending down the reserves.

President Awakessien Jeter asked when spending down, how do advisors recommend debt issuance. Mr. Lewis said policies are typically percentages, which are easy to quantify, but it is better to look at agency ratings. High debt ratios can be overcome with other things, like strong management and cash revenue. President Awakessien Jeter asked if there are other policies that should be considered. Mr. Lewis stated that in the event we get into a pinch, a decision can be made to dial down on projects. The City can pivot with funds already in the bank, which is already built in to current policies. Ms. Adams asked if there are other risks besides the community center. Mr. Schoeny responded that although the City is heavily dependent on municipal income tax, if the state should make changes to the law, there are a variety of income sources available to the City. There is not a singular type of earner in the City. Costs will continue to increase and tax rates will not be able to increase at the same speed; this is a known gap. The City must be very clear up front about fees and rates; for example, the fees for community center membership will increase as costs increase. Mr. Schoeny stated that the plan to reduce the reserve surplus will take years.

Mr. Walter asked about current debt ratios. Mr. Lewis said the City is currently at 4:1. President Awakessien Jeter asked where 20% came from, if there is a specific statistical reason for that. Mr. Lewis said that number is between 30% and where the current reserve is, and he wanted to encourage Council to spend a bit more money. Staff need direction and this forces Council to act. This does not mean Council cannot act at any other time, but as long as it’s in the range of 30-50%, Staff feel more comfortable. Mr. Walter said the Financial Policies Committee wanted to allow for flexibility within reason. Mr. Kulewicz said it was comforting to him to know that at least 30% would allow the City to operate for four months without interruption.

Mr. Close asked if there was a discussion for creating separate reserve funds for separate projects to ensure the money needed for each project would be there and not mixed into the general fund. Mr. Lewis said that would take away some flexibility. President Awakessien Jeter said that a range that wide would mean less fluidity for projects outside of emergency operations, when thinking about that emergency four-month spending example. Mr. Lewis said there are special funds for these types of items. The economic development fund, for example, has transfers from general fund each year. Once money is moved from the general fund to a fund for a purpose, it cannot be moved back. Mr. Schoeny said the purpose statement on the Economic Development fund is broad and can be used for a variety of items. Mr. Close asked if the capital asset fund is also broad. Mr. Lewis said it cannot be used for capital infrastructure.

Mr. Close asked if other cities have funds set aside for community centers. Mr. Lewis said he is unsure. The Parks and Recreation Director confirmed that some cities do have community center funds. Five percent of revenue is set aside in the operating budget for the community center. Facilities maintenance for the community center is a sub fund of the general fund, for example. President Awakessien Jeter said they may want to wait for the community center to be open for a year and then review policies. Mr. Lewis said Council is a check and balance because they approve the budget and create the financial policies. Mr. Schoeny reiterated that these policies are reviewed every two years for that reason.

3. Staff Presentation and Discussion on Proposed Budget Items

Mr. Schoeny presented the August 2024 Retreat Budget (attached hereto and incorporated herein as Exhibit B). As a pre-retreat exercise, each Council Member submitted their proposed budgets to the City Manager, who then compiled the information into a comprehensive document. For the pre-retreat results, the following items received priority from five Council Members:

- The 5 Points Roundabout
- Reduce Fees
- Structured Parking

In the pre-retreat results, the following items received priority from four Council Members:

- Additional Street Lighting
- Learn to Swim Program
- Sidewalk Gaps
- Street Reconstruction Program
- Underground Utilities

Mr. Schoeny guided Council through discussion on proposed project priorities.

Additional Street Lighting

Mr. Schoeny stated that this item, if funded, would add lighting to parking areas at Northwest Kiwanis Park and Burbank Park. There is no plan to add lighting to park interiors since the parks close at dusk.

Learn to Swim Program

President Awakessien Jeter stated that she is cautious to start a program or service and not have long-term funding. Mr. Lynch suggested marketing these as pilot programs. Mr. Kulewicz said if the programs/services are not successful, they could remove them in the future. President Awakessien Jeter asked about staff changes; if the program/service gets canceled, would the staff person move to a different role. Mr. Schoeny stated that if Council continues to be satisfied with services, they will continue to include the money in future budgets to support those services/positions. Up front costs would be paid from the general fund, one time, then budgeted accordingly in future budgets. He stated that $2M per position could fund a position for 20 years. Mr. Kulewicz said capital investments are similar; once sidewalks are installed, they must be maintained.

Mr. Close asked if there is a benefit to waiting to see how many kids need to be served, once the community center opens. The Parks and Recreation Director said they can anticipate having year-round swimming lessons. Currently, the feedback from working parents is that they have issues transporting kids to lessons. For the learn to swim service, this program is meant to be a life-saving measure, not solely for year-round lessons, but for getting the kids to the point where they can swim safely. Mr. Walter asked if there was an estimate of enrollment numbers. Ms. McLaughlin said they would serve approximately 300 children. Mr. Walter asked why that would need support of a full-time position. Ms. McLaughlin said it would require planning, transport to and from schools, and is more of a 3/4 position rather than part-time or full-time. The program would require coordination among all the pools and schools as part of before/after school programs.

Mr. Lewis said for operational items, there will be a discussion when the reserve gets above the threshold. Mr. Close said those items should have a footnote in the budget so they can keep track of those items from budget year to budget year.

Reduce Fees

Mr. Schoeny stated that this item could be funded at two different levels, either $1M or $200k, for a five-year period. At $1M, that would cover a minimum amount per month/per resident. The Public Service Director said the Curbside Food Waste Program was something they reviewed for this estimation. Mr. Close said he would prefer this money go towards a one-time spend rather than take services away for residents in the future. Mr. Wilfong stated that $1M would fund 1,500 households per year for food waste collection, through 2028, which is when the contract is up for renewal. Mr. Schoeny said $1M would amount to $75 per resident/per year.

Mr. Shulman asked if food waste is diverted, will there be a reduction in the City's tipping fee. Mr. Wilfong said there potentially could be a reduction in tipping fee costs, but likely much further down the road. Mr. Kulewicz stated this is a policy issue, to get people accustomed to diverting food waste. Mr. Lewis commented that not all residents pay a solid waste fee, so this could not be applied across all residents.

Sidewalk Gaps

Mr. Wilfong said $175k would pay for one of the following: Redding Road south of Tremont Center, Waltham Road, which has challenging landscaping and grading, or Glenmere Road/Pinebrook Road/Surrey Hill Place as one project, due to the large scope. Ms. Thiel said Redding Road is the area they would recommend, due to it being the most impactful for pedestrians.

Social Worker

Mr. Schoeny said this item only received priority from two members. President Awakessien Jeter said that when she evaluated options, she went back to the thought process for operational and long-term funding. She reiterated that she did not want to utilize these funds to cover a long-term position.

Street Repair Program

Mr. Wilfong said planning and design occur over the next two years, with construction in 2027-2029, for a total of $2.5M. President Awakessien Jeter asked about resident fatigue with all these road projects. Ms. Thiel said these types of projects for residential streets have a much quicker turnaround time.

Structured Parking/Underground Utilities

Mr. Schoeny said this would come from the Economic Development Fund. Mr. Kulewicz stated that he was unsure that $5M would be impactful for the structure. Mr. Close asked if these big-ticket items could be reviewed during quarterly updates to keep them top of mind. Mr. Walter asked about right-of-way options on Henderson Road. Ms. Thiel said Council will see legislation this fall to approve the transfer from Columbus, which has already received approval from Franklin County. Columbus must also approve the transfer through legislation. Mr. Wilfong said all utilities will be buried in the right-of-way. Mr. Walter asked for clarification on timing of redevelopment, because streetscape is usually done last. Ms. Thiel said they are hoping to spur redevelopment through the updated streetscape. The project would likely take six years and the $5M would be more of a down payment on the project. The $5M would provide the core of funding to build the boulevard up to Gettysburg Road. Mr. Walter asked about grants for the proposed roundabout. Ms. Thiel said that since it's tied into a larger economic development project, it may score higher in the application review.

4. Discussion on Project Priorities

Members were afforded an opportunity to revise their budgets, and discussed amongst themselves how to reallocate funds to other items, which were tracked by staff (attached hereto and incorporated herein as Exhibit C). After three rounds of revisions, staff were guided to include the following items in the upcoming budget:

- The 5 Points Roundabout - $5.5M
- Social Worker (Expanded CARES Program) - $1M
- Structured Parking (Economic Development) - $2M
- Learn to Swim Program (Water safety) - $750,000
- Reduce Fees - $2.25M
- Sidewalk Gaps - $500,000
- Underground Utilities (Henderson Road from Reed Road to Gettysburg Road) - $5M

It was determined that from the original items, the street reconstruction program (SRP) would not be included since it only received recommendation from four members.

The members received a status update for the 2024 Work Plan, a result from the February 21, 2024 City Council retreat (attached hereto and incorporated herein as Exhibit D).

5. **Adjournment**

President Awakessien Jeter adjourned the meeting at 8:40 p.m.

Exhibit A

2024 City Council Retreat
Financial Policies Committee Update

Brent Lewis (Finance Director)

August 12, 2024

City of Upper Arlington

Financial Policies Committee Update

Policy	Summary
Credit Card Policy	• No substantive changes.
Debt Management Policy	• No substantive changes. Just re-wording and simplification.

Investment Policy	• Proposed revisions Section 221.06 to update and align allowable investments with ORC Section 135
	  • Added revenue bonds as an allowable investment (with restrictions)
	  • Added the ability to invest in general obligations and revenue bonds in any state within the USA, as opposed to just Ohio (with restrictions)
	  • Increased allowable maturities to ten years (from five) for above noted investments

Council Financial Policies	• Proposed revision to Contingency Reserve Policy (see handout from previous retreat) • Current policy states, in part: The reserve shall be equal to thirty percent of the current year General Fund operating budget. • Proposed policy states, in part: The reserve shall be maintained within a range of thirty percent to fifty percent of the current year General Fund operating budget.

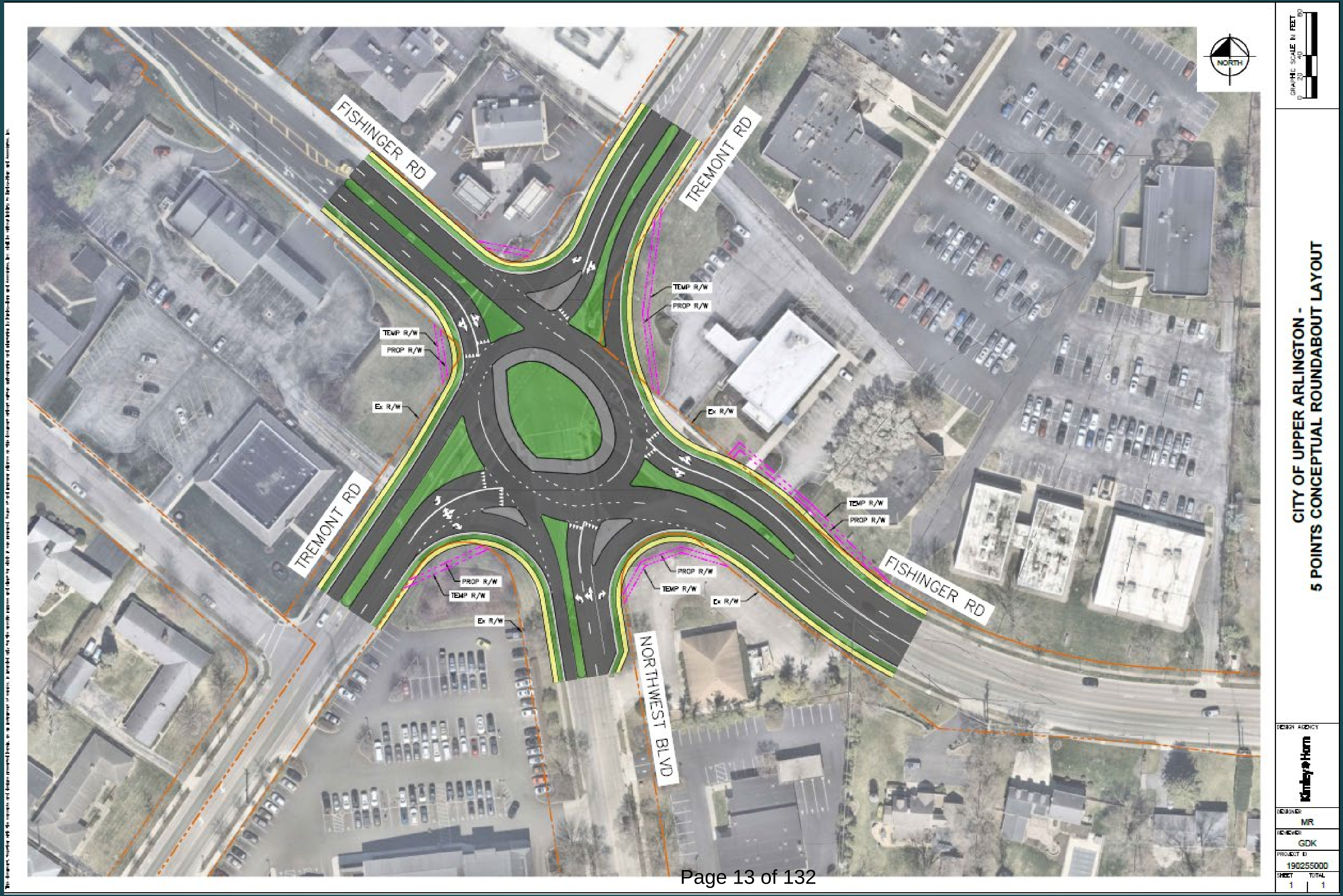
		30% of budget	45% of budget	50% of budget
2024 Budget	$47.2 million	$14.2 million	$21.2 million	$23.6 million
Projected 2024 Balance	$40.8 million			
Potential Excess		$26.6 million	$19.6 million	$17.2 million

FIVE POINTS ROUNDABOUT

HISTORY AND STATUS

- Feasibility study performed in 2016
- Consultant updated study and estimate in 2024
  - Design and Construction = $5.5M
- City applied for MORPC funding in 2024
  - Funding available is significantly less than previous years
  - Approximately $50M available with $200M in requests

CONCEPTUAL LAYOUT



STREET RECONSTRUCTION PROGRAM

PROCESS

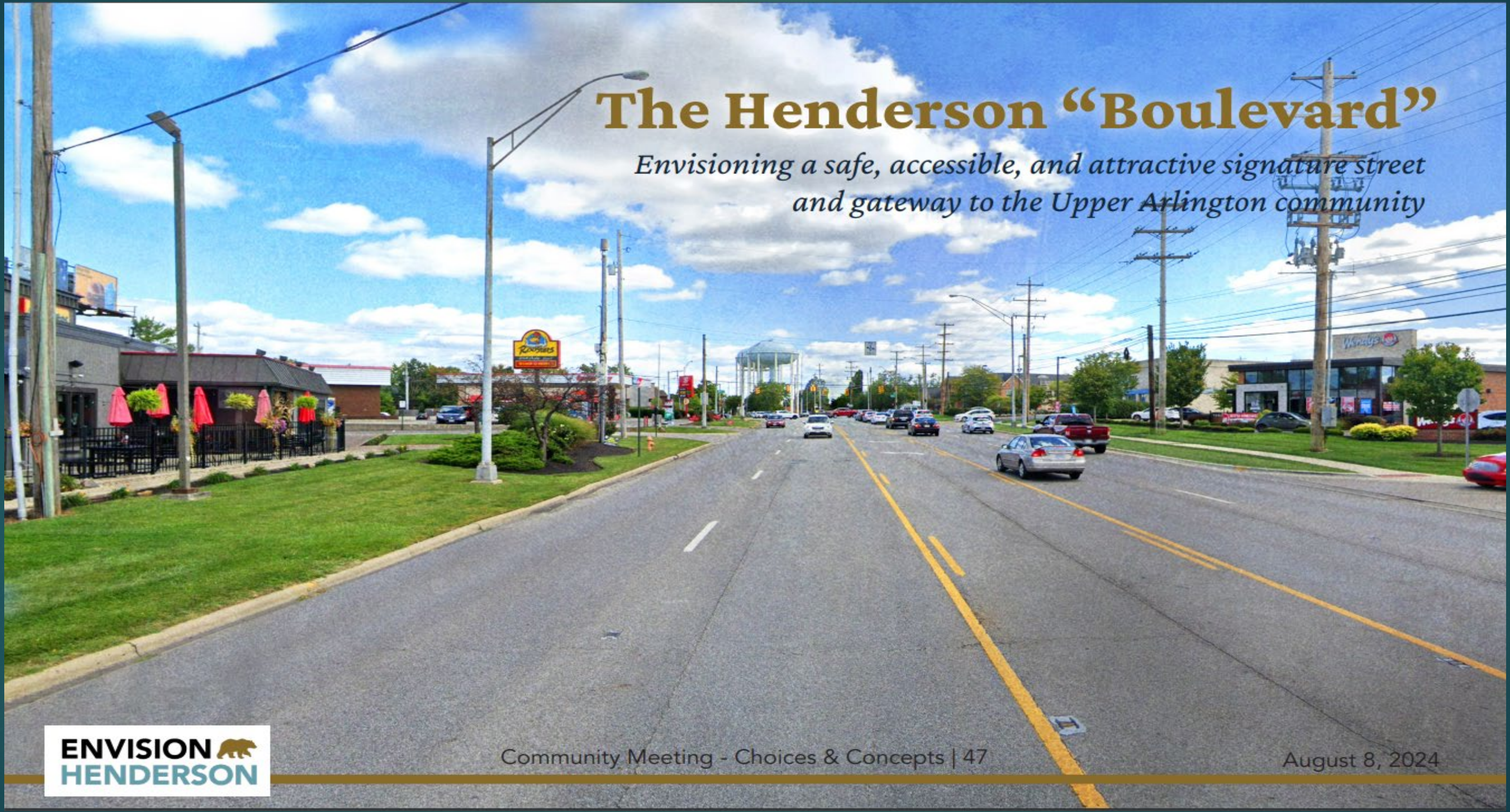
- **Funding Timeline:**
  - The memo proposes to spend 2025 and 2026 planning and designing.
  - These additional funds are proposed to be spent in the 2027-2029 years
  - This timeline adds $833k to the 2027-2029 years for a total of $2.5M
- **Funding effect:**
  - Current planning level estimate for SRP is $277 per linear foot
  - An additional $833k per year results in an additional 3,000LF (0.57 miles) per year
  - Our annual SRP budget averages roughly $2.2M per year, so the additional $2.5M accelerates streets one year

UNDERGROUNDING UTILITIES

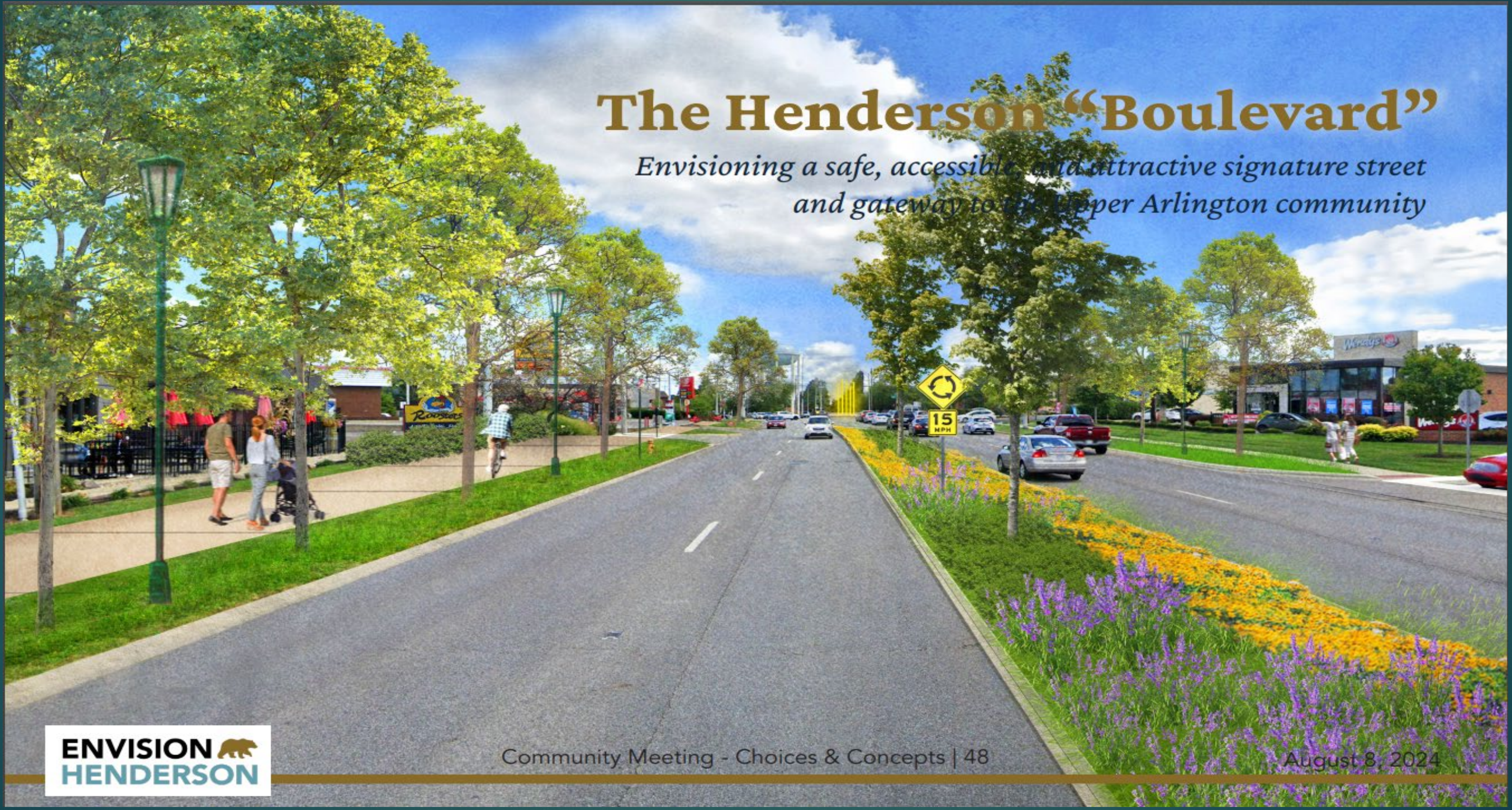
PROCESS

- Advance undergrounding on Henderson between Reed and Gettysburg ($5M option)
  - Begin coordination with utility companies.
  - Explore alignment alternatives.
  - Finalize construction costs with utility companies.
- Could begin preliminary study in 2025.
- Construction in coordination with Envision Henderson and applying for grants - 2029

EXISTING CONDITIONS



PROPOSED



The Henderson "Boulevard"
Envisioning a safe, accessible, and attractive signature street
and gateway to the Upper Arlington community
15 MPH
ENVISION HENDERSON
Community Meeting - Choices & Concepts | 48
August 8, 2024

ADDITIONAL STREET LIGHTING

Funding Alternatives

- **$160,000**
  - Parking lot lighting at NW Kiwanis and Burbank Parks (Estimate $150,000)

CURBSIDE FOOD WASTE PROGRAM EXPANSION

Current Program & Possible Expansions

- 2024-2025, total contract cost $399k
- Current program (Aug 2024) has 1,380 participating households
- $327,000 remaining on current contract (thru Dec 2024)
  - Can service up to 2,100 households under existing contract

Funding Alternatives

- **$200,00/year for 5 years, 2025-2029**
  - Funding could support up to 1,520 households per year

YEAR	# Participants	EST TOTAL $
2025	1520	$ 199,944.00
2026	1520	$ 199,944.00
2027	1520	$ 199,944.00
2028	1520	$ 199,944.00
2029	1520	$ 199,844.00
		$ 999,620.00

- **$1M – Jan 2026-March 2028**
  - 2025 utilizes existing contract & funding

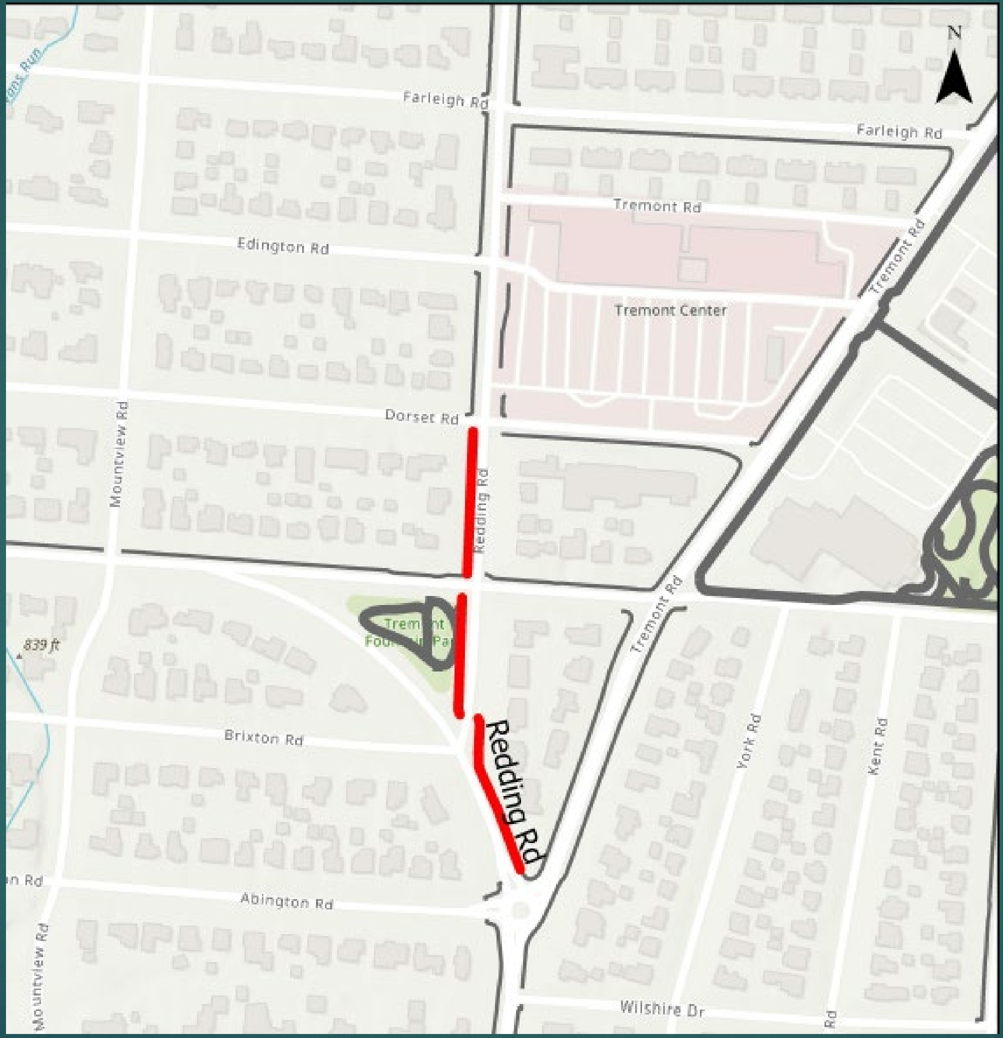
YEAR	# Participants	EST TOTAL $
2025	*2110*	*$ 252,469.00*
2026	3010	$ 344,544.00
2027	4510	$ 501,744.00
2028	4660	$ 145,236.00
		$ 991,524.00

SIDEWALK GAPS

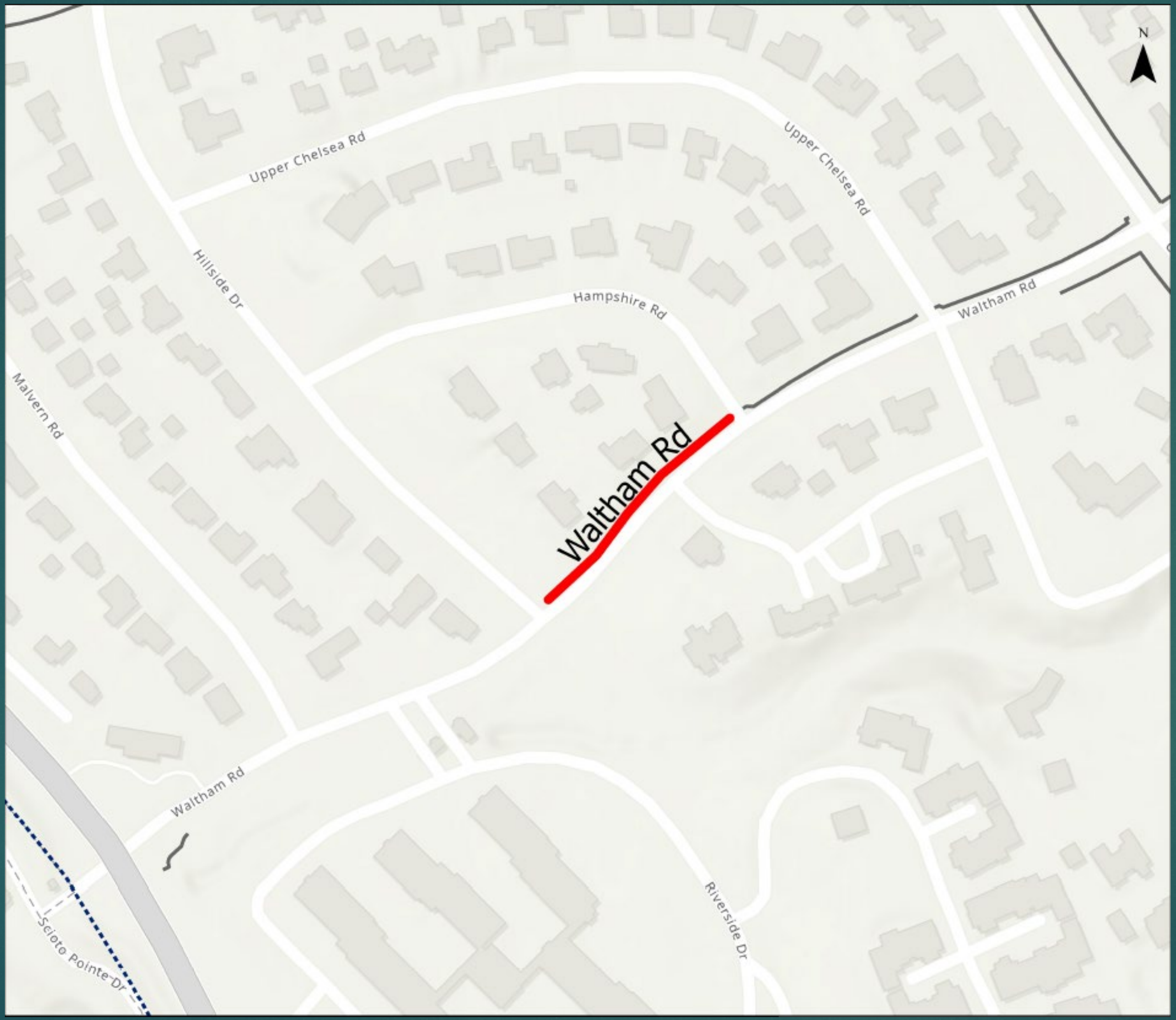
Alternatives

- $175,000
  - Redding Road - $140,000
  - Waltham Road - $150,000
  - Three small locations - $140,000
    - Woodbridge/Pinebrook
    - Glenmere
    - Surrey Hill

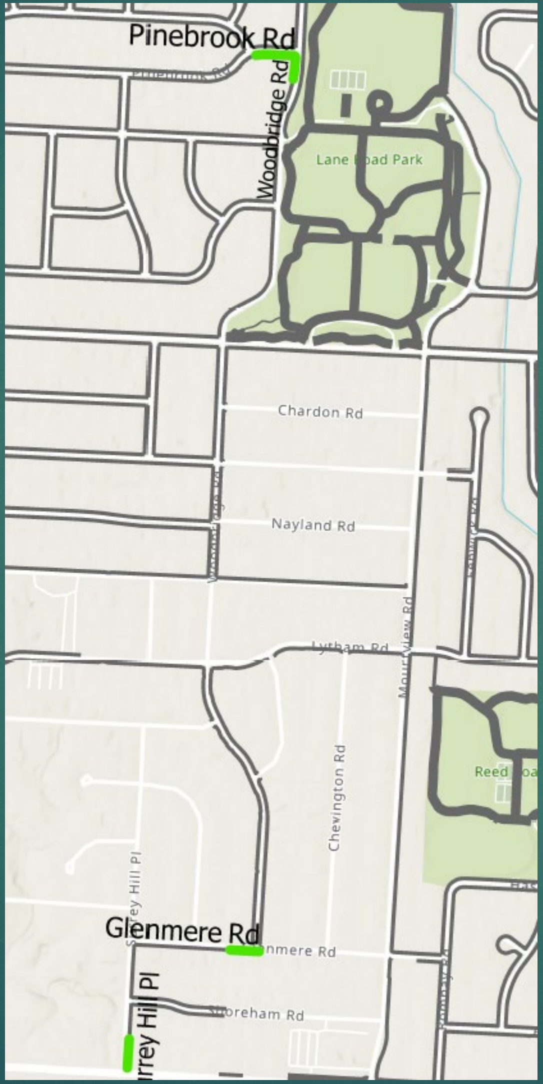
Redding Road



Waltham Road



Three locations



Funding Alternatives

$425,000

NW Kiwanis and Burbank Parks

- Stonehaven between Sandover Rd and Stonehaven Pl

$875,000

Thompson Park

- Woodbridge Rd from McCoy Rd to Lane Rd
- McCoy Rd from Woodbridge Rd to Mountview Rd

Parking lot lighting at NW Kiwanis and Burbank Parks

$900,000

Fancyburg Park

- Wickliffe Rd between Kioka Ave and Sunset Dr
- Sunset Dr between Wickliffe Rd and Swansea Rd
- Swansea Rd between Sunset Dr and Kioka Ave

Funding Alternatives

- **$1,300,000**
  - Thompson Park (Estimate $725,000)
    - Woodbridge Rd from McCoy Rd to Lane Rd
    - McCoy Rd from Woodbridge Rd to Mountview Rd
  - NW Kiwanis and Burbank Parks (Estimate $425,000)
    - Stonehaven Pl between Sandover Rd and Stonehaven Pl
  - Parking lot lighting at NW Kiwanis and Burbank Parks (Estimate $150,000)
- **$1,475,000**
  - Fancyburg Park (Estimate $900,000)
    - Wickliffe Rd between Kioka Ave and Sunset Dr
    - Sunset Dr between Wickliffe Rd and Swansea Rd
    - Swansea Rd between Sunset Dr and Kioka Ave
  - NW Kiwanis and Burbank Parks (Estimate $425,000)
    - Stonehaven Pl between Sandover Rd and Stonehaven Pl
  - Parking lot lighting at NW Kiwanis and Burbank Parks (Estimate $150,000)

Funding Alternatives

- **$1,625,000**
  - Fancyburg Park (Estimate $900,000)
    - Wickliffe Rd between Kioka Ave and Sunset Dr
    - Sunset Dr between Wickliffe Rd and Swansea Rd
    - Swansea between Sunset and Kioka
  - Thompson Park (Estimate $725,000)
    - Woodbridge Rd from McCoy Rd to Lane Rd
    - McCoy Rd from Woodbridge Rd to Mountview Rd

	Rules			Budgets						"Votes"	Budget at Minimum	**Maximized Budget**	Votes at Maximum
		Option 1	Option 2	Ukeme	Brian	Jim	John	Kathy	Heidi	Todd			
5 Points Roundabout	Fixed	$ 5,500,000		$ 5,500,000	$ 5,500,000		$ 5,500,000	$ 5,500,000	$ 5,500,000	$ 5,500,000	6	$ 5,500,000	$ 5,500,000	6
Additional Street Lighting	Range	$ 160,000	$ 2,400,000						$ 750,000		1	$ -		4
Curb and Gutter	Range	$ 210,000	$ 2,700,000								0	$ -		
Enhanced Code Enforcement - Staff	Options	$ 230,000	$ 570,000								0	$ -		
Home Repair Program	Range	$ 250,000	$ 500,000								0	$ -		
Expand Summer Day Camp	Fixed	$ 2,600,000									0	$ -		
Facilities Maintenance Fund	Range	$ 1,000,000	$ 5,000,000			$ 2,000,000					1	$ -		
Lane Ave Shared Use Path	Fixed	$ 675,000									0	$ -		
Learn to Swim (Water Safety) Classes	Fixed	$ 750,000				$ 750,000	$ 750,000	$ 750,000	$ 750,000	$ 750,000	5	$ 750,000	$ 750,000	4
Reduce Fees	Range	$ 1,000,000	$ 4,000,000	$ 2,250,000	$ 2,400,000	$ 4,000,000	$ 2,000,000			$ 2,400,000	5	$ 2,000,000	$ 2,250,000	4
Sidewalk Gaps	Range	$ 175,000	$ 3,500,000	$ 500,000	$ 1,000,000	$ 500,000	$ 250,000			$ 500,000	5	$ 250,000	$ 500,000	4
Social Worker (Expanded CARES Program)	Options	$ 1,000,000	$ 2,000,000	$ 2,000,000		$ 2,000,000	$ 1,000,000	$ 2,000,000	$ 2,000,000	$ 1,000,000	6	$ 1,000,000	$ 1,000,000	
Street Reconstruction Program	Options	$ 2,000,000	$ 2,500,000			$ 2,000,000	$ 2,500,000	$ 2,000,000		$ 2,000,000	4	$ 2,000,000		4
Structured Parking (Economic Development F	Range	$ 1,750,000	$ 4,000,000	$ 1,750,000	$ 3,100,000	$ 4,000,000		$ 1,750,000	$ 3,000,000	$ 4,000,000	6	$ 1,750,000	$ 2,000,000	5
Underground Utilities (Henderson Road)	Range	$ 5,000,000	$ 11,000,000	$ 5,000,000	$ 5,000,000		$ 5,000,000	$ 5,000,000	$ 5,000,000		5	$ 5,000,000	$ 5,000,000	5
Total				$ 17,000,000	$ 17,000,000	$ 15,250,000	$ 17,000,000	$ 17,000,000	$ 17,000,000	$ 16,150,000		$ 18,250,000	$17,000,000	
Available balance				$ -	$ -	$ 1,750,000	$ -	$ -	$ -	$ 850,000				
Maximum Budget Amount	$17,000,000													

Fixed = You can only choose Option 1
Range = You can choose anything between Option 1 and Option 2
Options = You can choose either Nothing, Option 1 or Option 2

	Jim	John	Kathy	Heidi	Todd
5 Points Roundabout					
Additional Street Lighting					
Curb and Gutter					
Enhanced Code Enforcement - Staff					
Home Repair Program					
Expand Summer Day Camp					
Facilities Mainteance Fund					
Lane Ave Shared Use Path					
Learn to Swim (Water Safety) Classes	$ 2,250,000	$ 2,250,000	$ 2,250,000	$ 2,250,000	$ 2,250,000
Reduce Fees					
Sidewalk Gaps					
Social Worker (Expanded CARES Program)					
Street Reconstruction Program					
Structured Parking (Economic Development Fund)					
Underground Utilities (Henderson Road)					

August 2024 Retreat Budget
Working Sheet

	Rules	Option 1	Option 2	Ukeme	Brian	Jim	John	Kathy	Heidi	Todd	"Votes"	Budget at Minimum	**Maximized Budget**	Votes at Maximum
5 Points Roundabout	Fixed	$ 5,500,000		$ 5,500,000	$ 5,500,000		$ 5,500,000	$ 5,500,000	$ 5,500,000		5	$ 5,500,000	$ 5,500,000	5
Additional Street Lighting	Range	$ 160,000	$ 2,400,000			$ 1,500,000		$ 400,000	$ 160,000	$ 975,000	4	$ 160,000	$ 160,000	4
Curb and Gutter	Range	$ 210,000	$ 2,700,000	$ 325,000							1	$ -		
Enhanced Code Enforcement - Staff	Options	$ 230,000	$ 570,000			$ 230,000	$ 570,000			$ 570,000	3	$ -		
Home Repair Program	Range	$ 250,000	$ 500,000				$ 500,000				1	$ -		
Expand Summer Day Camp	Fixed	$ 2,600,000					$ 2,600,000	$ 2,600,000	$ 2,600,000		3	$ -		
Facilities Mainteance Fund	Range	$ 1,000,000	$ 5,000,000		$ 1,500,000	$ 2,000,000				$ 2,500,000	3	$ -		
Lane Ave Shared Use Path	Fixed	$ 675,000		$ 675,000							1	$ -		
Learn to Swim (Water Safety) Classes	Fixed	$ 750,000				$ 750,000	$ 750,000		$ 750,000	$ 750,000	4	$ 750,000	$ 750,000	4
Reduce Fees	Range	$ 1,000,000	$ 4,000,000	$ 1,000,000	$ 1,912,500	$ 4,000,000	$ 4,000,000			$ 3,900,000	5	$ 1,000,000	$ 1,912,500	4
Sidewalk Gaps	Range	$ 175,000	$ 3,500,000	$ 1,000,000	$ 175,000	$ 2,000,000				$ 1,500,000	4	$ 175,000	$ 175,000	4
Social Worker (Expanded CARES Program)	Options	$ 675,000	$ 1,000,000					$ 1,000,000	$ 1,000,000		2	$ -		
Street Reconstruction Program	Fixed	$ 2,500,000				$ 2,500,000	$ 2,500,000	$ 2,500,000		$ 2,500,000	4	$ 2,500,000	$ 2,500,000	4
Structured Parking (Economic Development Fund)	Range	$ 1,750,000	$ 4,000,000	$ 2,000,000	$ 2,912,500	$ 4,000,000			$ 2,000,000	$ 4,000,000	5	$ 2,000,000	$ 2,000,000	5
Underground Utilities (Henderson Road)	Range	$ 5,000,000	$ 11,000,000	$ 6,500,000	$ 5,000,000			$ 5,000,000	$ 5,000,000		4	$ 5,000,000	$ 5,000,000	5
Total				$ 17,000,000	$ 17,000,000	$ 16,980,000	$ 16,420,000	$ 17,000,000	$ 17,010,000	$ 16,695,000		$ 17,085,000	$ 17,997,500	
Available balance				$ -	$ -	$ 20,000	$ 580,000	$ -	$ (10,000)	$ 305,000				
Maximum Budget Amount	$17,000,000													

Fixed = You can only choose Option 1
Range = You can choose anything between Option 1 and Option 2
Options = You can choose either Nothing, Option 1 or Option 2

	Jim	John	Heidi	Todd
5 Points Roundabout				
Additional Street Lighting				
Curb and Gutter				
Enhanced Code Enforcement - Staff	$ 2,000,000	$ 4,000,000		$ 4,000,000
Home Repair Program				
Expand Summer Day Camp				
Facilities Mainteance Fund				
Lane Ave Shared Use Path				
Learn to Swim (Water Safety) Classes	$ 2,250,000	$ 2,250,000	$ 2,250,000	$ 2,250,000
Reduce Fees				
Sidewalk Gaps				
Social Worker (Expanded CARES Program)				
Street Reconstruction Program				
Structured Parking (Economic Development Fund)				
Underground Utilities (Henderson Road)				

	Rules			Budgets										
		Option 1	Option 2	Ukeme	Brian	Jim	John	Kathy	Heidi	Todd	"Votes"	Budget at Minimum	**Maximized Budget**	Votes at Maximum
5 Points Roundabout	Fixed	$ 5,500,000		$ 5,500,000	$ 5,500,000		$ 5,500,000	$ 5,500,000	$ 5,500,000	$ 5,500,000	6	$ 5,500,000	$ 5,500,000	6
Additional Street Lighting	Range	$ 160,000	$ 2,400,000			$ 1,500,000		$ 400,000	$ 750,000		3	$ -		4
Curb and Gutter	Range	$ 210,000	$ 2,700,000								0	$ -		
Enhanced Code Enforcement - Staff	Options	$ 230,000	$ 570,000								0	$ -		
Home Repair Program	Range	$ 250,000	$ 500,000								0	$ -		
Expand Summer Day Camp	Fixed	$ 2,600,000									0	$ -		
Facilities Maintenance Fund	Range	$ 1,000,000	$ 5,000,000		$ 3,100,000	$ 2,000,000				$ 1,350,000	3	$ -		
Lane Ave Shared Use Path	Fixed	$ 675,000									0	$ -		
Learn to Swim (Water Safety) Classes	Fixed	$ 750,000				$ 750,000	$ 750,000		$ 750,000	$ 750,000	4	$ 750,000		4
Reduce Fees	Range	$ 1,000,000	$ 4,000,000		$ 2,400,000	$ 2,500,000	$ 2,500,000			$ 2,400,000	4	$ 2,400,000		4
Sidewalk Gaps	Range	$ 175,000	$ 3,500,000	$ 1,000,000	$ 1,000,000	$ 1,500,000	$ 500,000			$ 500,000	5	$ 500,000	$ 500,000	5
Social Worker (Expanded CARES Program)	Options	$ 675,000	$ 2,000,000	$ 2,000,000		$ 2,000,000		$ 2,000,000	$ 2,000,000		4	$ 2,000,000		
Street Reconstruction Program	Fixed	$ 2,500,000				$ 2,500,000	$ 2,500,000	$ 2,500,000		$ 2,500,000	4	$ 2,500,000		4
Structured Parking (Economic Development F	Range	$ 1,750,000	$ 4,000,000	$ 2,000,000		$ 4,000,000		$ 1,750,000	$ 3,000,000	$ 4,000,000	5	$ 1,750,000	$ 2,000,000	5
Underground Utilities (Henderson Road)	Range	$ 5,000,000	$ 11,000,000	$ 5,000,000	$ 5,000,000		$ 5,000,000	$ 5,000,000	$ 5,000,000		5	$ 5,000,000	$ 5,000,000	5
Total				$ 15,500,000	$ 17,000,000	$ 16,750,000	$ 16,750,000	$ 17,150,000	$ 17,000,000	$ 17,000,000		$ 20,400,000	$13,000,000	
Available balance				$ 1,500,000	$ -	$ 250,000	$ 250,000	$ (150,000)	$ -	$ -				
Maximum Budget Amount	$17,000,000							OVER						

Fixed = You can only choose Option 1
Range = You can choose anything between Option 1 and Option 2
Options = You can choose either Nothing, Option 1 or Option 2

	Ukeme	Brian	Jim	John	Kathy	Heidi	Todd
5 Points Roundabout							
Additional Street Lighting							
Curb and Gutter							
Enhanced Code Enforcement - Staff							
Home Repair Program							
Expand Summer Day Camp							
Facilities Mainteance Fund							
Lane Ave Shared Use Path							
Learn to Swim (Water Safety) Classes			$ 2,250,000	$ 2,250,000		$ 2,250,000	$ 2,250,000
Reduce Fees							
Sidewalk Gaps							
Social Worker (Expanded CARES Program)							
Street Reconstruction Program							
Structured Parking (Economic Development Fund)							
Underground Utilities (Henderson Road)							

Round 2

	Rules			Budgets										
		Option 1	Option 2	Ukeme	Brian	Jim	John	Kathy	Heidi	Todd	"Votes"	Budget at Minimum	**Maximized Budget**	Votes at Maximum
5 Points Roundabout	Fixed	$ 5,500,000		$ 5,500,000	$ 5,500,000		$ 5,500,000	$ 5,500,000	$ 5,500,000	$ 5,500,000	6	$ 5,500,000	$ 5,500,000	6
Additional Street Lighting	Range	$ 160,000	$ 2,400,000			$ 1,500,000			$ 750,000		2	$ -		4
Curb and Gutter	Range	$ 210,000	$ 2,700,000								0	$ -		
Enhanced Code Enforcement - Staff	Options	$ 230,000	$ 570,000								0	$ -		
Home Repair Program	Range	$ 250,000	$ 500,000								0	$ -		
Expand Summer Day Camp	Fixed	$ 2,600,000									0	$ -		
Facilities Maintenance Fund	Range	$ 1,000,000	$ 5,000,000			$ 2,000,000					1	$ -		
Lane Ave Shared Use Path	Fixed	$ 675,000									0	$ -		
Learn to Swim (Water Safety) Classes	Fixed	$ 750,000				$ 750,000	$ 750,000	$ 750,000	$ 750,000	$ 750,000	5	$ 750,000	$ 750,000	4
Reduce Fees	Range	$ 1,000,000	$ 4,000,000		$ 2,400,000	$ 2,500,000	$ 2,000,000			$ 2,400,000	4	$ 2,000,000		4
Sidewalk Gaps	Range	$ 175,000	$ 3,500,000	$ 500,000	$ 1,000,000	$ 1,500,000	$ 250,000			$ 850,000	5	$ 250,000	$ 500,000	4
Social Worker (Expanded CARES Program)	Options	$ 1,000,000	$ 2,000,000	$ 2,000,000		$ 2,000,000	$ 1,000,000	$ 2,000,000	$ 2,000,000	$ 1,000,000	6	$ 1,000,000	$ 1,000,000	
Street Reconstruction Program	Options	$ 2,000,000	$ 2,500,000	$ 2,000,000		$ 2,500,000	$ 2,500,000	$ 2,000,000		$ 2,500,000	5	$ 2,000,000	$ 2,000,000	4
Structured Parking (Economic Development F	Range	$ 1,750,000	$ 4,000,000	$ 1,750,000	$ 3,100,000	$ 4,000,000		$ 1,750,000	$ 3,000,000	$ 4,000,000	6	$ 1,750,000	$ 2,000,000	5
Underground Utilities (Henderson Road)	Range	$ 5,000,000	$ 11,000,000	$ 5,000,000	$ 5,000,000		$ 5,000,000	$ 5,000,000	$ 5,000,000		5	$ 5,000,000	$ 5,000,000	5
Total				$ 16,750,000	$ 17,000,000	$ 16,750,000	$ 17,000,000	$ 17,000,000	$ 17,000,000	$ 17,000,000		$ 18,250,000	$16,750,000	
Available balance				$ 250,000	$ -	$ 250,000	$ -	$ -	$ -	$ -				
Maximum Budget Amount	$17,000,000													

Fixed = You can only choose Option 1
Range = You can choose anything between Option 1 and Option 2
Options = You can choose either Nothing, Option 1 or Option 2

	Ukeme	Brian	Jim	John	Kathy	Heidi	Todd
5 Points Roundabout							
Additional Street Lighting							
Curb and Gutter							
Enhanced Code Enforcement - Staff							
Home Repair Program							
Expand Summer Day Camp							
Facilities Mainteance Fund							
Lane Ave Shared Use Path							
Learn to Swim (Water Safety) Classes			$ 2,250,000	$ 2,250,000	$ 2,250,000	$ 2,250,000	$ 2,250,000
Reduce Fees							
Sidewalk Gaps							
Social Worker (Expanded CARES Program)							
Street Reconstruction Program							
Structured Parking (Economic Development Fund)							
Underground Utilities (Henderson Road)							

	Rules			Budgets										
		Option 1	Option 2	Ukeme	Brian	Jim	John	Kathy	Heidi	Todd	"Votes"	Budget at Minimum	**Maximized Budget**	Votes at Maximum
5 Points Roundabout	Fixed	$ 5,500,000		$ 5,500,000	$ 5,500,000		$ 5,500,000	$ 5,500,000	$ 5,500,000	$ 5,500,000	6	$ 5,500,000	$ 5,500,000	6
Additional Street Lighting	Range	$ 160,000	$ 2,400,000						$ 750,000		1	$ -		4
Curb and Gutter	Range	$ 210,000	$ 2,700,000								0	$ -		
Enhanced Code Enforcement - Staff	Options	$ 230,000	$ 570,000								0	$ -		
Home Repair Program	Range	$ 250,000	$ 500,000								0	$ -		
Expand Summer Day Camp	Fixed	$ 2,600,000									0	$ -		
Facilities Maintenance Fund	Range	$ 1,000,000	$ 5,000,000			$ 2,000,000					1	$ -		
Lane Ave Shared Use Path	Fixed	$ 675,000									0	$ -		
Learn to Swim (Water Safety) Classes	Fixed	$ 750,000				$ 750,000	$ 750,000	$ 750,000	$ 750,000	$ 750,000	5	$ 750,000	$ 750,000	4
Reduce Fees	Range	$ 1,000,000	$ 4,000,000	$ 2,250,000	$ 2,400,000	$ 4,000,000	$ 2,000,000			$ 2,400,000	5	$ 2,000,000	$ 2,000,000	4
Sidewalk Gaps	Range	$ 175,000	$ 3,500,000	$ 500,000	$ 1,000,000	$ 500,000	$ 250,000			$ 500,000	5	$ 250,000	$ 500,000	4
Social Worker (Expanded CARES Program)	Options	$ 1,000,000	$ 2,000,000	$ 2,000,000		$ 2,000,000	$ 1,000,000	$ 2,000,000	$ 2,000,000	$ 1,000,000	6	$ 1,000,000	$ 1,000,000	
Street Reconstruction Program	Options	$ 2,000,000	$ 2,500,000			$ 2,000,000	$ 2,500,000	$ 2,000,000		$ 2,000,000	4	$ 2,000,000		4
Structured Parking (Economic Development F	Range	$ 1,750,000	$ 4,000,000	$ 1,750,000	$ 3,100,000	$ 4,000,000		$ 1,750,000	$ 3,000,000	$ 4,000,000	6	$ 1,750,000	$ 2,000,000	5
Underground Utilities (Henderson Road)	Range	$ 5,000,000	$ 11,000,000	$ 5,000,000	$ 5,000,000		$ 5,000,000	$ 5,000,000	$ 5,000,000		5	$ 5,000,000	$ 5,000,000	5
Total				$ 17,000,000	$ 17,000,000	$ 15,250,000	$ 17,000,000	$ 17,000,000	$ 17,000,000	$ 16,150,000		$ 18,250,000	$16,750,000	
Available balance				$ -	$ -	$ 1,750,000	$ -	$ -	$ -	$ 850,000				
Maximum Budget Amount	$17,000,000													

Fixed = You can only choose Option 1
Range = You can choose anything between Option 1 and Option 2
Options = You can choose either Nothing, Option 1 or Option 2

5 Points Roundabout					
Additional Street Lighting					
Curb and Gutter					
Enhanced Code Enforcement - Staff					
Home Repair Program					
Expand Summer Day Camp					
Facilities Mainteance Fund					
Lane Ave Shared Use Path					
Learn to Swim (Water Safety) Classes	$ 2,250,000	$ 2,250,000	$ 2,250,000	$ 2,250,000	$ 2,250,000
Reduce Fees					
Sidewalk Gaps					
Social Worker (Expanded CARES Program)					
Street Reconstruction Program					
Structured Parking (Economic Development Fund)					
Underground Utilities (Henderson Road)					

Final

		Rules		Budgets										
		Option 1	Option 2	Ukeme	Brian	Jim	John	Kathy	Heidi	Todd	"Votes"	Budget at Minimum	**Maximized Budget**	Votes at Maximum
5 Points Roundabout	Fixed	$ 5,500,000		$ 5,500,000	$ 5,500,000		$ 5,500,000	$ 5,500,000	$ 5,500,000	$ 5,500,000	6	$ 5,500,000	$ 5,500,000	6
Additional Street Lighting	Range	$ 160,000	$ 2,400,000						$ 750,000		1	$ -		4
Curb and Gutter	Range	$ 210,000	$ 2,700,000								0	$ -		
Enhanced Code Enforcement - Staff	Options	$ 230,000	$ 570,000								0	$ -		
Home Repair Program	Range	$ 250,000	$ 500,000								0	$ -		
Expand Summer Day Camp	Fixed	$ 2,600,000									0	$ -		
Facilities Maintenance Fund	Range	$ 1,000,000	$ 5,000,000			$ 2,000,000					1	$ -		
Lane Ave Shared Use Path	Fixed	$ 675,000									0	$ -		
Learn to Swim (Water Safety) Classes	Fixed	$ 750,000				$ 750,000	$ 750,000	$ 750,000	$ 750,000	$ 750,000	5	$ 750,000	$ 750,000	4
Reduce Fees	Range	$ 1,000,000	$ 4,000,000	$ 2,250,000	$ 2,400,000	$ 4,000,000	$ 2,000,000			$ 2,400,000	5	$ 2,000,000	$ 2,250,000	4
Sidewalk Gaps	Range	$ 175,000	$ 3,500,000	$ 500,000	$ 1,000,000	$ 500,000	$ 250,000			$ 500,000	5	$ 250,000	$ 500,000	4
Social Worker (Expanded CARES Program)	Options	$ 1,000,000	$ 2,000,000	$ 2,000,000		$ 2,000,000	$ 1,000,000	$ 2,000,000	$ 2,000,000	$ 1,000,000	6	$ 1,000,000	$ 1,000,000	
Street Reconstruction Program	Options	$ 2,000,000	$ 2,500,000			$ 2,000,000	$ 2,500,000	$ 2,000,000		$ 2,000,000	4	$ 2,000,000		4
Structured Parking (Economic Development F	Range	$ 1,750,000	$ 4,000,000	$ 1,750,000	$ 3,100,000	$ 4,000,000		$ 1,750,000	$ 3,000,000	$ 4,000,000	6	$ 1,750,000	$ 2,000,000	5
Underground Utilities (Henderson Road)	Range	$ 5,000,000	$ 11,000,000	$ 5,000,000	$ 5,000,000		$ 5,000,000	$ 5,000,000	$ 5,000,000		5	$ 5,000,000	$ 5,000,000	5
Total				$ 17,000,000	$ 17,000,000	$ 15,250,000	$ 17,000,000	$ 17,000,000	$ 17,000,000	$ 16,150,000		$ 18,250,000	$17,000,000	
Available balance				$ -	$ -	$ 1,750,000	$ -	$ -	$ -	$ 850,000				
Maximum Budget Amount	$17,000,000													

Fixed = You can only choose Option 1
Range = You can choose anything between Option 1 and Option 2
Options = You can choose either Nothing, Option 1 or Option 2

	Jim	John	Kathy	Heidi	Todd
5 Points Roundabout					
Additional Street Lighting					
Curb and Gutter					
Enhanced Code Enforcement - Staff					
Home Repair Program					
Expand Summer Day Camp					
Facilities Mainteance Fund					
Lane Ave Shared Use Path					
Learn to Swim (Water Safety) Classes	$ 2,250,000	$ 2,250,000	$ 2,250,000	$ 2,250,000	$ 2,250,000
Reduce Fees					
Sidewalk Gaps					
Social Worker (Expanded CARES Program)					
Street Reconstruction Program					
Structured Parking (Economic Development Fund)					
Underground Utilities (Henderson Road)					

City of Upper Arlington

2024 WORK PLAN *Status Update*

COMPLETED ITEMS

- ✓ *Large-scale Utility Structures (UDO Code Changes)*
- ✓ *Procurement Code Changes*
- ✓ *SOI/Non-Discrimination Code Changes*
- ✓ *Noise Ordinance Review/Interpretation*
- ✓ *Thompson Park Playground*
- ✓ *Golf Cart Enforcement*
- ✓ *Introduce New Police Chief to Community*
- ✓ *LinkUS Education & Support*
- ✓ *Redding Rd. Design Community Outreach*

IN PROGRESS ITEMS

	Anticipated Start Date
☐ Envision Henderson	Community Engagement Round 2: August 2024
☐ Housing Study	August 19, 2024
☐ Fancyburg Park Development	Community Engagement Kick Off: August 2024
☐ Northam Park Programming	Tennis Courts: August 2024
☐ False Alarm Policy & Code Changes	August 26, 2024
☐ National Church Residences Project	Fall 2024
☐ Website Redesign – Award Contract	End of 2024
☐ Additional HR Personnel Code Changes	End of 2024
☐ Human Rights Campaign Scorecard Items	End of 2024
☐ Expungement of Marijuana Charges	TBD (Pending City Attorney Review)

ONGOING ITEMS

- ◉ Community Center Programming
- ◉ Event Permit Fees
- ◉ Scooter Parking

August 6, 2024

The meeting was held in the Centennial Meeting Room and called to order by Council Member Jim Lynch at 6:03 p.m.

MEMBERS PRESENT: Council Member John Kulewicz
Council Member Jim Lynch
Council Member Todd Walter

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

* * *

1. **Review of Investment Policy**

The Finance Director stated that proposed changes to the City's Investment Policy were reviewed at the last meeting (attached hereto and incorporated herein as Exhibit A). Mr. Lewis summarized the changes in § 221.06. The City is in contract with a new investment firm and the policy was submitted to them for review. Clarifying language was added, but the only substantive change was bonds. The proposed changes, if approved, would allow the City to be the sole buyer. If this structure is put in place it would preclude the City from investing in certain types of bonds. For example, the bonds must mature within 10 years from the date of settlement. The proposed changes are preferred by the City's new investment firm.

Mr. Kulewicz asked about the limitations as described in the Ohio Revised Code. Mr. Lewis said the City policy is more liberal than what is typically done in cities, due to Home Rule. The proposed changes model many county policies. Under current code, the City cannot be the sole buyer of bonds. Mr. Walter said this could be valuable when seeking a deal on bonds. Mr. Lewis said there is minimal risk involved with these changes. Mr. Lynch asked why the City selected a new investment firm. Mr. Lewis said it was time to go out to bid, as the City had been in contract with the previous firm for some time.

2. **Review of Debt Policy**

Mr. Lewis reviewed the proposed changes to the City's Debt Policy (attached hereto and incorporated herein as Exhibit B). He stated that the format looks different, but there are no new changes from the last meeting. Mr. Walter asked for clarification on the recommendations for cash funding for items with lives less than 5 years. Mr. Lewis responded that the City would go out to debt for items with set useful lives of 20+ years, but not for items with short lives. Mr. Lewis further clarified, a change to "recommended" from "encourages" may be better, as that was the intent. Mr. Lewis reminded the Council members that all debt needs to be approved by Council; neither the Finance Director nor City Manager are authorized to issue debt on their own.

3. Review of Credit Card Policy

Mr. Lewis stated that for the City's Credit Card Policy (attached hereto and incorporated herein as Exhibit C) there was just one minor change, a title, for the person reviewing compliance.

4. Review of Financial Policies

Mr. Lewis stated that the City's Financial Policies (attached hereto and incorporated herein as Exhibit D), will need to be updated if Council wishes to move forward with a proposed plan to reduce fees (this will be discussed at the upcoming City Council Retreat on August 12, 2024). If Council decides to proceed, items 5 and 6 should be rewritten. For example, enterprise funds, which include water, sewer, stormwater, and solid waste, must have cost recovery according to the current policy. Mr. Lewis stated that fees are supposed to cover the costs of infrastructure, but in reality, surcharge fees would need to be much higher. The City uses income-tax to offset that cost. The last income-tax increase of 0.5% was tied to Capital Improvements.

Mr. Lynch suggested adding "unless approved by Council." Mr. Walter said that currently the policy states "at all times, the polices may be modified by vote of council" and therefore the policies need not be changed. Mr. Schoeny stated that it would be preferable to have it written in the policy so that it is clear for staff and the public, increasing transparency.

For the reserve policy recommendation, the City is well over the recommended 30-percent. Staff recommend changing from 30-percent to a range of 30-50-percent, which is more conservative. If the reserve surplus amount is much higher than that range, an additional change could include "anything above the recommended percentage should be dealt with within x amount of time." The range forces Council to make decisions on the surplus in the reserve fund. Mr. Lewis said the range allows for more flexibility. All members voiced agreement with the change to increase the reserve threshold to a range of 30-50-percent.

For next steps, the present Council members determined they will discuss with the larger body at the upcoming retreat, and depending on the outcome of those discussions, the Financial Policies Committee may need to meet once more to finalize recommendations to be approved by the body at a future Council meeting.

5. Adjournment

There being no further business, the meeting was adjourned at 6:51 p.m.

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 ~~of the~~ States~~ of Ohio~~.

(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~~ of Ohio~~ , 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:

Commented [BL1]: See restrictions in #1 below. For example, OSU and OWDA issue revenue bonds and are not rated AAA.

~~(1) The debt is payable from the general revenues and backed by the full faith and credit of the political subdivision~~

~~(2)~~(1) The debt is rated at the time of purchase in the three highest classifications of at least one nationally recognized rating agency and purchased through a registered securities broker or dealer.

~~(3)~~(2) The aggregate value of the bonds/obligations does not exceed twenty percent (20%) of the portfolio.

(4) ~~The City is not the sole buyer of the issue.~~

Commented [BL2]: Allows us purchase our own debt or neighboring community.

4)~~5)~~ The bonds or other obligations mature within ~~five~~ten years from the date of settlement.

Commented [BL3]: Per ORC 135.14.

(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)

§ 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)~~ All 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.

§ 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.

(C) 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.

City of Upper Arlington
Debt Policy

PROPOSED AMENDED POLICY

Introduction

~~This Debt Policy is a companion document to the City's Capital Improvement Plan (CIP). The intent of this policy is to guide City officials as they consider the proper allocation of cash and debt funding to pay for ongoing capital improvements. The intent of the language in this policy is to summarize conditions that support using debt for capital improvements and to define best practices for minimizing debt payments and issuance costs, retaining the highest credit rating possible, and maintaining full and complete financial disclosure and reporting. The debt policy is considered necessary to help guide City officials as deemed appropriate to maintain sound financial management practices. This policy is also designed to be flexible in its application to allow for exceptions to the guidelines under changing and extraordinary circumstances.~~

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 primary decisions made regarding financing the City's CIP is to identify the preferred funding allocation for capital, whether to use cash on hand, or debt, including short-term notes and long-term bonds, as funding sources. This policy sets forth helpful guidelines for making these decisions. The guidelines are designed to be flexible to reflect the rapidly changing nature of the credit markets. These guidelines are described in Section 1 below. Section 2 of this policy establishes debt management administrative procedures.~~
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

~~City policy encourages funding capital projects with cash, on a "pay as you go" basis, to the extent possible and prudent. The City allocates 28% of its income tax collections to the Capital Asset Management Fund for capital projects each year. The revenue is used first for annual debt payments, with the remaining amount available for cash funded projects. Cash funding is recommended The policy call for cash funding under the following circumstances:~~ This policy encourages City officials to fund capital projects with cash, on a "pay as you go" basis, to the extent possible and prudent. The policy calls for cash under the following circumstances:

a) To finance purchases of assets whose lives are five (5) years or less;

b) To finance recurring maintenance expenditures (e.g., street repair vs. street reconstruction);

c) ~~When market conditions are unstable or offer~~To manage unstable market conditions or historically high interest rates.

Debt Financing

Short-term debt financing:

~~This policy defines short-term debt as securities with final principal and interest payments due in one year or less from the date of issuance. Typically, this type of borrowing takes the form of "short-term" bond or revenue anticipation notes. Short-term bond anticipation notes may be issued as described below to facilitate a "pay as you go" financing program, or to provide interim funding for a "long-term bond" financing (similar to a construction loan).~~

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 borrowing takes the form of *"short-term"* bond or revenue anticipation notes (BANs). It is suitable to issue BANs as described below.

a) ~~Pay-As-You-Go: Certain projects in the capital plan are best suited for cash funding on a pay-as-you-go basis. Projects For example, projects with useful lives of less than five years, or projects of $5 million or less are an example.~~ 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 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 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.

~~b) Bond anticipation notes are most suitable under the following conditions:~~

~~a) Notes are used as a temporary funding source prior to and in anticipation of the completion of a bond sale;~~

~~b) The immediate need for financing is less than $5 million.~~

Long-term debt financing:

~~The policy suggests using notes and bonds for long-term capital asset funding under the guidelines set forth below. No single guideline stands alone; they must all be considered under the then-current circumstances and in relation to the others. Also, the guidelines are instructive and not directive in nature, and are therefore intended to be flexible to react to the changing conditions of the capital markets.~~

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 circumstances and in relation to the others.

The guidelines are as follows:

~~Variable rate bonds or short-term notes are standard funding sources for long-term financing under the following certain conditions: i) When either type of security is used for long-term financing, the City will schedule annual principal redemptions similar to the payments typically structured for a fixed-rate bond issue that conforms to the City’s fixed-rate debt policy bond guidelines herein, and ii) To minimize overall interest rate risk, the principal amount of variable rate bonds and short-term notes outstanding at any one time will be generally restricted to not to exceed twenty percent (20%) of the City’s overall outstanding debt.~~

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 annual principal payments similar to a hypothetical fixed rate bond issue that satisfies the City’s debt policy bond parameters herein, and

~~a)~~ ii) To minimize overall interest rate risk, the City's outstanding variable rate borrowings will not exceed twenty percent (20%) of the City's overall outstanding debt. (Short-term bond anticipation notes may be issued for an aggregate amount greater than 20% of the City's outstanding debt, but such notes will be refinanced as necessary within two years of issuance to meet the 20% target.)

~~Long-term bonds are recommended for projects with useful lives of ten years or longer and for amounts of $5 million or greater.~~

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.)

~~a)~~

~~b) Tax supported debt funding will be considered as long as the ratio of available capital fund dollars to all similarly funded debt payments, projected forward seven years, does not fall below two to one. (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 bond anticipation notes.)~~

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 ~~considered~~ especially appropriate~~recommended~~ 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 ~~considered~~ less attractive when average rates for the index are at or above one hundred and 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 ~~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 ~~and so on~~. 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 ~~outstanding~~ 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.~~for its bond sales but only when, and if, market conditions suggest that insurance would be beneficial.~~

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 ~~be in conflict with the best interest of the City~~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~~ a reimbursement resolution ~~of reimbursement shall be passed~~ 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 consistency.

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 ~~Assistant~~ 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.

- Cancelation 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.

- 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.

______________________________________ _____________________
Cardholder Signature Date

Policy Date January 25, 2019
Adopted by City Council January 28, 2019

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 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.

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. An estimate of "lapsed" encumbrances should be included in the 5 year operating forecast.

3. 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 fund balance cannot be used to fund newly created operating expenditures or projects that are ongoing in nature.

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 cost 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 deprecation 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.

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. 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.

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. License and permit fees shall be reviewed at least annually to ensure that they match related processing and inspection services.

14. Vehicle 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 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.).

4. 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 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 reserve will be maintained in the General Fund. The reserve shall be equal to thirty percent of the current year General Fund operating 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 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 and the debt policy. 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 and the debt policy 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 consistency.

June 17, 2024

City Council met in regular session in the Council Chamber of the Municipal Services Center, 3600 Tremont Road, and was called to order by President Awakessien Jeter at 7:17 p.m.

Members Present: Kathy Adams, Brian Close, John J. Kulewicz, Jim Lynch, Heidi Munc, Todd Walter and President Ukeme Awakessien Jeter

Staff Present: Finance Director Brent Lewis, City Manager Steven Schoeny, City Attorney Darren Shulman, City Clerk Krystal Gonchar, Community Affairs Director Emma Speight, Applications Engineer Nasser Arman, Community Development Director Chad Gibson, Fire Chief Chris Zimmer, Human Resources Director Abby Cochran, Police Lieutenant Jason Amweg, and Public Service Director Gary Wilfong

Pledge of Allegiance

The Pledge of Allegiance was led by Vice President Close.

Consent Agenda

a. **Approve City Council Meeting Minutes for June 10, 2024**

b. **Ordinance No. 47-2024 – An ordinance authorizing the City Manager to enter into contract with Mr. B's Cleaning Service for custodial and cleaning services for city buildings**

c. **Ordinance No. 48-2024 – An ordinance authorizing the City Manager to enter into contract with Performance Pipeline, Inc. for the 2024 Sustainable Sewer Solutions Project**

d. **Ordinance No. 49-2024 – An ordinance authorizing the City Manager to enter into contract with newcomer Concrete for the 2024 Sidewalk Maintenance Program**

Mr. Kulewicz moved, seconded by Mr. Lynch, to approve the Consent Agenda.

President Awakessien Jeter then called for a vote on the motion to approve the Consent Agenda.

Voting Aye: Adams, Close, Kulewicz, Lynch, Munc, Walter, and President Awakessien Jeter

Voting Nay: None
Absent: None
Abstain: None

The motion carried.

Reports/Presentations

a. Update on Street Renaming Process – Darren Shulman, City Attorney

The City Attorney presented on possible street renaming procedures (attached hereto and incorporated herein as Exhibit A). The City does not currently have a procedure for renaming streets. This would apply to all future requests. The state does have some requirements, R.C. 723.04. Mr. Shulman also recommended having a process in place for evaluating "commemorative naming" or "honorary naming" requests.

The City does have a policy regarding naming based on a sponsorship, with specific provisions and criteria. The City Manager explained costs associated with renaming will vary on the length of the street, due to the number of plats. The residents' costs are variable and hard to quantify.

b. Finance Director Report for May 2024 – Brent Lewis, Finance Director

The Finance Director stated the financials through May are looking solid. Income tax numbers are behind projections by a small amount, but still $2 million over the same period in 2023. New development numbers are not included in yearly projections until the development is built with a projected open date.

Legislative Items for Fifth Reading/Public Hearing/Council Action

a. Ordinance No. 38-2024 - An ordinance amending §525.01 – Definitions and §525.02 – Unlawful Discriminatory Practices of the Upper Arlington Code of Ordinances

A motion was made by Ms. Adams, seconded by Ms. Munc, to adopt Ordinance No. 38-2024.

In response to President Awakessien Jeter's invitation to speak, the following speakers came forward:

- Catherine Kennedy- proponent of the ordinance. Last week, they heard additional concerns from Council related to the possibility of landlords facing financial hardships. Landlords are still able to charge market-rate prices for rentals. Landlords are still subject to building and zoning codes regardless of a tenant's source of income. The mediation process offered as part of the non-discrimination ordinance supports both landlords and tenants.

- Kat Cochrane Yamaguchi- this legislation protects our most vulnerable populations: single parents, veterans, older residents, and residents with disabilities. Additional sources of income help people stay in Upper Arlington. This ordinance does not increase hardship for landlords.

Ms. Munc stated that the amendment included in the packet was meant to clarify language but it further complicates it. The proposed amendment seems to favor landlords rather than tenants, which is not the intent of the legislation.

The City Attorney shared that the potential amendment, which was brought forward last week, is included in the agenda packet. Mr. Kulewicz asked if Zillow would be updated to correctly describe that Upper Arlington does have a non-discrimination ordinance. Ms. Adams stated that she supports this ordinance and the language of the original ordinance matches the intent. The City Attorney stated that a mediator can work with landlords and renters. A hearing officer would make sure the facts are assessed and determine if it is discrimination or a reasonable denial. The City has had some issues but they have been resolved before going to mediation.

A motion was made by Mr. Kulewicz, seconded by Mr. Walter to amend Ordinance No. 38-2024 to incorporate 525.01(N), as described in the proposed amendment that was included in the City Council Agenda Packet (attached hereto and incorporated herein as Exhibit B), to read "Source of income: payments from a lawful occupation or employment, as well as payments that are substantiated and verified by an employer, court order, or other official government records, including but not limited to, supplemental security income, veterans benefits, government subsidies, spousal and child support, and tax filings demonstrating self-employment."

President Awakessien Jeter then called for a vote on the motion to amend Ordinance No. 38-2024.

Voting Aye:	Adams, Close, Kulewicz, Lynch, Munc, Walter, and President Awakessien Jeter
Voting Nay:	None
Absent:	None
Abstain:	None

The motion carried.

President Awakessien Jeter then called for a vote to adopt Ordinance No. 38-2024 as amended.

Voting Aye:	Adams, Close, Kulewicz, Lynch, Munc, Walter, and President Awakessien Jeter
Voting Nay:	None
Absent:	None
Abstain:	None

The motion carried and Ordinance No. 38-2024 was adopted as amended.

Legislative Items for First Reading/Public Hearing/Council Action

a. Resolution No. 7-2024 – A resolution adopting the tax budget for the City of Upper Arlington, Ohio, for the fiscal year beginning January 1, 2025, and submitting the same to the Franklin County Budget Commission

A motion was made by Vice President Close, seconded by Mr. Lynch, to adopt Resolution No. 7-2024.

In response to President Awakessien Jeter's invitation to speak, there were no questions or comments from the public relative to Resolution No. 7-2024.

President Awakessien Jeter then called for a vote on the motion to approve Resolution No. 7-2024.

Voting Aye:	Adams, Close, Kulewicz, Lynch, Munc, Walter, and President Awakessien Jeter
Voting Nay:	None
Absent:	None
Abstain:	None

The motion carried.

Motions

a. A motion to appoint board & commission members for terms commencing July 1, 2024, and to fill vacancies

Mr. Kulewicz moved, seconded by Vice President Close, to appoint board and commission members for terms commencing July 1, 2024, as described in Exhibit C.

Ms. Adams commented that she appreciates this new process. She felt there were outstanding applicants and that hopefully residents will keep applying. There were 20 open spots and there were 74 interested candidates. Feedback will continue to make the process better.

President Awakessien Jeter then called for a vote on the motion to appointment board and commission members for terms commencing July 1, 2024, as described in Exhibit C.

Voting Aye:	Adams, Close, Kulewicz, Lynch, Munc, Walter, and President Awakessien Jeter
Voting Nay:	None
Absent:	None
Abstain:	None

The motion carried.

Liquor Control

The City Clerk's Office received notice that an application for a liquor permit was submitted for Store Ops 2140 LLC, 2140 Tremont Center Rd., Upper Arlington, OH 43221.

President Awakessien Jeter advised there is no vote required for this item unless there is an objection. There were no objections to the permit.

City Manager Update

The City Manager shared a video that highlighted the City's CARES program.

* * *

There being no further business to come before City Council Mr. Lynch moved, seconded by Mr. Kulewicz to adjourn the meeting.

Voting Aye:	Adams, Close, Kulewicz, Lynch, Munc, Walter, and President Awakessien Jeter
Voting Nay:	None
Absent:	None
Abstain:	None

The motion carried and the meeting was adjourned at 8:28 p.m.

____
President of Council

ATTEST: ____________________________
City Clerk

Street Renaming Procedure

City of Upper Arlington®

State Law (R.C. 723.04) Requires:

- Petition by a person owning a lot in the immediate vicinity of the street
- Hearing to determine:
  - Good cause to change
  - Change will not be detrimental to general interest
- (If granted) Record ordinance

- In addition to state law requirements, if Council is interested in entertaining name change requests for streets, City should establish a procedure to ensure all requests are handled the same way and evaluated consistently.
- City should also have process for evaluating “Commemorative Naming” or “Honorary Naming” requests.

Policy Questions

- What percentage of property owners, residents, or property owners/residents must sign the petition?
- What application fee will apply?
- Will Council provide compensation for property owners/residents to offset expenses associated with change of address?

Petition signature threshold

- Range falls within 70-100%, with most common being 75%.
- When less than 100%, there is typically an appeal process for an impacted owner who doesn't sign petition (If everyone signs, this would obviously not be an issue)

Fee options

- Typical range is between $50-$200
- Intended to offset the costs of signage and updating materials with new name

Costs

- City Costs:
  - Street signs (approx. $750 a sign)
  - Recording fee
  - Staff time
- Residents' Costs
  - USPS: change of address $1.10
  - BMV: $27.25 for 4 year license (optional), postage for change of address $.73
  - Updating official recorded documents such as deeds, mortgages, wills: Depends on length. $34 for first two pages, $8 each additional page, $2 credit card fee, and additional fees depending on the document.
  - Updating accounts: Time

§ 525.01 DEFINITIONS.

As used in this chapter:

(A) *Person:* includes one (1) or more individuals, partnerships, associations, organizations, corporations, legal representatives, trustees, trustees in bankruptcy, receivers and other organized groups of persons. It also includes, but is not limited to, any employee, lending institution; and the state, and all political subdivisions, authorities, agencies, boards and commissions thereof.

(B) *Employer:* any person or entity employing four (4) or more persons within the state, and any person acting in the interest of an employer, directly or indirectly.

(C) *Employee:* does not include any individual employed in the domestic service of any person.

(D) *Labor organization:* includes any organization which exists for the purpose, in whole or in part, of collective bargaining or of dealing with employers concerning grievances, terms or conditions of employment or for other mutual aid or protection in relation to employment.

(E) *Employment agency:* includes any person regularly undertaking with or without compensation to procure opportunities to work or to procure, recruit, refer or place employees.

(F) *Discriminate:* to treat a person differently, or less favorably. Providing a reasonable accommodation to address a disability does not constitute discrimination.

(G) *Unlawful discriminatory practice:* means any act prohibited by this chapter.

(H) *Place of public accommodation:* means any inn, restaurant, eating house, barbershop, public conveyance by air, land or water, theater, store or other place for the sale of merchandise or any other place of public accommodation or amusement where the accommodation, advantages, facilities or privileges thereof are available to the public.

(I) *Housing accommodations:* include any building or structure or portion thereof which is used or occupied or is intended, arranged or designed to be used or occupied as the home residence or sleeping place of one (1) or more individuals, groups or families whether or not living independently of each other; and any vacant land offered for sale or lease.

It also includes any housing accommodations held or offered for sale or rent by a real estate broker, salesman or agent, or by any other person pursuant to authorization of the owner, by the owner or by a legal representative.

(J) *Restrictive covenant:* means any specification limiting the transfer, rental, lease or other use of any housing because of race, color, religion, national origin or ancestry, or any limitation based upon affiliation with or approval by any person, directly or indirectly, employ ing race, color, religion, national origin or ancestry as a condition of affiliation or approval.

(K) *Burial lot:* means any lot for the burial of deceased persons within any public burial ground or cemetery, including but not limited to, cemeteries owned and operated by municipal corporations, townships or companies or associations incorporated for cemetery purposes.

(L) *Protected class:* classification of individuals based on one (1) or more of the following characteristics: race, color, religion, sex, military or veteran status, national origin, age, ancestry, familial status, disability, sexual orientation, gender identity, or gender expression or any class of people designated as a protected class by state or federal law.

(M) Religious exemption: includes the religious exemptions for hiring and housing provided by ORC 4112.02 and 4112.024 and exceptions established in C.O. § 525.03.

(N) SOURCE OF INCOME: PAYMENTS FROM A LAWFUL OCCUPATION OR EMPLOYMENT, AS WELL AS PAYMENTS THAT ARE SUBSTANTIATED AND VERIFIED BY AN EMPLOYER, COURT ORDER OR OTHER OFFICIAL GOVERNMENT RECORD INCLUDING BUT NOT LIMITED TO SUPPLEMENTAL SECURITY INCOME, VETERANS BENEFITS, GOVERNMENT SUBSIDIES, SPOUSAL AND CHILD SUPPORT, AND TAX FILINGS DEMONSTRATING SELF EMPLOYMENT.

(Ord. No. 50-2021 , § 1, 6-28-2021)

§ 525.02 UNLAWFUL DISCRIMINATORY PRACTICES.

Absent a religious exemption, it shall be an unlawful discriminatory practice:

(A) For any employer to refuse to hire or otherwise to discriminate against any person based on a protected class with respect to hire, tenure, terms, conditions or privileges of employment or any matter directly or indirectly related to employment.

(B) For an employment agency, based on a protected class to:

(1) Refuse or fail to accept, register, classify properly or refer for employment, or otherwise to discriminate against any person.

(2) Comply with a request from an employer for referral of applicants for employment, if the request indicates directly or indirectly that the employer fails to comply with the provisions of ORC §§ 4112.01 to 4112.07, inclusive or of this chapter.

(C) For any labor organization to:

(1) Limit or classify its membership on the basis of a protected class.

(2) Discriminate against any person or limit that person's employment opportunities, or otherwise adversely affect their status as an employee or wages, hours or employment conditions based on a protected class.

(D) For any employer, labor organization or joint labor -management committee controlling apprentice training programs to discriminate against any person based on a protected class in admission to or employment in any program established to provide apprentice training.

(E) Except where based on a bona fide occupational qualification certified in advance by the Ohio Civil Rights Commission, for any employer, employment agency or labor organization prior to employment or admission to membership, to:

(1) Use any form of application for employment or personnel or membership blank seeking to elicit information regarding race, color, religion, national origin or ancestry; but an employer holding a contract containing a non-discrimination clause with the government of the United States or any department or agency thereof, may require an employee or applicant for employment to furnish documentary proof of United States citizenship and may retain such proof in personnel records and may use photographic or fingerprint identification for security purposes.

(2) Print or publish or cause to be printed or published any notice or advertisement relating to employment or membership indicating any preference, limitation, specification or discrimination, based upon membership in a protected class.

(3) Announce or follow a policy of denying or limiting, through a quota system or otherwise, employment or membership opportunities of any group because of the race, color, religion, national origin or ancestry of such group.

(4) Utilize in the recruitment or hiring of persons any employment agency, placement service, training school or center, labor organization or any other employee -referring source known to such employer to discriminate against persons because of membership in a protected class.

(F) For any proprietor or employee, keeper or manager of a place of public accommodation to deny to any person, except for reasons applicable alike to all persons, the full enjoyment of the accommodations, advantages, facilities or privileges thereof based on the person's membership in a protected class.

(G) For any person to aid, abet, incite, compel or coerce the doing of any act declared by this section to be an unlawful discriminatory practice or to obstruct or prevent any person from complying with ORC §§ 4112.01 to 4112.11, inclusive, or the provisions of this chapter; or any order issued thereunder, or to attempt directly or indirectly to commit any act declared by this section to be an unlawful discriminatory practice.

(H) For any person to:

(1) Refuse to sell, transfer, assign, finance or otherwise deny or withhold housing accommodation from any person based on the protected class of any prospective owner, occupant or user of such housing.

(a) Refuse to lease or rent any real property based on the protected class OR SOURCE OF INCOME of any current or prospective tenant.

(b) THIS ARTICLE DOES NOT PROHIBIT REFUSING TO RENT ANY PROPERTY IF THE PROSPECTIVE TENANT'S SOURCE OF INCOME IS INSUFFICIENT TO PAY THE RENT PURSUANT TO THE LANDLORD'S REGULAR RENT COLLECTION SCHEDULE, OR CREATE AN OBLIGATION FOR A LANDLORD TO TAKE AFFIRMATIVE ACTIONS BEYOND MINISTERIAL TASKS TO APPLY FOR PARTICIPATION IN A HOUSING ASSISTANCE PROGRAM.

(2) Represent to any person that housing is not available for inspection when in fact it is so available.

(3) Refuse to lend money, whether or not secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair or maintenance of housing or otherwise withhold financing of housing from any person based on the protected class of any present or prospective owner, occupant or user of such housing, provided such person, whether an individual, corporation or association of any type, lends money as one (1) of the principal aspects of their business or incidental to their principal business and not only as a part of the purchase price of an owner-occupied residence nor merely casually or occasionally to a relative or friend.

(4) Discriminate against any person in the terms or conditions of selling, transferring, assigning, renting, leasing or subleasing any housing or in furnishing facilities, services or privileges in connection with the ownership, occupancy or use of any housing because of the protected class of any present or prospective owner, occupant or user of such housing.

(5) Discriminate against any person in the terms or conditions of any loan of money, whether or not secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair or maintenance of housing because of the protected class of any present or prospective owner, occupant or user of such housing.

(6) Print, publish or circulate any statement or advertisement relating to the sale, transfer, assignment, rental, lease, sublease or acquisition of any housing or the loan of money, whether or not secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair or maintenance of housing which indicates any preference, limitation, specification or discrimination based upon a protected class.

(7) Make any inquiry, elicit any information, make or keep any record or use any form of application containing questions or entries concerning race, color, religion, ancestry or national origin in connection with the sale or lease of any housing or the loan of any money, whether or not

secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair or maintenance of housing.

(8) Include in any transfer, rental or lease of housing any restrictive covenant concerning a protected class or honor or exercise or attempt to honor or exercise, any such restrictive covenant,

provided that the prior inclusion of a restrictive covenant in the chain of title shall not be deemed a violation of this provision.

(9) Represent in the context of a housing sale that the presence or anticipated presence of persons of any protected class, in the area will or may have results such as the following:

(a) The lowering of property values.

(b) A change in the racial, religious or ethnic composition of the block, neighborhood or area in which the property is located.

(c) An increase in criminal or antisocial behavior in the area.

(d) A decline in the quality of the schools serving the area.

(10) Deny any person access to or membership or participation in any multiple -listing service, real estate brokers' organization or other service, organization or facility relating to the business of selling or renting housing accommodations or to discriminate against them in the terms or conditions of such access, membership or participation, on account of a protected class.

(11) Coerce, intimidate, threaten or interfere with any person in the exercise or enjoyment of, or on account of having exercised or enjoyed, or on account of having aided or encouraged any other person in the exercise or enjoyment of any right granted or protected in C.O. § 525.02(H).

(12) Whether or not acting under color of law, by force or threat of force willfully injure, intimidate, or interfere with, or attempt to injure, intimidate or interfere with any of the following based on a protected class:

(a) Selling, purchasing, renting, financing, occupying or contracting or negotiating for the sale, purchase, rental, financing or occupation of any dwelling or applying for or participating in any service, organization or facility relating to the business of selling or renting housing accommodations.

(b) Participating, without discrimination on account of race, color, religion, national origin or ancestry, in any of the activities, services, organizations or facilities described in C.O. § 525.02(H).

(c) Participating in any of the activities, services, organizations or facilities described in C.O. § 525.02(H)(13)(a), or participating lawfully in speech or peaceful assembly opposing any denial of the opportunity to so participate.

(13) Refuse to sell, transfer, assign, rent, lease, sublease, finance, or otherwise deny or withhold a burial lot from any person based on the protected class of any prospective owner or user of such lot.

(I) For any person to discriminate in any manner against any other person because they opposed any unlawful practice defined in this section, or because they made a charge, testified, assisted, or participated in any manner in any investigation, proceeding, or hearing under ORC §§ 4112.01 to 4112.07, inclusive, or under this chapter.

(J) Reserved.

(K) *Complaint procedure:*

(1) *Filing of the complaint.*

(a) An aggrieved individual, complainant, may file with the Upper Arlington Clerk of Council a written complaint sworn under oath which alleges facts and circumstances, including the location, date(s), and time(s), of an unlawful discriminatory act(s) or practices, that such acts did or are occurring within the city limits, that the discrimination was directed at the complainant, and which identifies the person who committed or continues to commit the alleged unlawful discriminatory act(s) or practices.

(b) Concurrent with the filing of the complaint, the complainant shall provide to the clerk of council in writing the complainant's mailing address, telephone number, if any, and email address, if any.

(c) The complaint shall not be accepted by the clerk of council if any of the following apply:

1. The complaint is presented to the clerk of council more than one hundred eighty (180) days following the most recent unlawful discriminatory act alleged in the complaint;

2. No incident location provided in the complaint is within the City of Upper Arlington;

3. The complaint fails to include all the information required by division (1)(a) of this section;

4. The complainant fails to concurrently provide a writing that includes the information required in division (1)(b) of this section.

(d) Within sixty (60) days following the receipt of the complaint, the city shall:

1. Issue a notice of complaint by certified mail or another form of mail that evidences receipt. The notice of complaint shall include an offer of mediation. If the respondent agrees to mediation, the city shall provide an independent mediator to work with the parties to resolve the matter.

2. If the respondent declines to participate in mediation, fails to respond within the allotted time for a response, or the mediation is unsuccessful, the city shall appoint an independent hearing officer to hear the case.

(2) *Hearing officer, final decision, remedies, and appeal.*

(a) If a hearing officer is appointed, the hearing officer shall have the authority to:

1. Conduct an administrative hearing;

2. Provide to all the parties, witnesses, and the law director timely notice of the hearing date, time, and location;

3. Set, change as necessary, and timely communicate to the parties such reasonable procedural rules as the hearing officer shall deem appropriate;

4. Issue subpoenas and direct the exchange of discovery.

(b) At the conclusion of the administrative hearing the hearing officer shall issue to the parties and the city a final written decision to include findings of fact and conclusions of law:

1. If the hearing officer finds the respondent did engage in, or continues to engage in, an unlawful discriminatory act or practice under this chapter, and the hearing officer, in the hearing officer's sole discretion, deems it appropriate, the hearing officer's final written decision may include the issuance to the respondent of orders to cease and desist, an award of actual damages and the imposition upon the respondent of such other sanctions as are provided in this chapter; or

2. If the hearing officer, in the hearing officer's sole discretion, deems it appropriate, the hearing officer's final written decision may include the issuance of a notice of dismissal.

(c) If the final decision of the hearing officer includes the issuance to the respondent of orders to cease and desist the unlawful discriminatory acts or practices or the award of damages such orders shall specify a time period for the respondent's compliance.

(d) The final decision of the hearing officer may include the imposition upon the respondent of reasonable costs of the hearing process. attorney fees and the cost of mediation shall not be assessed against the respondent.

(e) The final decision of the hearing officer may include the imposition upon the respondent of a civil penalty payable to the city as follows:

1. If division (2)(e)2. or (2)(e)3. of this section does not apply, a civil penalty in an amount not to exceed one thousand dollars ($1,000.00);

2. If division (2)(e)3. of this section does not apply and if the respondent has been found by the hearing officer to have committed one violation of this chapter during the five-year period immediately preceding the date on which a complaint was filed with the clerk of council, a civil penalty in an amount not to exceed two thousand five hundred dollars ($2,500.00);

3. If the respondent has been found by the hearing officer to have committed two or more violations of this chapter during the five-year period immediately preceding the date on which a complaint was filed with the clerk of council, a civil penalty in an amount not to exceed five thousand dollars ($5,000.00).

(f) The final decision of the hearing officer may not include any orders for reinstatement of employment.

(g) The final decision of the hearing officer may be appealed pursuant to the provisions of ORC Ch. 2506.

(Ord. No. 50-2021 , § 2, 6-28-2021)

EXHIBIT C

2024 City Council Appointments to Boards & Commissions

Board of Tax Review	Term Commencing	Term Expiration
Edward Bernert	7/1/2024	6/30/2026
Dr. Ann Gabriel	7/1/2024	6/30/2026
Board of Zoning and Planning	**Term Commencing**	**Term Expiration**
Shannon Tolliver (reappointed)	7/1/2024	6/30/2027
Marianne Mitchell (reappointed)	7/1/2024	6/30/2027
Richard Todd Boyer	7/1/2024	6/30/2027
City Tree Commission	**Term Commencing**	**Term Expiration**
JP Ratajczak (reappointed)	7/1/2024	6/30/2027
Blythe Arielle Price	7/1/2024	6/30/2027
Laura Oldham	7/1/2024	6/30/2027
Community Relations Committee	**Term Commencing**	**Term Expiration**
Brent Theaker (reappointed)	7/1/2024	6/30/2028
Deborah Carvalho (reappointed)	7/1/2024	6/30/2028
Monica Lee	7/1/2024	6/30/2028
Sumia Mohamed (for unexpired term)	7/1/2024	6/30/2026
Cultural Arts Commission	**Term Commencing**	**Term Expiration**
Rebecca Kemper (reappointed)	7/1/2024	6/30/2027
Cheryl Smoot	7/1/2024	6/30/2027
Michael Paulus	7/1/2024	6/30/2027
Sheryl Pfeil	7/1/2024	6/30/2027
Library Board of Trustees	**Term Commencing**	**Term Expiration**
Peter Hahn (reappointed)	7/1/2024	6/30/2028
John Yesso (reappointed)	7/1/2024	6/30/2028
Matthew Courser	7/1/2024	6/30/2028
Tax Incentive Review Council	**Term Commencing**	**Term Expiration**
Dennis Miller	7/1/2024	6/30/2027

May 20, 2024

The meeting was held in the Centennial Meeting Room and called to order by Council Member Jim Lynch at 6:04 p.m.

MEMBERS PRESENT:	Council Member John Kulewicz Council Member Jim Lynch Council Member Todd Walter
STAFF PRESENT:	City Manager Steven Schoeny Assistant City Manager Jacolyn Thiel Finance Director Brent Lewis City Clerk Krystal Gonchar
ALSO PRESENT:	Scott Gruber, Meeder Investment Management John Payne, Bradley Payne Advisors

* * *

1. **Review of Investment Policy**

The Finance Director explained that the Investment Policy (attached hereto and incorporated herein as Exhibit A) is required by the state. Mr. Gruber informed the group that by having a charter, the City is able to expand on the investment policies required by Ohio Revised Code. Mr. Gruber provided a presentation on his firm's investment policy services (attached hereto and incorporated herein as Exhibit B). The City's current policy is well-aligned with state requirements. The firm is reviewing investment options from other states as well as within the state of Ohio.

Mr. Walter asked for examples of other clients who are utilizing this expanded investment option. Mr. Gruber stated that several other clients are taking advantage of this option due to increased yields. Mr. Walter asked if there were any jurisdictions that were blacklisted due to creditworthiness. Mr. Gruber responded that each location is reviewed based on revenue streams and cash reserves. Mr. Lynch commented that the proposed revisions appear to be simple but allow for another tool to be utilized by the City. Mr. Lewis confirmed the proposed option allows the City to have more flexibility. Mr. Gruber stated that counties are already allowed by state code to make these types of investments. Mr. Lynch asked about revenue bonds. Mr. Schoeny stated that Council may opt to include "from a AAA rating" for those revenue bonds. Mr. Kulewicz asked if the proposed changes under 221.06(C) would remove the option to purchase state bonds. In response, Mr. Gruber shared that "state" was removed to allow options outside of the state. Mr. Kulewicz advised clarifying that section.

Mr. Walter asked if these investment services are for a fully discretionary account. Mr. Gruber confirmed. Mr. Lewis stated that he meets with investors on a quarterly basis. Mr. Gruber stated that is the reason these rules need to be updated and in place. Mr. Kulewicz said that he believes the revenue bonds are riskier than the credited bonds. Mr. Schoeny stated that they would further evaluate. Mr. Walter stated that he would not like to be overly strict and lose money by not utilizing this option. Mr. Payne stated that there are lowered risks due to the length of issuances. Mr. Walter said that he would prefer all members be comfortable with the changes before moving forward.

2. **Review of Debt Policy**

Mr. Lewis advised that municipalities are not required by code to have a debt policy. Mr. Payne summarized the proposed changes (attached hereto and incorporated herein as Exhibit C), which were structural, grammatical, and now read better. The debt policy is something that credit agencies like to see and is something most AAA cities have. The key concepts in this policy include providing guidance when it is advisable to use existing fund balance to fund projects and when it is advisable to issue debt for projects. This policy is meant to issue guidance related to balancing those two items. The City has made some great decisions such as borrowing for longer during periods when rates were lower. Federal tax restrictions are also addressed in the policy.

Mr. Lewis discussed the 2:1 debt policy and 30% reserve policy. He tracks debt payments and projects out over several years. Currently, the City is at a 4:1 debt ratio. Mr. Payne stated that credit agencies prefer to see this type of policy. Mr. Lewis stated that non-tax revenues increase that limit. Those are typically issued for development projects. The City recently used this revenue stream for the office space of the community center. Mr. Payne stated that the one and a half times limit is included in the policy along with rating restrictions. In response to Mr. Kulewicz's question about the reimbursement provision, Mr. Payne said that the federal government requires a resolution. Mr. Lewis stated that typically, they have a rollover of bonds from one project to another, so they have not run into this issue. Mr. Lynch and Mr. Walter both agreed that they are ok with the changes. Mr. Lewis stated that this will be presented to the remaining Council Members at a future regular meeting.

3. **Review of Credit Card Policy**

Mr. Lewis stated that there is one proposed change to the Credit Card Policy (attached hereto and incorporated herein as Exhibit D), which is related to the title of an employee. Mr. Walter asked if there were issues with reimbursement for employees, related to itemized receipts. Mr. Lewis stated that he is comfortable with the current policies in place.

4. **Adjournment**

There being no further business, the meeting was adjourned at 6:55 p.m.

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 the United ~~of the~~ States~~ of Ohio~~.

(C) Bonds issued by local agencies 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~~ of Ohio ~~, 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 payable from the general revenues and backed by the full faith and credit of the political subdivision~~

~~(2)~~(1) The debt is rated at the time of purchase in the three highest classifications of at least one nationally recognized rating agency and purchased through a registered securities broker or dealer.

~~(3)~~(2) The aggregate value of the bonds/obligations does not exceed twenty percent (20%) of the portfolio.

~~(4)~~(3) The City is not the sole buyer of the issue~~.~~

4)~~5)~~ The bonds or other obligations mature within five 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)

§ 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)~~ All 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.

§ 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.

(C) 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.

EXHIBIT B

MAY 20, 2024

City of Upper Arlington Investment Strategy Update

PRESENTED BY:

SCOTT GRUBER, CMT – DIRECTOR, ADVISORY SERVICES

MEEDER
PUBLIC FUNDS

Firm Overview

MEEDER

1974 Founded in 1974. SEC Registered Investment Advisor serving public entities since 1990.

More than 400 public entity clients.

Customized solutions for states, counties, cities, schools, townships, libraries, higher education, and special districts.

$155B Over $155 billion in public funds assets under advisement (12/31/23).

Seasoned Fixed Income Team specializes in working with public entities.

Focus on management of operating and project funds.

Assets Under Advisement consist of $54.5 billion of regulatory assets under management and $100.6 billion of non-discretionary assets as to which the adviser provides strategic advice or consultation.

Firm Overview

We provide the following services to public entities

MEEDER

Investment Policy Review	The Investment Policy would be reviewed to ensure it is in line with state law.
Cash Flow Analysis/Modeling	Throughout the year we will help you monitor your cash flows to determine the proper amount to have invested compared to liquid in cash.
Investment Strategy	You will have access to our professional investment team that will strategically formulate a custom investment plan to meet your needs as well as the ever-changing interest rate environment.
Execution of Trades	We utilize our purchasing power and expansive broker network to ensure best price execution.
Monthly Reporting and Review	We provide consolidated reporting of your assets, including transactions summaries, monthly and quarterly reports, and custom reports for your board, council, or commissioners to keep everyone up to speed on changes in the portfolio and economy. Additionally, we will provide you with annual GASB reporting to aid you with your year-end processes.
Compliance Monitoring	We have a best-in-class compliance monitoring system. This allows us to build rules for your investment policy, state law, and any additional restrictions placed on the portfolio, allowing us to run both pre- and post-trade compliance monitoring.
Credit Research	Our in-house research team monitors corporate issuers in the marketplace, determining our approved issuer list and keeping you apprised of any changes.
Banking and Custody	In the event you would look to establish a new banking or custody relationship, we are here to provide assistance through the process.

Proposed Investment Policy Update

MEEDER

Bonds issued by local agencies 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:

The debt is rated at the time of purchase in the three highest classifications of at least one nationally recognized rating agency and purchased through a registered securities broker or dealer.	*The aggregate value of the bonds/obligations does not exceed twenty percent (20%) of the portfolio.*	*The City is not the sole buyer of the issue*	*The bonds or other obligations mature within five years from the date of settlement.*

4

Current Portfolio

City of Upper Arlington Operating portfolio as of 4/30/2024

MEEDER

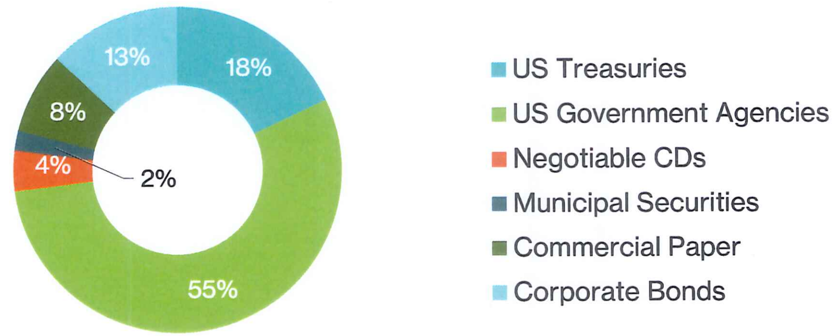
Your Portfolio

Cash	$37,043,262
Securities	$84,875,779
Total Portfolio	$121,919,041

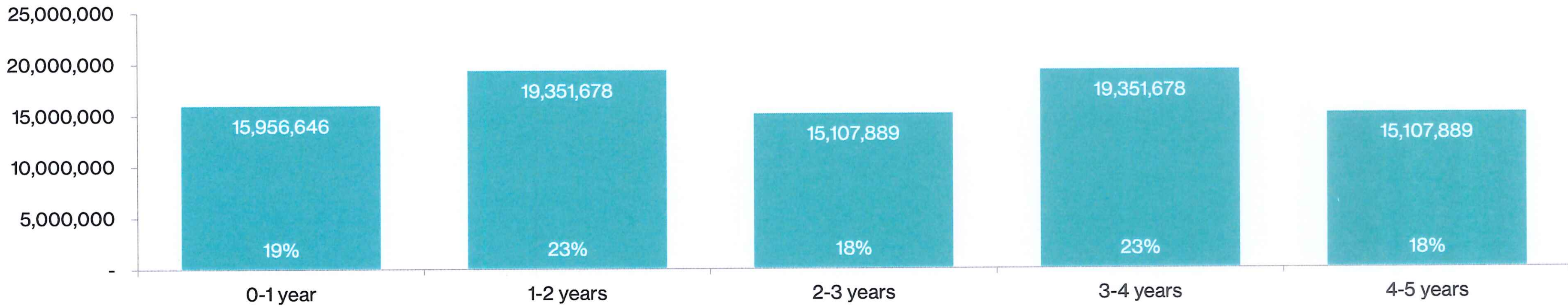
Your Securities

Weighted Average Maturity	2.45 years
Weighted Average Yield	3.20%
Estimated Annual Income	$2,716,025

Your Asset Allocation



Your Maturity Distribution



YIELD AND INTEREST INCOME INFORMATION IS ANNUALIZED. ALL YIELD INFORMATION IS SHOWN GROSS OF ANY ADVISORY AND CUSTODY FEES AND IS BASED ON YIELD TO MATURITY AT COST. PAST PERFORMANCE IS NOT A GUARANTEE OF FUTURE RESULTS.

MEEDER

Meeder Public Funds

6125 Memorial Drive
Dublin, OH 43017

901 Mopac Expressway
South, Building 1, Suite
300, Austin, Texas 78746

120 North Washington
Square, Suite 300,
Lansing, Michigan, 48933

111 West Ocean Blvd., 4th
Floor Long Beach, CA
90802

222 Main Street, 5th
Floor, Salt Lake City, UT
84101

10655 Park Run Drive,
Suite 120, Las Vegas, NV
89144

meederpublicfunds.com

866.633.3371

MEEDER

PUBLIC FUNDS

MeederPublicFunds.com

City of Upper Arlington
Debt Policy

AMENDED POLICY – insert date

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 ~~debt issuance best practices~~best practices for debt issuance. The debt policy is ~~provided as~~ a guide for City officials to reference as deemed appropriate to maintain sound financial management practices. This policy is ~~also~~ designed to be flexible in its application~~to allow for~~, allowing exceptions to the guidelines under changing and extraordinary circumstances.

Overview

One of the key decisions facing the City~~made~~ 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 funding source. Section A – Debt Guidelines, ~~provides guidance for answering~~ addresses that question. Section B covers~~addresses~~ routine Debt Administration.

A. DEBT GUIDELINES

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. The policy calls for cash~~Cash~~ ~~funding is recommended~~ under the following circumstances:

a) To finance purchases of assets whose lives are five (5) years or less.

b) To finance recurring maintenance expenditures (e.g., street repair vs. street reconstruction).

c) To manage ~~When~~ unstable market conditions ~~are unstable~~ or ~~offer~~ historically high interest rates.

Debt Financing

Short-Term Debt:

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 borrowing takes the form of *"short-term"* bond or revenue anticipation notes (BANs). It is suitable to issue BANs 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, f~~. F~~or example, projects with useful lives of less than five years, or 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 to five years of initial issuance.

b) Interim Note Funding for Long-term Bond Financing: Short-term notes are also appropriately used in anticipation of refunding the notes 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.

Long-term Financings and Bonds:

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

a) Variable rate demand bonds (VRDBs) and short-term BANs are suitable to use for financing projects over $5 million and with useful~~e~~ lives beyond ten years under the following conditions:

i) When either is used for long-term financing, the City will schedule annual principal payments 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 variable rate borrowings will not exceed twenty percent (20%) of the City's overall outstanding debt. (Short-term bond anticipation notes may be issued for an aggregate amount greater than 20% of the City's outstanding debt, but 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~~if~~ 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) Long-term bonds are~~ considered~~ especially appropriate when average long-term interest rates, as ~~indicated by the Bond Buyer *General Obligation 20 Bond Index*~~the Bond Buyer General Obligation 20 Bond Index indicates, are at or below eighty-five percent of the index's twenty-year average. Long-term bonds are~~ considered~~ less appropriate when average rates for the index are at or above one hundred and fifteen percent of the twenty-year average. The City will make every effort to structure ~~the terms of its bonds to match the status of the market~~its bond terms to take best advantage of the market's status at the time.

d) The City Finance Director is required to provide specific notice to City Council before issuing bonds if the City Finance Director, in consultation with the City's Municipal Advisor, believes such issuance will cause the City's underlying general obligation credit metrics to become weaker than a Moody's "Aa" rating. Further, the City Finance Director must provide specific notice to City Council for the sale of non-tax revenue and special revenue bonds if the ~~the~~ Director, in consultation with the City's Municipal Advisor, believes any such issuance will be assigned a rating equivalent to or lower than Moody's "A".

e) 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. The City Finance Director must provide specific notice to City Council if the Director, in consultation with the City's Municipal Advisor, ~~if the Director in consultation with the City's Municipal Advisor,~~ believes any such issuance will be assigned a rating lower than "A2" Moody's, or "A" SP Global.

The following table provides a quick reference source for these policies.

PARAMETERS	FUNDING SOURCES		
	Cash	Short-term Notes	Long-term Bonds
Project life is less than 10 years	x	x	
Project life is 10 years or greater	x	x	x
Recommended temporary funding prior to a bond sale	x	x	
Recommended variable rate funding mechanism		x	
The amount borrowed is less than $5,000,000	x	x	
The amount borrowed is $5,000,000 or larger		x	x
Ratio of available capital fund dollars to capital fund supported debt payments is 2 to 1, or greater		x	x
Bond Buyer 20-Bond Index is at 85% or lower of the 20-year average			x
Bond Buyer 20-Bond Index is at 115% or higher of the 20-year average	x	x	
General obligation and income tax special revenue debt funding will cause underlying credit values to fall below measurements consistent with a Moody's rating of "Aa" rating	x		
Non-tax and special assessment bond financings are expected to achieve a Moody's or Standard and Poor's rating of Single A or better			x
Payment for debt is planned to be supported by a select group of taxpayers or other beneficiaries		x	x

B. DEBT ADMINISTRATION

Federal tax law –The City must use use ~~of project~~ all project-related funds received from debt~~-~~ ~~must comply with the~~ within federal use of funds and expenditure timing restrictions ~~set forth~~outlined~~ 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 and so on~~. City officials will retain professional assistance to comply with federal law and assist in ~~the preparation of~~ preparing 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.

Amortization Schedule - City officials will strive to structure the repayment of general obligation and special revenue income ~~tax~~ tax-supported notes and bonds to achieve an aggregate pay-out ratio of fifty percent (50%) or more within ten years. 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.

Debt instruments – The City will use the most efficient and economical debt alternative 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** – t~~**T**he 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 ~~comply with~~ its disclosure requirements as provided in its Continuing Disclosure Certificates associated with its various securities offerings ~~outstanding~~. The City may retain bond counsel, or 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 with "current" refunding bonds, "advance refunding bonds," and "forward purchase" 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 determines that bond insurance is ~~for its bond sales but they understand that purchasing insurance is not likely to benefit the C~~likely to benefit the city ~~because of its high bond rating~~.

Economic Development – City officials will consider opportunities to foster economic development by issuing debt. Economic development debt offerings may include tax increment financings, special non-tax revenue and special assessment notes and bonds, and serving as the conduit for industrial revenue bonds. Other than for certain special assessment project financings, the City does not intend to offer its faith and credit as support for these financings. 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 in 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 in general by the finance industry.

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 ~~be in conflict with the best interest of the City~~conflict with the City's best interest. The City shall retain professionals in connection with its debt issues 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~~A~~ ~~resolution of~~ reimbursement resolution~~shall be passed~~ at the beginning of any year in which the Director anticipates the issuance of debt.~~the issuance of debt is anticipated.~~

Exhibit D

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 ~~Assistant~~ 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.

- Cancelation 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.

- 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.

______________________________________ ____________________
Cardholder Signature Date

2024 City Council Retreat
2/21/2024

Battelle Darby Creek Metro Park, Cedar Ridge Lodge
1775 Darby Creek Dr.
Galloway, OH 43119

Members Present: President Ukeme Awakessien Jeter, Vice President Brian Close, *Kathy Adams, John J. Kulewicz, Jim Lynch, Heidi Munc, and *Todd Walter

Staff Present: City Manager Steven Schoeny, Assistant City Manager Jackie Thiel, City Attorney Darren Shulman, City Clerk Krystal Gonchar, Finance Director Brent Lewis, Deputy City Clerk Abbie Emison, HR Director Abby Cochran, Finance Manager Ryan Schneider

Facilitator: Dawn Tyler Lee, Forrest Street Consulting

1. **Call to Order**
President Awakessien Jeter called the meeting to order at 9:14 a.m.

2. **Welcome – Introduction**
Facilitator Dawn Tyler Lee, from Forrest Street Consulting, welcomed Council Members and staff, followed by an overview of the day's agenda.

3. **Looking Back - Accomplishments from 2023**
Ms. Tyler Lee and City Manager Steven Schoeny led Council in an exercise to recollect on the City's accomplishments from 2023, to recognize the wins, and celebrate what was achieved.

4. **Foundational Discussion - Values & Norms**
Council Members listed out their perceived values of the organization then split up into small groups to discuss and draft values statements, similar to Livermore, California's City Council.

5. **Maximum Reserve Process**
Finance Director Brent Lewis presented a review of the City's reserve policies. Council Members reviewed current reserves and discussed managing reserves for future years. Mr. Lewis discussed debt reduction strategies and discussed resident fees. Mr. Lewis reviewed how fees impact the budget and City operations. Ms. Lee led Council in an exercise on determining future projects, to be funded by excess reserve funds. Mr. Lewis stated the Financial Policies Committee would be meeting in the second quarter of the year and will include a review of current financial policies.

6. **Boards & Commissions Process**
City Clerk Krystal Gonchar presented an overview of the appointment process for the City's boards and commissions, discussed administrative changes to the management of boards, and discussed options for further improvements. It was determined that when the Council Rules Review Committee meets, they will discuss recommendations further.

7. **Managing 2024**

a. UALL & Human Rights Campaign -

HR Director Abby Cochran and Finance Manager Ryan Schneider provided an overview of the City's internal resource group UALL and presented suggestions for improving scores if the City were to participate in the Human Rights Campaign's Municipal Equality Index Scorecard process.

b. Review of upcoming projects for 2024 -

Mr. Schoeny presented a list of pending and proposed projects for the year ahead and reviewed the proposed timeline.

c. Discussion on 2024 Workplan -

Council discussed potential projects and how the additional workload could impact pending projects.

8. **Wrap-up**
Ms. Tyler Lee stated that she would compile a report to provide to Council and staff that would include the day's discussions and notes (attached hereto and incorporated herein as Exhibit A).

9. **Adjournment**
President Awakessien Jeter adjourned the meeting at 3:40 p.m.

*Mr. Walter left the meeting at 2:30 p.m.; Ms. Adams left the meeting at 3:30 p.m.

Exhibit A

Upper Arlington City Council Retreat
Wednesday, February 21, 2024
9 am to 4 pm
Facilitator: Dawn Tyler Lee, Founder and CEO | Forrest Street Consulting

Meeting Summary

On February 21, the 7 members of Upper Arlington City Council participated in a City Council retreat: Ukeme Awakessien Jeter, Brian Close, Todd Walter, John Kulewicz, Jim Lynch, Heidi Munc, Kathy Adams

Staff included Steve Schoeny, Jackie Thiel, Krystal Gonchar, Brent Lewis and Darren Shulman.

The objectives of the retreat were as follows:

- To celebrate 2023 accomplishments
- To seek direction on the budget surplus
- To ensure alignment on the 2024 work plan

<u>2023 Accomplishments</u>

Councilmembers were asked to write 2023 accomplishments on post it notes. There was significant alignment in what Council identified as their collective accomplishments (in no particular order):

- Electric Aggregation
- Strong Finances
- Fire Study
- Community Center Construction -on time and on budget
- Community Engagement
- Raising of Pride Flag
- Attendance at MBE Events
- Turf Grass
- Neighborhood Compatibility and
- Arlington Center Zoning
- Northam Tennis
- Ohio Health Development
- High Function Council and Trust in City Government | resident satisfaction
- Lane Avenue development

Values Exercise
After introductions and a short icebreaker, Council members listened to a video by R.J. Jenkins from Columbia University on The Importance of Values. R.J. posed the following questions:

1. What kind of person are you?
2. What really matters to you?
3. What do you care about?
4. Who are you?

The council then participated in a values exercise to identify their values as a governing body. They were given a values list and asked to narrow it down to 3 to 5 values each. Below are the values identified. The number in parentheses represents those who selected that particular value.

Accountability (2)	Empathy (2)	Respect (3)
Collaboration (1)	Excellence (1)	Responsiveness (1)
Communication (1)	Innovation (2)	Service (4)
Community (3)	Integrity (2)	Strategy (1)
Compassion (1)	Professional (3)	Trust (2)
DEIB (2)	Quality (1)	Well Being (3)

Councilmembers were divided into 3 smaller groups and asked to develop values statements based on those values around which they gained consensus.

Values Statements

- We value each other on council in that we treat each other with respect, we are professional with each other and those we serve with a commitment to ethics and accountability.

- We are committed to serving the best interests of our community by listening and communicating with our residents and being transparent in our processes and actions.

- Our mission is ultimately to ensure the well-being of all of our residents so everyone feels included and valued.

- We seek to build trust in everything we do.

- We build community through empathy and collaboration.

- (Professionalism, collaboration, data driven decision making)

- Accountability
  We have a responsibility to be accountable and responsive to each other and the community.

- Well-being
  We make decisions based on what promotes the well-being of our residents.

- Respect

We listen to and treat each member of council and the staff and the community with respect.

Maximum Budget Reserve

The next conversation was around the budget surplus and a process to identify the top priorities council would like additional research from the administration. Here are some highlights from Brent's presentation:

- 30% Reserve Fund is just a policy sent by Council – this is for the Contingency Reserve that is in the General Fund listed as Restricted Fund
    - We also have Facilities Maintenance (currently just a line item in the budget), Self-insurance, and debt service reserves
    - We are looking at making a Facility Maintenance Fund – working on a 5-year plan for Facility Maintenance to create the fund
    - Council Financial Committee to review this starting 2nd quarter
- Contingency Reserve – General Fund
    - We are over 80% now. Looking back to 2002 we have only been slightly below 50% twice. We are projected to be over 120% by 2027.
    - We did not anticipate getting this high after transferring $16M out for the CC
    - How much is too much? Should it be a range of xx% - xx%?
    - Council Financial Committee to review this starting 2nd quarter
- Debt Reduction
    - Debt avoidance – use cash in lieu of issuing bonds. Every $1M of debt we issue means $85k in annual debt service for the next 20 years. Do you want residents now to pay for the waterline OR pay off over 20-30 years of residents?
    - Paying Off Debt – no debt capacity issue under current plan. We have low interest rates on the bonds that are eligible to pay off. Total Bonds and Loans Outstanding = $213,800M
    - CIP in budget book shows each projects breakdown for bond vs. cash/grant funding
- Fees
    - Household Fees
        - Water surcharges – 15% surcharge on usage, effective since 2019
        - Sewer surcharges – 23% surcharge on usage, effective since 2019
        - Stormwater – Class A $45/residential unit. Class B multi-family (3 families or more based on ERU (Equivalent Runoff Units), effective since 2011
        - Solid Waste - $300.50/year (plus or minus any premium service ($495) or senior discount ($28.50), effective since 2023
        - Neighborhood Lighting
    - User Fees
        - Parks programs and memberships
        - Building-related permits
        - Contractor registrations
    - City Council Financial Polices set the direction of these fees
        - City shall set fees and user charges for each enterprise fund. They typically pay for operating and not the capital side for UA. Income tax in general pays for our capital costs.
        - Charges for services shall reflect the full cost of providing specific service

Project Prioritization

Prior to the retreat, Council members submitted their votes for priority projects. Those receiving 4 votes or more were elevated to research status. Those that did not were discussed further. Council reallocated their votes and end up with 14 projects, 7 of which fall under the in public service. City still go back and add Eurovision scoring to with the projects. See page 7 of this document for a voting summary.
City Administration will also continue to ask themselves the question, “What can we do now?”

Next Steps research will include:

- Current status of the project
- Outline of what’s possible for the future
- Analysis of pros and cons
- Budgetary implications
- Staff will ensure consistency in the formatting for each project

Timeline

- **June**
  - Administration will provide additional research to Council
  - Determine the appropriate public outreach for each project
- **June to August** – Council digest information
- August – Next retreat to finalize the projects that will advance to the budget
- Insert projects into the 2025 budget process

To be mindful of staff capacity, the city manager expressed that if any new projects are being contemplated, they must come with support and advocacy of the majority of council members before being advanced. If new priorities are added, others must come on

It is the administration’s intention to review this list with council annually.

Boards and Commissions Discussion

Krystal made a presentation about the progress that has been made on Boards and commission since the 2023 retreat. Some highlights include:

- Greater Council involvement in recruitment and advertising process
- All candidates apply (including those seeing reappointment)
- All council members involved in the application review process (on a rotating basis)
- Update city code to make appointment authority and residency requirements consistent
- Appointments have been aligned to all be made at the same time of the year.

It was determined that Council members will take a more active role in recruiting residents for board and commission opportunities. Councilmembers were also asked to be intentionally about reaching out to people who were not appointed to board and commission seats and encourage them to stay engaged

Council members supported the recommendation that everyone should reapply when their terms have expired.

Council asked for presentations from board members of active boards at future Council meetings, including but not limited to, BZAP, City Tree Commission, Community Relations Committee, Cultural Arts Committee, Library Board of Trustees, Parks and Recreation Advisory Board

Boards and Commissions 2024 Timeline
Accepting Applications – March 1 – April 30
Review Applications – May 1 – 31
Interviews (if necessary): May 8 – June 3
Council Action: June 17 (for terms commencing July 1)

Each board will be asked to write a description of their roles and responsibilities.

2024 Work Plan Discussion

Ryan Schneider and Abby Cochran presented an overview of the HRC score card and where points are still needed. Council was supportive of the application submission and asked that any city ordinances that need to be passed be packaged and considered at one time.

- In Progress
  - Envision Henderson
  - CC Programming
  - Fancyburg Outreach and Vision – slow roll as needed. Opening new CC more important than decisions on Fancyburg
  - Thompson Playground
  - Event Permit Fees
  - Large scale utility structures
  - Golf Cart Enforcement
  - Redding Road Design outreach
  - Northam Park Programming
  - New Chief Introductions
    - Q&A with New Police Chief
    - Brief Video – pay some money so it shows up
- In the work plan, but not commenced
  - HR Code Updates
  - False Alarms
  - Website Redesign
  - Procurement Code Updates
  - HRC Scorecard Items
  - Noise Ordinance
  - Scooter Parking
  - LinkUS Education and Support
  - National Church Project
- Open for consideration, depending on workload and how the year progresses
  - Marijuana Sales Regulation – NO unless forced by state legislation
  - Housing Study
    - Put in mid-year budget if staff has capacity
  - Source of Income Non-discrimination in housing
    - Steve & Darren reviewing simplest and easiest to enforce
- John Kulewicz brought up
  - Expungement of Marijuana charges – Darren to review
  - Animal Control Issues – specifically deer population control – Jim wants geese, Brian wants Crows
  - Distracted Cycling

No additions can be made to budget surplus project list or 2024 work plan without 4 advocates and a recommendation of what comes off

<u>Next Steps</u>

Values

- Council needs to determine where they want to go with the values exercise.

Maximum Reserve Process

- Revisit Reserve policies through a reconvening of the financial policy subcommittee in April or May. Add fees to the discussion.

Maximum Reserve Budget Activity

- Maximum reserve process (follow up memo form Steve with timeline)
    - June – additional research will be sent to Council from City Manager
    - June to August – Council digests information
    - August – Retreat

Boards and Commissions

- Council expressed interest in knowing more about the people they are voting on
- Requested more robust descriptions of the board or commission so they can market it.
- One Drive refresher and summary document – Krystal to provide

2024 Work Plan

- HRC Equality Index
    - Staff leads will provide a list to city manager of "to do's" that require further action
    - Council wants all ordinances to be considered all at once.
    - Goal is to be scored and included in the 2025 report

Steve's list

- Caution: make sure city leadership (staff) isn't taking on too many hot issues, too fast, at one time
- May need to slow roll Fancyburg
- Remove marijuana
- See 2024 projects as a Gant chart

At the conclusion of the retreat, participants were asked to choose one word that described how they were feeling in the moment, with no explanation. The word could be positive, negative or neutral.

Anxious	Tired
Relieved/anxious	Guided
Tired	Excited
Confident	Empowered
Excited	Focused
Energized	Grateful

Councilmember Lynch shared that it was the best retreat he has been to in his 6 years on Council!

Maximum Reserve Budget Process
Voting Summary

Initial group with 4 votes

1. Sidewalk gaps
2. Expand day camp and Expand learn to swim
    a. Include current fee structures
3. Reduce fees
4. Increase budget for SRP
5. Underground utilities on major corridors
    a. Identify corridors this could apply to (in the 10-year CIP) and those that are going to be reconstructed in the future
    b. How many residents would be impacted if power went out in certain areas
6. Structured parking
7. Additional street lights
    a. Current projects:
        i. Zollinger – Riverside to Northstar
        ii. Western portion of McCoy
    b. Desired future focus:
        i. Major corridors
        ii. Fancyburg
        iii. To and from parks, major shopping areas and schools

Reallocated votes

8. Curb and gutters
    a. Areas that have been raised as concerns or needs sidewalks in the future
9. Social workers
10. Lane Avenue shared use path
11. 5 Points roundabout
12. Facilities maintenance
13. Additional code enforcement

Authors: Chris Zimmer, Fire Chief

Council Meeting Date: August 19, 2024

Subject/Legislative Item: Ordinance No. 50-2024 - An ordinance authorizing the City Manager to enter into contract with Atlantic Emergency Solutions to refurbish Fire Engine 72

Purpose: Refurbish existing reserve fire engine to extend service life and ensure mechanical reliability.

Executive Summary: The Fire Division has one reserve fire engine available for use when front-line apparatus are out of service for maintenance or when events or incidents occur that require additional apparatus to be placed in service.

Due to extended delivery times related to purchasing new apparatus, and the potential need for additional apparatus being placed in service based on city growth and economic development activities, the Fire Division recommends keeping this vehicle. Additionally, it is recommended to refurbish the vehicle to ensure continued reliability.

This request has been fully reviewed by our Fleet Maintenance personnel, and they endorse this proposal.

Purpose and Impact

The CPSM study conducted in 2022 indicated there would likely be a future need for expansion of fire and EMS staffing, and potentially reopening Station 73. The Fire Division will need an additional suppression unit to facilitate this expansion.

Current build times for fire apparatus are averaging 36 months, with costs approaching 2 million dollars in today's market. A replacement for Engine 71 has been ordered with an estimated delivery date of 2027.

If there is to be any expansion of staffing, the Fire Division will not have a reserve apparatus if we follow the previous plan of decommissioning Engine 72 after Engine 71’s replacement arrives.

It is proposed to keep Engine 72 in the fleet and refurbish it to ensure it remains reliable as a reserve apparatus.

$150,000 was approved by Council in the 2024 budget. Atlantic Emergency Solutions was selected as the service provider to perform the refurbish work at a cost of $138,838.76.

Fleet maintenance has endorsed this proposal based on multiple criteria.

- Engine 72, despite its age, continues to be a very reliable unit.
- The refurbishment plan includes replacing and reconditioning components typically known to fail due to age, such as suspension parts, belts, hoses, pump rebuilding, and any needs within the power train.
- Engine 72 does not have a “downstream” emission package, which is known to be problematic as they age. (This is the only large unit in the fleet that does not have the “downstream” emissions package.)

Fleet personnel emphasize that this is an opportunity for this vehicle only and should generally not be considered in the future for other vehicles.

We are requesting a $20,000 contingency for any unexpected cost overages that may be identified once work commences, for an amount not to exceed $158,838.76. This amount is over the approved budget by $8,838.76. This amount will be included in the mid-year appropriation ordinance.

History

Engine 72 is a reserve apparatus utilized whenever Engine 71 or Ladder 72 are unavailable due to maintenance. The unit is also used occasionally when personnel are called back due to significant or multiple alarm events or for upstaffing during severe weather or other planned events.

Maintaining reserve apparatus is essential to maintaining the Division's ISO rating, which affects insurance rates for the city’s residents and business owners.

The competitive bid process was used to solicit vendors. Atlantic Emergency Solutions was selected as the only bidder, for an amount of $138,838.76.

A contingency is proposed, to cover any unexpected expenses that are uncovered once work commences, for a total cost not to exceed $158,838.76.

Alternatives

Purchasing a new apparatus outright, while a possible alternative, would be a significant cost and would have ripple-down effects on the replacement schedule by having 3 large apparatus (E71, E72, and L72) very close together in the replacement schedule.

Not refurbishing this vehicle raises the potential for mechanical breakdown due to the increased use of the unit and the age of typical “wear out” items that would be replaced in a comprehensive refurbishment.

Not maintaining a 4th suppression apparatus will limit the ability of the Division to expand in the foreseeable future, as the CPSM study recommends.

Attachments

1.	Ordinance No. 50-2024

RECORD OF ORDINANCES
CITY OF UPPER ARLINGTON
STATE OF OHIO

ORDINANCE NO. 50-2024

TO AUTHORIZE THE CITY MANAGER TO ENTER INTO CONTRACT WITH ATLANTIC EMERGENCY SOLUTIONS TO REFURBISH FIRE ENGINE 72

WHEREAS, the Fire Division has one reserve fire engine available to use when Fire Engine 71 and Ladder 72 are unavailable or out of service; and

WHEREAS, due to extended delivery times related to purchasing a new apparatus and the potential need for an additional apparatus being placed in service based on the City's growth and economic development activities, the Fire Division recommends keeping Fire Engine 72 in service; and

WHEREAS, Atlantic Emergency Solutions was the only bidder for the project, for an amount of $138,838.76, which came in under the budgeted amount of $150,000; and

WHEREAS, Staff recommend including a contingency amount to cover any unexpected expenses that are uncovered once work commences, for a total cost not to exceed $158,838.76.

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 Atlantic Emergency Solutions for a total contract amount not to exceed $158,838.76, to refurbish Fire Engine 72.

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

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

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

Council Meeting Date: August 19, 2024

Subject/Legislative Item: Ordinance No. 51-2024 - An ordinance authorizing the City Manager to enter into a contract with HK Solutions for sanitary sewer inspection and cleaning services

Purpose: Continued operations and maintenance of the sanitary sewer system.

Executive Summary: Legislation authorizes the City Manager to enter into a contract with HK Solutions for Sanitary Sewer Inspection and Cleaning services.

Purpose and Impact

This ordinance authorizes the City Manager to enter into a contract with HK Solutions in the amount of $293,017.28 for Sanitary Sewer Inspection and Cleaning services. This is budgeted in the Sanitary Sewer Surcharge Fund for $300,000.

On July 24, 2024, the City received four (4) competitive bids for Sanitary Sewer Cleaning and Inspection services as follows:

Contractor	Bid Amount
HK Solutions	**$293,017.28**
Metropolitan Environmental Services	$293,500.00
Insight Pipe	$421,800.00
Visu-Sewer	$473,400.00

The Public Service Department is required by Upper Arlington City Code Ordinance 931.15 to maintain the City's 162 miles of sanitary sewer system. Furthermore, performance standards set forth in the Capacity, Management, Operations, and Maintenance manual (CMOM) require the department to video inspect and clean a minimum of ten percent (10%) of the sanitary sewer system per year – approximately 85,000 linear feet annually. The proposed contract is a one (1) year agreement which will inspect and clean an additional 70,000 linear feet of sanitary sewer lines. Approval and implementation of this contract will allow us to continue to exceed our performance standard goals as set forth in the CMOM and, most importantly, will allow us to be proactive, rather than reactive, to potential sanitary sewer line issues.

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

History

In 2023, the Public Works Division crews inspected and cleaned over 82,000 linear feet of sanitary sewer lines. The majority of these inspections were lines that require ongoing inspection and cleaning (i.e., roots, line failures, etc.). This contract, as designed, will allow for more preventative maintenance and inspection by targeting the sewer lines that are not included in the annual Public Works inspections.

Additionally, Public Works will use an AI coding software to improve pipe inspections with the video from this contract. This innovative technology follows NASSCO PACP standards and works with any existing software and equipment. It creates a Digital Twin—a detailed, digital version of the pipe system—that can be easily integrated into Upper Arlington's existing GIS system.

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

Alternatives

Without this contract, staff would continue cleaning and inspecting the sanitary sewer system using the existing Public Works Division staff and equipment, which would not meet the requirements set forth in the City's CMOM.

Attachments

1.	Ordinance No. 51-2024

RECORD OF ORDINANCES

CITY OF UPPER ARLINGTON
STATE OF OHIO

ORDINANCE NO. 51-2024

TO AUTHORIZE THE CITY MANAGER TO ENTER INTO CONTRACT WITH HK SOLUTIONS FOR SANITARY SEWER INSPECTION AND CLEANING SERVICES

WHEREAS, the Public Service Department is required by Upper Arlington City Code Ordinance 931.15 to maintain the City's 162 miles of sanitary sewer system; and

WHEREAS, performance standards set forth in the Capacity, Management, Operations, and Maintenance manual (CMOM) require the department to video inspect and clean a minimum of ten percent (10%) of the sanitary sewer system per year – approximately 85,000 linear feet annually; and

WHEREAS, the proposed contract will include inspection and cleaning services for an additional 70,000 linear feet of sanitary sewer lines; and

WHEREAS, approval and implementation of the proposed contract will allow the City to continue to exceed performance standard goals as set forth in the CMOM and, most importantly, will allow the City to be proactive, rather than reactive, to potential sanitary sewer line issues; and

WHEREAS, on July 24, 2024, the City received the following bids for sewer inspection and cleaning services:

Contractor	Bid Amount
HK Solutions	**$293,017.28**
Metropolitan Environmental Services	$293,500.00
Insight Pipe	$421,800.00
Visu-Sewer	$473,400.00; and

WHEREAS, the lowest and best bid from HK Solutions comes in under the budgeted amount of $300,000.00; and

WHEREAS, it is therefore recommended that the City Manager be authorized to enter into contract with HK Solutions for sanitary sewer inspection and cleaning services.

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 HK Solutions for an amount not to exceed $293,017.28, for sanitary sewer inspection and cleaning services.

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

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

City of Upper Arlington

STAFF REPORT

3600 Tremont Road | Upper Arlington, OH 43221
614-583-5000 | upperarlingtonoh.gov

Authors:	Suzanne Beach, Executive Assistant
Council Meeting Date:	August 19, 2024
Subject/Legislative Item:	The City Clerk has received notice from the Ohio Department of Liquor Control that an application has been filed for change of stock ownership from Tupelo Honey Hospitality Corp DBA Tupelo Honey Southern Kitchen and Bar, for existing D1, D2, D3, D3A and D6 Liquor Permits. *(no action needed from Council unless there is an objection)*
Purpose:	To approve a change or stock ownership from the Liquor Permit for Tupelo Honey.
Executive Summary:	Thie legislation will approve the change of Corporate Stock Ownership for the liquor permit for Tupelo Honey.

Purpose and Impact

The City Clerk has received notice from the Ohio Department of Liquor Control that an application has been filed for change of stock ownership from Tupelo Honey Hospitality Corp DBA Tupelo Honey Southern Kitchen and Bar, for existing D1, D2, D3, D3A and D6 Liquor Permits.

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

D2 - Wine and mixed beverages for on premises consumption or in original sealed containers for carryout only until 1:00am.

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

D3A- Extend issued permit privileges until 2:30am.

D6 - Sale of intoxicating liquor on Sunday for the same sales privileges (barring any local option elections that might impact privileges) the permit holder has Monday through Saturday. NOTE: not required if just selling beer, however local option election laws may still restrict beer sales on Sunday.

The number of liquor permits in the City of Upper Arlington is not changing with this request.

History

Alternatives

Attachments

1.	Tupelo Honey Hospitality Corp

NOTICE TO LEGISLATIVE AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

9075503 PERMIT NUMBER / STCK TYPE	TUPELO HONEY HOSPITALITY CORP DBA TUPELO HONEY SOUTHERN KITCHEN & BAR 1678 W LANE AVE UPPR ARLINGTON OH 43221
ISSUE DATE	
12 22 2023 FILING DATE	
D1 D2 D3 D3A D6 PERMIT CLASSES	
25 242 TAX DISTRICT / B / F31677 RECEIPT NO.	

FROM 07/11/2024

PERMIT NUMBER / TYPE	
ISSUE DATE	
FILING DATE	
PERMIT CLASSES	
TAX DISTRICT / RECEIPT NO.	

MAILED 07/11/2024 RESPONSES MUST BE POSTMARKED NO LATER THAN. 08/12/2024

IMPORTANT NOTICE

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

REFER TO THIS NUMBER IN ALL INQUIRIES B STCK 9075503
(TRANSACTION & NUMBER)

(<u>MUST MARK ONE</u> 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 County Commissioner (Date)
☐ Clerk of City Council
☐ Township Fiscal Officer

CLERK OF UPPER ARLINGTON CITY COUNCIL
3600 TREMONT RD
UPPER ARLINGTON OHIO 43221-1595

3 chks/ #000140148/ 000140150/ 000140149
$100 / $22 / $22

For Questions call
(614) 644-3162
Office Hours -
8:00 a.m. - 5:00 p.m.

Ohio Department of Commerce - Division of Liquor Control
6606 Tussing Road, Reynoldsburg, Ohio 43068-9005
www.com.ohio.gov/liqr

APPLICATION FOR CHANGE OF CORPORATE STOCK OWNERSHIP

PROCESSING FEE $100.00 CAUTION: ALLOW 10 TO 12 WEEKS FOR PROCESSING

STATE OF OHIO DEPARTMENT OF COMMERCE

2023 DEC 27 PM 3:44

OHIO DIV. LIQUOR CONTROL
CE... SCAN RM 17A

PERMIT HOLDER REQUESTS APPROVAL OF THE DIVISION OF LIQUOR CONTROL OF THE FOLLOWING TRANSFER(S) OF STOCK

Permit Holder Name	Liquor Permit Number(s)
TUPELO HONEY HOSPITALITY CORPORATION	9075503

Permit Premises Address: 1678 W. Lane Ave., Upper Arlington, OH 43221

Email Address: accounting@tupelohoneycafe.com

Attorney's Name, Address and Telephone Number (If represented)

Is Stock Traded on a National Exchange? ☐ YES ☒ NO — If YES, give Name of Exchange and Symbol

Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement an enforcement action, or collect taxes.

SECTION A: PREVIOUS 5% OR MORE STOCKHOLDERS Name	BIRTHDATE	Social Security Number/FTI#	Number of Shares Issued For Stock Transfer Only (NOT Percentages)
1) Damon DeSantis Revocable Trust	[redacted]		9,380,924
2) Stephen Frabitore	[redacted]		5,040,240
3) Dean DeSantis	[redacted]		1,132,097
4)			
5)			

SECTION B: REVISED 5% OR MORE STOCKHOLDERS Name	BIRTHDATE	Social Security Number/FTI#	Number of Shares Issued For Stock Transfer Only (NOT Percentages)
1) DD Financial, LLC		[redacted]	9,380,924
2) Stephen Frabitore	[redacted]		5,040,240
3) Dean DeSantis	[redacted]		1,132,097
4)			
5)			

NOTE: If any Stockholder is a business entity, that entity must list it's federal tax identification number (FTI #) above.

TOTAL NUMBER OF SHARES ISSUED 20,116,334

LIST THE TOP FOUR OFFICERS OF THE CAPTIONED CORPORATION. IF AN OFFICE IS NOT HELD, PLEASE INDICATE BY WRITING "NONE"	Social Security Number	Birthdate
✓ 1) CEO/President Stephen Frabitore	[redacted]	
✓ 2) Vice-President Caroline Skinner	[redacted]	
✓ 3) Secretary Jennifer Frabitore	[redacted]	
✓ 4) Treasurer Nicholas Schulz	[redacted]	

DLC4158 EOE/ADA SERVICE PROVIDER FOR TTY USERS DIAL ORS 1-800-750-0750 REV. 4-2023

3600 Tremont Road | Upper Arlington, OH 43221
614-583-5000 | upperarlingtonoh.gov

Authors:	Suzanne Beach, Executive Assistant
Council Meeting Date:	August 19, 2024
Subject/Legislative Item:	Motion to approve the transfer of liquor license (TREX) to Chefo-Arlington,LLC, 2090 Tremont Center, for economic development purposes
Purpose:	To approve the TREX Letter of Endorsement for Chefo-Arlington LLC related to their D-5 liquor license.
Executive Summary:	The City Manager's Office has received a request as a part of a pending application to the Ohio Division of Liquor Control for a TREX Letter of Endorsement for a proposed D-5 permit for Chefo-Arlington, LLC, to be located at 2090 Tremont Center, Upper Arlington, Ohio. The Division of Liquor Control requires a TREX when specific types of liquor licenses are unavailable due to quota.

Purpose and Impact

Chefo-Arlington, LLC, Upper Arlington to be located at 2090 Tremont Center, has requested through the Ohio Division of Liquor Control that Chefo-Arlington, LLC Upper Arlington a letter of endorsement for a proposed D5 permit. Such an endorsement is required per O.R.C. Section 4303.290. Permit privilege requested is:

D-5 - Spirituous liquor for on-premises consumption only; beer, wine and mixed beverages for on-premises or off-premises in original sealed containers until 2:30 a.m.

The City Manager's Office has reviewed the request and found that the application meets the City’s criteria and found no objection. Once the ODLC receives the legislative approval from UA, the applicant will be required to apply for the actual liquor license which will be brought back before council when received.

History

Alternatives

Attachments

1.	Trex Form_Chefonette

Ohio | Department of Commerce

Division of Liquor Control

Division Use Only	
Check #: ________ # of Checks: ______ Check Amt: ______	Permit #

ECONOMIC DEVELOPMENT TRANSFER FORM (TREX)

Ohio Revised Code 4303.29(B)(2)(b)

READ BEFORE YOU START THIS APPLICATION

Certain permits in Ohio are subject to a quota based upon a formula that factors in the total population of the city, village, or township where the permit will be issued and a ratio, specific to particular permit classes, as set forth in Ohio law (Learn more in our Quota Resource Guide). When transferring a specific quota permit (i.e., D-1, D-2, etc.) that will move locations to a NEW city, village, or township from where it is currently issued, there must be available spots in that new quota before the Division can process the transfer. If, for a particular quota permit class, there are **NO** spots available in the new quota, then the applicant has a few choices as discussed in our TREX Resource Guide. This form covers the specific permit classes that can be TREX'd under the Ohio law provision noted at the top of this application. A few things to understand before proceeding with the TREX option are that:

- The Division can **ONLY** process the TREX transfer application if the city, village, or township where the permit will transfer to APPROVES the transfer as an economic development project. The city, village, or township can document its approval by signing our form below in Section E.
- ONLY after we receive this completed form with the transfer application will the Division Superintendent review it for processing.
- The city, village, or township, despite approving the TREX transfer can still object to the issuance of your permit at the applied for location and the applicant must still be WET (Review our Local Option Election Guide for more information) for the requested sales at that address and meet all other rules and regulations before the permit(s) can be issued at that new location.

For this form to be deemed complete, you must fully and legibly complete this application, including:

- Answering all required questions ("*" indicates a required field);
- Submitting this application with your Transfer Application; **and**
- Securing signatures from the appropriate local government officials listed below.

SECTION A – Issued Permit Holder Information (i.e. Seller) * *This section **MUST** be completed.*	
* Issued Permit Holder's Business Name as on File with the Division: Michael R. Purdum	* Issued Permit Holder #: 7115591-0015

SECTION B – New Business Owner's Information (i.e., Buyer) ☐ N/A-Seller **REMAINS** the owner and is **ONLY** moving locations. * ***ONLY** fill out this section if the **ownership and location** is changing.*
* Business Entity or Sole Proprietor Name ("Applicant") (**MUST** match name listed on transfer application): Chefo-Arlington LLC

Section C – New Permit Premises Address Information * *This section **MUST** be completed.*		
* New Permit Premises Address: 2090 Tremont Center		
* New Township (if outside city limits):	* New City: Upper Arlington	* New County: Franklin

SECTION D – Transferred Permits subject to TREX

* *This section identifies the permit classes that are being transferred into a **NEW** city, village, or township, consistent with the Transfer Application, that **REQUIRE** TREX sign-off from the local government official that signed below.*

* Select the Permit Type(s) being transferred that need to be TREX'd:

☐ C-1 ☐ C-2 ☐ D-1 ☐ D-2 ☐ D-3 ▣ D-5

* Note – there may be other permit types, like a C-2X, D-3A, or D-6, that are also part of your transfer that are not listed above. Your complete transfer listing needs to be identified on your transfer application (DLC 4120) that you must send with this signed TREX form.

Remember this form is ONLY for those permit classes that are subject to the quota and would require TREX sign-off because there are no permits available for the given class in the NEW locality when the transfer is filed. For example, you can be transferring a D-1, D-2, D-3 permit from City A to City B. In City B, there are D-1 and D-3 permits available, but no D-2 permits. In this situation, the only permit class that would REQUIRE TREX sign-off is the D-2.

Section E – Information that MAY be Used to Determine if the Transfer is an Economic Development Project

R.C. 4303.29(B)(2)(b)(ii) lists several factors the local legislative authority (City, Village or Township) can use when determining if it should approve this transfer as an Economic Development Project. While the law provides broad discretion to the legislative authority when making this decision, **SOME** factors that may be useful to the legislative authority in making its decision, include the:

- Total amount invested in this project: $ 400,000
- Total number of jobs that will be created by this project: 15
- Existing or estimated Tax Revenue generated by this project:
  - Ohio Unemployment Tax $6,000
  - Property Tax $________
  - Sales Tax $53,400
  - State Withholding Tax $17,500
  - Other: ________ $________

You may also be asked to provide a projected earnings statement (brand new business), or a profit and loss statement (existing business), or a copy of building plans/drawings outlining any construction plans.

Section F – Applicant Signature

* This section **MUST** be signed by either the applicant in:

- *Section A if the seller **REMAINS** the owner of the permit and is **ONLY** moving the permit address to a **NEW** city, village, or township from where it is currently issued;* **OR**
- *Section B if the ownership of the permit is changing **AND** the new permit address will be in a **NEW** city, village, or township from where the permit is currently issued.*

By signing below, I certify and understand that:

- I have authority to execute this document;
- The information provided is true, correct, and complete to the best of my knowledge and belief;
- Failing to complete this form, consistent with the above listed instructions, will result in this form and/or transfer application being returned to me, unprocessed, until a corrected, complete application is received by the Division;
- During the review of this form and/or my transfer application, further documentation may be needed, and I agree to comply timely and understand that failure to comply could delay the processing of my application;
- Even if the city, township, or village approves my TREX transfer application, the Division MUST still notify the applicable legislative authority about your transfer application and that legislative authority has the right to object to the issuance of the permit even for those permit classes that it approved as part of this TREX process; AND
- If this TREX form is required, the Division CANNOT process the transfer application until it is submitted with this completed (in its entirety) and signed form.

Abigail Stellern

(Signature of Individual, Partner, Officer, Managing Member, or 5% or more Shareholder or Member)

Abigail M. Stellern	Managing Mbr.	4/1/2024
(Please Print Name)	(Title)	(Date)

1618 Doone Road, Columbus OH 43221	(614) 296-3089
(Street Address, City, State, Zip Code)	(Telephone with Area Code)

SECTION G – NEW City, Village, or Township Signature

* This section MUST be completed by the City, Village or Township in which this Economic Development Project (TREX) will be located. Legislative officials who can sign this section are, as applicable, the/a:

- Mayor,
- City Council Member,
- Law Director,
- Clerk of Council,
- Township Fiscal Officer,
- County or Township Trustee Board Member; or
- Other legislative office holder not specified with the authority to act on behalf of the applicable jurisdiction where the permit will be located.

THE APPLICANT MUST PROVIDE AN EXECUTED COPY OF THIS FORM WITH ITS TRANSFER APPLICATION.

The City, Village or Township of ______________________________ has considered the above-named applicant's TREX application consistent with the factors outlined in R.C. 4303.29(B)(2)(b) and hereby agrees and accepts that this transfer will be an economic development project within its jurisdiction.

By signing this form, I, the city, village, or township official listed below, acknowledges and understands that:

- I have the authority on behalf of my local government to sign this form;
- My signature, on behalf of my jurisdiction, means the Division can continue to process the applicant's transfer application for the applicable TREX'd permit classes;
- The city, village, or township will still be notified about the potential issuance of this permit and that it retains the right to object to this transfer for any and all permit classes applied for by the applicant;
- Once the applied for permit classes are transferred to the applicant within the city's, village's, or township's jurisdiction, the permit can then be transferred to other owners at the same location or to other locations within the city, village, or township by either the current or future owners subject to notice and hearing provisions under R.C. 4303.26;
- The TREX process ONLY contemplates the Division's ability to start processing the applicant's transfer application for the affected permit classes, the applicant MUST still meet any rules and regulations before the permit can be issued and the new location must also be wet for the type of permit classes that the applicant seeks to operate at the new location; and
- It is within the city, village, or township's sole discretion, consistent with Ohio law, to decide whether to approve the applicant's TREX application as an economic development project.

____
(Signature of Local Official specified above)

______________________ ______________ ______________
(Please Print Name) (Title) (Date)

______________________________ ______________
(Government Email Address) (Telephone with Area Code)

Applicant MUST submit the transfer application, this TREX form, and any other required forms to:
Ohio Department of Commerce – Division of Liquor Control
c/o Licensing New & Transfer Section
6606 Tussing Road
Reynoldsburg, OH 43068-9005

For Questions call (614) 644-3155
Or email fileinquiry@com.ohio.gov

Office Hours: 8:00 a.m. - 5:00 p.m. EST