



City Council Agenda

Monday, March 6, 2023 at 7:00 pm

6550 N. High Street, Worthington, Ohio 43085

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Visitor Comments

Public Hearings on Legislation

5. Ordinance No. 02-2023 Stafford Village TIF

Declaring Improvements to Real Property within the City to be a Public Purpose; Declaring such Property to be Exempt from Real Property Taxation; Describing the Public Improvements to be Made that will Directly Benefit the Parcels of Real Property; Requiring the Owners of the Real Property to Make Service Payments In Lieu of Taxes; Authorizing the City Manager to Enter Into a Tax Increment Financing Agreement with the Property Owner; and Establishing a Municipal Public Improvement Tax Increment Equivalent Fund for the Deposit of Service Payments.

Executive Summary: This ordinance approves the creation of a tax increment financing (TIF) exemption for parcel number 100-006797, located at 84-104 Stafford Avenue in Worthington, and authorizes the City Manager to enter into an agreement with the property owner, Traditions at Worthington, dba National Church Residences.

Recommendation: Approve as presented.

6. Ordinance No. 03-2023 Sanitary Sewer Repair & Rehabilitation, Project Number 731-22 (Amended)

This Ordinance Appropriates Funding for the 2023 Sanitary Sewer Repair & Rehabilitation Project.

Executive Summary: Amending Ordinance No. 39-2022 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Costs of the 2023 Sewer Lining Project and all Related Expenses and Determining to Proceed with said Project. (Project No. 731-22)

Recommendation: Motion to Amend to insert the amount of the appropriation (\$1,025,000.00) and the name of the contractor (Insight Pipe Contracting, LLC) and to change the referenced project's name from 2023 Sewer Lining Project to 2023 Sanitary Sewer Repair & Rehabilitation Project; Approve as amended.

7. Ordinance No. 04-2023 Payroll Clearing Fund

Authorizing and Directing the Establishment of a Payroll Clearing Fund.

Executive Summary: This legislation would create a payroll clearing fund to assist with tracking and reconciliation of payroll expenses within the new financial software.

Recommendation: Approve as presented.

New Legislation - Resolution(s)

8. Resolution No. 10-2023 Community Grants

Approving Funding to Worthington Community Groups for the 2023 Community Grant Program.

Executive Summary: This Resolution allocates grant funding for community groups.

Recommendation: Introduce and approve as presented.

9. Resolution No. 11-2023 Part-Time Pay (Firefighters and Crossing Guards)

Amending Resolution No. 55-2022 to Adjust Salary Range 9T for Part-Time Firefighters and Salary Range 1T for Crossing Guards

Executive Summary: This Resolution adjusts the rate and structure of pay for both Part-Time Firefighters and Crossing Guards.

Recommendation: Introduce and approve as presented.

10. Resolution No. 12-2023 SAFER Grant Acceptance

To Authorize the Acceptance of a Staffing for Adequate Fire and Emergency Response (SAFER) Grant and Amending the Staffing Chart of the City of Worthington to Provide for Twenty-seven (27) Firefighter EMT-P Positions in the Division of Fire.

Executive Summary: This Resolution accepts a SAFER grant for fire and emergency response staff, authorizes the City Manager to execute the necessary paperwork and amends the staff chart to increase the number of authorized Firefighter EMT-P positions to 27 for three years.

Recommendation: Introduce and approve as presented.

New Legislation - Ordinance(s)

11. Ordinance No. 05-2023 Bond Issuance - McCord Park

Authorizing the Issuance of Bonds in an Amount Not to Exceed \$3,400,000 for the Purpose of Designing, Engineering, and Constructing Park Improvements, With Relating Site Improvements and Appurtenances Thereto; and Approving Related Matters

Executive Summary: This Ordinance authorizes the issuance of various purpose bonds in an amount not to exceed \$3,400,000 for the design, renovation, construction and reconstruction of improvements at McCord Park.

Recommendation: Introduce for Public Hearing on March 20, 2023

12. Ordinance No. 06-2023 Bond Issuance - Sewer Repair & Rehabilitation

This Ordinance Authorizes the Issuance of Various Purpose Bonds in an Amount not to Exceed \$1,000,000 for Sewer Lining Improvements Across the City.

Executive Summary: This Ordinance authorizes the issuance of various purpose bonds in an amount not to exceed \$1,000,000 for sewer lining improvements across the City.

Recommendation: Introduce for Public Hearing on March 20, 2023.

13. Ordinance No. 07-2023 HVAC Improvement Program

Amending Ordinance No. 39-2022 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Costs of the HVAC Improvement Program and all Related Expenses and Determining to Proceed with said Project. (Project No. 720-21)

Executive Summary: This ordinance funds the construction and installation of HVAC Equipment at the Fire Station, Griswold Center and Community Center.

Recommendation: Introduce for Public Hearing March 20, 2023.

14. Ordinance No. 08-2023 Appropriation for Shaker Square Park Playground Replacement

Amending Ordinance No. 39-2022 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Costs of the Shaker Square Playground Replacement and all Related Expenses and Determining to Proceed with said Project. (Project No. 745-23)

Executive Summary: Appropriating funds from the Capital Improvement Fund for the replacement of the Shaker Square Park Playground.

Recommendation: Introduce for Public Hearing March 20, 2023.

Reports of City Officials

Reports of Council Members

Other Business

Executive Session

15. Executive Session

- a. To consider negotiations for economic development assistance.**
- b. To consider the appointment of a public official.**

Adjournment

16. Motion to Adjourn

Contact: Grace Brown, Clerk of Council (grace.brown@worthington.org) (614) 436-3100 | Agenda published on
03/02/2023 at 3:44 PM



STAFF MEMORANDUM
City Council Meeting – March 6, 2023

Date: February 16, 2023

To: Robyn Stewart, Acting City Manager

From: David McCorkle, Assistant City Manager & Economic Development Director

Subject: Parcel TIF Proposal for Stafford Village Redevelopment

EXECUTIVE SUMMARY

This ordinance would approve the creation of a tax increment financing (TIF) exemption for parcel number 100-0006797, located at 84-104 Stafford Avenue in Worthington, and authorize the City Manager to enter into an agreement with the property owner, Traditions at Worthington, dba National Church Residences.

RECOMMENDATION

Approve as presented.

BACKGROUND/DESCRIPTION

In 2020, the Worthington City Council voted to approve Stafford Village, an 85-unit senior housing facility at the northeast corner of Hartford Street and East Stafford Avenue. The 3.062-acre site, being developed by National Church Residences, includes a requirement for 34 of the units to be “affordable” with the remainder at “market rate” for a period of 30 years.

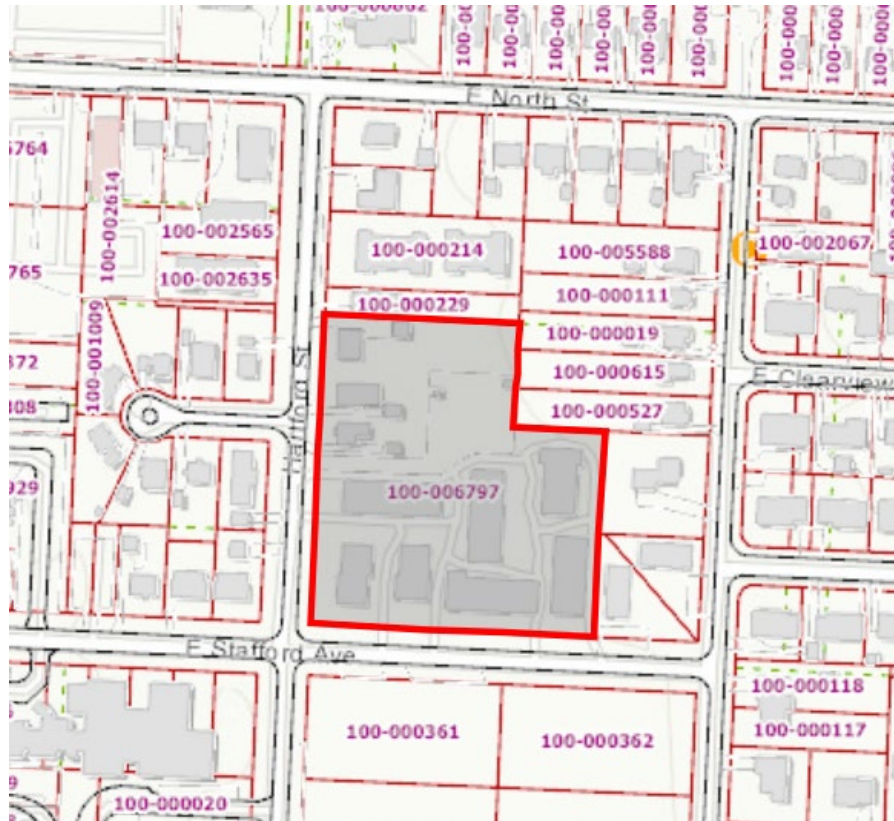
Staff from the Worthington Schools and the City have identified the TIF as an appropriate tool to help offset the costs of public improvements to nearby Hartford Field.

This redevelopment project represents an opportunity for the City to use TIF to capture and redirect non-school taxes from the incremental increase in value of parcel 100-006797. Under such an arrangement, owners of the property will pay service payments to the county in amounts equivalent to the taxes otherwise due on the improved value of the land, which

funds are then redirected into a City-controlled TIF fund. From the TIF fund, the City would redirect approximately \$600,000 in TIF revenues to reimburse the Worthington City Schools for the costs associated with public improvements to Harford Field. The terms of this reimbursement would be included in an amended Memorandum of Understanding (MOU) between the City and Schools.

If excess TIF revenues are generated, the fund could also be used by National Church Residences or the City to make other public improvements to the area immediately surrounding The Hartford project.

Parcel Number 100-006797



TIF Exemption – Structure:

Under State law, municipalities may employ three types of tax increment financing for economic development projects: *parcel*; *district*; and *urban redevelopment* TIF. Staff believes that *parcel* TIF represents the best mechanism to declare improvements as a public purpose and fund public infrastructure improvements to benefit Hartford Field and the surrounding properties. Parcel number 100-006797 will be the only parcel under this exemption.

The following are required to create a parcel TIF under Ohio Revised Code (ORC) §5709.40(B):

- Worthington City Council must adopt an ordinance declaring improvements to certain parcels of real property within the City to be a public purpose. Staff recommends that Worthington City Council identify parcel number 100-006797 as comprising property on which improvements will constitute a public purpose.

- Under the same legislation, Worthington City Council should specify that 100 percent of the improvements are exempt from real property taxes for 30 years.
- City Council must designate those public infrastructure improvements made, to be made, or in the process of being made that directly benefit the TIF'ed parcel. Staff recommends that public infrastructure improvements at and around Hartford Field may include demolition, earthwork, drainage/utilities, asphalt parking and an expanded play area, baseball fields with backstops, fencing, and clay infields, canopy trees, seeding, and other landscaping, walking paths, goal posts, bike racks, benches, trash cans, tables, and chairs, and assisting with legal, administrative, and overhead costs associated with these improvements.
- Because the proposed TIF seeks to make the Worthington City Schools whole on the project, State law requires only that City Council provide notice to the Board of Education of Worthington City Schools (Schools) at least 14 days prior to adopting the ordinance (see ORC §§5709.40(D)(5) and 5709.83). Staff has been in direct contact with the Schools on this issue well in advance of the City Council's action and provided formal notice to the Schools on February 7, 2023.
- Staff recommends that City Council not enter into a compensation agreement with the Schools, but rather amend the existing Memorandum of Understanding (MOU) to allow for the reimbursement of approximately \$600,000 from available TIF funding.
- Worthington City Council must establish a municipal public improvement tax increment equivalent fund into which will be deposited annual service payments in lieu of taxes paid by the owner(s) of the TIF'ed properties (see ORC §§5709.42 & 5709.43).
- The owners of the TIF parcel, Traditions at Worthington (dba National Church Residences), will enter into a TIF agreement with the City setting forth the parties' understanding of how the exemption is structured. Once such an agreement is fully executed, staff recommends that the City apply for the TIF exemption to the Franklin County Auditor on behalf of the owners of the exempted properties (see ORC §5709.911).

TIF Exemption – Terms & Benefits

Proposed redevelopment of the 84-104 Stafford Avenue site – into The Hartford - represents a good source of incremental increase in property tax revenue. It also responds to demand made by the community for senior living options near downtown Worthington. Through the use of this proposed TIF, the City can capture and redirect non-school tax revenue to assist with the substantial costs of making improvements to Hartford Field, and making further public improvements in the area immediately surrounding the site (e.g., pedestrian crossings, sidewalk improvements, bike and pedestrian amenities, etc.). The City estimates that the true value of the improvements to the parcels will approximate \$5.2 million.

The City intends to structure this as a non-school TIF, meaning the City's enabling ordinance will include language directing that payments in lieu of taxes be paid to the Schools in the amount of taxes that otherwise would have been paid (see ORC §5709.82(C)(2)).

ATTACHMENTS

Ordinance 02-2023

TIF Agreement

ORDINANCE NO. 02-2023

Declaring Improvements to Real Property within the City to be a Public Purpose; Declaring such Property to be Exempt from Real Property Taxation; Describing the Public Improvements to be Made that will Directly Benefit the Parcels of Real Property; Requiring the Owners of the Real Property to Make Service Payments In Lieu of Taxes; Authorizing the City Manager to Enter Into a Tax Increment Financing Agreement with the Property Owner; and Establishing a Municipal Public Improvement Tax Increment Equivalent Fund for the Deposit of Service Payments.

WHEREAS, Ohio Revised Code (“**ORC**”) §§5709.40, 5709.42 and 5709.43 (the “**TIF Statutes**”) provide that this Council may, under certain circumstances, declare improvements to real property within the City to be a public purpose, thereby exempting those improvements from real property taxation, as well as describe certain public infrastructure improvements to be made that directly benefit the real property, provide for payments in lieu of taxes by the owners of the real property, and establish a municipal public improvement tax increment equivalent fund; and,

WHEREAS, this Council desires to encourage the development of the real property described and depicted on EXHIBIT A attached to this Ordinance (the “**Property**”) to achieve the economic development goals of the City in a manner that is consistent with the existing neighborhood; and,

WHEREAS, Traditions at Worthington, dba National Church Residences, and any related entity formed for the specific purpose of redeveloping said Property (collectively, the “**Developer**”) desires to construct on the Property a new, 85-unit apartment building and one single-family home converted to an apartment for a total of 86 units, including 34 senior apartments to be designated as “affordable apartments” (the “**Project**”) in accordance with Ordinance 07-2020; and,

WHEREAS, in connection with the construction of the Project, the City and the Developer desire to execute a tax increment financing agreement substantially in the form attached hereto as EXHIBIT B (the “**TIF Agreement**”), which TIF Agreement would provide for the construction of the Project and for the financing of certain Public Infrastructure Improvements, as defined below and in the TIF Agreement; and,

WHEREAS, the designated public infrastructure improvements described in EXHIBIT C attached hereto (the “**Public Infrastructure Improvements**”) will directly benefit the Property; and,

WHEREAS, notice of this Council’s intention to declare the Improvements exempt from real property taxes and to pass this Ordinance has been delivered to the Board of

Education of the Worthington City School District (the “**Board**”) in accordance with ORC §5709.83, and this Council ratifies and affirms the delivery of such notice; and,

WHEREAS, pursuant to ORC §5709.40(D)(1), this Ordinance directs the Service Payments to be paid to the Board in the amount of the taxes that would have been payable to the Board if the Improvements had not been exempted from taxation, as such payments and their distribution to the Board are described under ORC §5709.42; and,

WHEREAS, pursuant to ORC §5709.40(D)(3), the Board intends to take no formal action in response to the City’s notice hereof, contingent upon the City and the Board amending the existing memorandum of understanding substantially in the form on file with the City (the “**Board Compensation MOU**”), to include approximately \$600,000 in available reimbursements to the Board for Public Infrastructure Improvements to occur at Hartford Field, a public greenspace maintained by the Board located adjacent to the Property (“Hartford Field”), which reimbursements shall be payable solely from Service Payments received by the City; and,

WHEREAS, the City and Board are desirous of updating Hartford Field to include demolition, earthwork, drainage/utilities, asphalt parking and an expanded play area, baseball fields with backstops, fencing, and clay infields, canopy trees, seeding, and other landscaping, walking paths, goal posts, bike racks, benches, trash cans, tables, and chairs, and assisting with legal, administrative, and overhead costs associated with these improvements; and,

WHEREAS, it is necessary and appropriate and in the best interests of the City to provide for the payment of annual service payments in lieu of taxes (“**Service Payments**”) by the current and future owners of the Property (each an “**Owner**,” and collectively, the “**Owners**”) with respect to the Improvements pursuant to ORC §5709.42; and,

WHEREAS, it is in the best interests of the City to declare the Improvements to the Property to be a public purpose, as Improvements are defined below and in ORC §5709.40(A)(4), and to provide an exemption from real property taxes as set forth in this Ordinance; and,

WHEREAS, the City intends to apply for exemptions from taxation on behalf of the Owner or Owners of the Property, pursuant to ORC §5709.911; and,

WHEREAS, this Council desires that the Public Infrastructure Improvements be constructed; and,

WHEREAS, the Board, Developer, City, or any combination thereof, have negotiated and otherwise planned for, and intend to incur, the costs to construct the Public Infrastructure Improvements; and,

WHEREAS, this Council desires that a portion of the costs of the Public Infrastructure Improvements and related expenses be paid from the Service Payments made

in respect to the Improvements, as the use and applicability of such Service Payments are further described in EXHIBIT C.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. Pursuant to and in accordance with the provisions of the TIF Statutes, this Council hereby determines and finds that it is in the best interests of the City to declare the Improvements to the Property to be a public purpose and to grant an exemption from real property taxes on those Improvements, and this Council finds and determines that one-hundred percent (100%) of the applicable increase in true value of the Property subsequent to the effective date of this Ordinance (the **“Improvements”**) is hereby declared to be a public purpose, with said exemption commencing on the first day of the first tax year after the effective date of this Ordinance in which the Improvements attributable to the construction of one or more completed new or redeveloped buildings on the Property first appears on the tax list and duplicate of real and public utility property, and ending on the earlier of (i) thirty (30) years after such commencement date or (ii) the date on which the City can no longer require Service Payments, all in accordance with the requirements of ORC §5709.40 and ORC §5709.42.

SECTION 2. As provided in ORC §5709.42, the Owner or Owners of the Property are hereby required to, and shall make, Service Payments to the Treasurer of Franklin County (the **“County Treasurer”**) on or before the final dates for payment of real property taxes without penalty or interest, which Service Payments shall be retained by the County Treasurer or remitted to the City for deposit in the TIF Fund (as defined below), pursuant to ORC §5709.40 and ORC §5709.42 and as provided in Section 4 of this Ordinance. Each Service Payment shall be in the same amount as the real property taxes that would have been charged and payable against the Improvements (after credit for any other payments received by the City under ORC §319.302) had an exemption from taxation not been granted, and otherwise shall be in accordance with the requirements of the TIF Statutes. Any late Service Payments shall be subject to penalty and bear interest at the then current rate established under ORC §323.121(B)(1) and ORC §5703.47 or any successor provisions thereto, as the same may be amended from time to time (the payment of penalties and interest are collectively referred to herein with the annual service payments in lieu of taxes and any related amounts received by the City under ORC §319.302 as the Service Payments).

Service Payments are to be paid to the Board by the County Treasurer in an amount equal to the property tax payments the Board would have received from the portion of the Improvements exempted from taxation had the Improvements not been exempted. Any remaining Service Payments, after payments made to the Board under this Section, shall be allocated and deposited in accordance with Section 4 of this Ordinance.

SECTION 3. This Council finds and determines that the Public Infrastructure Improvements will directly benefit the Property.

SECTION 4. This Council hereby authorizes and directs the Director of Finance to establish, pursuant to and in accordance with the provisions of ORC §5709.43, the Stafford Village Municipal Public Improvement Tax Increment Equivalent Fund (the “**TIF Fund**”) to be maintained in the custody of the City. The TIF Fund shall receive all Service Payments made in respect of the Improvements which are received by the City from the County Treasurer in accordance with this Ordinance.

The Service Payments received by the City shall be deposited into the TIF Fund and used (i) first, to pay the City’s customary and reasonable costs related to the exercise of its rights and the discharge of its obligations under the TIF Statutes, this Ordinance, and all other related laws, agreements and undertakings, (ii) second, to pay the costs of the construction of the Public Infrastructure Improvements in accordance with the Board Compensation MOU, and (iii) third, if any Service Payments remain in the TIF Fund after the payments described in (i) – (ii) above, to make payments to the City to be used for purposes of making any other future Public Infrastructure Improvements.

The TIF Fund shall remain in existence for so long as the Service Payments are collected and used for the aforesaid purposes, after which the TIF Fund shall be dissolved in accordance with ORC §5709.43(D). Upon such dissolution, any incidental surplus remaining in the TIF Fund shall be disposed as provided in ORC §5709.43(D).

SECTION 5. The City Manager or the person acting in such capacity is hereby authorized to execute the TIF Agreement on behalf of the City substantially in the form attached hereto as EXHIBIT B, which TIF Agreement includes provisions regarding the construction of the Project and the Public Infrastructure Improvements providing for, among other things, the payment of Service Payments with respect to the Property and the use of the TIF Funds, together with such revisions or additions thereto as approved by the City Manager as consistent with the objectives and requirements of this Ordinance, which approval shall be conclusively evidenced by the signing of said TIF Agreement. The City Manager and other appropriate City officials are further authorized to provide such information and to execute, certify or furnish such other documents, and to do all other things as are necessary for and incidental to carrying out the provisions of the TIF Agreement, including but not limited to amendments to the Board Compensation MOU as described herein.

SECTION 6. The City Manager, the Director of Finance and the Director of Law, and any other City official, as appropriate, are each authorized and directed to sign any other documents, instruments or certificates and to take such actions as are necessary or appropriate to consummate or implement the transactions described in or contemplated by this Ordinance.

SECTION 7. Pursuant to ORC §5709.40(I), the Clerk of this Council is hereby directed to deliver a copy of this Ordinance to the Director of the Ohio Department of Development within fifteen days after its passage, and on or before March 31 of each year that the exemption set forth in Section 1 hereof remains in effect, the City Manager shall cause to be prepared and submitted to the Director of the Ohio Department of Development the status report required thereunder.

SECTION 8. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 9. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed _____

President of Council

Attest:

Introduced February 20, 2023
P.H. March 6, 2023

Clerk of Council

EXHIBIT A

PROPERTY DESCRIPTION

Real property located at 84-104 Stafford Avenue, Parcel Number 100-006797, as that real property is located in the City of Worthington, Franklin County.

The parcel enumerated herein and any subsequent purported subdivisions and/or re-assigned parcel number identifications or street addresses shall constitute the **“Property.”**

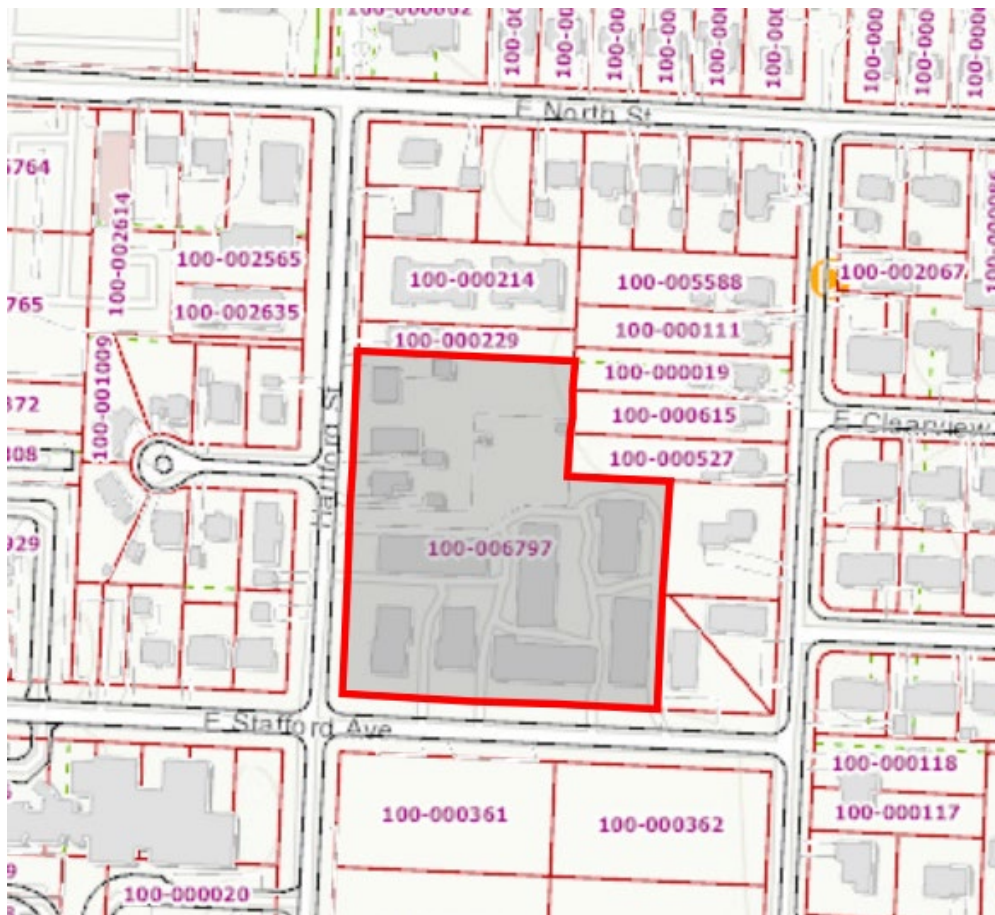


EXHIBIT B
TAX INCREMENT FINANCING AGREEMENT
Between
THE CITY OF WORTHINGTON
And
TRADITIONS AT WORTHINGTON

This Tax Increment Financing Agreement (“**Agreement**”) has been made and entered into as of the ____ day of _____, 2023 (the “**Effective Date**”) by and between the City of Worthington, Ohio (the “**City**”), a municipal corporation organized and existing under the constitution and the laws of the State of Ohio, with its main office located at 6550 North High Street, Worthington, Ohio 43085, and Traditions at Worthington, dba National Church Residences, an Ohio not-for-profit corporation (the “**Developer**”), with principal offices at 2335 N. Bank Dr., Columbus, Ohio 43220. The City and the Developer are collectively referred to herein as the “**Parties**.”

WITNESSETH:

WHEREAS, the Developer, and any related entity formed for the specific purpose of developing the Property, as described herein, owns or plans to acquire all of the real property described and/or depicted in Exhibit “A”, attached to this Agreement and incorporated herein, located in the City (collectively, the “**Property**”), and identified in tax year 2023 by the Franklin County Auditor as comprising the following tax parcel number: 100-006797; and

WHEREAS, the Developer has proposed the redevelopment of the Property for the specific purpose of constructing a new, 85-unit apartment building and one single-family home converted to an apartment for a total of 86 units, including 34 senior apartments to be designated as “affordable apartments” (the “**Project**”), as more fully described in Exhibit B, Scope of Work, attached to this Agreement and incorporated herein; and

WHEREAS, the City anticipates passing or has passed Ordinance No. 02-2023 (the “**TIF Ordinance**”), pursuant to and in accordance with Ohio Revised Code (“**ORC**”) Sections 5709.40, 5709.42 and 5709.43 (the “**TIF Statutes**”), (i) declaring that the increase in assessed value of the Property (which increase in assessed value is the “**Improvement**”, as that term is defined in ORC Section 5709.40(A)(4)) is a “public purpose”; (ii) declaring that the Public Infrastructure Improvements (as defined hereafter) to be made are designated as those public infrastructure improvements that directly benefit, or that once made will directly benefit, the Property; (iii) providing for the exemption of one-hundred percent (100%) of the Improvement on the Property from real property taxation (hereinafter referred to as the “**Exempted Portion of the Improvement**”), commencing with the first day of the first tax year after the effective date of the TIF Ordinance in which the Improvements attributable to the construction of the Project on the Property first appears on the tax list and duplicate of real and public utility property, and ending on the earlier of (a) thirty (30) years after such commencement date or (b) the date on which the City can no longer require Service Payments (as hereinafter defined) to be paid to the

Stafford Village Public Improvement Tax Increment Equivalent Fund (the “**TIF Fund**”), which TIF Fund is established in the TIF Ordinance, all in accordance with the requirements of the TIF Statutes; and (iv) providing for the payment of service payments in lieu of real property taxes (the “**Service Payments**”, as further defined in Section 1 hereof), which are to be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and payable against the Exempted Portion of the Improvement; and

WHEREAS, the City has determined that the construction of the Project by the Developer and the fulfillment generally of this Agreement, are in the best interests of the City and will advance the health, safety and welfare of its residents; and

WHEREAS, the City will cause to be made certain related public infrastructure improvements, as outlined in Exhibit “C”, attached hereto and incorporated herein (collectively, the “**Public Infrastructure Improvements**”) that, once made, will directly benefit the Property; and

WHEREAS, the determination by the City in the TIF Ordinance that the Improvement to the Property is a “public purpose” was made solely and exclusively for the purpose of permitting the aforementioned tax exemption and imposition of the obligation to pay Service Payments to pay or finance costs of the Public Infrastructure Improvements; and

WHEREAS, the City and the Developer desire to enter into this Agreement, which defines the rights and responsibilities of each party.

NOW THEREFORE, the Developer, pursuant to this Agreement and for itself and its successors and assigns to or of the Property, hereby declares that the Property and the Project shall be held, developed, encumbered, leased, occupied, improved, built upon, used and conveyed subject to the terms and provisions of this Agreement; and, in consideration of these premises and the mutual covenants and obligations of the Parties hereto set forth, each of them does hereby covenant and agree as follows:

§1. Covenant to Make Payments in Lieu of Taxes. The Developer agrees, for itself and its successors and assigns to or of the Property or any part thereof (the Developer and each successor or assign is individually referred to as an “**Owner**” and collectively as the “**Owners**”), that the Owners shall pay, during their respective periods of ownership of the Property, all Service Payments with respect to the Exempted Portion of the Improvement on the Property pursuant to and in accordance with the TIF Statutes, the TIF Ordinance and this Agreement. All such Service Payments as are levied and assessed from time to time shall be made semiannually to the Treasurer of Franklin County (or to the Treasurer’s designated agent for collection of the Service Payments) on or before the date on which the semi-annual payment in respect of real property taxes would otherwise be due and payable for the Exempted Portion of the Improvement. Each semiannual payment of Service Payments shall be in the same amount as the real property taxes that would have been charged and payable against the Exempted Portion of the Improvement had an exemption from taxation not been granted, and otherwise shall be in accordance with the requirements of the TIF Statutes, including any interest assessed on any late payment of the Service Payments (currently established under Sections 323.121(B)(1) and 5703.47 of the ORC, as the same may be amended from time to time). The payment of penalties and interest are collectively referred to herein with the service payments in lieu of taxes as the “**Service**

Payments". The Service Payments shall be allocated and distributed in accordance with Section 5 of this Agreement.

The exemption provided in the TIF Ordinance commences with the first day of the first tax year after the effective date of the TIF Ordinance in which any Improvement that is attributable to the construction of the Project on the Property first appears on the tax list and duplicate of real and public utility property and ends when the City can no longer use the Service Payments for any lawful purpose under the TIF Statutes or on the thirtieth (30th) anniversary of such commencement date, whichever is first to occur.

No Owner shall, under any circumstances whatsoever, be required for any period of any tax year to pay, whether pursuant to ORC Section 5709.42 or this Agreement, (i) both real property taxes with respect to the Exempted Portion of the Improvement and Service Payments with respect to the Exempted Portion of the Improvement, or (ii) an amount of Service Payments in excess of that amount of real property taxes that would otherwise be payable during such period had the Exempted Portion of the Improvement not had an exemption from taxation.

Notwithstanding the current configuration of the Property, the Parties acknowledge for all purposes of this Agreement that, without affecting or changing the area comprising the Property, those parcels within the Property may change from time to time in number, area and designation.

The obligations of the Developer under this Agreement are contingent on acquisition of the Property by the Developer.

§2. Priority of Service Payments. By its execution hereof, the Developer, as Owner, on behalf of itself and subsequent Owners, hereby grants to the City a continuing lien on the Property as security for the timely payment of the Service Payments in accordance with the TIF Statutes, the TIF Ordinance and this Agreement, which lien shall have the priority stated in ORC Section 5709.91.

§3. Exemption Applications. In respect of portions of the Property owned by the Developer at the time of the filing described in this Section 3, the Developer agrees and consents to the City preparing and filing all necessary applications and supporting documents to obtain the exemption from real property taxation for the Exempted Portion of the Improvement authorized by the TIF Statutes and the City (including, but not limited to, the Developer signing the Ohio Department of Taxation DTE Form 24, filed with the County Auditor, with its consent that the City execute that form). The Developer, on behalf of itself and each subsequent Owner, agrees that it shall assist and cooperate with the City, and that it shall cause each subsequent Owner by deed or declaration to assist and cooperate with the City, in the preparation and filing by the City of such applications and supporting documents that are necessary to enable the City to collect Service Payments thereunder (including, but not limited to, the Developer signing and timely filing the Ohio Department of Taxation DTE Form 26), and the Developer and each Owner shall cooperate with the City in connection with the preparation and filing of the initial and any further applications required to accomplish that purpose, and will not undertake any acts which would prohibit, prevent, delay or hinder the City from obtaining the Service Payments hereunder.

§4. Covenants to Run With the Land. It is intended and agreed that the covenants of the Developer

as Owner in Sections 1, 2 and 3 hereof shall be covenants running with the land and that they shall, in any event and without regard to technical classification or designation, legal or otherwise, be binding to the fullest extent permitted by law and equity, for the benefit and in favor of, and enforceable by, the City against the Property, the Project and the Owners. It is further intended and agreed that such covenants shall remain in effect for the full period of exemption provided in accordance with the requirements of the Statutes, the TIF Ordinance enacted pursuant thereto and this Agreement. This Agreement shall be recorded by the City at its sole cost and expense to place, of record with the Office of the Recorder of Franklin County, Ohio, evidence and notice of the legal responsibility and obligation of each future Owner to make Service Payments as a condition of ownership. It is agreed by the Developer, as Owner, that all covenants in this Agreement, whether such provisions are included by any Owner in any deed to such Owner's successors and assigns, shall be binding upon each Owner and shall be enforceable by the City in the manner provided herein.

In amplification of, and not in restriction of, the provisions of this Section 4, it is intended and agreed that the City and its respective successors and assigns shall be deemed a beneficiary of the covenants provided herein. Such covenants shall run in favor of the City for the entire period of the exemption provided by the TIF Ordinance and the TIF Statutes, without regard to whether the City has at any time been, remains or is an owner of any land or interest therein, to which such covenants relate. The City shall have the right in the event of any breach of any covenant herein contained, to exercise all of the rights and remedies, and to maintain all actions or suits at law or in equity or in other proper proceedings, to cure such breach, to which it or any other beneficiaries of such covenant may be entitled.

The Developer further agrees for itself and any Owners, that all agreements, covenants, rights, duties, remedies and obligations of the Developer and of the City, and their respective successors and assigns, set forth in this Agreement, shall be binding upon them and their respective successors and assigns, which Agreement shall survive any recording and shall be valid and enforceable by and against the Parties referred to in this Agreement, in accordance with the terms and provisions contained therein. Any agreement or covenant referred to in this Agreement as being a covenant running with the land, shall run with the land and be valid and enforceable by and against the Parties referred to herein, in accordance with the terms and provisions thereof.

The City agrees that upon expiration of the period of exemption as that period is defined in this Agreement and the TIF Ordinance, and fulfillment of the obligations of the Developer and any subsequent Owner(s) under this Agreement with respect to each portion of the Property owned by such Owner, the City will, upon request by an Owner, execute and deliver to the Owner a recordable instrument evidencing that the obligations under this Agreement (and under any deed or Declaration) with respect to the portions of the Property owned by the Owner are fully satisfied and that the Owner and such property are released from all further obligations under this Agreement (and under any deed or Declaration).

§5. Use of TIF Payments. The Developer and the City agree that all Service Payments related to any Improvement when received by the City shall be deposited in the TIF Fund, as required by ORC Section 5709.43. The TIF Fund shall be an account maintained in the custody of the City and shall receive all distributions required to be made to the City. As provided in further detail below, a portion of the costs of the Public Infrastructure Improvements will be reimbursed to the

Board of Education of the Worthington City School District (the “**Board**”), Developer, City, or any combination thereof, by the City from the TIF Fund.

All Service Payments shall first be used by the City to pay the City’s customary and reasonable costs related to the exercise of its rights and the discharge of its obligations under the TIF Statutes, the TIF Ordinance and all other related laws, agreements and undertakings.

Pursuant to the Board Compensation MOU (as defined in the TIF Ordinance), upon completion of the Public Infrastructure Improvements at Hartford Field and legal, administrative, and overhead costs associated with these improvements as described on Exhibit “C”, the Board shall subsequently provide a certified statement of expenses that it incurred in order to design and construct such Public Infrastructure Improvements (the “**Certified Statement**”). After payment to the City for the City’s costs, the Service Payments shall be used to reimburse the Board for the Board’s expense in constructing the Public Infrastructure Improvements as shown on the Certified Statement, approximately Six Hundred Thousand dollars (\$600,000.00) (the “**Reimbursement Amount**”), notwithstanding the Board’s total cost of construction. For avoidance of doubt, the payment obligation of the City hereunder shall be limited to Service Payments available for such purpose. The Board may assign its right to receive payments hereunder to a lender as required in any financing agreements that the Board enters into in order to finance the construction of the Public Infrastructure Improvements, subject to prior review of such assignment by the City.

Should the Developer convey its interest in the Property prior to the Board receiving full payment of the Reimbursement Amount by the City, only the Board, and not a successor Owner of the Property or any part thereof, shall be entitled to the payments from the TIF Fund for the cost shown on the Certified Statement. No such reimbursement shall be made to the Board from any fund other than the TIF Fund. If there are insufficient funds in the TIF Fund to make a payment to the Board because either the Developer or a successor in interest has failed to pay the Service Payments, the City shall have no obligation to reimburse the Board until the TIF Fund receives the Service Payments from the County.

After reimbursement of the Reimbursement Amount is made to the Board, the City may then use Service Payments to pay for the cost of any other Public Infrastructure Improvements for any lawful purpose. The TIF Fund shall remain as an account in existence so long as such Service Payments are collected and used for the aforesaid purposes, after which time the TIF Fund shall be dissolved and any surplus funds remaining therein shall be transferred to the City’s general fund, all in accordance with ORC Section 5709.43.

§6. Agreement Binding on Parties; No Personal Liability. All covenants, obligations and agreements of the Developer and the City contained in this Agreement shall be effective to the extent authorized and permitted by applicable law, and shall be binding upon and inure to the benefit of the successors and assigns of the Parties hereto. No such covenants, obligation or agreement shall be deemed to be a covenant, obligation or agreement of any present or future member, officer, agent or employee of the City in other than their official capacity or of any individual person who is an officer, member, director or shareholder of the Developer other than in their capacity as an officer, member, director or shareholder, and neither the members of the City Council nor any City official executing this Agreement or any individual person executing this Agreement on behalf of the Developer, shall be liable personally by reason of the covenants,

obligations or agreements of the Developer or the City contained in this Agreement.

§7. Notices. All notices, requests, demands and other communications between the Parties required or permitted to be given under this Agreement shall be deemed to have been duly given if in writing and (i) delivered personally, (ii) deposited in the United States Mail by registered or certified mail, postage prepaid, or (iii) sent by any nationally recognized courier delivery service, and addressed as follows:

If to the City:

Robyn Stewart
Acting City Manager, City of Worthington
6550 North High Street
Worthington, Ohio 43085

With a copy to:

Tom Lindsey
Director of Law, City of Worthington
370 Highland Avenue
Worthington, Ohio 43085

If to the Developer:

National Church Residences
2335 N. Bank Dr.
Columbus, Ohio 43220
Attn: Matthew Rule

Any party may change the address and/or persons to which notices are to be addressed by giving the other party notice in the manner stated herein.

§8. Complete Agreement. All present negotiations, considerations, representations and understandings between the Parties as to the implementation of the exemptions authorized by the TIF Ordinance and the subject matters of this Agreement are incorporated herein. This Agreement may only be amended by a written instrument duly authorized and executed by the Parties hereto, and subject to authorization by the Worthington City Council, if required.

§9. No Third Party Beneficiaries. None of the provisions of this Agreement or any document contemplated hereby is intended to grant any right or benefit to any person or entity that is not a party to this Agreement.

§10. Governing Law. This Agreement shall be governed exclusively by and construed in accordance with the laws of the State of Ohio.

§11. Severability. If any provision in this Agreement or any portion thereof shall be invalid or unenforceable for any reason, such invalidity or lack of enforceability shall not affect the validity or enforceability of any other provision or portion thereof. To the extent an interpretation of a provision or a portion thereof can be made which will make it valid or enforceable, the Parties agree that the interpretation making it valid or enforceable should be chosen.

IN WITNESS WHEREOF, the City and the Developer, each by a duly authorized representative, have caused this Tax Increment Financing Agreement to be executed as of the Effective Date.

TRADITIONS AT WORTHINGTON dba NATIONAL
CHURCH RESIDENCES

By: _____
President & CEO

THE CITY OF WORTHINGTON

By: _____
Robyn Stewart, Acting City Manager

Approved as to form:

Tom Lindsey
Director of Law

Exhibit “A”

Property Description

Real property located at 84-104 Stafford Avenue, Parcel Number 100-006797, as that real property is located in the City of Worthington, Franklin County.

The parcel enumerated herein and any subsequent purported subdivisions and/or re-assigned parcel number identifications or street addresses shall constitute the “**Property.**”

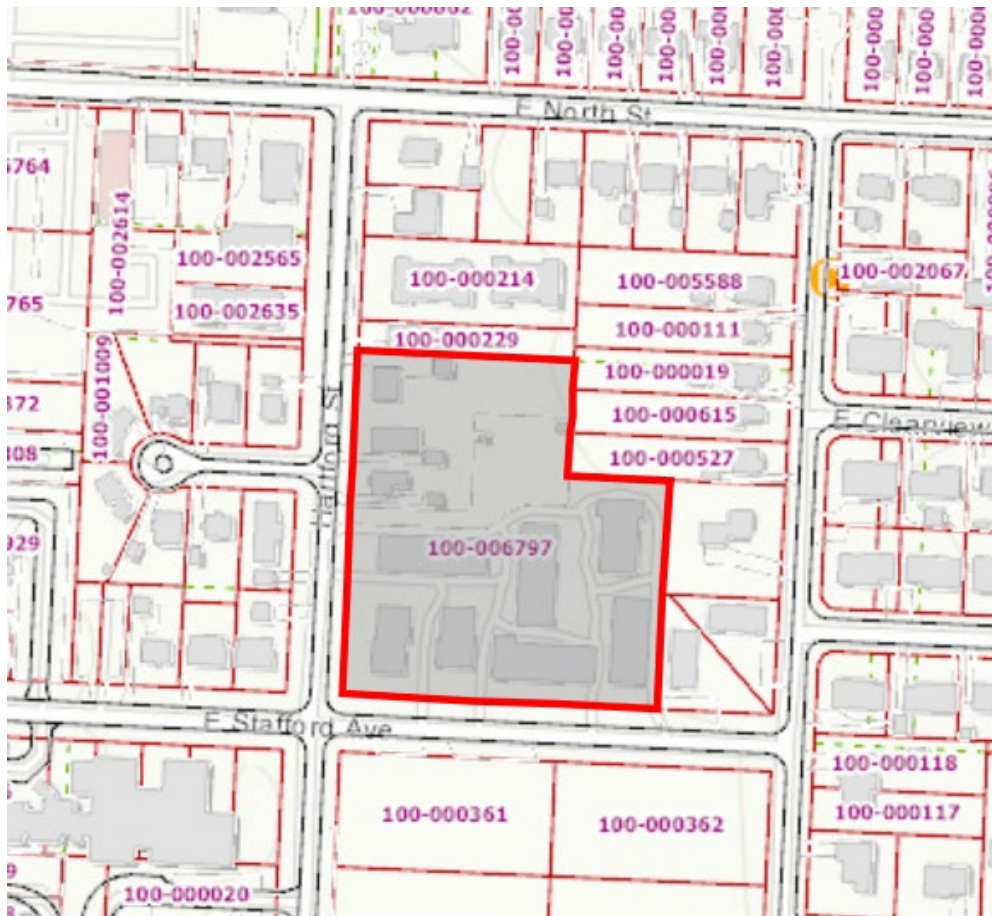


Exhibit “B”

Scope of Work

National Church Residences Stafford Worthington OH (the “**Developer**”) intends to redevelop 3.062 acres of commercial property located at 84-104 Stafford Avenue, Worthington, Franklin County (parcel number 100-006797) (the “**Property**”). The property was rezoned in 2020 to a Planned Unit Development, permitting the construction of a new, 85-unit apartment building and one single-family home converted to an apartment for a total of 86 units, including 34 senior apartments to be designated as “affordable apartments”, by National Church Residences (NCR) at Stafford Village, at the northeast corner of Hartford Street and East Stafford Avenue (the “**Project**”). An accompanying resolution was also approved by Worthington City Council with an agreement requiring that 34 of the units are "affordable" with the remainder at "market rate" for a term of 30 years.

The tax increment financing for the Project is specifically intended to first provide a means to reimburse the Board of Education of the Worthington City School District for the costs associated with improvements to Hartford Field, which is located adjacent to the Project, including demolition, earthwork, drainage/utilities, asphalt parking and an expanded play area, baseball fields with backstops, fencing, and clay infields, canopy trees, seeding, and other landscaping, walking paths, goal posts, bike racks, benches, trash cans, tables, and chairs, and assisting with legal, administrative, and overhead costs associated with these improvements.

Future public improvements that directly benefit the Property may, at the discretion of the City, also be funded with the Stafford Village TIF Fund after the City and Board have been fully reimbursed. These improvements could include structured parking for senior affordable and/or senior mixed-income housing, an intergenerational playground, enhanced crosswalks to the Hartford Field, walking paths and other landscaping connecting senior affordable and/or senior mixed-income housing to nearby amenities.

Exhibit “C”

Public Infrastructure Improvements

The Public Infrastructure Improvements may include:

- Improvements to Hartford Field;
- Bike and pedestrian improvements on and surrounding the Property;
- Future Public Infrastructure Improvements that directly benefit the Property;
- Professional fees, including architectural, design, engineering, contract administration, and legal costs;
- All inspection fees and other governmental fees related to the foregoing; and
- Any other costs for the aforesaid Public Infrastructure Improvements as permitted by law.

Public Infrastructure Improvements described herein may from time-to-time be constructed or caused to be constructed by the Board, the Developer, the City, or a combination thereof, in which case any party may be reimbursed from Service Payments under this Ordinance according to their relative proportion of costs borne to construct the Public Infrastructure Improvements. In the case of any such reimbursements to the Board, the Parties agree that the Board shall be paid approximately \$600,000 from available TIF Funds during the term of the Agreement.

The Public Infrastructure Improvements shall also include any other future improvements as may be designated by City Council to directly benefit the Property.



STAFF MEMORANDUM
City Council Meeting – March 6, 2023

Date: March 1, 2023

To: Robyn Stewart, Acting City Manager

From: John Moorehead, P.E., Director of Service & Engineering

Subject: Ordinance No. 03-2023 Sanitary Sewer Repair & Rehabilitation, Project Number 731-22

EXECUTIVE SUMMARY

This ordinance appropriates funding for the 2023 Sanitary Sewer Repair & Rehabilitation Project.

RECOMMENDATION

Motion to Amend to insert the amount of the appropriation (\$1,025,000.00) and the name of the contractor (Insight Pipe Contracting, LLC) and to change the referenced project's name from 2023 Sewer Lining Project to 2023 Sanitary Sewer Repair & Rehabilitation Project; Approve as Amended

BACKGROUND/DESCRIPTION

This Ordinance was introduced with blanks for the amount and the firm pending the results of the bid opening. On Wednesday, March 1, 2023, at noon, staff opened bids for the 2023 Sanitary Sewer Repair & Rehabilitation Project. Four firms submitted acceptable and verified bids. All were below the Engineer's estimate of \$1,006,227.50. The lowest and best bid was submitted by Insight Pipe Contracting, LLC in the amount of \$932,438.60. Staff is requesting an appropriation of \$1,025,000.00, which includes the bid amount and a contingency of 10%, and permission for the City Manager to enter into a contract with Insight Pipe Contracting, LLC.

FINANCIAL IMPLICATIONS/FUNDING SOURCES (if applicable)

This project is scheduled to be funded through bond issuance.

ATTACHMENTS

Ordinance No. 03-2023

ORDINANCE NO. 03-2023

Amending Ordinance No. 39-2022 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Costs of the 2023 Sewer Lining Project and all Related Expenses and Determining to Proceed with said Project. (Project No. 731-22)

WHEREAS, the Charter of the City of Worthington, Ohio, provides that City Council may at any time amend or revise the Budget by Ordinance, providing that such amendment does not authorize the expenditure of more revenue than will be available;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That there be and hereby is appropriated from the Capital Improvements Fund Unappropriated Balance to Account No. 308.8170.533459 an amount not to exceed One Million, twenty-five thousand dollars (\$1,025,000.00) to pay the cost of the 2023 Sewer Lining Project (Project No. 731-22)

SECTION 2. That the City Manager be and hereby is authorized and directed to enter into an agreement with the firm of Insight Pipe Contracting, LLC for the provision of the aforementioned services.

SECTION 3. For the purposes of Section 2.21 of the Charter of the City, this ordinance shall be considered an "Ordinance Determining to Proceed" with the Project, notwithstanding future actions of this Council, which may be necessary or appropriate in order to comply with other requirements of law.

SECTION 4. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed _____

President of Council

Attest:

Introduced February 20, 2023
P.H. March 6, 2023

Clerk of Council

ORDINANCE NO. 03-2023

Amending Ordinance No. 39-2022 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Costs of the 2023 Sewer Lining Project and all Related Expenses and Determining to Proceed with said Project. (Project No. 731-22)

WHEREAS, the Charter of the City of Worthington, Ohio, provides that City Council may at any time amend or revise the Budget by Ordinance, providing that such amendment does not authorize the expenditure of more revenue than will be available;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That there be and hereby is appropriated from the Capital Improvements Fund Unappropriated Balance to Account No. 308.8170.533459 an amount not to exceed _____ (\$ _____) to pay the cost of the 2023 Sewer Lining Project (Project No. 731-22)

SECTION 2. That the City Manager be and hereby is authorized and directed to enter into an agreement with the firm of _____ for the provision of the aforementioned services.

SECTION 3. For the purposes of Section 2.21 of the Charter of the City, this ordinance shall be considered an "Ordinance Determining to Proceed" with the Project, notwithstanding future actions of this Council, which may be necessary or appropriate in order to comply with other requirements of law.

SECTION 4. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed _____

President of Council

Attest:

Introduced
P.H.

Clerk of Council



STAFF MEMORANDUM
City Council Meeting – March 6, 2023

Date: February 15th, 2023

To: Robyn Stewart, Acting City Manager

From: Scott F. Bartter, Finance Director

Subject: Ordinance 04-2023 – Creating a Payroll Clearing Fund

EXECUTIVE SUMMARY

This legislation would create a payroll clearing fund to assist with the tracking and reconciliation of payroll expenses within the new financial software.

RECOMMENDATION

Approve as presented.

BACKGROUND/DESCRIPTION

On March 17th, 2023, the City anticipates going live with the first change to the City's financial software system since 1994. This software manages all financial transactions within the City. As part of the transition to the new software it has been recommended by our new software consultants that the City create a Payroll Clearing Fund. This fund would be a zero-balance fund that would account for disbursements related to the bi-weekly processing of payroll. This new fund would be used only for the purpose of paying and compensating employees and paying employee deductions.

FINANCIAL IMPLICATIONS/FUNDING SOURCES

None

ORDINANCE NO. 04-2023

Authorizing and Directing the Establishment of a Payroll Clearing Fund.

WHEREAS, the City is in the process of converting the financial software utilized for processing all financial transactions processed by the City; and

WHEREAS, as part of this conversion the City desires to establish a zero-balance fund within the General Ledger System that contains only entries related to payroll; and

WHEREAS, the purpose of the Payroll Clearing Fund is separate tracking of outstanding warrants or other disbursements related to the bi-weekly processing of payroll and to mimic the bank activity in the City's zero-balance payroll account; and

WHEREAS, the creation of said fund requires approval by City Council.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Worthington, County of Franklin, State of Ohio:

SECTION 1. City Council hereby authorizes the creation of the Payroll Clearing Fund, Fund 998 ("the Fund"), into which shall be paid and transferred from the various funds an amount of money equal to the various salaries and wages and other compensations due city employees.

SECTION 2. The Finance Director is authorized and directed to transfer from the funds of the various departments to the Fund sufficient moneys to pay the salaries, wages, and other compensations of the employees of the various departments of the city.

SECTION 3. The Fund shall be used and payments therefrom shall be made only for the purpose of paying and compensating employees of the city for services rendered, paying employee deductions to those persons, agencies and organizations entitled to such payments.

SECTION 4. That notice of passage of this Ordinance shall be by publication of a notice, one time, in a newspaper of general circulation in the City setting forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council, and that this Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed _____

President of Council

Attest:

Clerk of Council



STAFF MEMORANDUM
City Council Meeting – March 6, 2023

Date: March 2, 2023

To: Robyn Stewart, Acting City Manager

From: Ethan C. Barnhardt, Management Assistant/Special Projects Coordinator

Subject: Resolution No. 10-2023 – 2023 Community Grant Allocations

EXECUTIVE SUMMARY

This Resolution allocates grant funding for community groups.

RECOMMENDATION

Introduce and Approve as Presented

BACKGROUND/DESCRIPTION

In this first quarter of 2023, the City accepted grant applications from community non-profit organizations. The City Council's established priorities for the grants were:

- (1a) basic human necessities such as provision of food and/or clothing for people in need
- (1b) mental health services and/or community counseling to assist people with mental or social health issues and
- (2) improvement of the Worthington community.

Within those priorities, the City Council approved a matrix that gave preference to initiatives with a demonstrated need, service/location within the City of Worthington and secondarily the Worthington School District, clearly stated impact indicators, leveraging of the City's funds with matching funds and financial need.

Sixteen applications were received for a total of \$62,866.21 requested. The budget for the grants within the 2023 Operating Budget is \$40,000. The City Council

designated a review committee comprised of two City Council members and a representative each from the Community Relations Commission, Worthington Schools, and the Griswold Center.

The committee reviewed the applications and recommended the following amounts:

American Legion	\$2,500.00
Family Mentor Foundation	\$5,300.00
Jewish Family Services	\$1,000.00
LifeCare Alliance	\$5,300.00
National Church Residences Foundation	\$3,000.00
Neighborhood Bridges	\$250.00
North Community Counseling	\$6,000.00
Partners for Community & Character	\$250.00
Sharon Township Veteran's Memorial Hall	\$250.00
Syntero	\$5,000.00
Worthington VFW Post #2398	\$250.00
Worthington Bridges	\$2,000.00
Worthington Interfaith Neighbors	\$400.00
Worthington-Linworth Kiwanis	\$2,500.00
Worthington Resource Pantry	\$5,000.00
Worthington Special Olympics	\$1,000.00
TOTAL:	\$40,000.00

A summary of the applications received by the City is attached. The programs deemed to have the closest connections to the City Council's established priorities of meeting basic needs and providing mental health services and/or counseling are recommended to receive the most funding.

FINANCIAL IMPLICATIONS/FUNDING SOURCES (if applicable)

The recommendations fit within the grant funding included in the 2023 Operating Budget.

ATTACHMENT(S)

Resolution No. 10-2023

2023 Community Grant Proposed Program Summary

2023 Community Grant Program Historical Comparison

2023 Recommended Amounts

RESOLUTION NO. 10-2023

Approving Funding to Worthington Community
Groups for the 2023 Community Grant Program.

WHEREAS, the City of Worthington recognizes the important contributions of community organizations in providing vital services and programming to the Worthington community; and,

WHEREAS, the programs and services provided by these organizations constitute a public purpose and serve a broad base of the residents of the City of Worthington; and,

WHEREAS, upon evaluating the purpose and goals of each organization and the programs identified in the grant applications, it has been determined how \$40,000 in funds already appropriated for Community Grants in the 2023 Operating Budget will be distributed,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That City Council hereby awards community grants as follows:

American Legion	\$2,500.00
Family Mentor Foundation	\$5,300.00
Jewish Family Services	\$1,000.00
LifeCare Alliance	\$5,300.00
National Church Residences Foundation	\$3,000.00
Neighborhood Bridges	\$250.00
North Community Counseling Center, Inc.	\$6,000.00
Partners for Community and Character	\$250.00
Sharon Township Veteran's Memorial Hall	\$250.00
Syntero, Inc.	\$5,000.00
Worthington VFW Post #2398	\$250.00
Worthington Bridges	\$2,000.00
Worthington Interfaith Neighbors	\$400.00
Worthington-Linworth Kiwanis	\$2,500.00
Worthington Resource Pantry	\$5,000.00
Worthington Special Olympics	<u>\$1,000.00</u>

TOTAL: \$40,000.00

SECTION 2. That the Finance Director is authorized and directed to disburse grant funds to the organizations in the amounts indicated in Section 1.

SECTION 2. That the Finance Director shall withhold disbursing grant funds for grant recipients that received funding in prior years of the Community Grant Program until the grant recipient submits a report on the use of the prior year funds.

SECTION 3. That the Clerk of Council be and hereby is instructed to record this Resolution in the appropriate record book.

Adopted _____

President of Council

Attest

Clerk of Council

2023 Worthington Community Grant Application Summary

Name	2023 Amount Requested	2022 Approved Amount	2022 Amount Requested	Grant Purpose	Percent of Total Budget	Intended Audience	Area of Population Served	Impact	Impact Measures	Membership of Organization	Additional Notes
American Legion	\$4,076.00	\$2,500.00	\$2,500.00	Funding for Boys/Girls State Program that provides selective educational programs of government instruction for U.S. high school students centering on the structure of city, county and state governments. Support to fund the Memorial Day Parade including covering liability insurance, port-a-johns, and website registration upgrades. Support for the 9/11 Commemoration and Police and Fire Annual Awards. Funding for Coats for Veterans to support homeless and needy veterans in Worthington. Rental costs to procure a booth at Worthington Market Day to reach new members	75% of Boys and Girls State budget 82% of Memorial Day Parade budget 83% of 9/11 Patriots Day budget 70% of Police and Fire Annual Awards budget 100% of Coats for Veterans budget 58% of Market Days booth budget	Residents of the City of Worthington and surrounding area; Boys/Girls State participants; the approximately 700 veterans living in Worthington	City of Worthington and surrounding area	Ability for students to attend Boys/Girls State; Memorial Day Parade attracts thousands of residents and visitors that pour funds into the local economy; 9/11 Commemoration attracts persons from the City and Columbus who shop and purchase food/drinks; Police and Fire awards recognizes Worthington public services; Market Day booth would provide outreach to increase membership and offer voter registration	Students graduating from the Boys/Girls State; Memorial Day parade publicly honors those who gave all in defense of our nation; 9/11 Commemoration increases awareness to terrorism in the United States of America and to honor those who perished on 9/11; Police and Fire Annual Awards ceremony recognizes Worthington public safety servants; obtain and donate coats by October for Coats for Veterans; signing up new members and voters at Worthington Market Day	Residents of the City of Worthington make up 16.7% of the membership; residents of the Worthington School District make up 38.7% of the membership.	Approximately \$1200 of prior year's grant funds were unexpended and refunded to the City due there not being as many applicants as anticipated for Boys/Girls state in 2022
Family Mentor Foundation	\$7,000.00	\$5,400.00	\$7,000.00	Direct program costs (food, supplies and staff) for Buddy Bags, providing food for 516 students in Worthington schools for every weekend during the school year as well as about 100 students during the month of June. Program costs for the Weekend Snack Bags program to serve about 30 food-insecure students at Worthington Kilbourne High School.	2% of program budget	Pre-school, elementary, middle, and high school students in the Worthington School District	Worthington School District	Reduce food insecurity among school aged children, thus providing increased opportunity to succeed and thrive in school. Research shows when nutritional needs are met, the child is more attentive in class, has better attendance and fewer disciplinary problems.	Number of students served, the amount of food distributed, decrease in hunger, decrease in truancy/tardiness, decrease in disciplinary infractions, increase in class participation and increase in academic performance.	N/A	
Jewish Family Services	\$5,000.00	\$0.00	\$0.00	Funding to support workforce services with wraparound supports including challenges like stable housing, food security, transportation, child and elder care, and mental and physical health challenges. After basic needs are met, providing combination of 1:1 and group employment services, focused on job search strategy and on developing both soft skills and job-specific skills.		Central Ohio job seekers from all backgrounds who may be refugees, single mothers receiving public benefits, noncustodial parents, dislocated professionals, unemployed and underemployed individuals, and Survivors of Nazi Persecution within the 43085 and 43229 zip codes.	City of Worthington and surrounding area	Meet increasing and emerging needs of Central Ohio's job seekers to help address the cascade of needs experienced by families struggling with poverty.	Track and report the number of people served from Worthington zip codes, jobs attained and wages earned; number of job seekers served, economic stability with new employment and retention in position over 90 days.	N/A	Awarded \$1,857 of Community Grant funds in 2021

2023 Worthington Community Grant Application Summary

Name	2023 Amount Requested	2022 Approved Amount	2022 Amount Requested	Grant Purpose	Percent of Total Budget	Intended Audience	Area of Population Served	Impact	Impact Measures	Membership of Organization	Additional Notes
LifeCare Alliance	\$6,000.00	\$5,300.00	\$6,000.00	Provision of nourishing food and socialization to homebound older adults and individuals living with a medical challenge and/or disability 365 days a year through the Meals on Wheels program for residents in the City of Worthington. Allows for the continuation of service to all qualified clients during a time of program expansion and significantly increasing need.	.08% of Organization budget	Residents of the City of Worthington who are typically low-income, under or uninsured older adults who face financial, physical, mobility, cognitive and/or support system barriers to accessing appropriate health and nutrition services independently	Residents of the City of Worthington and/or the Worthington School District (Organization serves broader area, but grant funds would be used for Worthington residents)	Provision of 857 meals to low-income and underserved individuals living in the City of Worthington through the Agency's Meals-on-Wheels program.	Keeping clients safe and independent in the comfort of their own home; client improvement in health, wellness and nutritional status; improvement in Activities of Daily Living (ADLs) and Instrumental Activities of Daily Living (IADLs); the ability to continue to serve all individuals needing services regardless of one's ability to pay (no waiting list)	N/A	
National Church Residences Foundation	\$3,240.00	\$3,000.00	\$3,672.00	Funds will be utilized to provide private duty aide services to residents of Stafford Village who are in need. Services can include housekeeping duties, meal preparation, laundry, dishes, help answering mail and paying bills and other tasks as needed. Visits help reduce feelings of social isolation and a clean home environment can help prevent slips and falls.	100% of projected program costs from May of 2023 through January of 2024	Residents of Stafford Village - average monthly income is between \$750 and \$1,200	Stafford Village within the City of Worthington	Residents are able to live independently and healthfully in their homes and remain physically, mentally and emotionally supported.	Care Guide, an electronic decision-making and documentation tool for service coordination, will provide summaries of the data collected for each client including chronic condition symptoms and lifestyle choices; number of residents requiring transition to a more substantive care environment	N/A	
Neighborhood Bridges	\$5,000.00	\$0.00	\$0.00	Funds will be used to employ a financial consultant who will link the organization to remove barriers, and provide students and families with educational resources.	1.5% of project budget	Students and families that are in need in. Those in need represent about 22% of all students in the Worthington School District	Residents of the City of Worthington and/or the Worthington School District	To serve 60,000 individuals by providing clothes, furniture, and supplies to families and students within the community	To look at data outcome; review financial information; look at the mission and observe if it is important to the donor; have meetings with the organization leadership to ensure understanding, have donations; identify who is on the Board of Directors; share impact	N/A	

2023 Worthington Community Grant Application Summary

Name	2023 Amount Requested	2022 Approved Amount	2022 Amount Requested	Grant Purpose	Percent of Total Budget	Intended Audience	Area of Population Served	Impact	Impact Measures	Membership of Organization	Additional Notes
North Community Counseling Center, Inc	\$10,000.00	\$6,400.00	\$10,000.00	<p>Providing outpatient behavioral health (mental health and alcohol and drug) as well as crisis services to Worthington residents. These funds will also be used to provide community outreach, education and linkage to services in collaboration with the Worthington Resource Pantry. In addition, these funds will be used to develop community mental health talks, trainings and educational groups through the Old Worthington Library, and Worthington CARES.</p> <p>Continued prioritization of the basic needs and mental health symptoms resulting from the COVID-19 pandemic as clients continue to report increased anxiety, depression, suicidality and an exacerbation of other mental health symptoms.</p>	.0976% of total budget	Students and residents in the City of Worthington and Worthington Schools	Worthington School District/City of Worthington	Assist consumers in achieving their maximum potential, decrease psychological stress, increase level of functioning and accomplish individuals goals. Reduce and eliminate the occurrence of preventable behaviors.	Designated program outcome measures	N/A	
Partners for Community and Character	\$750.00	\$500.00	\$1,000.00	Support an "Author Visit" to be held on Old Worthington Market Day, inviting a well-known children's book author who writes about character.	Approximately 30% of total budget	Worthington community; students in Worthington Schools; senior citizens who volunteer	Worthington School District/City of Worthington and the broader community visiting Market Day	The Author visit will be a catalyst to encourage more elders to learn about the Circle of Grandparents (COG) program, and stepping up to volunteer.	Goal is to help grow COG program by 20% from the 70 classrooms currently impacting 1,750 students	61.5% from 43085 and 38.5% from other locations	
Sharon Township Veteran's Memorial Hall	\$1,305.00	\$0.00	\$0.00	Funds will be used to update the gutters and drains at the Sharon Township Memorial Hall	Approximately 56.7% of improvement project total	Business and organization users of the Memorial Hall building	Broader Worthington community	Maintain upkeep of the Memorial Hall building for continued use by Worthington businesses and organizations.	Determined by an analysis of future expenses. Project intended to alleviate future work and damage.	N/A	
Syntero, Inc	\$6,000.00	\$6,000.00	\$6,000.00	Social service personnel costs, program supplies and support groups. Most personnel costs will be sued for one-on-one home visits, telehealth and related service coordination with Worthington seniors. A smaller part of the service is for support groups at the Griswold Center and occasional community educational/prevention seminars.	Roughly 1.5% of the total Older Adult services operating budget	City of Worthington seniors	<p>Clients in several northwest zip codes including the City of Worthington and residents of the Worthington School District.</p> <p>From January 2022 - December 2022, 13 residents were served in the Older Adult Intensive Outreach Program, 3 residents in the Volunteer Program, and 22 residents in the Caregiver Consultation Program from the City of Worthington.</p>	One-on-one home visits with older adults in the City of Worthington to prepare individualized service plans. Follow up services may include mental health support, assistance with locating home personal care, linkage to meals on wheels, coordination with healthcare providers, transportation, help with resources and benefits, housing options, counseling and more.	At the conclusion of services, an "Older Adult Discharge Summary Tool" is used to assess progress in the Social Determinates of Health domains of Economic, Social, and Health.	N/A	

2023 Worthington Community Grant Application Summary

Name	2023 Amount Requested	2022 Approved Amount	2022 Amount Requested	Grant Purpose	Percent of Total Budget	Intended Audience	Area of Population Served	Impact	Impact Measures	Membership of Organization	Additional Notes
Worthington VFW	\$1,495.21	\$0.00	\$0.00	Grant funds will be used to purchase a 13” by 17” Bronze Plaque to be installed on the Worthington Village Green, directing persons to the Sharon Township Memorial Hall Veterans Memorial Patio were the names of military personnel killed in action are engraved on individualized bricks.	100% of project budget	Military service personnel who have been killed in action from the Worthington community.	Broader Worthington community	Promoting patriotism, and providing recognition to Worthington families whose military son and/or daughter was killed in action while serving their country.	Directing persons to the Sharon Township Memorial Hall Veterans Memorial Patio were the names of military personnel killed in action are engraved on individualized bricks.	The Worthington VFW's membership is comprised of approximately 60% from the Worthington area	
Worthington Bridges	\$2,000.00	\$2,000.00	\$2,500.00	Funds will be used to help pay the utility bills of those in need within the Worthington School District.	50% of the Utility Fund	Residents of the school district who are behind on their utility bill and at risk of disconnection	Worthington School District	Help families who are in danger of being disconnected so they can stay warm/cool, cook meals or have water service		N/A	
Worthington Interfaith Neighbors	\$1,000.00	\$400.00	\$367.00	Funding will support the Peace Ambassador program including training high school volunteers; purchase of t-shirts worn during performances; purchasing 36-38 copies of a book for every third grade classroom in the Worthington school district; and for an end-of-year debriefing and celebration session with volunteers, and awards for graduating participants	100% of program budget	Residents of the City of Worthington and the School District	Worthington Schools third-grade students	Desire is for young children to understand the important of treating all people with respect, even when their faith or culture differs from one's own. Want students to become aware of the choices they have in responding to and celebrating differences.	Will survey teachers about the impact of the program	N/A	
Worthington-Linworth Kiwanis	\$4,000.00	\$4,000.00	\$4,000.00	To purchase clothing in order to stock Kiwanis Closets for Worthington schools, so that local children will have access to emergency clothing when they have a need due to an accident, if they lack adequate attire, or simply do not have the means to purchase essential items such as socks, underwear, hats and gloves. Funding will also allow us to serve the existing Kiwanis Closets at 8 WSD elementary schools, 3 middle schools, and provide items to 3 more elementary schools and Thomas Worthington High School as they are requested.		Worthington elementary, middle and high school students	Children, and their parents, who attend elementary, middle and high schools in the Worthington School District.	To help children feel more secure and safe in the knowledge that warm and dry clothing, or other personal care items are available when there is a need; reduce socioeconomic stress and increase ability to learn; minimize microtraumas and bullying.	Determined by the need to restock closets	10% of membership lives in the 43085 zip code area with the remaining 90% living in the 43202, 43214, 43217, 43220, and 43235 zip codes.	
Worthington Resource Pantry	\$5,000.00	\$5,000.00	\$5,000.00	Grant funds will be used to support the ongoing, general operations of the pantry. Food costs have increased by nearly 13% over the past year, creating more need and stretching the pantry's budget.	.28% of organization budget	Residents of the City of Worthington eligible to be served by the pantry	City of Worthington (Organization serves broader area, but grant funds would be used for City of Worthington residents)	Provide nutritious meals, including fresh produce and other wholesome foods, for neighbors who are experiencing food insecurity.	Tracking the number of households who shop as well as how many people are in each house,age, and geographic location.	N/A	

2023 Worthington Community Grant Application Summary

Name	2023 Amount Requested	2022 Approved Amount	2022 Amount Requested	Grant Purpose	Percent of Total Budget	Intended Audience	Area of Population Served	Impact	Impact Measures	Membership of Organization	Additional Notes
Worthington Special Olympics	\$1,000.00	\$1,000.00	\$1,000.00	Provide athletic training and competition as well as social opportunities for individuals with intellectual disabilities . Grant will be designated for payment of space rental fees for aquatics and bowling teams to continue to serve a many athletes as possible at no cost.	17% of organization sports programming budget	Individuals with developmental disabilities	32% of athletes live within the City of Worthington; 41% reside in the Worthington School District.	Continue to provide athletic and social support for athletes and families and to expand reach to new athletes. Additionally, they hope to foster community acceptance and inclusion.	Continued expansion to serve new athletes and families.	32% of athletes live within the City of Worthington; 41% reside in the Worthington School District.	

Community Grant Applications Historical Comparison

Applicant	<u>2023</u>	<u>2022</u>		<u>2021</u>	
	Requested Amount	Requested Amount	Recommended Amount	Requested Amount	Recommended Amount
American Legion	\$4,076.00	\$2,500.00	\$2,500.00		
Family Mentor Foundation	\$7,000.00	\$7,000.00	\$5,400.00	\$5,000.00	\$5,000.00
Jewish Family Services	\$5,000.00			\$5,000.00	\$1,857.00
Leadership Worthington - Service Day		\$1,500.00	\$1,000.00		
Lifecare Alliance	\$6,000.00	\$6,000.00	\$5,300.00	\$6,000.00	\$5,000.00
National Church Residences Foundation	\$3,240.00	\$3,672.00	\$3,000.00	\$3,393.00	\$3,393.00
Neighborhood Bridges	\$5,000.00				
North Community Counseling Center	\$10,000.00	\$10,000.00	\$6,400.00	\$10,000.00	\$6,000.00
Partners for Community & Character	\$750.00	\$1,000.00	\$500.00	\$1,250.00	\$500.00
Sharon Township Veteran's Memorial Hall	\$1,305.00				
Syntero	\$6,000.00	\$6,000.00	\$6,000.00	\$7,500.00	\$6,000.00
TrailGators Booster Association		\$5,000.00	\$1,000.00		
Worthington VFW Post #2398	\$1,495.21				
Worthington Bridges	\$2,000.00	\$2,500.00	\$2,000.00	\$2,000.00	\$2,000.00
Worthington Interfaith Neighbors	\$1,000.00	\$367.00	\$400.00	\$575.00	\$250.00
Worthington-Linworth Kiwanis	\$4,000.00	\$4,000.00	\$4,000.00	\$2,500.00	\$2,500.00
Worthington Resource Center	\$5,000.00	\$5,000.00	\$5,000.00	\$4,000.00	\$4,000.00
Worthington Special Olympics	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00
Totals:	\$62,866.21	\$55,539.00	\$43,500.00	\$48,218.00	\$37,500.00

	<u>2023</u>	<u>2022</u>	<u>2021</u>
Annual Budgeted Amount:	\$40,000.00	\$43,500.00*	\$37,500.00
Requested Amount:	\$62,866.21	\$55,539.00	\$48,218.00
Difference b/w Budget and Requests:	\$22,866.21	\$12,039.00	\$10,718.00

**In 2021 North Community Counseling was approved for a \$6,000 grant, however the funds were never disbursed because they never submitted their 2020 report. As a result, an additional \$6,000 was available for the 2022 Grant Program.*

	<u>Applicant</u>	<u>Requested Amount</u>	<u>Recommended Allocations</u>
1	American Legion	\$4,076.00	\$2,500.00
2	Family Mentor Foundation	\$7,000.00	\$5,300.00
3	Jewish Family Services	\$5,000.00	\$1,000.00
4	Lifecare Alliance	\$6,000.00	\$5,300.00
5	National Church Residences Foundation	\$3,240.00	\$3,000.00
6	Neighborhood Bridges	\$5,000.00	\$250.00
7	North Community Counseling Center	\$10,000.00	\$6,000.00
8	Partners for Community & Character	\$750.00	\$250.00
9	Sharon Township Veteran's Memorial Hall	\$1,305.00	\$250.00
10	Syntero	\$6,000.00	\$5,000.00
11	Worthington VFW Post #2398	\$1,495.21	\$250.00
12	Worthington Bridges	\$2,000.00	\$2,000.00
13	Worthington Interfaith Neighbors	\$1,000.00	\$400.00
14	Worthington-Linworth Kiwanis	\$4,000.00	\$2,500.00
15	Worthington Resource Pantry	\$5,000.00	\$5,000.00
16	Worthington Special Olympics	\$1,000.00	\$1,000.00
		\$62,866.21	\$40,000.00
		Difference:	\$0.00



STAFF MEMORANDUM
City Council Meeting – March 6th, 2023

Date: February 28, 2023

To: Robyn Stewart, Acting City Manager

From: Scott F. Bartter, Finance Director

Subject: Resolution No. 11-2023 – Amending Part-Time Firefighter and Crossing Guard Pay

EXECUTIVE SUMMARY

This Resolution adjusts the rate and structure of pay for both Part-Time Firefighters and Crossing Guards.

RECOMMENDATION

Introduce and Approve as Presented

BACKGROUND/DESCRIPTION

For Part-Time Firefighters, staff is recommending an increase and restructure of the current pay range. Currently, all part-time firefighters are paid a rate of \$16.54. With the passage of this Resolution, the base pay would be increased to \$18.00/hour at Step A and \$22.00/hour at Step B. Employees would be required to hold a paramedic certification to be placed at Step B. Staff believes this rate will assist with the recruitment and retention of part-time firefighters and result in less overtime expense.

For Crossing Guards, there are currently two steps in their pay range, with Step A paid at \$17.05 and Step B at \$19.03. This Resolution would eliminate Step B and pay all Crossing Guards \$20.00/hour. Staff believes this is a more competitive rate that will assist in retention and recruitment. The Worthington School district currently pays between \$17.88 and \$21.46 for the Crossing Guards in Columbus.

FINANCIAL IMPLICATIONS/FUNDING SOURCES

When the city is understaffed with part-time firefighters that slot is filled with a full-time firefighter on overtime. The full-time firefighter on overtime is significantly more expensive than the proposed adjusted part-time rates.

Crossing guard expenses are reimbursed by the Worthington School District.

ATTACHMENTS

Resolution 11-2023

RESOLUTION NO. 11-2023

Amending Resolution No. 55-2022 to Adjust Salary
Range 9T for Part-Time Firefighters and Salary
Range 1T for Crossing Guards

WHEREAS, City Council passed Resolution No. 55-2022 establishing the 2023 compensation for classified positions in the City; and,

WHEREAS, City Council wishes to amend Resolution No. 55-2022 to adjust the salary 9T for Part-Time Firefighters (Class Specification Number 249); and,

WHEREAS, there is currently only one rate for Part-Time Firefighters, however, the City believes there should be a differential in compensation for Part-Time Firefighters who hold a paramedic certification; and,

WHEREAS, the City does desire to establish a Step B in pay range 9T which would be the starting rate of a Part-Time Firefighter who holds a paramedic certification; and,

WHEREAS, City Council wishes to amend Resolution No. 55-2022 to adjust the salary 1T for Crossing Guards and to eliminate Step B in this range; and,

NOW THEREFORE, BE IT RESOLVED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That Resolution Number 55-2022 establishing compensation for classified positions in the City be and the same is hereby amended to adjust salary ranges 9T and 1T; and,

SECTION 2. That the hourly rate of compensation for Pay Range 9T shall be:

Range	Period	Step A	Step B
9T	Hourly	\$18.00	\$22.00

where Step B is reserved for Part-Time Firefighters holding a paramedic certification.

SECTION 3. That the hourly rate of compensation for Pay Range 1T shall be:

Range	Period	Step A
1T	Hourly	\$20.00

SECTION 4. That Step B in Range 1T is hereby eliminated and all employees currently paid at 1T Step B are moved to 1T Step A.

SECTION 5. That the rate changes as shown in the above Section 2 and Section 3 and elimination of Step B as described in Section 4 shall be effective beginning March 13th, 2023.

SECTION 6. That the Clerk of Council be and hereby is instructed to record this Resolution in the appropriate record book.

Adopted _____

President of Council

Attest:

Clerk of Council



STAFF MEMORANDUM
City Council Meeting – March 6, 2023

Date: February 28, 2023

To: Robyn Stewart, Acting City Manager

From: Mark A. Zambito, Fire Chief

Subject: Acceptance of SAFER Grant

EXECUTIVE SUMMARY

This Resolution accepts a SAFER grant for fire and emergency response staff, authorizes the City Manager to execute the necessary paperwork and amends the staff chart to increase the number of authorized Firefighter EMT-P positions to 27 for three years.

RECOMMENDATION

Introduce and Approve as Presented

BACKGROUND/DESCRIPTION

In 2021, an internal review of the Worthington Division of Fire and EMS overtime costs was performed. The evaluation indicated the City may benefit by hiring an additional three firefighters (one for each shift) to offset overtime costs. The evaluation highlighted the opportunity for a federal government SAFER (Staffing for Adequate Fire and Emergency Response) grant. The grant, which is funded through FEMA, would provide the funds to hire three additional full-time firefighters, paying their total salaries and benefits for a three-year period.

In February of 2022, the Division of Fire and EMS completed the application process for the grant. We are very excited to announce that a \$1.2 million grant has been awarded through SAFER and FEMA to hire three new full-time firefighters. These positions will provide additional staffing for each shift which we anticipate will

reduce overtime costs. The three years of the SAFER grant will allow us that time to evaluate the cost effectiveness and savings of having these additional personnel.

Acceptance of the grant and hiring of the three additional firefighters requires a change in the staffing chart from 24 to 27 full-time firefighters. This Resolution, in addition to accepting the grant and authorizing the City Manager to execute the necessary document, increases the number of authorized Firefighter EMT-P to 27 through August 7, 2026.

ATTACHMENTS

Resolution 12-2023

RESOLUTION NO. 12-2023

To Authorize the Acceptance of a Staffing for Adequate Fire and Emergency Response (SAFER) Grant and Amending the Staffing Chart of the City of Worthington to Provide for Twenty-seven (27) Firefighter EMT-P Positions in the Division of Fire.

WHEREAS, the City of Worthington made an application for a grant through the Department of Homeland Security's Staffing for Adequate Fire and Emergency Response (SAFER) grant program; and

WHEREAS, the goal of the SAFER grant program is to assist fire departments with staffing and deployment capabilities in order to respond to emergencies, and assure that communities have adequate protection from fire and fire-related hazards; and

WHEREAS, on February 9, 2023, the City was notified that the grant application was approved in the amount of \$1,209,475.95 in Federal Funding; and

WHEREAS, these grant funds are to fund a staffing increase of three (3) firefighters, including salary and benefits, for a period of three (3) years, starting on August 8, 2023 and continuing through August 7, 2026.

WHEREAS, in its adoption of Resolution 54-2022 City Council approved a Staffing Chart for the City providing the staffing levels for each of the departments and divisions of the City; and,

WHEREAS, City Council wishes to amend said Staffing Chart to add three Firefighter EMT-P positions in the Division of Fire and EMS for a period through August 7, 2026. Staffing for Firefighter EMT-P positions will return to twenty-four (24) on or before August 7, 2026 unless further modifications are authorized by City Council.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That the City of Worthington accepts the grant from the U.S Department of Homeland Security's Staffing for Adequate Fire and Emergency Response Grant funding.

SECTION 2. That the City Manager is hereby authorized to execute the necessary paperwork for the grant funding.

SECTION 3. That City Council does hereby amend the Staffing Chart of the City to authorize a total of twenty-seven (27) Firefighter EMT-P positions in the Division of Fire and EMS for a period through August 7, 2026. Staffing for Firefighter EMT-P positions will return to twenty-four (24) on or before August 7, 2026 unless further modifications are authorized by City Council.

SECTION 4. That the Clerk be and hereby is instructed to record this Resolution in full in the appropriate resolution book.

Adopted

President of Council

Attest:

Clerk of Council



STAFF MEMORANDUM
City Council Meeting – March 6th, 2023

Date: February 27th, 2023

To: Robyn Stewart, Acting City Manager

From: Scott F. Bartter, Finance Director

Subject: Ordinance 05-2023 – Authorizing the Issuance of Bonds – McCord Park Renovations

EXECUTIVE SUMMARY

This Ordinance authorizes the issuance of various purpose bonds in an amount not to exceed \$3,400,000 for the design, renovation, construction and reconstruction of improvements at McCord Park.

RECOMMENDATION

Introduce for Public Hearing on March 20, 2023

BACKGROUND/DESCRIPTION

With the passage of Ordinance 47-2022, City Council has appropriated \$4,385,564 for the continued renovation and construction of improvements at McCord Park. These improvements in Phase 2 include replacement of the restroom and storage facility, completion of the multi-use trail and realignment of the entrance from East Wilson Bridge Road. The total amount appropriated for design and construction of McCord Park Phase 1 and Phase 2 is \$6,558,214, with the debt for Phase 1 included as part of the City's 2021 debt issuance.

The City anticipates receiving an initial payment from the Worthington Youth Boosters of \$150,000 for the installation of turf fields. Additionally, the City has received State Capital Bill funding of \$450,000 for Phase 2 improvements. Finally, the initial appropriation includes a contingency amount of \$398,688 that the City does not intend to issue debt on. After accounting for these three adjustments, the amount of debt issued will be \$3,400,000.

Staff anticipates seeking a bond rating from S&P Global Ratings by the first of May with an estimated closing date for the bonds of May 31, 2023.

These would be 20-year bonds with a maturity date of June 1, 2043.

FINANCIAL IMPLICATIONS/FUNDING SOURCES

Repayment Of this debt will occur from the General Bond Retirement Fund.

Revenue from the General Bond Retirement Fund is received primarily from a transfer from the Capital Improvement Fund, but additionally receives .17 mills of property tax (from the 5 mills assessed by the City) that amounts to approximately \$110,000 annually.

ATTACHMENTS

Ordinance No. 05-2023

CERTIFICATE OF ESTIMATED LIFE AND MAXIMUM MATURITY

To: The City Council of the
City of Worthington, Ohio

The undersigned Finance Director of the City of Worthington, Ohio (the "City") as the fiscal officer of the City, hereby certifies as follows:

1. The estimated life of the improvement described as follows (the "Improvements") exceeds five years:

Designing, engineering, and constructing park improvements, with related site improvements and appurtenances thereto

2. The maximum maturity of the bonds proposed to be issued to pay the cost of the Improvements, calculated in accordance with Section 133.20, Ohio Revised Code, is 20 years.

Dated: March 20, 2023

Scott Bartter, Finance Director
City of Worthington, Ohio

ORDINANCE NO. 05-2023

Authorizing the Issuance of Bonds in the Amount of Not to Exceed \$3,400,000 for the Purpose of Designing, Engineering, and Constructing Park Improvements, With Relating Site Improvements and Appurtenances Thereto; and Approving Related Matters

WHEREAS, the Finance Director (the "Finance Director") of the City of Worthington, Ohio (the "City") has certified to this Council that the estimated life of the improvements stated in the title of this Ordinance (the "Project") which is to be financed from the proceeds of the bonds exceeds five years, and the maximum maturity of such bonds is 20 years;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Worthington, County of Franklin, State of Ohio:

SECTION 1. Issuance of Bonds. It is hereby declared necessary to issue bonds (the "Bonds") of the City in the principal sum of not to exceed \$3,400,000 or such lesser amount as shall be determined by the Finance Director and certified to this Council for the purpose of paying the costs of the Project. The Bonds may be issued in one or more series.

SECTION 2. Combining Bonds for Purposes of Issuance and Sale. It is hereby determined, that for the purposes of issuance and sale, it is in the best interest of the City to combine the Bonds with other limited tax general obligation bonds of the City authorized by separate ordinances of this Council. The Bonds and such other bonds shall be jointly referred to herein as the "Combined Bonds." As used in this Ordinance, the term "Bonds" shall also mean the Combined Bonds, where appropriate. The Combined Bonds shall be designated "City of Worthington, Ohio Various Purpose Bonds, Series 2023," or as otherwise provided in the Certificate of Award defined in Section 4 hereof.

SECTION 3. Terms of Bonds. The Bonds shall be issued as fully registered bonds, in denominations of \$5,000 or any integral multiple thereof; shall be numbered consecutively from R-1 upward, as determined by the Finance Director; shall be dated the date determined by the Finance Director and set forth in the Certificate of Award provided for hereinbelow; and shall bear interest, payable semiannually on such dates as shall be determined by the Finance Director and set forth in the Certificate of Award, until the principal sum is paid or provision has been duly made therefor. Interest shall be calculated on the basis of a 360-day year of twelve 30-day months.

SECTION 4. Certificate of Award. The Finance Director is hereby authorized and directed to execute on behalf of the City a Certificate of Award (the "Certificate of Award") setting forth the aggregate principal amount and the final terms of the Bonds, which aggregate principal amount and terms, subject to the limitations set forth in this Ordinance, shall be as determined by the Finance Director. The Certificate of Award shall indicate the Original Purchaser (as defined hereinbelow) for the Bonds, dated date for the Bonds, the dates on which interest on the Bonds is to be paid (the "Interest Payment Date"), the purchase price for the Bonds (which shall be not less than 97% of the face value thereof), the maturity schedule for the Bonds, the interest rates for the Bonds (provided that the true interest cost for all Bonds in the aggregate shall not exceed 6.00% per annum), the optional and mandatory redemption provisions, if any, and such other terms not inconsistent with this Ordinance as the Finance Director shall deem appropriate.

SECTION 5. Redemption Provisions of the Bonds. The Bonds shall be subject to optional and mandatory redemption prior to stated maturity, as provided in the Certificate of Award. If optional redemption of the Bonds at a redemption price exceeding 100% is to take place on any date on which a mandatory redemption of the Bonds of the same maturity will take place, the Bonds to be redeemed by optional

ORDINANCE NO. 05-2023

redemption shall be selected by the Bond Registrar (as defined herein below) prior to the selection of the Bonds to be redeemed at par on the same date.

When partial redemption is authorized, the Bond Registrar shall select Bonds or portions thereof by lot within a maturity in such manner as the Bond Registrar may determine, provided, however, that the portion of any Bond so selected shall be in the amount of \$5,000 or any integral multiple thereof.

The notice of the call for redemption of Bonds shall identify (i) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (ii) the redemption price to be paid, (iii) the date fixed for redemption, and (iv) the place or places where the amounts due upon redemption are payable. From and after the specified redemption date interest on the Bonds (or portions thereof) called for redemption shall cease to accrue. Such notice shall be sent by first class mail at least 30 days prior to the redemption date to each registered holder of Bonds to be redeemed at the address shown in the Bond Register (as defined herein) on the 15th day preceding the date of mailing. Failure to receive such notice of any defect therein shall not affect the validity of the proceedings for the redemption of any Bond.

SECTION 6. General Obligation Pledge. The Bonds shall be the full general obligation of the City, and the full faith, credit and revenue of the City are hereby pledged for the prompt payment of the same. The par value to be received from the sale of the Bonds and any excess funds resulting from the issuance of the Bonds shall, to the extent necessary, be used only for the retirement of the Bonds at maturity and are hereby pledged for such purpose.

SECTION 7. Debt Service Levy. There shall be and is hereby levied annually on all the taxable property in the City, in addition to all other taxes and inside the City's charter millage limitation, a direct tax (the "Debt Service Levy") for each year during which any of the Bonds are outstanding, for the purpose of providing, and in an amount which is sufficient to provide, funds to pay interest upon the Bonds as and when the same falls due and to provide a fund for the repayment of the principal of the Bonds at maturity or upon redemption. The Debt Service Levy shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Ohio Constitution.

The Debt Service Levy shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of such years are certified, extended and collected. The Debt Service Levy shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the Debt Service Levy shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of premium, if any, and interest on and principal of the Bonds when and as the same falls due. Notwithstanding the foregoing, if the City determines that funds will be available from other sources for the payment of the Bonds in any year, the amount of the Debt Service Levy for such year shall be reduced by the amount of funds which will be so available, and the City shall appropriate such funds to the payment of the Bonds in accordance with law.

SECTION 8. Income Tax Pledge. The City hereby covenants, pursuant to Section 133.05(B)(7), Ohio Revised Code, to appropriate annually from lawfully available municipal income taxes, and to continue to levy and collect municipal income taxes adequate to produce, amounts necessary to meet the debt charges on the Bonds in each year until full payment is made.

SECTION 9. Sale of the Bonds; Use of Proceeds. The Bonds shall be awarded by competitive sale based on bids submitted to the City following the publication of a notice of sale (or similar document) for the Bonds, which shall be in such form as approved by the Finance Director. The sale and award of the

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Bonds shall be evidenced by the Certificate of Award, which shall award the sale of the Bonds to such purchaser (the "Original Purchaser") as shall offer, in the opinion of the Finance Director, the best terms for the purchase of the Bonds. The Finance Director is hereby authorized and directed to deliver the Bonds, when executed, to the Original Purchaser upon payment of the purchase price and accrued interest, if any, to the date of delivery.

The proceeds of such sale, except any accrued interest or premium thereon, shall be deposited in the Treasury of the City and used for the purpose aforesaid and for no other purpose. Any accrued interest received from the sale of the Bonds shall be transferred to the bond retirement fund to be applied to the payment of the principal of and interest on the Bonds, or other obligations of the City, as permitted by law. Any premium received from the sale of the Bonds may be used to pay the financing costs of the Bonds within the meaning of Ohio Revised Code Section 133.01(K) or be deposited into the bond retirement fund in the manner provided by law.

SECTION 10. Form and Execution of the Bonds. The Bonds shall express upon their faces the purpose for which they are issued and that they are issued pursuant to this Ordinance; and shall be executed by the Finance Director and the City Manager of the City (the "City Manager"), in their official capacities, provided that either or both of their signatures may be a facsimile. No Bond shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this Ordinance unless and until a certificate of authentication, as printed on the Bond, is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance. The certificate of authentication may be signed by any officer or officers of the Bond Registrar or by such other person acting as an agent of the Bond Registrar as shall be approved by the Finance Director on behalf of the City. It shall not be necessary that the same authorized person sign the certificate of authentication on all of the Bonds.

SECTION 11. Payment of the Bonds. The principal of and interest on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. The principal of the Bonds shall be payable upon presentation and surrender of the Bonds at the principal office of the Bond Registrar. Each Bond shall bear interest from the later of the date thereof, or the most recent Interest Payment Date to which interest has been paid or duly provided for, unless the date of authentication of any Bond is less than 15 days prior to an Interest Payment Date, in which case interest shall accrue from such Interest Payment Date. Interest on any Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond is registered, at the close of business on the 15th day next preceding that Interest Payment Date (the "Record Date") (unless such date falls on a non-business day, in which case the Record Date shall be the preceding business day), on the Bond Register at the address appearing therein.

Any interest on any Bond which is payable, but is not punctually paid or provided for, on any Interest Payment Date (herein called "Defaulted Interest") shall forthwith cease to be payable to the registered owner on the relevant Record Date by virtue of having been such owner and such Defaulted Interest shall be paid to the registered owner in whose name the Bond is registered at the close of business on a date (the "Special Record Date") to be fixed by the Bond Registrar, such Special Record Date to be not more than 15 nor less than 10 days prior to the date of proposed payment. The Bond Registrar shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first class postage prepaid, to each Bondholder, at such Bondholder's address as it appears in the Bond Register, not less than 10 days prior to such Special Record Date, and may, in its discretion, cause a similar notice to be published once

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in a newspaper in each place where Bonds are payable, but such publication shall not be a condition precedent to the establishment of such Special Record Date.

Subject to the foregoing provisions of this Section, each Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Bond.

SECTION 12. Appointment of Bond Registrar. The Finance Director is hereby authorized and directed to execute on behalf of the City a Bond Registrar Agreement with such bank or other appropriate financial institution as shall be acceptable to the Finance Director and the Original Purchaser, pursuant to which such bank or financial institution shall agree to serve as authenticating agent, bond registrar, transfer agent, and paying agent (the "Bond Registrar") for the Bonds. Interest shall be payable at maturity by check or draft mailed to the Registered Owner hereof, as shown on the registration books of the City maintained by the Bond Registrar. If at any time the Bond Registrar shall be unable or unwilling to serve as such, or the Finance Director in such officer's discretion shall determine that it would be in the best interest of the City for such functions to be performed by another party, the Finance Director may, and is hereby authorized and directed to, enter into an agreement with a national banking association or other appropriate institution experienced in providing such services, to perform the services required of the Bond Registrar hereunder. Each such successor Bond Registrar shall promptly advise all bondholders of the change in identity and new address of the Bond Registrar. So long as any of the Bonds remain outstanding, the City shall cause to be maintained and kept by the Bond Registrar, at the office of the Bond Registrar, all books and records necessary for the registration, exchange and transfer of Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of this Ordinance, the person in whose name any Bond shall be registered on the Bond Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and interest on any Bond shall be made only to or upon the order of that person. Neither the City nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Bonds, including the interest thereon, to the extent of the amount or amounts so paid.

Any Bond, upon presentation and surrender at the office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar, may be exchanged for Bonds of the same form and of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Bond may be transferred only on the Bond Register upon presentation and surrender thereof at the office of the Bond Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar. Upon that transfer, the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

The City and the Bond Registrar shall not be required to transfer or exchange (i) any Bond during a period beginning at the opening of business 15 days before the day of mailing of a notice of redemption of Bonds, and ending at the close of business on the day of such mailing, or (ii) any Bonds selected for redemption, in whole or in part, following the date of such mailing.

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In all cases in which Bonds are exchanged or transferred hereunder, the City shall cause to be executed and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the owner; except that the City and the Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Bond Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Bonds. All Bonds issued upon any transfer or exchange shall be the valid obligations of the City, evidencing the same debt, and entitled to the same benefits under this Ordinance, as the Bonds surrendered upon that transfer or exchange.

SECTION 13. Book-Entry System. For purposes of this Ordinance, the following terms shall have the following meanings:

"Book-entry form" or "book-entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest on the Bonds may be transferred only through a book-entry and (ii) physical Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Bonds "immobilized" in the custody of the Depository, and the book-entry is the record that identifies the owners of beneficial interests in those Bonds.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its participants, a book-entry system to record beneficial ownership of securities and to effect transfers of securities in book-entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York.

The Bonds may be initially issued to a Depository for use in a book-entry system, and the provisions of this Section shall apply, notwithstanding any other provision of this Ordinance; (i) there shall be a single Bond of each maturity, (ii) those Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners in book-entry form shall have no right to receive Bonds in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Bonds in book-entry form shall be shown by book-entry on the system maintained and operated by the Depository, and transfers of the ownership of beneficial interests shall be made only by the Depository and by book-entry; and (v) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City. Bond service charges on Bonds in book-entry form registered in the name of a Depository or its nominee shall be payable in same day funds delivered to the Depository or its authorized representative (i) in the case of interest, on each Interest Payment Date, and (ii) in all other cases, upon presentation and surrender of Bonds as provided in this Ordinance.

The Bond Registrar may, with the approval of the City, enter into an agreement with the beneficial owner or registered owner of any Bond in the custody of a Depository providing for making all payments to that owner of principal and interest on that Bond or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided above in this Ordinance, without prior presentation or surrender of the Bond, upon any conditions which shall be satisfactory to the Bond Registrar and to the City. That payment in any event shall be made to the person who is the registered owner of that Bond on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Bond Registrar shall furnish a copy of each of those agreements, certified to be correct by the Bond Registrar, to other paying agents for Bonds and to the City. Any payment of principal or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Ordinance.

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If requested, the Finance Director and the City Manager are authorized and directed to execute, acknowledge and deliver, in the name of and on behalf of the City, an agreement among the City, the Bond Registrar and a Depository to be delivered in connection with the issuance of the Bonds to such Depository for use in a book-entry system.

The City may decide to discontinue use of the book-entry system through the Depository. In that event, Bond certificates will be printed and delivered to the Depository.

If any Depository determines not to continue to act as the Depository for the Bonds for use in a book-entry system, the City and the Bond Registrar may attempt to establish a securities depository/book-entry relationship with another qualified Depository under this Ordinance. If the City and the Bond Registrar do not or are unable to do so, the City and the Bond Registrar, after the Bond Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Bonds from the Depository and authenticate and deliver bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing and delivering definitive Bond), if the event is not the result of action or inaction by the City or the Bond Registrar, of those persons requesting such issuance.

SECTION 14. Federal Tax Law Compliance. The City hereby covenants that it will comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Bonds is and will continue to be excluded from gross income for federal income tax purposes, including without limitation restrictions on the use of the property financed with the proceeds of the Bonds so that the Bonds will not constitute "private activity bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"). The City further covenants that it will restrict the use of the proceeds of the Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the Bonds are issued, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (the "Regulations").

The Finance Director, or any other officer of the City, including the City Manager, is hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the City with respect to the Bonds as permitted or required to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating those amounts or payments, as determined by the Finance Director, which action shall be in writing and signed by the Finance Director, or any other officer of the City, including the City Manager, on behalf of the City; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the City as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds; and (c) to give an appropriate certificate on behalf of the City, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the City pertaining to Section 148 and the Regulations, and the representations, warranties and covenants of the City regarding compliance by the City with Sections 141 through 150 of the Code and the Regulations.

The Finance Director shall keep and maintain adequate records pertaining to the use and investment of all proceeds of the Bonds sufficient to permit, to the maximum extent possible and presently foreseeable, the City to comply with any federal law or regulation now or hereafter having applicability to the Bonds that relates to the use of such proceeds, which limits the amount of Bond proceeds which may be invested on an

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unrestricted yield or requires the City to rebate arbitrage profits to the United States Department of the Treasury. The Finance Director is hereby authorized and directed to file such reports with, and rebate arbitrage profits to, the United States Department of the Treasury, to the extent that any federal law or regulation having applicability to the Bonds requires any such reports or rebates.

SECTION 15. Municipal Bond Insurance. The Finance Director is authorized to make appropriate arrangements, if the Finance Director deems it in the best interest of the City, for the issuance of a municipal bond insurance policy with respect to all or any portion or series of the Bonds, including executing and delivering a commitment therefor and certificates and other documents in connection therewith and paying the bond insurance premium related thereto. All additional provisions required to be authorized by this Council for the issuance of a municipal bond insurance policy shall be contained in the Certificate of Award.

SECTION 16. Official Statement. The distribution of an Official Statement of the City, in preliminary and final form, relating to the original issuance of the Bonds is authorized if the Finance Director determines that it is necessary or advisable to prepare and distribute an Official Statement in connection with the original issuance of the Bonds. If the Finance Director so determines, then the Finance Director and the City Manager, and any other officer of this Council, are authorized and directed to negotiate, prepare and execute, on behalf of the City and in their official capacity, the Official Statement and any supplements thereto as so executed in connection with the original issuance of the Bonds, and they are authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Bonds as they deem necessary or appropriate to protect the interests of the City. The Finance Director, the City Manager and the Law Director are each authorized to execute and deliver, on behalf of the City and in their official capacities, such certificates in connection with the accuracy of an Official Statement, in either preliminary or final form, and any supplements thereto as may, in their judgment, be necessary or appropriate.

SECTION 17. Obtaining of Rating for the Bonds. The Finance Director is authorized to obtain or update a rating or ratings on the Bonds and the City if the Finance Director determines that it is necessary or advisable in connection with the original issuance of the Bonds. If the Finance Director so determines, then the Finance Director, City Manager, and any officer of this Council are authorized and directed to take all steps necessary to obtain such rating or ratings, including paying the rating fees imposed by any rating agency and paying any travel expenses relating to obtaining such rating or ratings.

SECTION 18. Appointment of Municipal Advisor. The appointment of Baker Tilly Municipal Advisors, LLC, to serve as municipal advisor to the City in connection with the issuance of the Bonds is hereby approved. The fees to be paid to such firm shall be subject to review and approval of the Finance Director, shall not exceed the fees customarily charged for such services, and shall be paid upon closing of the financing from proceeds of the Bonds.

SECTION 19. Appointment of Bond Counsel. The appointment of the law firm of Bricker & Eckler LLP, which shall become Bricker Graydon LLP effective April 3, 2023, to serve as Bond Counsel with respect to the issuance of the Bonds is hereby approved. The fees to be paid to such firm shall be subject to review and approval by the Finance Director, shall not exceed the fees customarily charged for such services, and shall be paid upon closing of the financing from proceeds of the Bonds.

SECTION 20. Transcript of Proceedings; Execution of Additional Documents. The officer having charge of the minutes of the Council and any other officers of the Council, or any of them individually, are

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hereby authorized and directed to prepare and certify a true transcript of proceedings pertaining to the Bonds and to furnish a copy of such transcript to the Original Purchaser. Such transcript shall include certified copies of all proceedings and records of the Council relating to the power and authority of the City to issue the Bonds and certificates as to matters within their knowledge or as shown by the books and records under their custody and control, including but not limited to a general certificate of the City Clerk and a no-litigation certificate of the City Manager and the Finance Director, and such certified copies and certificates shall be deemed representations of the City as to the facts stated therein. Except for the procedure for authenticating the Bonds set forth in Section 10 herein, documents (including this Ordinance) executed, scanned and transmitted electronically and electronic and digital signatures shall be deemed original signatures for said transcript of the Bonds, for the purposes of this Ordinance, and for all matters related thereto, with any such scanned, electronic, and digital signatures having the same legal effect as original signatures.

The City Manager and Finance Director are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

SECTION 21. Satisfaction of Conditions for Bond Issuance. It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Bonds in order to make them legal, valid and binding obligations of the City have happened, been done and been performed in regular and due form as required by law; that the faith, credit and revenue of the City are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Bonds.

SECTION 22. Compliance with Open Meeting Requirements. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 23. Filing of Bond Ordinance. The City Clerk is hereby directed to forward a certified copy of this Ordinance to the County Auditor of Franklin County, Ohio.

SECTION 24. Notice of Passage and Effective Date. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force at the earliest date permitted by law and by the Charter of the City of Worthington, Ohio.

Passed: March 20, 2023

President of Council

Attest:

Introduced March 6, 2023
P.H. March 20, 2023
Effective April 9, 2023

Clerk of Council

CERTIFICATE

The undersigned City Clerk hereby certifies that the foregoing is a true copy of Ordinance No. 05-2023 duly adopted by the Council of the City of Worthington, Ohio on March 20, 2023 and that a true copy thereof was certified to the County Auditor of Franklin County, Ohio.

Clerk of Council
City of Worthington, Ohio

RECEIPT OF COUNTY AUDITOR FOR
LEGISLATION PROVIDING
FOR THE ISSUANCE OF
GENERAL OBLIGATION BONDS

I, Michael Stinziano, the duly elected, qualified, and acting County Auditor in and for Franklin County, Ohio hereby certify that a certified copy of Ordinance No. _____ duly adopted by the City Council of the City of Worthington, Ohio on March 20, 2023 providing for the issuance of general obligation bonds designated City of Worthington, Ohio Various Purpose Bonds, Series 2023, in the amount of not to exceed \$3,400,000 was filed in this office on _____, 2023.

WITNESS my hand and official seal at Columbus, Ohio on _____, 2023.

[SEAL]

County Auditor
Franklin County, Ohio



STAFF MEMORANDUM
City Council Meeting – March 6th, 2023

Date: February 27th, 2023

To: Robyn Stewart, Acting City Manager

From: Scott F. Bartter, Finance Director

Subject: Ordinance 06-2023 – Authorizing the Issuance of Bonds – Sewer Repair & Rehabilitation

EXECUTIVE SUMMARY

This Ordinance authorizes the issuance of various purpose bonds in an amount not to exceed \$1,000,000 for sewer lining improvements across the City.

RECOMMENDATION

Introduce for Public Hearing on March 20th, 2023.

BACKGROUND/DESCRIPTION

With the passage of Ordinance 03-2023, City Council will appropriate \$1,025,000 for sanitary sewer lining improvements across the City. These funds will repair and rehabilitate sanitary sewer infrastructure as identified within all of the sanitary sewer studies.

These sanitary sewer improvements are shown in the 5-year capital improvement plan as being funded through the issuance of bonds. This legislation authorizes that issuance.

Staff anticipates seeking a bond rating from S&P Global Ratings by the first of May with an estimated closing date for the bonds of May 31, 2023.

We anticipate these would be 20-year bonds with a maturity date of June 1, 2043.

FINANCIAL IMPLICATIONS/FUNDING SOURCES

Repayment Of this debt will occur from the General Bond Retirement Fund. Revenue from the General Bond Retirement Fund is received primarily from a transfer from the Capital Improvement Fund, but additionally receives .17 mills of property tax (from the 5 mills assessed by the City) that amounts to approximately \$110,000 annually.

ATTACHMENTS

Ordinance No. 06-2023

CERTIFICATE OF ESTIMATED LIFE AND MAXIMUM MATURITY

To: The City Council of the
City of Worthington, Ohio

The undersigned Finance Director of the City of Worthington, Ohio (the "City") as the fiscal officer of the City, hereby certifies as follows:

1. The estimated life of the improvement described as follows (the "Improvements") exceeds five years:

Designing, engineering, and constructing sewer improvements, with related site improvements and appurtenances thereto

2. The maximum maturity of the bonds proposed to be issued to pay the cost of the Improvements, calculated in accordance with Section 133.20, Ohio Revised Code, is 20 years.

Dated: March 20, 2023

Scott Bartter, Finance Director
City of Worthington, Ohio

ORDINANCE NO. 06-2023

Authorizing the Issuance of Bonds in the Amount of Not to Exceed \$1,000,000 for the Purpose of Designing, Engineering, and Constructing Sewer Improvements, With Relating Site Improvements and Appurtenances Thereto; and Approving Related Matters

WHEREAS, the Finance Director (the "Finance Director") of the City of Worthington, Ohio (the "City") has certified to this Council that the estimated life of the improvements stated in the title of this Ordinance (the "Project") which is to be financed from the proceeds of the bonds exceeds five years, and the maximum maturity of such bonds is 20 years;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Worthington, County of Franklin, State of Ohio:

SECTION 1. Issuance of Bonds. It is hereby declared necessary to issue bonds (the "Bonds") of the City in the principal sum of not to exceed \$1,000,000 or such lesser amount as shall be determined by the Finance Director and certified to this Council for the purpose of paying the costs of the Project. The Bonds may be issued in one or more series.

SECTION 2. Combining Bonds for Purposes of Issuance and Sale. It is hereby determined, that for the purposes of issuance and sale, it is in the best interest of the City to combine the Bonds with other limited tax general obligation bonds of the City authorized by separate ordinances of this Council. The Bonds and such other bonds shall be jointly referred to herein as the "Combined Bonds." As used in this Ordinance, the term "Bonds" shall also mean the Combined Bonds, where appropriate. The Combined Bonds shall be designated "City of Worthington, Ohio Various Purpose Bonds, Series 2023," or as otherwise provided in the Certificate of Award defined in Section 4 hereof.

SECTION 3. Terms of Bonds. The Bonds shall be issued as fully registered bonds, in denominations of \$5,000 or any integral multiple thereof; shall be numbered consecutively from R-1 upward, as determined by the Finance Director; shall be dated the date determined by the Finance Director and set forth in the Certificate of Award provided for hereinbelow; and shall bear interest, payable semiannually on such dates as shall be determined by the Finance Director and set forth in the Certificate of Award, until the principal sum is paid or provision has been duly made therefor. Interest shall be calculated on the basis of a 360-day year of twelve 30-day months.

SECTION 4. Certificate of Award. The Finance Director is hereby authorized and directed to execute on behalf of the City a Certificate of Award (the "Certificate of Award") setting forth the aggregate principal amount and the final terms of the Bonds, which aggregate principal amount and terms, subject to the limitations set forth in this Ordinance, shall be as determined by the Finance Director. The Certificate of Award shall indicate the Original Purchaser (as defined hereinbelow) for the Bonds, dated date for the Bonds, the dates on which interest on the Bonds is to be paid (the "Interest Payment Date"), the purchase price for the Bonds (which shall be not less than 97% of the face value thereof), the maturity schedule for the Bonds, the interest rates for the Bonds (provided that the true interest cost for all Bonds in the aggregate shall not exceed 6.00% per annum), the optional and mandatory redemption provisions, if any, and such other terms not inconsistent with this Ordinance as the Finance Director shall deem appropriate.

SECTION 5. Redemption Provisions of the Bonds. The Bonds shall be subject to optional and mandatory redemption prior to stated maturity, as provided in the Certificate of Award. If optional redemption of the Bonds at a redemption price exceeding 100% is to take place on any date on which a mandatory redemption of the Bonds of the same maturity will take place, the Bonds to be redeemed by optional

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redemption shall be selected by the Bond Registrar (as defined hereinbelow) prior to the selection of the Bonds to be redeemed at par on the same date.

When partial redemption is authorized, the Bond Registrar shall select Bonds or portions thereof by lot within a maturity in such manner as the Bond Registrar may determine, provided, however, that the portion of any Bond so selected shall be in the amount of \$5,000 or any integral multiple thereof.

The notice of the call for redemption of Bonds shall identify (i) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (ii) the redemption price to be paid, (iii) the date fixed for redemption, and (iv) the place or places where the amounts due upon redemption are payable. From and after the specified redemption date interest on the Bonds (or portions thereof) called for redemption shall cease to accrue. Such notice shall be sent by first class mail at least 30 days prior to the redemption date to each registered holder of Bonds to be redeemed at the address shown in the Bond Register (as defined herein) on the 15th day preceding the date of mailing. Failure to receive such notice of any defect therein shall not affect the validity of the proceedings for the redemption of any Bond.

SECTION 6. General Obligation Pledge. The Bonds shall be the full general obligation of the City, and the full faith, credit and revenue of the City are hereby pledged for the prompt payment of the same. The par value to be received from the sale of the Bonds and any excess funds resulting from the issuance of the Bonds shall, to the extent necessary, be used only for the retirement of the Bonds at maturity and are hereby pledged for such purpose.

SECTION 7. Debt Service Levy. There shall be and is hereby levied annually on all the taxable property in the City, in addition to all other taxes and inside the City's charter millage limitation, a direct tax (the "Debt Service Levy") for each year during which any of the Bonds are outstanding, for the purpose of providing, and in an amount which is sufficient to provide, funds to pay interest upon the Bonds as and when the same falls due and to provide a fund for the repayment of the principal of the Bonds at maturity or upon redemption. The Debt Service Levy shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Ohio Constitution.

The Debt Service Levy shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of such years are certified, extended and collected. The Debt Service Levy shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the Debt Service Levy shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of premium, if any, and interest on and principal of the Bonds when and as the same falls due. Notwithstanding the foregoing, if the City determines that funds will be available from other sources for the payment of the Bonds in any year, the amount of the Debt Service Levy for such year shall be reduced by the amount of funds which will be so available, and the City shall appropriate such funds to the payment of the Bonds in accordance with law.

SECTION 8. Income Tax Pledge. The City hereby covenants, pursuant to Section 133.05(B)(7), Ohio Revised Code, to appropriate annually from lawfully available municipal income taxes, and to continue to levy and collect municipal income taxes adequate to produce, amounts necessary to meet the debt charges on the Bonds in each year until full payment is made.

SECTION 9. Sale of the Bonds; Use of Proceeds. The Bonds shall be awarded by competitive sale based on bids submitted to the City following the publication of a notice of sale (or similar document) for the Bonds, which shall be in such form as approved by the Finance Director. The sale and award of the

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Bonds shall be evidenced by the Certificate of Award, which shall award the sale of the Bonds to such purchaser (the "Original Purchaser") as shall offer, in the opinion of the Finance Director, the best terms for the purchase of the Bonds. The Finance Director is hereby authorized and directed to deliver the Bonds, when executed, to the Original Purchaser upon payment of the purchase price and accrued interest, if any, to the date of delivery.

The proceeds of such sale, except any accrued interest or premium thereon, shall be deposited in the Treasury of the City and used for the purpose aforesaid and for no other purpose. Any accrued interest received from the sale of the Bonds shall be transferred to the bond retirement fund to be applied to the payment of the principal of and interest on the Bonds, or other obligations of the City, as permitted by law. Any premium received from the sale of the Bonds may be used to pay the financing costs of the Bonds within the meaning of Ohio Revised Code Section 133.01(K) or be deposited into the bond retirement fund in the manner provided by law.

SECTION 10. Form and Execution of the Bonds. The Bonds shall express upon their faces the purpose for which they are issued and that they are issued pursuant to this Ordinance; and shall be executed by the Finance Director and the City Manager of the City (the "City Manager"), in their official capacities, provided that either or both of their signatures may be a facsimile. No Bond shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this Ordinance unless and until a certificate of authentication, as printed on the Bond, is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance. The certificate of authentication may be signed by any officer or officers of the Bond Registrar or by such other person acting as an agent of the Bond Registrar as shall be approved by the Finance Director on behalf of the City. It shall not be necessary that the same authorized person sign the certificate of authentication on all of the Bonds.

SECTION 11. Payment of the Bonds. The principal of and interest on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. The principal of the Bonds shall be payable upon presentation and surrender of the Bonds at the principal office of the Bond Registrar. Each Bond shall bear interest from the later of the date thereof, or the most recent Interest Payment Date to which interest has been paid or duly provided for, unless the date of authentication of any Bond is less than 15 days prior to an Interest Payment Date, in which case interest shall accrue from such Interest Payment Date. Interest on any Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond is registered, at the close of business on the 15th day next preceding that Interest Payment Date (the "Record Date") (unless such date falls on a non-business day, in which case the Record Date shall be the preceding business day), on the Bond Register at the address appearing therein.

Any interest on any Bond which is payable, but is not punctually paid or provided for, on any Interest Payment Date (herein called "Defaulted Interest") shall forthwith cease to be payable to the registered owner on the relevant Record Date by virtue of having been such owner and such Defaulted Interest shall be paid to the registered owner in whose name the Bond is registered at the close of business on a date (the "Special Record Date") to be fixed by the Bond Registrar, such Special Record Date to be not more than 15 nor less than 10 days prior to the date of proposed payment. The Bond Registrar shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first class postage prepaid, to each Bondholder, at such Bondholder's address as it appears in the Bond Register, not less than 10 days prior to such Special Record Date, and may, in its discretion, cause a similar notice to be published once

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in a newspaper in each place where Bonds are payable, but such publication shall not be a condition precedent to the establishment of such Special Record Date.

Subject to the foregoing provisions of this Section, each Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Bond.

SECTION 12. Appointment of Bond Registrar. The Finance Director is hereby authorized and directed to execute on behalf of the City a Bond Registrar Agreement with such bank or other appropriate financial institution as shall be acceptable to the Finance Director and the Original Purchaser, pursuant to which such bank or financial institution shall agree to serve as authenticating agent, bond registrar, transfer agent, and paying agent (the "Bond Registrar") for the Bonds. Interest shall be payable at maturity by check or draft mailed to the Registered Owner hereof, as shown on the registration books of the City maintained by the Bond Registrar. If at any time the Bond Registrar shall be unable or unwilling to serve as such, or the Finance Director in such officer's discretion shall determine that it would be in the best interest of the City for such functions to be performed by another party, the Finance Director may, and is hereby authorized and directed to, enter into an agreement with a national banking association or other appropriate institution experienced in providing such services, to perform the services required of the Bond Registrar hereunder. Each such successor Bond Registrar shall promptly advise all bondholders of the change in identity and new address of the Bond Registrar. So long as any of the Bonds remain outstanding, the City shall cause to be maintained and kept by the Bond Registrar, at the office of the Bond Registrar, all books and records necessary for the registration, exchange and transfer of Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of this Ordinance, the person in whose name any Bond shall be registered on the Bond Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and interest on any Bond shall be made only to or upon the order of that person. Neither the City nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Bonds, including the interest thereon, to the extent of the amount or amounts so paid.

Any Bond, upon presentation and surrender at the office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar, may be exchanged for Bonds of the same form and of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Bond may be transferred only on the Bond Register upon presentation and surrender thereof at the office of the Bond Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar. Upon that transfer, the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

The City and the Bond Registrar shall not be required to transfer or exchange (i) any Bond during a period beginning at the opening of business 15 days before the day of mailing of a notice of redemption of Bonds, and ending at the close of business on the day of such mailing, or (ii) any Bonds selected for redemption, in whole or in part, following the date of such mailing.

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In all cases in which Bonds are exchanged or transferred hereunder, the City shall cause to be executed and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the owner; except that the City and the Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Bond Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Bonds. All Bonds issued upon any transfer or exchange shall be the valid obligations of the City, evidencing the same debt, and entitled to the same benefits under this Ordinance, as the Bonds surrendered upon that transfer or exchange.

SECTION 13. Book-Entry System. For purposes of this Ordinance, the following terms shall have the following meanings:

"Book-entry form" or "book-entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest on the Bonds may be transferred only through a book-entry and (ii) physical Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Bonds "immobilized" in the custody of the Depository, and the book-entry is the record that identifies the owners of beneficial interests in those Bonds.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its participants, a book-entry system to record beneficial ownership of securities and to effect transfers of securities in book-entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York.

The Bonds may be initially issued to a Depository for use in a book-entry system, and the provisions of this Section shall apply, notwithstanding any other provision of this Ordinance; (i) there shall be a single Bond of each maturity, (ii) those Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners in book-entry form shall have no right to receive Bonds in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Bonds in book-entry form shall be shown by book-entry on the system maintained and operated by the Depository, and transfers of the ownership of beneficial interests shall be made only by the Depository and by book-entry; and (v) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City. Bond service charges on Bonds in book-entry form registered in the name of a Depository or its nominee shall be payable in same day funds delivered to the Depository or its authorized representative (i) in the case of interest, on each Interest Payment Date, and (ii) in all other cases, upon presentation and surrender of Bonds as provided in this Ordinance.

The Bond Registrar may, with the approval of the City, enter into an agreement with the beneficial owner or registered owner of any Bond in the custody of a Depository providing for making all payments to that owner of principal and interest on that Bond or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided above in this Ordinance, without prior presentation or surrender of the Bond, upon any conditions which shall be satisfactory to the Bond Registrar and to the City. That payment in any event shall be made to the person who is the registered owner of that Bond on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Bond Registrar shall furnish a copy of each of those agreements, certified to be correct by the Bond Registrar, to other paying agents for Bonds and to the City. Any payment of principal or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Ordinance.

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If requested, the Finance Director and the City Manager are authorized and directed to execute, acknowledge and deliver, in the name of and on behalf of the City, an agreement among the City, the Bond Registrar and a Depository to be delivered in connection with the issuance of the Bonds to such Depository for use in a book-entry system.

The City may decide to discontinue use of the book-entry system through the Depository. In that event, Bond certificates will be printed and delivered to the Depository.

If any Depository determines not to continue to act as the Depository for the Bonds for use in a book-entry system, the City and the Bond Registrar may attempt to establish a securities depository/book-entry relationship with another qualified Depository under this Ordinance. If the City and the Bond Registrar do not or are unable to do so, the City and the Bond Registrar, after the Bond Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Bonds from the Depository and authenticate and deliver bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing and delivering definitive Bond), if the event is not the result of action or inaction by the City or the Bond Registrar, of those persons requesting such issuance.

SECTION 14. Federal Tax Law Compliance. The City hereby covenants that it will comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Bonds is and will continue to be excluded from gross income for federal income tax purposes, including without limitation restrictions on the use of the property financed with the proceeds of the Bonds so that the Bonds will not constitute "private activity bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"). The City further covenants that it will restrict the use of the proceeds of the Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the Bonds are issued, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (the "Regulations").

The Finance Director, or any other officer of the City, including the City Manager, is hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the City with respect to the Bonds as permitted or required to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating those amounts or payments, as determined by the Finance Director, which action shall be in writing and signed by the Finance Director, or any other officer of the City, including the City Manager, on behalf of the City; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the City as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds; and (c) to give an appropriate certificate on behalf of the City, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the City pertaining to Section 148 and the Regulations, and the representations, warranties and covenants of the City regarding compliance by the City with Sections 141 through 150 of the Code and the Regulations.

The Finance Director shall keep and maintain adequate records pertaining to the use and investment of all proceeds of the Bonds sufficient to permit, to the maximum extent possible and presently foreseeable, the City to comply with any federal law or regulation now or hereafter having applicability to the Bonds that relates to the use of such proceeds, which limits the amount of Bond proceeds which may be invested on an

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unrestricted yield or requires the City to rebate arbitrage profits to the United States Department of the Treasury. The Finance Director is hereby authorized and directed to file such reports with, and rebate arbitrage profits to, the United States Department of the Treasury, to the extent that any federal law or regulation having applicability to the Bonds requires any such reports or rebates.

SECTION 15. Municipal Bond Insurance. The Finance Director is authorized to make appropriate arrangements, if the Finance Director deems it in the best interest of the City, for the issuance of a municipal bond insurance policy with respect to all or any portion or series of the Bonds, including executing and delivering a commitment therefor and certificates and other documents in connection therewith and paying the bond insurance premium related thereto. All additional provisions required to be authorized by this Council for the issuance of a municipal bond insurance policy shall be contained in the Certificate of Award.

SECTION 16. Official Statement. The distribution of an Official Statement of the City, in preliminary and final form, relating to the original issuance of the Bonds is authorized if the Finance Director determines that it is necessary or advisable to prepare and distribute an Official Statement in connection with the original issuance of the Bonds. If the Finance Director so determines, then the Finance Director and the City Manager, and any other officer of this Council, are authorized and directed to negotiate, prepare and execute, on behalf of the City and in their official capacity, the Official Statement and any supplements thereto as so executed in connection with the original issuance of the Bonds, and they are authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Bonds as they deem necessary or appropriate to protect the interests of the City. The Finance Director, the City Manager and the Law Director are each authorized to execute and deliver, on behalf of the City and in their official capacities, such certificates in connection with the accuracy of an Official Statement, in either preliminary or final form, and any supplements thereto as may, in their judgment, be necessary or appropriate.

SECTION 17. Obtaining of Rating for the Bonds. The Finance Director is authorized to obtain or update a rating or ratings on the Bonds and the City if the Finance Director determines that it is necessary or advisable in connection with the original issuance of the Bonds. If the Finance Director so determines, then the Finance Director, City Manager, and any officer of this Council are authorized and directed to take all steps necessary to obtain such rating or ratings, including paying the rating fees imposed by any rating agency and paying any travel expenses relating to obtaining such rating or ratings.

SECTION 18. Appointment of Municipal Advisor. The appointment of Baker Tilly Municipal Advisors, LLC, to serve as municipal advisor to the City in connection with the issuance of the Bonds is hereby approved. The fees to be paid to such firm shall be subject to review and approval of the Finance Director, shall not exceed the fees customarily charged for such services, and shall be paid upon closing of the financing from proceeds of the Bonds.

SECTION 19. Appointment of Bond Counsel. The appointment of the law firm of Bricker & Eckler LLP, which shall become Bricker Graydon LLP effective April 3, 2023, to serve as Bond Counsel with respect to the issuance of the Bonds is hereby approved. The fees to be paid to such firm shall be subject to review and approval by the Finance Director, shall not exceed the fees customarily charged for such services, and shall be paid upon closing of the financing from proceeds of the Bonds.

SECTION 20. Transcript of Proceedings; Execution of Additional Documents. The officer having charge of the minutes of the Council and any other officers of the Council, or any of them individually, are

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hereby authorized and directed to prepare and certify a true transcript of proceedings pertaining to the Bonds and to furnish a copy of such transcript to the Original Purchaser. Such transcript shall include certified copies of all proceedings and records of the Council relating to the power and authority of the City to issue the Bonds and certificates as to matters within their knowledge or as shown by the books and records under their custody and control, including but not limited to a general certificate of the City Clerk and a no-litigation certificate of the City Manager and the Finance Director, and such certified copies and certificates shall be deemed representations of the City as to the facts stated therein. Except for the procedure for authenticating the Bonds set forth in Section 10 herein, documents (including this Ordinance) executed, scanned and transmitted electronically and electronic and digital signatures shall be deemed original signatures for said transcript of the Bonds, for the purposes of this Ordinance, and for all matters related thereto, with any such scanned, electronic, and digital signatures having the same legal effect as original signatures.

The City Manager and Finance Director are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

SECTION 21. Satisfaction of Conditions for Bond Issuance. It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Bonds in order to make them legal, valid and binding obligations of the City have happened, been done and been performed in regular and due form as required by law; that the faith, credit and revenue of the City are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Bonds.

SECTION 22. Compliance with Open Meeting Requirements. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 23. Filing of Bond Ordinance. The City Clerk is hereby directed to forward a certified copy of this Ordinance to the County Auditor of Franklin County, Ohio.

SECTION 24. Notice of Passage and Effective Date. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force at the earliest date permitted by law and by the Charter of the City of Worthington, Ohio.

Passed:

President of Council

Attest:

Introduced March 6, 2023
P.H. March 20, 2023
Effective April 9, 2023

Clerk of Council

CERTIFICATE

The undersigned City Clerk hereby certifies that the foregoing is a true copy of Ordinance No. 06-2023 duly adopted by the Council of the City of Worthington, Ohio on March 20, 2023, and that a true copy thereof was certified to the County Auditor of Franklin County, Ohio.

Clerk of Council
City of Worthington, Ohio

RECEIPT OF COUNTY AUDITOR FOR
LEGISLATION PROVIDING
FOR THE ISSUANCE OF
GENERAL OBLIGATION BONDS

I, Michael Stinziano, the duly elected, qualified, and acting County Auditor in and for Franklin County, Ohio hereby certify that a certified copy of Ordinance No. 06-2023 duly adopted by the City Council of the City of Worthington, Ohio on March 20, 2023 providing for the issuance of general obligation bonds designated City of Worthington, Ohio Various Purpose Bonds, Series 2023, in the amount of not to exceed \$1,000,000 was filed in this office on _____, 2023.

WITNESS my hand and official seal at Columbus, Ohio on _____, 2023.

[SEAL]

County Auditor
Franklin County, Ohio



STAFF MEMORANDUM
City Council Meeting – March 6th, 2023

Date: February 15, 2023

To: Robyn Stewart, Acting City Manager

From: John Moorehead, P.E. Director of Service & Engineering

Subject: Ordinance No. 07-2023 Funding Project Number 720-21 HVAC Improvement Program

EXECUTIVE SUMMARY

This ordinance funds the construction and installation of HVAC Equipment at the Fire Station, Griswold Center and Community Center.

RECOMMENDATION

Introduce for Public Hearing March 20, 2023.

BACKGROUND/DESCRIPTION

Staff has identified the need to repair or replace heating and cooling systems in most city buildings and funding for these projects is included in the Capital Improvements Program. Many of the HVAC Systems for the buildings have served well beyond their useful life expectancy. Following a full assessment of these systems, Prater Engineering was hired to design HVAC improvements in 2022. The design of the first phase improvements is completed. The project will repair and replace equipment at the Fire Station, the Griswold Center, and the Community Center. The Engineer's estimate for this work totals \$1,525,000.00 with alternates for removal of Fire Station roof top units and work on the Community Center Cooling Tower.

Staff will open bids for the project on March 15th with an anticipated public hearing and award by Council on March 20th.

FINANCIAL IMPLICATIONS/FUNDING SOURCES (if applicable)

\$1,525,000.00 from the Capital Improvements Program includes funding for these HVAC projects.

ATTACHMENTS
Ordinance 07-2023

ORDINANCE NO. 07-2023

Amending Ordinance No. 39-2022 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Costs of the HVAC Improvement Program and all Related Expenses and Determining to Proceed with said Project. (Project No. 720-21)

WHEREAS, the Charter of the City of Worthington, Ohio, provides that City Council may at any time amend or revise the Budget by Ordinance, providing that such amendment does not authorize the expenditure of more revenue than will be available;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That there be and hereby is appropriated from the Capital Improvements Fund Unappropriated Balance to Account No. 308.8130.533447 an amount not to exceed _____ (\$_____) to pay the cost of the HVAC Improvement Program (Project No. 720-21)

SECTION 2. That the City Manager be and hereby is authorized and directed to enter into an agreement with the firm of _____ for the provision of the aforementioned services.

SECTION 3. For the purposes of Section 2.21 of the Charter of the City, this ordinance shall be considered an "Ordinance Determining to Proceed" with the Project, notwithstanding future actions of this Council, which may be necessary or appropriate in order to comply with other requirements of law.

SECTION 4. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed _____

President of Council

Attest:

Introduced March 6, 2023
P.H.

Clerk of Council



STAFF MEMORANDUM
City Council Meeting – March 6, 2023

Date: March 1, 2023

To: Robyn Stewart, Acting City Manager

From: Darren Hurley, Parks & Recreation Director

Subject: Shaker Square Park Playground Replacement Appropriation

EXECUTIVE SUMMARY

Appropriating funds from the Capital Improvement Fund for the replacement of the Shaker Square Park Playground.

RECOMMENDATION

Introduce for Public Hearing March 20, 2023.

BACKGROUND/DESCRIPTION

The 2023 Capital Improvements Program (CIP) included \$200,000 for the replacement of the existing Shaker Square Park Playground. The current playground was installed in 1994. The safety surfacing is at the end of its useful life, and the equipment is aging making it a priority for replacement.

The playground is used heavily by the residents in the area and is a focal point for the neighborhood park. The replacement was identified as one of the most critical park improvements in the 2017 Parks Master Plan.

Staff have begun gathering public input through a community process that starts with a survey. The survey feedback will be provided to a playground vendor who will create three designs based on the survey responses, which will be shared at a public open house later this spring. Based on feedback at the open house, a final design will be selected for the project with construction planned for the late summer/early fall.

FINANCIAL IMPLICATIONS/FUNDING SOURCES

The 2023 Capital Improvements Program (CIP) included \$200,000 for the project.

ORDINANCE NO. 08-2023

Amending Ordinance No. 39-2022 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Costs of the Shaker Square Playground Replacement and all Related Expenses and Determining to Proceed with said Project. (Project No. 745-23)

WHEREAS, the Charter of the City of Worthington, Ohio, provides that City Council may at any time amend or revise the Budget by Ordinance, providing that such amendment does not authorize the expenditure of more revenue than will be available;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That there be and hereby is appropriated from the Capital Improvements Fund Unappropriated Balance to Account No. 308.4010.533474 an amount not to exceed _____ (\$ _____) to pay the cost of the Shaker Square Playground Replacement (Project No. 745-23)

SECTION 2. That the City Manager be and hereby is authorized and directed to enter into an agreement with the firm of _____ for the provision of the aforementioned services.

SECTION 3. For the purposes of Section 2.21 of the Charter of the City, this ordinance shall be considered an "Ordinance Determining to Proceed" with the Project, notwithstanding future actions of this Council, which may be necessary or appropriate in order to comply with other requirements of law.

SECTION 4. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed _____

President of Council

Attest:

Introduced
P.H.

Clerk of Council