



Doug Joseph, President
Caleb Skinner, Ward 1
Brett Luzader, Ward 2
Marshall Spalding, Ward 3
Mel Clemens, Ward 4
Barth Cotner, At-Large
Stacie A. Baker, At-Large
Kristin J. Bryant, At-Large

CITY COUNCIL

Committee Meetings Regular Council Meeting

7232 E. Main St
Reynoldsburg, OH 43068
www.ci.reynoldsburg.oh.us

April Beggerow
614-322-6836

Monday, September 10, 2018

Council Chambers

FINANCE AND ADMINISTRATION COMMITTEE MEETING

1. CALL TO ORDER - ROLL CALL

2. APPROVAL OF AGENDA

3. APPROVAL OF MINUTES

a. Finance and Administration Committee – Committee Meeting – July 23, 2018

4. NEW LEGISLATION/DISCUSSION ITEMS

a. ADMINISTRATIVE REPORTS-DEVELOPMENT DEPARTMENT

b. MOTION THAT REYNOLDSBURG CITY COUNCIL DOES HEREBY CONFIRM MAYORAL APPOINTMENT OF ALEXANDER FURST TO SERVE ON THE PLANNING COMMISSION WITH A TERM BEGINNING SEPTEMBER 10, 2018 AND ENDING DECEMBER 31, 2018.

c. RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE FRANKLIN COUNTY AUDITOR.

- d. RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE LICKING COUNTY AUDITOR.
- e. ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY BOND INTEREST
- f. AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A SECOND AMENDMENT TO THE LEASE DATED AS OF DECEMBER 1, 2011 IN CONNECTION WITH THE \$9,000,000 HEALTH CARE FACILITIES REVENUE BONDS, SERIES 2011 (WESLEY RIDGE RESIDENCE CORPORATION) PREVIOUSLY ISSUED BY THE CITY OF REYNOLDSBURG, OHIO; PROVIDING FOR AND AUTHORIZING CERTAIN OTHER MATTERS RELATED TO SUCH BONDS; AND DECLARING AN EMERGENCY.

MINUTES COMMITTEE MEETING
 REYNOLDSBURG FINANCE AND ADMINISTRATION COMMITTEE
 July 23, 2018

Chairman Barth R. Cotner called the meeting to order at 7:52 PM

Call to Order - Roll Call

PRESENT: Clemens, Cotner, Luzader, Spalding, Joseph

ABSENT:

Approval of Agenda

Agenda stands approved.

Approval of Minutes

a. Finance and Administration Committee – Committee Meeting – July 9, 2018

RESULT:	ACCEPTED
----------------	-----------------

LEGISLATION FOR THIRD READING

84-18

ORDINANCE MAKING SUPPLEMENTAL APPROPRIATION FOR DEBT SERVICE
 PAYMENT --- Cotner. Finance and Administration Committee.

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 7/23/2018 8:00 PM
MOVER:	Barth R. Cotner, Chairman	
SECONDER:	Mel Clemens, Ward 4 Councilmember	
AYES:	Clemens, Cotner, Luzader, Spalding	

Minutes Acceptance: Minutes of Jul 23, 2018 7:35 PM (Approval of Minutes)

Clerk of Council**April Beggerow****7232 E. Main Street****Reynoldsburg OHIO 43068****614-322-6836 phone****Departmental Report**

DATE: September 10, 2018**TO: Finance and Administration Committee****CC:****RE: Administrative Report- Development Department**

Mayor's Office
Brad McCloud
7232 E. Main Street
Reynoldsburg OHIO 43068
Phone

MOTION REQUEST

DATE: September 10, 2018

TO: Finance and Administration Committee

RE: MOTION THAT REYNOLDSBURG CITY COUNCIL DOES HEREBY
CONFIRM MAYORAL APPOINTMENT OF ALEXANDER FURST
TO SERVE ON THE PLANNING COMMISSION WITH A TERM
BEGINNING SEPTEMBER 10, 2018 AND ENDING DECEMBER 31,
2018

Approval:

Completed Brad McCloud	Jed Hood	Stephen Cicak
---------------------------	----------	---------------

See Attached Resume

ALEXANDER J. FURST

1456 Lancaster Avenue, Reynoldsburg, Ohio 43068 | (614) 835-6011 | alexfurst@gmail.com

EXPERIENCE

FINANCE MANAGER | DRONEDEPLOY | MAY 2018 - PRESENT

- Manage corporate finance, tax, and payroll. Duties include GAAP accounting, audit and regulatory compliance, financial reporting, planning, and analysis, process improvements, and policy writing.

FINANCE & OPERATIONS ANALYST | PAXATA | NOVEMBER 2016 - MAY 2018

- Responsible for a wide range of accounting, finance, and sales operations functions including GAAP accounting, financial reporting and analysis, and audit, tax, and regulatory compliance.

U.S. BANK INTERIM AML TEAM MANAGER | ROBERT HALF | AUGUST 2016 - SEPTEMBER 2016

- Managed and trained 100+ anti-money laundering analysts and quality control reviewers across two sites engaged in lookback audits and ongoing risk management reviews of unusual and suspicious money laundering and fraud activity.

DISCOVER FINANCIAL SERVICES FRAUD SAR ANALYST | ROBERT HALF | FEBRUARY 2016—JUNE 2016

- Analyzed activity alerts and financial transaction history across a wide range of banking products and software programs for suspicious or fraudulent credit card, deposit account, and loan activity. Determined FinCEN SAR eligibility and drafted suspicious activity reports and narratives based upon those findings.

GENERAL MANAGER | JUST NAME IT CUSTOM APPAREL | AUGUST 2009—NOVEMBER 2015

- Managed 10+ employees in retail customer service, outside sales, and production/order fulfillment roles.
- Directed all purchasing, shipping/receiving, human resources, and accounting/finance functions.

TEAM SALES MANAGER | AQUA OUTFITTERS | MAY 2008—AUGUST 2008

- Managed and grew sales of technical swimming equipment for schools, private teams, and community organizations.

INVESTIGATIVE RESEARCH INTERN | NORTHCOAST RESEARCH | JANUARY 2008—MARCH 2008

- Completed 500 hour internship program. Responsibilities included archival research, video and photographic surveillance, covert contact, and investigative research services for workers' compensation, FMLA, and liability claims.

EDUCATION

MASTER OF SCIENCE | 2009 | BOWLING GREEN STATE UNIVERSITY

Major: Criminal Justice

Concentration: Policing and Public Policy

Thesis: "State Regulation of Private Police and Security Agents"

BACHELOR OF SCIENCE, SUMMA CUM LAUDE | 2008 | BOWLING GREEN STATE UNIVERSITY

Major: Criminal Justice

Concentrations: Social Psychology, Criminology, Sociology

ALEXANDER J. FURST

1456 LANCASTER AVENUE
REYNOLDSBURG, OHIO 43068-2546
ALEXFURST@GMAIL.COM
(614) 835-6011

Andrew Bowsher
Development Director
City of Reynoldsburg
7232 E Main St.
Reynoldsburg, OH 43068

June 29, 2018

Dear Sir,

I visited the Reynoldsburg Farmer's Market this past Thursday, June 28, and observed a matter I would like to bring to your attention. A development group was displaying various proposals for sites around the city. Those sites were, 1) Olde Reynoldsburg along the Main St. corridor, and along Jackson Street and Lancaster Avenue, 2) the site of the current Kroger shopping center at Main and Briarcliff Road, and 3) the old K-Mart shopping center at the corner of Brice Road and Main Street.

I found these proposals very exciting, to say the least, and would gladly support development of this type in the city. These mixed-used plans featured modern, attractive, architecture, which is a very welcome change from the tired and dated structures along the city's most traveled roads. The city should have a main thoroughfare that we can be proud of, that attracts buzz and fosters enthusiasm, and the current state of the Main Street corridor is anything but that.

Reynoldsburg has lagged other cities in central Ohio because it is not able to attract the same caliber of business and residential interest, and we cannot do that without the proper climate of developmental and economic potential. With the passage of the income tax increase, the city has committed to improving our infrastructure and community services. This sort of improvement can only be fully utilized and sustained in the long term by continued business investment and an increasingly affluent residential tax base. The citizens have provided the necessary funding to kick-start city improvements, but we require a willing governmental partner to realize the change to its fullest potential. There is no reason that Reynoldsburg cannot replicate the type of destination development, and connected economic boom, seen in Gahanna's Creekside or Old Worthington along Route 23.

As a resident of Olde Reynoldsburg for approximately four years now, I have been heartened by the success of area businesses such as Prost and Vick's Pizza. The new Kroger site on Main Street is a much-needed improvement to the old facility it is replacing. I have invested in my property in the hope of not only increasing the property value, but also bettering our local community. I hope that the proper changes will be made at the governmental level to allow similar investment city-wide, and I think development such as I saw presented Thursday is a powerful means to that end. Similar development will spur the economic and residential changes that provide a better tomorrow for the city. If Reynoldsburg does not act now, the city cannot thrive, rather it can only manage its own decline.

Attachment: Alexander Furst Resume (Motion to Confirm Planning Commission Appointment Furst)

I would welcome any information you or your department can provide about how I can become more involved with these development efforts. As a resident, I have a vested interest in seeing the city prosper, and I would like to facilitate that goal to the best of my ability. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Alex Furst", with a long horizontal flourish extending to the right.

Alex Furst

City Auditor's Office**Stephen Cicak****7232 E. Main Street****Reynoldsburg OHIO 43068****614/322-6858 Phone****RESOLUTION REQUEST**

DATE: September 10, 2018**TO: Finance and Administration Committee****RE: RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS
DETERMINED BY THE BUDGET COMMISSION AND
AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING
THEM TO THE FRANKLIN COUNTY AUDITOR**

Approval:

Completed Brad McCloud	Completed Jed Hood	Stephen Cicak
---------------------------	-----------------------	---------------

Emergency/Suspension: Emergency

Reason For Emergency: Financial needs of the City's government

Request Council approves the attached Resolution to accept the amounts and rates from the Franklin County Auditor. This is the Accepting of the Tax Budget



TO: POLITICAL SUBDIVISIONS & LIBRARIES WITH A LEVY
 FROM: KERRI L. RITCHIE, CLERK *KLR*
 RE: OFFICIAL CERTIFICATE OF ESTIMATED RESOURCES
 DATE: AUGUST 29, 2018

Enclosed are the following documents:

1. 2019 Official Certificate of Estimated Resources
2. Resolution Accepting the Amounts and Rates Authorizing the Necessary Tax Levies

The Resolution Accepting the Amounts and Rates must be voted on and adopted by your respective governing body and returned to this office on or before the first day of October (O.R.C. 5705.34). The amounts on this resolution **include** the real property state reimbursement for rollback and homestead. In the event your subdivision passes a levy in November and/or has a bond rate to be set by the Budget Commission, an "Amended Resolution Accepting the Amounts and Rates Authorizing Necessary Tax Levies" will be forwarded to you in January.

The Real Estate & Public Utility tax levy revenue estimates appearing on your Official Certificate are based on 2017 valuation data and new construction as of January 1, 2018. The Official Certificate takes into account the "make whole" provisions as provided by the Ohio Department of Taxation. These values do not take into account any changes associated with the reappraisal.

Levies expiring in 2018 have been removed. Levies to be voted on in November 2018 are not included.

It should be noted that current tax revenue estimates may increase or decrease when actual valuation and effective tax rate data become available in December.

If you have any questions, please do not hesitate to contact me at 525-3743.

Enclosures

Attachment: 3011 (Accept the Amounts and Rates from County Auditor Franklin)

FORM PRESCRIBED BY BUREAU OF INSPECTION AND
SUPERVISION OF PUBLIC OFFICES, NO. 139, REV. 4-85

(Attachment: 300) Accept the Amounts and Rates from County Auditor Franklin

OFFICIAL CERTIFICATE OF ESTIMATED RESOURCES
REV CODE, SEC. 5705.36

OFFICE OF THE BUDGET COMMISSION, FRANKLIN COUNTY, OHIO
AUGUST 24, 2018

TO THE TAXING AUTHORITY OF CITY OF REYNOLDSBURG

THE FOLLOWING IS THE OFFICIAL CERTIFICATE OF ESTIMATED RESOURCES FOR THE FISCAL YEAR BEGINNING
JANUARY 1ST 2019, AS REVISED BY THE BUDGET COMMISSION OF SAID COUNTY, WHICH SHALL GOVERN THE TOTAL
OF APPROPRIATIONS MADE AT ANY TIME DURING SUCH FISCAL YEAR:

(516) FUND	UNENCUMBERED BALANCE JANUARY 1ST 2019	TAXES	OTHER SOURCES	TOTAL
GOVERNMENTAL				
GENERAL	\$3,792,140.00	\$279,151.12	\$18,336,565.71	\$22,407,856.83
SPECIAL REVENUE	\$5,937,628.00	\$206,852.16	\$2,578,878.50	\$8,723,358.66
DEBT SERVICE	\$2,170,577.00	0	\$2,699,800.00	\$4,870,377.00
CAPITAL PROJECTS	\$4,227,461.00	0	\$5,690,000.00	\$9,917,461.00
SUBTOTAL	\$16,127,806.00	\$486,003.28	\$29,305,244.21	\$45,919,053.49
PROPRIETARY				
ENTERPRISE	\$6,101,558.00	0	\$16,760,000.00	\$22,861,558.00
INTERNAL SERVICE	0	0	0	0
SUBTOTAL	\$6,101,558.00	0	\$16,760,000.00	\$22,861,558.00
FIDUCIARY				
EXPENDABLE TRUST	0	0	0	0
NON-EXPENDABLE TRUST	0	0	0	0
AGENCY	0	0	0	0
FIDUCIARY	\$1,384,305.00	0	\$2,918,800.00	\$4,303,105.00
SPECIAL ASSESSMENT	0	0	0	0
SUBTOTAL	\$1,384,305.00	0	\$2,918,800.00	\$4,303,105.00
TOTAL	\$23,613,669.00	\$486,003.28	\$48,984,044.21	\$73,083,716.49

ESTIMATED ROLLBACK & HOMESTEAD STATE REIMBURSEMENT
PROPERTY TAX ALLOCATION AMOUNTS INCLUDED IN OTHER SOURCES:

(001) OPER-GEN \$22,827.68
(005) POL PEN \$16,695.31

CHAIRMAN
MEMBER
SECRETARY

BUDGET
COMMISSION

FORM PRESCRIBED BY BUREAU OF INSPECTION AND
 SUPERVISION OF PUBLIC OFFICES, NO. 139, REV. 4-85

OFFICIAL CERTIFICATE OF ESTIMATED RESOURCES
 REV CODE, SEC. 5705.36

TO THE TAXING AUTHORITY OF CITY OF REYNOLDSBURG

(516) FUND	UNENCUMBERED BALANCE JANUARY 1ST 2019	TAXES	OTHER SOURCES	TOTAL
GOVERNMENTAL				
GENERAL				
GENERAL TAX LEVY	\$3,792,140.00	\$279,151.12	\$18,336,565.71	\$22,407,856.83
SUBTOTAL	\$3,792,140.00	\$279,151.12	\$18,336,565.71	\$22,407,856.83
SPECIAL REVENUE				
COMPUTERIZATION	\$165,927.00	0	\$30,000.00	\$195,927.00
DRUG ENFORCEMENT	\$49,290.00	0	\$1,000.00	\$50,290.00
DUI EDUCATION	\$7,401.00	0	\$2,500.00	\$9,901.00
EDWARD BYRNE	0	0	0	0
FEDERAL FORFEITURE	\$98,230.00	0	\$30,000.00	\$128,230.00
GREAT GRANT	0	0	0	0
INCOME TAX	\$613,055.00	0	\$600,000.00	\$1,213,055.00
INGD DRIVER	0	0	0	0
LAW ENF ASST.	\$16,770.00	0	\$1,000.00	\$17,770.00
LAW ENFORCEMENT	\$260,491.00	0	\$30,000.00	\$290,491.00
PERMISSIVE TAX	\$1,174,384.00	0	\$270,000.00	\$1,444,384.00
POLICE PENSION LEVY	\$139,524.00	\$206,852.16	\$19,378.50	\$365,754.66
SAFETY BELT	\$4,376.00	0	0	\$4,376.00
SEWER CAPACITY	\$207,720.00	0	\$35,000.00	\$242,720.00
STATE HIGHWAY	\$216,497.00	0	\$110,000.00	\$326,497.00
STREET	\$2,983,963.00	0	\$1,450,000.00	\$4,433,963.00
SUBTOTAL	\$5,937,628.00	\$206,852.16	\$2,578,878.50	\$8,723,358.66
DEBT SERVICE				
BOND RETIREMENT	\$1,880,577.00	0	\$2,131,800.00	\$4,012,377.00
TAYLOR SQ TIF DEBT	\$290,000.00	0	\$668,000.00	\$958,000.00
SUBTOTAL	\$2,170,577.00	0	\$2,699,800.00	\$4,870,377.00
CAPITAL PROJECTS				
BRICE-MAIN CORRIDOR	0	0	0	0
CAPITAL IMPROVEMENT	\$3,401,646.00	0	\$5,650,000.00	\$9,051,646.00
SIDEWALK CONST	\$825,815.00	0	\$40,000.00	\$865,815.00
SUBTOTAL	\$4,227,461.00	0	\$5,690,000.00	\$9,917,461.00
PROPRIETARY				

FORM PRESCRIBED BY BUREAU OF INSPECTION AND
SUPERVISION OF PUBLIC OFFICES, NO. 139. REV. 4-85

Attachment: 30101 Accept the Amounts and Rates from County Auditor Franklin

OFFICIAL CERTIFICATE OF ESTIMATED RESOURCES
REV CODE, SEC. 5705.36

TO THE TAXING AUTHORITY OF CITY OF REYNOLDSBURG

(516) FUND	UNENCUMBERED BALANCE JANUARY 1ST 2019	TAXES	OTHER SOURCES	TOTAL
ENTERPRISE				
SEWER	\$1,986,446.00	0	\$6,300,000.00	\$8,286,446.00
SOLID WASTE	\$807,000.00	0	\$2,000,000.00	\$2,807,000.00
STORM WATER	\$1,661,000.00	0	\$1,350,000.00	\$3,011,000.00
UTILITY DEP	\$97,138.00	0	\$10,000.00	\$107,138.00
WATER	\$1,549,974.00	0	\$7,100,000.00	\$8,649,974.00
SUBTOTAL	\$6,101,558.00	0	\$16,760,000.00	\$22,861,558.00
INTERNAL SERVICE				
SUBTOTAL	0	0	0	0
FIDUCIARY				
EXPENDABLE TRUST				
SUBTOTAL	0	0	0	0
NON-EXPENDABLE TRUST				
SUBTOTAL	0	0	0	0
AGENCY				
SUBTOTAL	0	0	0	0
FIDUCIARY				
ARTS COMMISSION	0	0	0	0
BD OF BLDG	\$9,000.00	0	\$7,500.00	\$16,500.00
BEAUTIFICATION COMM	0	0	0	0
BRICE-MAIN TIF	\$25,000.00	0	\$250,000.00	\$275,000.00
DELO PREVENTION	\$16,555.00	0	0	\$16,555.00
DEMOLITION EXPENSE	0	0	0	0
EMPLOYEE FUND	\$1,200.00	0	\$500.00	\$1,700.00
ENG FEES/PLAN	\$100,000.00	0	\$35,000.00	\$135,000.00
FRENCH CREEK FOOTBR	0	0	0	0
KROGER TIF	\$324,000.00	0	\$10,000.00	\$334,000.00
MISC TRUST	\$75,000.00	0	\$350,000.00	\$425,000.00
PLOT GRADE & UTIL.	\$75,000.00	0	\$75,000.00	\$150,000.00
SCHOOL SKI CLUB	0	0	0	0
SEWER CAP CHG	\$26,000.00	0	\$25,000.00	\$51,000.00
SUMMIT RD TIF #1	\$5,100.00	0	0	\$5,100.00

Attachment: 3011 (Accept the Amounts and Rates from County Auditor Franklin)

FORM PRESCRIBED BY BUREAU OF INSPECTION AND
SUPERVISION OF PUBLIC OFFICES, NO. 139, REV. 4-85

OFFICIAL CERTIFICATE OF ESTIMATED RESOURCES
REV CODE, SEC. 5705.36

TO THE TAXING AUTHORITY OF CITY OF REYNOLDSBURG

(516) FUND	UNENCUMBERED BALANCE JANUARY 1ST 2019	TAXES	OTHER SOURCES	TOTAL
SUPERVISION & INSP.	\$100,000.00	0	\$65,000.00	\$165,000.00
TAYLOR RD TIF#1	\$167,700.00	0	\$20,000.00	\$187,700.00
TAYLOR RD TIF#2	\$14,750.00	0	\$800.00	\$15,550.00
TAYLOR SQ SCH TIF	\$400,000.00	0	\$2,000,000.00	\$2,400,000.00
UNCLAIMED FUNDS	\$45,000.00	0	\$5,000.00	\$50,000.00
VISITORS BUREAU	0	0	\$75,000.00	\$75,000.00
SUBTOTAL	\$1,384,305.00	0	\$2,918,800.00	\$4,303,105.00
SPECIAL ASSESSMENT				
SUBTOTAL	0	0	0	0
TOTAL	\$23,613,669.00	\$486,003.28	\$48,984,044.21	\$73,083,716.49

**RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES
AND CERTIFYING THEM TO THE COUNTY AUDITOR**

(CITY COUNCIL)
OHIO REVISED CODE, SECTION 5705.34, 5705.35

The Council of the City of REYNOLDSBURG, Franklin County

Ohio, met in _____ session on the _____ day of _____,
(Regular or Special)

2018, at the office of _____ with the following members

present:

_____ moved the adoption of the following Resolution:

WHEREAS, This Council in accordance with the provisions of law has previously
adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 2019; and

WHEREAS, The Budget Commission of Franklin County, Ohio, has certified its
action thereon to this Council together with an estimate by the County Auditor of the rate of
each tax necessary to be levied by this Council, and what part thereof is without, and what
part within, the ten mill tax limitation; therefore, be it

RESOLVED, By the Council of the City of REYNOLDSBURG
Franklin County, Ohio, that the amounts and rates, as determined by the Budget
Commission in its certification, be and the same are hereby accepted: and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said City
the rate of each tax necessary to be levied within and without the ten mill limitation for tax year
2018 (collection year 2019) as follows:

SCHEDULE A

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

FUND	Amount to be Derived from Levies Outside 10 Mill Limitation	Amount Approved by Budget Commission Inside 10 Mill Limitation	County Auditor's Estimate of Full Tax Rate to Be Levied	
			Inside 10 Mill Limit	Outside 10 Mill Limit
General		\$301,978.80	0.40	
General Fund Charter				
Bond Retirement				
Bond Retirement Charter				
Police Pension		223,547.47	0.30	
Police Operating				
Fire Pension				
Fire Operating				
Police/Fire Pension				
Capital Improvement Charter				
Road & Sidewalk Fund				
TOTAL		\$525,526.27	0.70	

and be it further

RESOLVED, That the Clerk of this Council be and is hereby directed to certify a copy of
this Resolution to the County Auditor of said County.

_____ seconded the Resolution and the roll being

called upon its adoption the vote resulted as follows:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Adopted the _____ day of _____, 2018.

Attest:

President of Council

Clerk of Council

REYNOLDSBURG

Franklin County, Ohio.

Attachment: 3011 (Accept the Amounts and Rates from County Auditor Franklin)

**CERTIFICATE OF COPY
ORIGINAL ON FILE**

The State of Ohio, Franklin County, ss.

I, _____, Clerk of the Council of the City of

REYNOLDSBURG within and for said County, and in whose

custody the Files and Records of said Council are required by the Laws of State of Ohio to be kept

do hereby certify that the foregoing is taken and copied from the original _____

now on file, that the foregoing has been compared by me with said original

document, and that the same is a true and correct copy thereof.

WITNESS my signature, this _____ day of _____, 2018.

Clerk of Council

REYNOLDSBURG

Franklin County, Ohio.

City Auditor's Office**Stephen Cicak****7232 E. Main Street****Reynoldsburg OHIO 43068****614/322-6858 Phone****RESOLUTION REQUEST**

DATE: September 10, 2018**TO: Finance and Administration Committee****RE: RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS
DETERMINED BY THE BUDGET COMMISSION AND
AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING
THEM TO THE LICKING COUNTY AUDITOR**

Approval:

Completed Brad McCloud	Completed Jed Hood	Stephen Cicak
---------------------------	-----------------------	---------------

Emergency/Suspension: Emergency

Reason For Emergency: Financial needs of the City's government

Request Council approves the attached Resolution to accept the amounts and rates from the Licking County Auditor. This is the Accepting of the Tax Budget

**SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET
COMMISSION AND COUNTY AUDITOR'S ESTIMATED TAX RATES
2018 TAX YEAR COLLECTED IN 2019
(LICKING COUNTY PORTION ONLY)**

SCHEDULE A				
FUND	Amount	Amount to Be	County Auditor's	
	Approved by	Derived from	Estimate of Tax	
	Budget Com-	Levies Outside	<u>Rate to be Levied</u>	
	mission Inside	10M. Limitation	Inside	Outside
	10m. Limitation	10M. Limitation	10M	10M
	Column I	Column II	Limit	Limit
			III	IV
General Fund	82,248		0.400	
Police Pension	61,686		0.300	

SCHEDULE B

LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

FUND	Co. Auditor's Est. of Yield of Levy
TOTALS	0

Attachment: Licking REYNOLDSBURG CITY SCHEDULE AB 18 (Accept the Amounts and Rates from County Auditor Licking)

**(1) RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES
AND CERTIFYING THEM TO THE COUNTY AUDITOR
(CITY COUNCIL)**

Revised Code, Secs., 5705.34-5705.35

The Council of the City of **Reynoldsburg**, Licking
County, Ohio, met in _____ session on the _____ day of _____,
(Regular or Special)
_____, at the office of _____ with the following members
present:

Mr. _____ moved the adoption of the following Resolution:
for the next succeeding fiscal year commencing January 1st, 2019; and

WHEREAS, The Budget Commission of Licking County, Ohio, has certified its action thereon to this
Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied
by this Council, and what part thereof is without, and what part within the ten mill limitation; therefore be it

RESOLVED, By the Council of the City of **Reynoldsburg**
Licking County, Ohio, that the amounts and rates, as determined by the Budget
Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said City the rate
of each tax necessary to be levied within and without the ten mill limitation as follows:

Attachment: LICKING REYNOLDSBURG CITY AMT RATE RESOLUTION (Accept the Amounts and Rates from County Auditor Licking)

RESOLVED, That the Clerk of this Council be and is hereby directed to certify a copy of this Resolution to the County Auditor of Said County,

Mr. _____seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

- Mr. _____,
- Mr. _____,
- Mr. _____,
- Mr. _____,
- Mr. _____,
- Mr. _____,
- Mr. _____,

Adopted the _____ day of _____,

Attest:

President of Council

Clerk of Council

CERTIFICATE OF COPY

ORIGINAL ON FILE

4.d.b

The State of Ohio, Licking County, ss.

I, _____, Clerk of the Council of the City of **Reynoldsburg**

within and for said County, and in whose custody the Files and Records of said Council are required by
Laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the
original _____

_____ now on file, that the foregoing has been compared by me with said original document, and that the same
is a true and correct copy thereof,

WITNESS my signature, this _____ day of _____, _____

Clerk of Council

1. A copy of this Resolution must be certified to the County Auditor within the time prescribed by Sec. 5705.34 R.C., or at such later date as may
be approved by the Board of Tax Appeals.

Attachment: LICKING REYNOLDSBURG CITY AMT RATE RESOLUTION (Accept the Amounts and Rates from County Auditor Licking)

City Auditor's Office**Stephen Cicak****7232 E. Main Street****Reynoldsburg OHIO 43068****614/322-6858 Phone****ORDINANCE REQUEST**

DATE: September 10, 2018**TO: Finance and Administration Committee****RE: Authority to pay Bond Payment of \$365,092.50 due December 2018**

Approval:

Completed Brad McCloud	Completed Jed Hood	Completed Stephen Cicak
---------------------------	-----------------------	----------------------------

Ordinance Making Appropriation for Debt Service Payments on Community Center Bonds from
Account 310.991.5424

City Auditor's Office**Stephen Cicak****7232 E. Main Street****Reynoldsburg OHIO 43068****614/322-6858 Phone****ORDINANCE REQUEST****DATE: September 10, 2018****TO: Finance and Administration Committee**

RE: AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A SECOND AMENDMENT TO THE LEASE DATED AS OF DECEMBER 1, 2011 IN CONNECTION WITH THE \$9,000,000 HEALTH CARE FACILITIES REVENUE BONDS, SERIES 2011 (WESLEY RIDGE RESIDENCE CORPORATION) PREVIOUSLY ISSUED BY THE CITY OF REYNOLDSBURG, OHIO; PROVIDING FOR AND AUTHORIZING CERTAIN OTHER MATTERS RELATED TO SUCH BONDS; AND DECLARING AN EMERGENCY.

Approval:

Completed Brad McCloud	Completed Jed Hood	Pending Stephen Cicak
---------------------------	-----------------------	--------------------------

Emergency/Suspension: Emergency

Reason For Emergency: Immediate preservation of the public peace, health, or safety

Statement of necessity: Wesley Ridge needs to modify the Series 2011 Bonds as soon as possible in order to provide for the financial benefits thereof to Wesley Ridge, which will in turn be for the benefit and economic welfare of the Issuer as Wesley Ridge provides health care services for residents of the Issuer.

See attached documents.

SECOND AMENDMENT TO THE LEASE
DATED AS OF DECEMBER 1, 2011

between

CITY OF REYNOLDSBURG, OHIO

and

WESLEY RIDGE RESIDENCE CORPORATION

DATED AS OF SEPTEMBER 1, 2018

**SECOND AMENDMENT TO THE LEASE
DATED AS OF DECEMBER 1, 2011**

THIS SECOND AMENDMENT TO THE LEASE DATED AS OF DECEMBER 1, 2011, (herein called the "Second Amendment"), made as of the first day of September, 2018, between the CITY OF REYNOLDSBURG, OHIO (the "City"), a municipal corporation and political subdivision of the State of Ohio which qualifies as a "public hospital agency" as that term is defined in Section 140.01 of the Ohio Revised Code, as Lessor, and WESLEY RIDGE RESIDENCE CORPORATION (the "Lessee"), a nonprofit corporation existing under the laws of the State of Ohio, which qualifies as a "nonprofit hospital agency" as that term is defined in Section 140.01 of the Ohio Revised Code.

WHEREAS, the City is authorized by Chapter 140, Ohio Revised Code, specifically Section 140.05 thereof, to enter into a lease with a constituted and empowered nonprofit corporation, no part of the net earnings of which inure to the benefit of any private shareholder or individual and which has authority to own and operate Hospital Facilities (as that term is defined in Section 140.01, Ohio Revised Code) for the purpose of such corporation operating the facilities which are leased as a public hospital, admitting patients without regard to race, creed, color or national origin; and

WHEREAS, the City has leased the Leased Premises, as defined in the hereinafter described Original Lease, from the Lessee pursuant to a Base Lease dated as of December 1, 2011 (together with all amendments and supplements the "Base Lease") and has subleased the Leased Premises to the Lessee pursuant to the Lease dated as of December 1, 2011, recorded at Instrument No. 201100021135 of the Fairfield County, Ohio Lease Records (as previously amended, the "Original Lease"); and

WHEREAS, the City issued its Health Care Facilities Revenue Bonds, Series 2011 (Wesley Ridge Residence Corporation) (the "Series 2011 Bonds"), in the aggregate principal amount of \$9,000,000 for the purpose of providing funds, together with other available funds, (i) to finance and refinance the costs of acquiring, constructing and equipping Hospital Facilities, and (ii) to pay financing costs pertaining thereto, including certain costs of the issuance of the Series 2011 Bonds; and

WHEREAS, the City issued the Series 2011 Bonds for the benefit of the Lessee, and the Lessee and the City desire to amend the Original Lease in order to amend certain definitions contained within the Original Lease; and

WHEREAS, all necessary consents and requirements to such amendment have been obtained and complied with;

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS HEREIN CONTAINED, THE PARTIES HERETO COVENANT, AGREE AND BIND THEMSELVES AS FOLLOWS:

ARTICLE I

AMENDED SECTIONS EFFECTIVE UPON DELIVERY OF THIS SECOND
AMENDMENT TO LEASE DATED AS OF DECEMBER 1, 2011

Section 1.01. Exhibit E – Master Definition List to the Original Lease is hereby amended by amending and restating in its entirety the following definition to read as follows:

“Discount Rate” means sixty-five percent and one one-thousandths of one percent (65.001%),

ARTICLE II

EFFECT OF SECOND AMENDMENT TO
LEASE DATED AS OF DECEMBER 1, 2011

Section 2.01. From and after the time of taking effect of this Second Amendment, as provided in Section 3.01 hereof, the Original Lease shall be, and be deemed to be, modified and amended in accordance herewith, and the respective rights, duties and obligations under said Original Lease of the City and the Lessee thereunder shall be determined, exercised and enforced thereunder subject in all respects to the provisions of this Second Amendment, and all provisions hereof shall be deemed to be part of the terms and conditions of said Original Lease for any and all purposes.

ARTICLE III

TIME OF TAKING EFFECT; MISCELLANEOUS PROVISIONS

SECTION 3.01. Time of Taking Effect. This Second Amendment shall be effective as of the day and year first above written.

SECTION 3.02. No Abatement of Rent. Except as provided herein, this Second Amendment shall in no way be construed to abate or diminish the Basic Rent (as defined in the Original Lease) required to be paid by the Lessee under the Original Lease.

SECTION 3.03. Invalidity of Any Provision. In case any one or more of the provisions contained herein shall be adjudicated by any court of competent jurisdiction to be invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining provisions contained herein shall not in any way be affected or impaired thereby.

SECTION 3.04. Execution in Counterparts. This Second Amendment may be simultaneously executed and delivered in any number of counterparts, each of which when so executed and delivered shall be deemed to be an original, but such counterparts shall together constitute but one and the same instrument.

IN WITNESS WHEREOF, the City of Reynoldsburg, Ohio, has caused this Second Amendment to be executed in its name and behalf by its duly authorized officer and Wesley Ridge Residence Corporation has caused this Second Amendment to be executed in its name and on its behalf by its duly authorized officers; as of the day and year first above written.

CITY OF REYNOLDSBURG, OHIO

By: _____
Bradley L. McCloud, Mayor

WESLEY RIDGE RESIDENCE
CORPORATION

By: _____
Margaret Carmany,
President/Chief Executive Officer

By: _____
Robert Wehner,
Executive Vice President/Chief
Financial Officer

The legal form and substance of the within instrument are hereby approved.

James E. Hood, City Attorney
City of Reynoldsburg, Ohio

This instrument prepared by:

Glendon B. Pratt, Esq.
Dinsmore & Shohl LLP
191 West Nationwide Boulevard, Suite 300
Columbus, Ohio 43215

S-1

Attachment: Wesley 2018 Reissuance - 2011 Bonds - First Amendment to Lease v1 (Wesley Ridge Amend Bond Documents)

STATE OF OHIO)
) ss:
 COUNTY OF FRANKLIN)

On this ____ day of September, 2018, before me, a Notary Public in and for said County and State, personally appeared Robert Wehner, Executive Vice President and Chief Financial Officer of Wesley Ridge Residence Corporation, and Dawn M. Schaffner, President and Chief Executive Officer of Wesley Ridge Residence Corporation, who acknowledged that they did sign said instrument as such officers, for and on behalf of said corporation and by authority granted in its Code of Regulations by its Board of Trustees; that the same is their free act and deed as such officers, and the voluntary and corporate act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year aforesaid.

(SEAL)

 Notary Public

N-1

STATE OF OHIO)
) ss:
 COUNTY OF _____)

On this ____ day of _____, 2018, before me, a Notary Public in and for said County and State, personally appeared Bradley L. McCloud, Mayor of the City of Reynoldsburg, Ohio who acknowledged the execution of the foregoing instrument as such official on behalf of said City, and that the same is his voluntary act and deed on behalf of said City and the voluntary and corporate act and deed of said City.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year aforesaid.

(SEAL)

 Notary Public

CONSENT OF TRUSTEE

U.S. Bank National Association, as trustee (the “Trustee”), under the Trust Indenture dated as of December 1, 2011, between the City of Reynoldsburg, Ohio (the “City”) and the Trustee, as amended and supplemented, hereby consents to this Second Amendment to the Lease Dated as of December 1, 2011 and approves the same.

U.S. BANK NATIONAL ASSOCIATION

By: _____
Authorized Signer

CONSENT OF HOLDERS

The Huntington National Bank, as successor to First Merit Bank, N. A., as the holder of fifty percent of the outstanding Series 2011 Bonds referenced above, hereby consents to this Second Amendment to the Lease Dated as of December 1, 2011 and approves the same.

THE HUNTINGTON NATIONAL BANK

By: _____
Title: _____

Huntington Public Capital Corporation, as the holder of fifty percent of the outstanding Series 2011 Bonds referenced above, hereby consents to this Second Amendment to the Lease Dated as of December 1, 2011 and approves the same.

HUNTINGTON PUBLIC CAPITAL
CORPORATION

By: _____
Title: _____

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A SECOND AMENDMENT TO THE LEASE DATED AS OF DECEMBER 1, 2011 IN CONNECTION WITH THE \$9,000,000 HEALTH CARE FACILITIES REVENUE BONDS, SERIES 2011 (WESLEY RIDGE RESIDENCE CORPORATION) PREVIOUSLY ISSUED BY THE CITY OF REYNOLDSBURG, OHIO; PROVIDING FOR AND AUTHORIZING CERTAIN OTHER MATTERS RELATED TO SUCH BONDS; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Reynoldsburg, Ohio (the “Issuer”) is a municipal corporation and political subdivision in and of the State of Ohio (the “State”), is duly organized and existing under and by virtue of the laws of the State and its Charter, and is authorized and empowered by virtue of the laws of the State, including without limitation, Chapter 140 of the Ohio Revised Code (the “Act”), and the Issuer’s Charter among other things: (i) to acquire, construct, improve and equip “hospital facilities” as defined in the Act (“Hospital Facilities”), and to acquire real estate and interests therein, including without limitation, improvements situated thereon comprising hospital facilities; (ii) to issue its revenue bonds for the purpose of (a) paying the “costs of hospital facilities,” as defined in the Act, (b) paying for the reimbursement of all moneys advanced or applied by a hospital agency or others or borrowed from others for the payment of any item or items of “costs of hospital facilities,” and (c) paying all other necessary or incidental expenses thereto and to the issuance of such revenue obligations, (iii) to enter into lease agreements with a “nonprofit hospital agency,” as defined in the Act (“Hospital Agency”), to provide for revenues to pay the principal of and interest and any premium on those revenue bonds; (iv) to enter into agreements with another “public hospital agency,” as defined in the Act, whereby such other public hospital agency shall be permitted to issue health care facilities revenue bonds to finance the costs of Hospital Facilities located within the Issuer, and (v) to enact this Ordinance and to execute and deliver certain other documents and instruments upon the terms and conditions provided herein and therein, and

WHEREAS, the Issuer has previously issued, sold and delivered, on behalf of Wesley Ridge Residence Corporation, an Ohio nonprofit corporation (“Wesley Ridge”), its \$9,000,000 Health Care Facilities Revenue Bonds, Series 2011 (Wesley Ridge Residence Corporation) (the “Series 2011 Bonds”);

WHEREAS, fifty percent of the outstanding Series 2011 Bonds are held by each of (i) The Huntington National Bank, as successor to FirstMerit Bank, N.A. (“HNB”) and (ii) Huntington Public Capital Corporation (“HPCC”); and

WHEREAS, HNB, HPCC and Wesley Ridge have agreed to certain amendments to the Lease dated as of December 1, 2011 (as previously supplemented and amended, the “Lease”), between the Issuer and Wesley Ridge, including an amendment to the interest rate formula with respect to the Series 2011 Bonds and have requested the Issuer to authorize the execution and delivery of a Second Amendment to the Lease dated as of December 1, 2011 to implement such amendments; and

WHEREAS, it is necessary in connection with the matters described above to provide for the authorization of a Second Amendment to the Lease dated as of December 1, 2011 and to authorize certain other actions and documents; and

WHEREAS, adoption of this Ordinance as an emergency measure is necessary for the immediate preservation of the public peace, health or safety of the residents of the Issuer, because of Wesley Ridge's need to modify the Series 2011 Bonds as soon as possible in order to provide for the financial benefits thereof to Wesley Ridge, which will in turn be for the benefit and economic welfare of the Issuer as Wesley Ridge provides health care services for residents of the Issuer;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Reynoldsburg, Fairfield, Franklin and Licking Counties, Ohio that:

Section 1. Second Amendment to the Lease. To provide for the modification of the terms of the Series 2011 Bonds pursuant to an agreement between Wesley Ridge, HPCC and HNB, and the consummation of the transactions contemplated herein, this Council hereby consents to, authorizes and approves the execution and delivery of a Second Amendment to the Lease Dated as of December 1, 2011 (the "Second Amendment") substantially in the form thereof now on file with this Council. The Mayor or the City Auditor, or any other official of the Issuer, acting alone or in conjunction with any of the foregoing, is authorized and directed to execute and deliver in the name and on behalf of the Issuer, the Second Amendment in substantially the forms submitted to this Council.

The Second Amendment is approved with changes therein which are not inconsistent with this Ordinance, which are not substantially adverse to the Issuer, which are permitted by the Act and the Issuer's Charter, and which are approved by the official or officials executing the Second Amendment. The approval of those changes by that official or officials, and the character of those changes as not being substantially adverse to the Issuer, shall be evidenced conclusively by the execution of the Second Amendment by that official or officials.

Section 2. Other Documents. The Mayor or the City Auditor, or any other official of the Issuer, acting alone or in conjunction with any of the foregoing, is authorized and directed to execute, deliver and, if applicable, file, for and in the name and on behalf of the Issuer, any certificates, documents and instruments in connection with the execution and delivery of the Second Amendment as may be required, necessary or appropriate, including a tax compliance agreement and other documents necessary to maintain the exclusion of interest on the Series 2011 Bonds from gross income for federal income tax purposes. Such documents, including the ones specifically authorized hereby, shall be subject to such changes, insertions and omissions as may be, in the opinion of the City Attorney or Bond Counsel, necessary or appropriate to consummate the transactions contemplated herein.

Section 3. No Personal Liability. No recourse under or upon any obligation, covenant, acceptance of agreement contained in this Ordinance, or in any Series 2011 Bond, or in the Second Amendment, or under any judgment obtained against the Issuer or by the

enforcement of any assessment or by any legal or equitable proceeding by virtue of any constitution or statute or otherwise, or under any circumstances, shall be had against any officer, official, employee or agent as such, past, present, or future, of the Issuer, including any member of this Council, either directly or through the Issuer, or otherwise, for the payment for or to the Issuer or any receiver thereof, or for or to any holder of any Series 2011 Bond, or otherwise, of any sum that may be due and unpaid by the Issuer upon any of the Series 2011 Bonds. Any and all personal liability of every nature, whether at common law or in equity, or by statute or by constitution or otherwise, of any such officer, official, employee or agent, as such, to respond by reason of any act or omission on his or her part, or otherwise, for, directly or indirectly, the payment for or to the Issuer or any receiver thereof, or for or to the owner or any holder of any Series 2011 Bond, or otherwise, of any sum that may remain due and unpaid upon any Series 2011 Bond shall be deemed to be expressly waived and released as a condition of and consideration for the execution and delivery of the Second Amendment.

Section 4. Repeal of Conflicting Ordinances and Resolutions; Severability. All resolutions, ordinances and orders, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

Section 5. Compliance with Open Meeting Requirements. It is hereby found and determined 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 and of any of its committees that resulted in such formal action, were in meetings open to the public, in full compliance with all legal requirements, including Section 121.22, Ohio Revised Code.

Section 6. Publication of Ordinance by Title. This Ordinance may be published by number and title only as provided for ordinances of this Council of a general nature or providing for improvements by the Issuer's Charter, as amended.

Section 7. Emergency. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the residents of this City, because Wesley Ridge needs to modify the Series 2011 Bonds as soon as possible in order to provide for the financial benefits thereof to Wesley Ridge, which will in turn be for the benefit and economic welfare of the Issuer as Wesley Ridge provides health care services for residents of the Issuer, for which reason and for other reasons manifest to this Council, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage and approval by the Mayor.

Passed: September 10, 2018

Attest:

Clerk of Council
April Beggerow

President of Council

Approved:

Mayor
Bradley L. McCloud

Date: September __, 2018

Attachment: Wesley 2018 Reissuance - Reynoldsburg ordinance v1 (Wesley Ridge Amend Bond Documents)

CERTIFICATE

I, April Beggerow, Clerk of Council, City of Reynoldsburg, Ohio, do hereby certify the foregoing to be a true and correct copy of Ordinance No. _____ as passed by Council of said City on the 10th day of September, 2018 and as recorded in the Record of Proceedings of said Council.

April Beggerow, Clerk of Council

Filed with Mayor: September __, 2018

Published: September __, 2018 +

Attachment: Wesley 2018 Reissuance - Reynoldsburg ordinance v1 (Wesley Ridge Amend Bond Documents)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A ~~FIRST~~SECOND AMENDMENT TO THE LEASE DATED AS OF DECEMBER 1, 2011 ~~AND A FIRST SUPPLEMENTAL TRUST INDENTURE~~ IN CONNECTION WITH THE \$9,000,000 HEALTH CARE FACILITIES REVENUE BONDS, SERIES 2011 (WESLEY RIDGE RESIDENCE CORPORATION) PREVIOUSLY ISSUED BY THE CITY OF REYNOLDSBURG, OHIO; PROVIDING FOR AND AUTHORIZING CERTAIN OTHER MATTERS RELATED TO ~~HEALTH CARE FACILITIES REVENUE BONDS ISSUED OR TO BE ISSUED FOR THE BENEFIT OF WESLEY RIDGE CORPORATION~~SUCH BONDS; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Reynoldsburg, Ohio (the “Issuer”) is a municipal corporation and political subdivision in and of the State of Ohio (the “State”), is duly organized and existing under and by virtue of the laws of the State and its Charter, and is authorized and empowered by virtue of the laws of the State, including without limitation, Chapter 140 of the Ohio Revised Code (the “Act”), and the Issuer’s Charter among other things: (i) to acquire, construct, improve and equip “hospital facilities” as defined in the Act (“Hospital Facilities”), and to acquire real estate and interests therein, including without limitation, improvements situated thereon comprising hospital facilities; (ii) to issue its revenue bonds for the purpose of (a) paying the “costs of hospital facilities,” as defined in the Act, (b) paying for the reimbursement of all moneys advanced or applied by a hospital agency or others or borrowed from others for the payment of any item or items of “costs of hospital facilities,” and (c) paying all other necessary or incidental expenses thereto and to the issuance of such revenue obligations, (iii) to enter into lease agreements with a “nonprofit hospital agency,” as defined in the Act (“Hospital Agency”), to provide for revenues to pay the principal of and interest and any premium on those revenue bonds; (iv) to enter into agreements with another “public hospital agency,” as defined in the Act, whereby such other public hospital agency shall be permitted to issue health care facilities revenue bonds to finance the costs of Hospital Facilities located within the Issuer, and (v) to enact this Ordinance and to execute and deliver certain other documents and instruments upon the terms and conditions provided herein and therein, and

WHEREAS, the Issuer has previously issued, sold and delivered, on behalf of Wesley Ridge Residence Corporation, an Ohio nonprofit corporation (“Wesley Ridge”), its \$9,000,000 Health Care Facilities Revenue Bonds, Series 2011 (Wesley Ridge Residence Corporation) (the “Series 2011 Bonds”), ~~the sale of which Series 2011 Bonds were awarded to and are held by First Merit Bank, N.A. (“First Merit”); and;~~

WHEREAS, ~~Wesley Ridge, together with The Methodist Retirement Center of Central Ohio d/b/a Methodist ElderCare Services and certain of its affiliates have determined to form an obligated group through the execution and delivery of a Master Trust Indenture (the “Master Indenture”) with U.S. Bank National Association, as trustee; and~~fifty percent of the outstanding

Series 2011 Bonds are held by each of (i) The Huntington National Bank, as successor to FirstMerit Bank, N.A. (“HNB”) and (ii) Huntington Public Capital Corporation (“HPCC”); and

WHEREAS, ~~First Merit~~HNB, HPCC and Wesley Ridge have agreed to certain amendments to the Lease dated as of December 1, 2011 (as previously supplemented and amended, the “Lease”), between the Issuer and Wesley Ridge, including an amendment to the interest rate formula with respect to the Series 2011 Bonds ~~and to reflect the execution and delivery of the Master Indenture~~, and have requested the Issuer to authorize the execution and delivery of a ~~First~~Second Amendment to the Lease dated as of December 1, 2011 to implement such amendments; and

~~WHEREAS, such amendments may also necessitate the execution and delivery of a First Supplemental Trust Indenture which amends and/or restates certain provisions of the Trust Indenture dated as of December 1, 2011 (the “Indenture”) between the Issuer and U.S. Bank National Association, as trustee; and~~

~~WHEREAS, it is anticipated that a portion of the outstanding principal amount of the Series 2011 Bonds will be sold by First Merit to Huntington Public Capital Corporation; and~~

~~WHEREAS, pursuant to the Public Hospital Agencies Agreement dated as of April 1, 2005, between the County of Franklin, Ohio and the City of Reynoldsburg, Ohio, it is anticipated that the County of Franklin, Ohio, acting by and through the County Hospital Commission of Franklin County (“Franklin County”), will issue health care facilities revenue bonds (the “Series 2015 Bonds”), a portion of the proceeds of which will finance the acquisition, construction, renovation and equipping of Hospital Facilities to be owned and operated by Wesley Ridge and located within the Issuer; and~~

~~WHEREAS, in connection with the issuance of the Series 2015 Bonds by Franklin County, “applicable elected representative approval” by the Issuer is required to be provided pursuant to the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), following a public hearing held in accordance with such requirements (the “TEFRA Hearing”); and~~

~~WHEREAS, the Issuer is willing to hold the TEFRA Hearing jointly with Franklin County, which TEFRA Hearing is contemplated to be held at a meeting of the County Hospital Commission of Franklin County; and~~

WHEREAS, it is necessary in connection with the matters described above to provide for the authorization of a ~~First~~Second Amendment to the Lease dated as of December 1, 2011 ~~and a First Supplemental Trust Indenture~~ and to authorize certain other actions and documents; and

WHEREAS, adoption of this Ordinance as an emergency measure is necessary for the immediate preservation of the public peace, health or safety of the residents of the Issuer, because of Wesley Ridge’s need to modify the Series 2011 ~~Bonds and cause the issuance of the Series 2015 Bonds as soon as possible in order to provide for the~~ acquisition, construction, installation

~~and improvement of the Hospital Facilities and the health care services to be provided therein on the earliest possible date~~ financial benefits thereof to Wesley Ridge, which will in turn be for the benefit and economic welfare of the Issuer as Wesley Ridge provides health care services for residents of the Issuer;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Reynoldsburg, Fairfield, Franklin and Licking Counties, Ohio that:

Section 1. ~~FirstSecond~~ Amendment to the Lease ~~and First Supplemental Indenture~~. To provide for the modification of the terms of the Series 2011 Bonds pursuant to an agreement between Wesley Ridge, HPCC and ~~First Merit~~ HNB, and the consummation of the transactions contemplated herein, this Council hereby consents to, authorizes and approves the execution and delivery of a ~~FirstSecond~~ Amendment to the Lease Dated as of December 1, 2011 (the “~~FirstSecond~~ Amendment”) ~~and a First Supplemental Trust Indenture (the “Supplemental Indenture”)~~ substantially in the ~~forms~~ form thereof now on file with this Council. The Mayor or the City Auditor, or any other official of the Issuer, acting alone or in conjunction with any of the foregoing, is authorized and directed to execute and deliver in the name and on behalf of the Issuer, the ~~FirstSecond~~ Amendment ~~and the Supplemental Indenture~~ in substantially the forms submitted to this Council.

The ~~FirstSecond~~ Amendment ~~and the Supplemental Indenture are~~ is approved with changes therein which are not inconsistent with this Ordinance, which are not substantially adverse to the Issuer, which are permitted by the Act and the Issuer’s Charter, and which are approved by the official or officials executing the ~~FirstSecond~~ Amendment ~~and the Supplemental Indenture~~. The approval of those changes by that official or officials, and the character of those changes as not being substantially adverse to the Issuer, shall be evidenced conclusively by the execution of the ~~FirstSecond~~ Amendment ~~and the Supplemental Indenture~~ by that official or officials.

Section 2. ~~Joint Public Hearing. In order to comply with the requirements of Section 147(f) of the Code in connection with the issuance of the Series 2015 Bonds by Franklin County, a joint public hearing with Franklin County is hereby authorized, at which public hearing members of the public will be permitted to express their views on the issuance of the Series 2015 Bonds and the use of the proceeds of the Series 2015 Bonds. Following said public hearing, the Mayor is authorized, at his discretion, to deliver an approval of applicable representative to satisfy the requirements of Section 147(f) of the Code.~~ Section 3. Other Documents.

The Mayor or the City Auditor, or any other official of the Issuer, acting alone or in conjunction with any of the foregoing, is authorized and directed to execute, deliver and, if applicable, file, for and in the name and on behalf of the Issuer, ~~and any certifications, financing statements, termination agreements, assignments and other instruments and documents which are~~ any certificates, documents and instruments in connection with the execution and delivery of the Second Amendment as may be required, necessary or appropriate, including a tax compliance agreement and other documents necessary to maintain the exclusion of interest on the Series 2011 Bonds from gross income for federal income tax purposes. Such documents, including the ones specifically authorized hereby, shall be subject to such changes, insertions and omissions as may be, in the opinion of the City Attorney or Bond Counsel, necessary or appropriate to

consummate the transactions contemplated herein, ~~including any documents necessary to effectuate the transfer of a portion of the Series 2011 Bonds to Huntington Public Capital Corporation and amendments of any other documents executed and delivered by the Issuer in connection with the Series 2011 Bonds.~~

Section 4.3. No Personal Liability. No recourse under or upon any obligation, covenant, acceptance of agreement contained in this Ordinance, or in any Series 2011 Bond, or in the ~~First~~Second Amendment ~~or the Supplemental Indenture~~, or under any judgment obtained against the Issuer or by the enforcement of any assessment or by any legal or equitable proceeding by virtue of any constitution or statute or otherwise, or under any circumstances, shall be had against any officer, official, employee or agent as such, past, present, or future, of the Issuer, including any member of this Council, either directly or through the Issuer, or otherwise, for the payment for or to the Issuer or any receiver thereof, or for or to any holder of any Series 2011 Bond, or otherwise, of any sum that may be due and unpaid by the Issuer upon any of the Series 2011 Bonds. Any and all personal liability of every nature, whether at common law or in equity, or by statute or by constitution or otherwise, of any such officer, official, employee or agent, as such, to respond by reason of any act or omission on his or her part, or otherwise, for, directly or indirectly, the payment for or to the Issuer or any receiver thereof, or for or to the owner or any holder of any Series 2011 Bond, or otherwise, of any sum that may remain due and unpaid upon any Series 2011 Bond shall be deemed to be expressly waived and released as a condition of and consideration for the execution and delivery of the ~~First~~Second Amendment ~~and the Supplemental Indenture~~.

Section 5.4. Repeal of Conflicting Ordinances and Resolutions; Severability. All resolutions, ordinances and orders, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

Section 6.5. Compliance with Open Meeting Requirements. It is hereby found and determined 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 and of any of its committees that resulted in such formal action, were in meetings open to the public, in full compliance with all legal requirements, including Section 121.22, Ohio Revised Code.

Section 7.6. Publication of Ordinance by Title. This Ordinance may be published by number and title only as provided for ordinances of this Council of a general nature or providing for improvements by the Issuer's Charter, as amended.

Section 8.7. Emergency. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the residents of this City, because Wesley Ridge needs to modify the Series 2011 Bonds ~~and cause the issuance of the Series 2015 Bonds,~~ as soon as possible in order to provide for the ~~acquisition, construction, installation and improvement of the Hospital Facilities and the health care services~~

~~to be provided therein at the earliest possible date~~financial benefits thereof to Wesley Ridge,
which will in turn be for the benefit and economic welfare of the Issuer as Wesley Ridge
provides health care services for residents of the Issuer, for which reason and for other reasons
manifest to this Council, this Ordinance is hereby declared to be an emergency measure and shall
take effect and be in force immediately after passage and approval by the Mayor.

Passed: ~~July 27, 2015~~ September 10, 2018

Attest:

Clerk of Council
April Beggerow

President of Council

Approved:
~~2015~~ 2018

Mayor
Bradley L. McCloud

Date: ~~_____~~ September _____,

CERTIFICATE

I, April Beggerow, Clerk of Council, City of Reynoldsburg, Ohio, do hereby certify the foregoing to be a true and correct copy of Ordinance No. _____ as passed by Council of said City on the ~~27~~¹⁰th day of ~~July, 2015~~September, 2018 and as recorded in the Record of Proceedings of said Council.

April Beggerow, Clerk of Council

Filed with Mayor: _____September_____, ~~2015~~2018
_____September_____, ~~2015~~2018 +

Published:

9731253v2

Attachment: Blackline - Ordinance - 2018 to 2015 (Wesley Ridge Amend Bond Documents)

Document comparison by Workshare Compare on Monday, August 27, 2018
5:53:12 PM

Input:	
Document 1 ID	interwovenSite://CINDMS04/Dinsmore/9731253/2
Description	#9731253v2<Dinsmore> - Wesley Redge 2015 Ordinance v2
Document 2 ID	interwovenSite://CINDMS04/Dinsmore/13242689/1
Description	#13242689v1<Dinsmore> - Wesley 2018 Reissuance - Reynoldsburg ordinance v1
Rendering set	standard

Legend:	
<u>Insertion</u>	
Deletion	
Moved from	
<u>Moved to</u>	
Style change	
Format change	
Moved deletion	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	39
Deletions	57
Moved from	0
Moved to	0
Style change	0
Format changed	0
Total changes	96

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A SECOND AMENDMENT TO THE LEASE DATED AS OF DECEMBER 1, 2011 IN CONNECTION WITH THE \$9,000,000 HEALTH CARE FACILITIES REVENUE BONDS, SERIES 2011 (WESLEY RIDGE RESIDENCE CORPORATION) PREVIOUSLY ISSUED BY THE CITY OF REYNOLDSBURG, OHIO; PROVIDING FOR AND AUTHORIZING CERTAIN OTHER MATTERS RELATED TO SUCH BONDS; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Reynoldsburg, Ohio (the “Issuer”) is a municipal corporation and political subdivision in and of the State of Ohio (the “State”), is duly organized and existing under and by virtue of the laws of the State and its Charter, and is authorized and empowered by virtue of the laws of the State, including without limitation, Chapter 140 of the Ohio Revised Code (the “Act”), and the Issuer’s Charter among other things: (i) to acquire, construct, improve and equip “hospital facilities” as defined in the Act (“Hospital Facilities”), and to acquire real estate and interests therein, including without limitation, improvements situated thereon comprising hospital facilities; (ii) to issue its revenue bonds for the purpose of (a) paying the “costs of hospital facilities,” as defined in the Act, (b) paying for the reimbursement of all moneys advanced or applied by a hospital agency or others or borrowed from others for the payment of any item or items of “costs of hospital facilities,” and (c) paying all other necessary or incidental expenses thereto and to the issuance of such revenue obligations, (iii) to enter into lease agreements with a “nonprofit hospital agency,” as defined in the Act (“Hospital Agency”), to provide for revenues to pay the principal of and interest and any premium on those revenue bonds; (iv) to enter into agreements with another “public hospital agency,” as defined in the Act, whereby such other public hospital agency shall be permitted to issue health care facilities revenue bonds to finance the costs of Hospital Facilities located within the Issuer, and (v) to enact this Ordinance and to execute and deliver certain other documents and instruments upon the terms and conditions provided herein and therein, and

WHEREAS, the Issuer has previously issued, sold and delivered, on behalf of Wesley Ridge Residence Corporation, an Ohio nonprofit corporation (“Wesley Ridge”), its \$9,000,000 Health Care Facilities Revenue Bonds, Series 2011 (Wesley Ridge Residence Corporation) (the “Series 2011 Bonds”);

WHEREAS, fifty percent of the outstanding Series 2011 Bonds are held by each of (i) The Huntington National Bank, as successor to FirstMerit Bank, N.A. (“HNB”) and (ii) Huntington Public Capital Corporation (“HPCC”); and

WHEREAS, HNB, HPCC and Wesley Ridge have agreed to certain amendments to the Lease dated as of December 1, 2011 (as previously supplemented and amended, the “Lease”), between the Issuer and Wesley Ridge, including an amendment to the interest rate formula with respect to the Series 2011 Bonds and have requested the Issuer to authorize the execution and delivery of a Second Amendment to the Lease dated as of December 1, 2011 to implement such amendments; and

WHEREAS, it is necessary in connection with the matters described above to provide for the authorization of a Second Amendment to the Lease dated as of December 1, 2011 and to authorize certain other actions and documents; and

WHEREAS, ~~adoption-passage~~ of this Ordinance as an emergency measure is necessary for the immediate preservation of the public peace, health or safety of the residents of the Issuer, because of Wesley Ridge's need to modify the Series 2011 Bonds as soon as possible in order to provide for the financial benefits thereof to Wesley Ridge, which will in turn be for the benefit and economic welfare of the Issuer as Wesley Ridge provides health care services for residents of the Issuer;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Reynoldsburg, Fairfield, Franklin and Licking Counties, Ohio that:

Section 1. Second Amendment to the Lease. To provide for the modification of the terms of the Series 2011 Bonds pursuant to an agreement between Wesley Ridge, HPCC and HNB, and the consummation of the transactions contemplated herein, this Council hereby consents to, authorizes and approves the execution and delivery of a Second Amendment to the Lease Dated as of December 1, 2011 (the "Second Amendment") substantially in the form thereof now on file with this Council. The Mayor or the City Auditor, or any other official of the Issuer, acting alone or in conjunction with any of the foregoing, is authorized and directed to execute and deliver in the name and on behalf of the Issuer, the Second Amendment in substantially the form~~s~~ submitted to this Council.

The Second Amendment is approved with changes therein which are not inconsistent with this Ordinance, which are not substantially adverse to the Issuer, which are permitted by the Act and the Issuer's Charter, and which are approved by the official or officials executing the Second Amendment. The approval of those changes by that official or officials, and the character of those changes as not being substantially adverse to the Issuer, shall be evidenced conclusively by the execution of the Second Amendment by that official or officials.

Section 2. Other Documents. The Mayor or the City Auditor, or any other official of the Issuer, acting alone or in conjunction with any of the foregoing, is authorized and directed to execute, deliver and, if applicable, file, for and in the name and on behalf of the Issuer, any certificates, documents and instruments in connection with the execution and delivery of the Second Amendment as may be required, necessary or appropriate, including a tax compliance agreement and other documents necessary to maintain the exclusion of interest on the Series 2011 Bonds from gross income for federal income tax purposes. Such documents, including the ones specifically authorized hereby, shall be subject to such changes, insertions and omissions as may be, in the opinion of the City Attorney or Bond Counsel, necessary or appropriate to consummate the transactions contemplated herein.

Section 3. No Personal Liability. No recourse under or upon any obligation, covenant, acceptance of agreement contained in this Ordinance, or in any Series 2011 Bond, or in the Second Amendment, or under any judgment obtained against the Issuer or by the

enforcement of any assessment or by any legal or equitable proceeding by virtue of any constitution or statute or otherwise, or under any circumstances, shall be had against any officer, official, employee or agent as such, past, present, or future, of the Issuer, including any member of this Council, either directly or through the Issuer, or otherwise, for the payment for or to the Issuer or any receiver thereof, or for or to any holder of any Series 2011 Bond, or otherwise, of any sum that may be due and unpaid by the Issuer upon any of the Series 2011 Bonds. Any and all personal liability of every nature, whether at common law or in equity, or by statute or by constitution or otherwise, of any such officer, official, employee or agent, as such, to respond by reason of any act or omission on his or her part, or otherwise, for, directly or indirectly, the payment for or to the Issuer or any receiver thereof, or for or to the owner or any holder of any Series 2011 Bond, or otherwise, of any sum that may remain due and unpaid upon any Series 2011 Bond shall be deemed to be expressly waived and released as a condition of and consideration for the execution and delivery of the Second Amendment.

Section 4. Repeal of Conflicting Ordinances and Resolutions; Severability. All resolutions, ordinances and orders, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

Section 5. Compliance with Open Meeting Requirements. It is hereby found and determined 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 and of any of its committees that resulted in such formal action, were in meetings open to the public, in full compliance with all legal requirements, including Section 121.22, Ohio Revised Code.

Section 6. Publication of Ordinance by Title. This Ordinance may be published by number and title only as provided for ordinances of this Council of a general nature or providing for improvements by the Issuer's Charter, as amended.

Section 7. Emergency. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the residents of this City, because Wesley Ridge needs to modify the Series 2011 Bonds as soon as possible in order to provide for the financial benefits thereof to Wesley Ridge, which will in turn be for the benefit and economic welfare of the Issuer as Wesley Ridge provides health care services for residents of the Issuer, for which reason and for other reasons manifest to this Council, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage and approval by the Mayor.

Passed: September 10, 2018

Attest:

Clerk of Council
April Beggerow

President of Council

Approved:

Mayor
Bradley L. McCloud

Date: September __, 2018

CERTIFICATE

I, April Beggerow, Clerk of Council, City of Reynoldsburg, Ohio, do hereby certify the foregoing to be a true and correct copy of Ordinance No. _____ as passed by Council of said City on the 10th day of September, 2018 and as recorded in the Record of Proceedings of said Council.

April Beggerow, Clerk of Council

Filed with Mayor: September __, 2018

Published: September __, 2018 +

Attachment: Wesley 2018 Reissuance - Reynoldsburg ordinance - SPB (Wesley Ridge Amend Bond Documents)