



City Council
Monday January 23, 2017

Regular Meeting: Following Committee Meetings

Place: Council Chambers
7232 E. Main St, Reynoldsburg, OH 43068

President: DOUG JOSEPH

Ward Members: Ward I - Stephen M. Cicak
 Ward II – Brett Luzader
 Ward III – Marshall Spalding
 Ward IV - Mel Clemens

At Large Members: Barth R. Cotner
 Chris Long
 Dan Skinner, Esq.

COMMITTEES:

Community Development: Chmn Skinner, Spalding, Cicak, Luzader
Safety: Chmn Long, Cicak, Luzader, Spalding
Service: Chmn Clemens, Luzader, Spalding, Cicak
Finance: Chmn Cotner, Long, Clemens, Skinner

* * * * *

Agenda is subject to amendment by Committee/Council at the time of the meeting.

All meetings of the Council shall be held in accordance with the general laws of Ohio pertaining to requirements for open meetings of public bodies.

If you wish to speak before City Council concerning a specific topic on the agenda, or about a specific topic not on the agenda, please complete a “Speaker Form” and give to the Clerk of Council. Forms are located in the wooden box on one of the bench seats in the atrium. Copies of the Rules of Discussion are available next to the wooden box.

April Beggerow
Clerk of Council

REYNOLDSBURG City Council
Regular Meeting
Council Chambers, 7323 East Main Street
January 23, 2017

1. Call to Order
2. Roll Call
3. Invocation - Councilman Brett Luzader
4. Pledge of Allegiance
5. Approval of Minutes
 - a. City Council – Organizational Meeting – January 10, 2017
 - b. City Council – Regular Meeting – January 10, 2017
6. Approval of Agenda
7. Community Comments and Requests
8. Communications
 - a. Clerk of Court Report
9. Reports
10. LEGISLATION FOR EMERGENCY ADOPTION
 - a. ORDINANCE TO ACCEPT AN APPLICATION FOR ANNEXATION OF 2.231 +/- ACRES IN ETNA TOWNSHIP (10360 Taylor Road, SW; Stuart and Carolyn Yousey), COUNTY OF LICKING, STATE OF OHIO, TO THE CITY OF REYNOLDSBURG, OHIO, AND DECLARING AN EMERGENCY. (First Reading 1/10/2017) --- Clemens. Service Committee.
 - b. ORDINANCE TO APPROVE PAYMENT OF SERVICES PERFORMED PRIOR TO THE AUDITOR'S CERTIFICATION OF AVAILABILITY OF FUNDS AN DECLARING AN EMERGENCY. (First Reading 1/10/2017). --- Cotner. Finance Committee.
11. LEGISLATION FOR FIRST READING
 - a. ORDINANCE AUTHORIZING MAYOR TO ENTER INTO AN AGREEMENT WITH EMH&T FOR THE ENGINEERING AND MANAGEMENT OF SEWER LINE CCTV AND MANHOLE INSPECTIONS --- Clemens. Service Committee.
 - b. ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF REYNOLDSBURG ADOPTED BY ORDINANCE NO. 131-95 ON NOVEMBER 27, 1995 AND AS SUBSEQUENTLY AMENDED – 0 E Main St, Reynoldsburg, Ohio, from CC Community Commerce District to PND Planned Neighborhood Development District, Applicant, Nicole Boyer. --- Clemens. Service Committee.

REYNOLDSBURG City Council
Regular Meeting
Council Chambers, 7323 East Main Street
January 23, 2017

- c. ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Chapter 1131 Definitions. --- Clemens. Service Committee.

- d. ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 1161.02 Special Purpose Districts of Chapter 1161 Zoning Districts; Section 1183.04 Use Regulations and Development Standards of Chapter 1183 Planned Neighborhood Development District; AND AMENDING THE TITLES OF Chapter 1184 Planned Commercial Development; Chapter 1192 F-1 Flood Plain Overlay District; Chapter 1193 "HD" Historic Overlay District; and Chapter 1196 Community Commercial Overlay. --- Clemens. Service Committee.

- e. ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 1181.06 General Sign Regulations of Chapter 1181 Signs and Graphics. --- Clemens. Service Committee.

- f. ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A "MASTER AGREEMENT" WITH CONSTELLATION NEWENERGY INC., TO PROVIDE FULL REQUIREMENTS RETAIL ELECTRIC ENERGY SUPPLY AND RELATED ADMINISTRATIVE SERVICES TO AN AGGREGATED GROUP AND DECLARING AN EMERGENCY. --- Cotner. Finance Committee.

- g. A RESOLUTION ACCEPTING, APPROVING AND RATIFYING THE SUBMITTED RECOMMENDATIONS OF SEVERAL CITY OF REYNOLDSBURG TAX INCENTIVE REVIEW COUNCILS. --- Cotner. Finance Committee.

- h. ORDINANCE AUTHORIZING THE REYNOLDSBURG DIVISION OF POLICE TO APPLY FOR AND ACCEPT THE US DEPARTMENT OF JUSTICE; OFFICE OF JUSTICE PROGRAMS; BUREAU OF JUSTICE ASSISTANCE GRANT AND DECLARING AN EMERGENCY. --- Cotner. Finance Committee.

- i. ORDINANCE APPROPRIATING FUNDS FROM UNAPPROPRIATED GENERAL FUND FOR GRANT MONIES RECEIVED FROM THE LBRANDS FOUNDATION.N --- Cotner. Finance Committee.

ADJOURNMENT



City Council

Organizational Meeting

<http://www.ci.reynoldsburg.oh.us/>

~ Minutes ~

April Beggerow
614-322-6836

Tuesday, January 10, 2017

7:00 PM

Council Chambers

Agenda

1. Call to Order

2. Roll Call

PRESENT: Joseph, Clemens, Cotner, Long, Skinner, Cicak, Luzader, Spalding
ABSENT:

3. Motions

a. Motion (ID # 1608)

That April L. Beggerow is Hereby Appointed to Serve as Clerk of Council for the Period Beginning January 10, 2017 and Ending with the Council Organizational Meeting to be Held in January 2018.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Stephen Cicak
SECONDER: Marshall Spalding, Ward III
AYES: Clemens, Cotner, Long, Skinner, Cicak, Luzader, Spalding

b. Motion (ID # 1609)

That Councilman Chris Long is Hereby Appointed to Serve as President Pro Tempore of Council for the Period Beginning January 10, 2017 and Ending with the Council Organizational Meeting to be Held in January 2018.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Mel Clemens, Ward IV
SECONDER: Brett Luzader, Ward II
AYES: Clemens, Cotner, Long, Skinner, Cicak, Luzader, Spalding

c. Motion (ID # 1610)

Councilman Marshall Spalding be Appointed as the City of Reynoldsburg Representative to the West Licking Joint Fire District Board for 2017.

Minutes Acceptance: Minutes of Jan 10, 2017 7:00 PM (Approval of Minutes)

RESULT: ADOPTED [6 TO 0]
MOVER: Dan Skinner, At Large
SECONDER: Chris Long, At Large
AYES: Clemens, Cotner, Long, Skinner, Cicak, Luzader
ABSTAIN: Marshall Spalding

d. Motion (ID # 1611)

That the Following Committee Membership, as Recommended by the President of Council, is Hereby Approved to Serve for the Period Beginning January 10, 2017 and Ending December 31, 2017:

RESULT: ADOPTED [UNANIMOUS]
MOVER: Marshall Spalding, Ward III
SECONDER: Dan Skinner, At Large
AYES: Clemens, Cotner, Long, Skinner, Cicak, Luzader, Spalding

Adjournment

Minutes Acceptance: Minutes of Jan 10, 2017 7:00 PM (Approval of Minutes)

MINUTES REGULAR MEETING
REYNOLDSBURG CITY COUNCIL
January 10, 2017

President Doug Joseph called the meeting to order at 7:47 PM

PRESENT: Joseph, Clemens, Cotner, Long, Skinner, Cicak, Luzader, Spalding

ABSENT:

Invocation - Councilman Stephen Cicak

Council President Joseph: Prior to the Council meeting, I was informed that we have a boy scout troop here this evening, and it was suggested that it would be appropriate to ask them to come up and lead us in the pledge tonight. So, I would like to ask them to come up front and lead us in the Pledge of Allegiance.

Approval of Minutes

a. City Council – Regular Meeting – December 19, 2016

Minutes stand approved.

b. City Council – Special Meeting – December 28, 2016

Council President Joseph: I believe I made an error at the 28th meeting when we called the roll, and I would like to reflect that all the roll call votes that night were six affirmative, zero negative. I had indicated five.

Ms. Beggerow: December 19th.

Council President Joseph: The 19th. Let that reflect the correct number. Councilman Skinner was late for Committee and I had the wrong count. Any additional changes to those? Seeing none, they stand approved.

Approval of Agenda

Agenda stands approved.

Community Comments and Requests

Council President Joseph: I do have one slip tonight. Would Norm Brusk please come to the mic and give your address for the record?

Mr. Brusk: Crosswick Ct. I believe most of you know me. The reason I am here today is to complain a little bit about signs that are proliferating in Reynoldsburg, I think they are overflowing from Columbus. It is not acceptable to have that in a city and it is not just in this one location that happens to be Slate Ridge and 256, but I have seen them. Not necessarily this same sign, but any signs that are not approved and authorized, need to be controlled a little better, is my feeling. One of the ways to control it besides Code Enforcement, is to have an ordinance and to have some teeth in it. I suggest Council look at creating an ordinance that says that if you put up a sign, the first time you are going to be warned if it is not acceptable. The second time you are going to pay \$25 for that

Minutes Acceptance: Minutes of Jan 10, 2017 8:00 PM (Approval of Minutes)

MINUTES REGULAR MEETING
REYNOLDSBURG CITY COUNCIL
January 10, 2017

sign being up, the third time \$50, etc..., if it is on an unauthorized location. We cannot just have things there, it makes the City look cheap. My pleas to Council is to create an ordinance. I would be glad to help work on it. I could help write one, if that is what they want, or if they want to keep me out of this because I make too much noise. Thank you for your time.

Council President Joseph: Yes, Mr. Sampson.

Mr. Sampson: I would like to respond. Mr. Brusk, thank you. It is residents like yourself, again, Code Compliance is an ever moving target. We have two Code Compliance Officers for a City our size. I think those two men do an outstanding job. We have had a couple of issues, and I know exactly what you are talking about with the signage. We have truck loads coming into the street department on a weekly basis. We have a very proactive group of Code Compliance Officers that pick up these signs. We had an incident this last summer with signs all over town. We collected the signs, took them to the owner and told them that it is against our Code to put these up, and they were very understanding. At election time I actually posted a sign in the public right-of-way for a candidate, and it was gone the next day. I came in and when I asked about it, I was told by my Code Compliance Officer that pulled the sign that I should not put signs in the public right-of-way. We get it and it is people like yourself, really our intent is to have a very well kept community. If you see things, we would encourage you to reach out to myself or the building department and we will address it immediately. Again, thank you for your concern.

Council President Joseph: Thank you very much. Questions or comments from Council?

Communications

CLERK OF COURT REPORT

The Clerk read the Clerk of Court Report into the minutes.

Reports

Report on Electric Aggregation: Bill Sampson, Service Director, and Paul Grodecki and Chris Easton, American Municipal Power, Inc.,

Mr. Sampson: Thank you President Joseph and Council Members. The City's electric aggregation program expires in March of this year. It is a two year program. American Municipal Power, or AMP, is under contract with the City to administer this program. I have with me tonight, Chris Easton, of AMP and Paul Grodecki of AMP to answer any questions. AMP solicited indicative pricing last week for a 24 month period. Constellation came in and this is the information that I passed out prior to the meeting tonight. Constellation came in at the lowest indicative rate of 5.5 cents per kilowatt hour. This rate includes a \$100,000 city grant. Our current aggregation rate is approximately 7.1 cents. These rates come in at a fixed rate. It is very important to remember that this is indicative pricing and that the rates change daily. Final pricing will reflect any market changes between now and when the final pricing is established after Council adopts the legislation. Our plan is to present legislation to Council at the next

MINUTES REGULAR MEETING
REYNOLDSBURG CITY COUNCIL
January 10, 2017

Council meeting on the 23rd with our recommendation for Constellation as the next aggregation provider. At this time I'd like to open the floor if you have any questions.

Mr. Cicak: Director Sampson, is there any stipulations on the use of this grant?

Mr. Sampson: Councilman Cicak that is a very good question and I think you're going to like the answer. You have been talking to Dan Havener and myself about a master plan for the city. I would, for what my vote counts, I would like to see moving forward this year with a comprehensive master plan. We are one of few cities our size that I'm familiar with in my career that doesn't have an up to date comprehensive master plan. We have a very good Council with vision, we incorporate public input, but we need a road map, we need a, what we're doing not just today, 2 years, 5 years, 20 plus years down the road. I was discouraged over the holiday season to see another posting on social media, that talked about ADA housing where the Kroger is and I would just like to have a quick response that folks, that's not the plan. Go to our website, the master plan is on our website. The master plan is public information, we want the public's input. But rumors like that, that's how you counter them. We can talk about it, we all know differently but point them to a master plan that we've all developed that the public has added input to and it will get us on a path that we all have a short and long term vision for.

Mr. Cicak: That's a sizeable grant.

Mr. Sampson: It is. A comprehensive master plan dependent upon how detailed can be \$100-200 thousand dollars. We have a consultant coming in to give us an overview of what's included in the master plan, you know, what are some of the elements. Again we want to do our due diligence but its something that is, I've been a resident most of my life and talking with all of our Council members its something that we're ready for and certainly the city is ready for. It's an exciting time in our city and lets keep moving this forward.

Motions

MOTION THAT THE COUNCIL OF THE CITY OF REYNOLDSBURG DOES HEREBY APPOINT CHRIS LONG TO SERVE ON THE REYNOLDSBURG POLICE COMMUNITY ADVISORY PANEL WITH A TERM OF 1 (ONE) YEAR BEGINNING JANUARY 10, 2017.
--- Cotner. Finance Committee.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Barth R. Cotner, At Large
SECONDER:	Dan Skinner, At Large
AYES:	Clemens, Cotner, Long, Skinner, Cicak, Luzader, Spalding

MOTION THAT THE COUNCIL OF THE CITY OF REYNOLDSBURG DOES HEREBY RE-APPOINT COUNCILMAN STEPHEN CIIKAK AND CITY ATTORNEY JED HOOD TO SERVE ON THE VOLUNTEER PEACE OFFICERS' DEPENDENTS' FUND. --- Cotner. Finance Committee.

Minutes Acceptance: Minutes of Jan 10, 2017 8:00 PM (Approval of Minutes)

MINUTES REGULAR MEETING
REYNOLDSBURG CITY COUNCIL
January 10, 2017

RESULT: ADOPTED [UNANIMOUS]
MOVER: Barth R. Cotner, At Large
SECONDER: Marshall Spalding, Ward III
AYES: Clemens, Cotner, Long, Skinner, Cicak, Luzader, Spalding

MOTION TO APPOINT D/JUAN L. ARMSTEAD TO THE BOARD OF ZONING AND BUILDING APPEALS FOR A TERM OF THREE YEARS, COMMENCING UPON ADOPTION OF MOTION, AND EXPIRING DECEMBER 31, 2019. --- Cotner. Finance Committee.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Barth R. Cotner, At Large
SECONDER: Brett Luzader, Ward II
AYES: Clemens, Cotner, Long, Skinner, Cicak, Luzader, Spalding

MOTION TO RE-APPOINT RICHARD HUDSON TO THE DESIGN REVIEW BOARD FOR A TERM OF THREE YEARS, COMMENCING UPON ADOPTION OF MOTION, AND EXPIRING DECEMBER 31, 2019. --- Cotner. Finance Committee.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Barth R. Cotner, At Large
SECONDER: Mel Clemens, Ward IV
AYES: Clemens, Cotner, Long, Skinner, Cicak, Luzader, Spalding

MOTION TO RE-APPOINT PAT ZOLLARS TO THE DESIGN REVIEW BOARD FOR A TERM OF THREE YEARS, COMMENCING UPON ADOPTION OF MOTION, AND EXPIRING DECEMBER 31, 2019. --- Cotner. Finance Committee.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Barth R. Cotner, At Large
SECONDER: Marshall Spalding, Ward III
AYES: Clemens, Cotner, Long, Skinner, Cicak, Luzader, Spalding

LEGISLATION FOR FIRST READING

ORDINANCE TO ACCEPT AN APPLICATION FOR ANNEXATION OF 2.231 +/- ACRES IN ETNA TOWNSHIP (10360 TAYLOR ROAD, SW; STUART AND CAROLYN YOUSEY), COUNTY OF LICKING, STATE OF OHIO, TO THE CITY OF REYNOLDSBURG, OHIO, AND DECLARING AN EMERGENCY. --- Clemens. Service Committee.

Minutes Acceptance: Minutes of Jan 10, 2017 8:00 PM (Approval of Minutes)

MINUTES REGULAR MEETING
REYNOLDSBURG CITY COUNCIL
January 10, 2017

RESULT:	REFERRED TO COMMITTEE	Next: 1/23/2017 7:33 PM
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ORDINANCE TO APPROVE PAYMENT OF SERVICES PERFORMED PRIOR TO THE AUDITOR'S CERTIFICATION OF AVAILABILITY OF FUNDS AN DECLARING AN EMERGENCY - KEYTEL SYSTEMS --- Cotner. Finance Committee.

RESULT:	REFERRED TO COMMITTEE	Next: 1/23/2017 7:45 PM
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Adjournment

Doug Joseph, President of Council

April L. Beggerow, Clerk of Council

Minutes Acceptance: Minutes of Jan 10, 2017 8:00 PM (Approval of Minutes)

Clerk of Court**Leslie Clark****7232 E. Main Street****Reynoldsburg OH 43068****614-322-6852 phone****Memo****DATE: January 23, 2017****TO: City Council****CC:****RE: CLERK OF COURT REPORT MONTH ENDING DECEMBER
2016**

I am submitting monies collected from the courts held on 12/1, 12/8, 12/15, 12/22 and 12/29. I am also submitting monies collected during the same period pursuant to City Ordinance No/s. 146-94 and 104-02.

Fines &Waivers/Bond Costs/Bond Forfeitures Order In	(#110.4512)	\$ 11,838.00
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Court Costs & Misc. Costs Assessed	(#110.4510)	\$ 15,511.00
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Sub-Total (To General Revenue Fund)		\$ 27,349.00
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Computerization Needs Fund	(#211.4510)	\$ 2,049.00
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Enforcement & Education Fund	(#293.4616)	\$ 150.00
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Sub-Total		\$ 2,199.00
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Clerk of Court**Leslie Clark****7232 E. Main Street****Reynoldsburg OH 43068****614-322-6852 phone****Total Amount Submitted****\$ 29,548.00**

Clerk of Council**April Beggerow****7232 E. Main Street****Reynoldsburg OHIO 43068****614-322-6836 Phone****ORDINANCE REQUEST**

DATE: **January 23, 2017****TO:** **Service Committee****RE:** ORDINANCE TO ACCEPT AN APPLICATION FOR ANNEXATION OF 2.231 +/-
ACRES IN ETNA TOWNSHIP (10360 Taylor Road, SW; Stuart and Carolyn Yousey),
COUNTY OF LICKING, STATE OF OHIO, TO THE CITY OF REYNOLDSBURG,
OHIO, AND DECLARING AN EMERGENCY.

Resolution for Services was passed by Reynoldsburg City Council on September 13, 2016 (Res. 77-16),

Annexation petition was granted by the Licking County Commissioners on November 22, 2016.



LICKING COUNTY BOARD OF COMMISSIONERS

ORIGINAL

CERTIFICATE OF TRANSCRIPT (Reynolds– File 8-2016)

Timothy E. Bubb
Duane H. Flowers
Rick Black

December 22, 2016

Attached hereto are all of the orders of the Board of County Commissioners; the Regular annexation petition of certain territory in Etna Township to the City of Reynoldsburg containing 2.231 +/- acres, more or less; the annexation map and all other papers on file related to the annexation proceedings that are the subject of order contained within:

ATTACHED HERETO:

1. Commissioner's Resolution 86-203 dated August 16, 2016 accepting petition and map for filing.
2. Petition, map, legal description of property, signed mylar.
3. Proof of Services to Clerks of Twp./City and Adjacent Property Owners.
4. Filing of Proof of Publication of Notice of Hearing with Affidavit of Publication.
5. City of Reynoldsburg Resolution 77-16 dated September 13, 2016 concerning services proposed for the annexation.
6. Copy of Approval letter from Engineer's Office: August 9, 2016.
7. Licking County Planning Commission Annexation Report dated Oct. 18, 2016.
8. Copy of Pre-filing letter from Commissioners Office: Aug. 1, 2016.
9. Establishing appropriation and income account Commissioner's Resolution 86-204.
10. Commissioner's Resolution 88-44 dated November 22, 2016: Granting the petition and map.
11. Copy Certified Mail/Return Receipt Cards – Filing Resolutions.
12. Annexation Hearing Agenda dated October 18, 2016.
13. Annexation Hearing Sign-In Sheet.
13. Fraley Cooper & Associated Invoice regarding transcriptionist services.

Licking County Commissioners


Timothy E. Bubb, President


Duane H. Flowers


Rick Black

City of Reynoldsburg


Clerk


Date

Donald D. Hill County Administration Building

20 S. Second St. Newark, Ohio 43055

740.670.5110 (office) • 740.670.5119 (fax) • www.lcounty.com



LICKING COUNTY BOARD OF COMMISSIONERS

Timothy E. Bubb
Duane H. Flowers
Rick Black

CERTIFICATE OF TRANSCRIPT (Reynolds– File 8-2016)

COPY

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Licking County Commissioners


Timothy E. Bubb, President


Duane H. Flowers


Rick Black

City of Reynoldsburg

Clerk

Date

Donald D. Hill County Administration Building

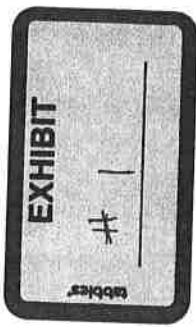
20 S. Second St.

Newark, Ohio 43055

740.670.5110 (office) • 740.670.5119 (fax) • www.lcounty.com

RESOLUTION

IN THE MATTER OF FILING PETITION AND MAP FOR REGULAR ANNEXATION AND
SETTING HEARING DATE & TIME – ETNA TOWNSHIP TO THE CITY OF
REYNOLDSBURG –CHAPMAN, AGENT– (FILE# 8-2016) - (2.231+/- ACRES) – TAYLOR
ROAD



BE IT RESOLVED by the Board of County Commissioners, County of Licking, State of Ohio:

That we did hereby receive and file a **REGULAR** type annexation petition by Chris E. Chapman, 6100 E. Main Street, Suite 108, Columbus, Ohio 43213, Agent for Petitioner, as required by ORC Section 709 to annex certain territory, adjacent and contiguous, containing 2.231 +/- acres, more or less, in Etna Township to the City of Reynoldsburg, also known as File# 8-2016; and,

BE IT FURTHER RESOLVED that the **hearing date for this annexation is set for Tuesday, October 18, 2016 at 1:30 pm and will be held in Room D on the 4th floor of the Donald D. Hill County Administration Building located at 20 South Second Street, Newark, Ohio 43055;** and,

BE IT FURTHER RESOLVED that the file date for this annexation is August 16, 2016.

Beverly Adzic
Beverly Adzic, Clerk
Licking County Commissioners

CC: Michael L. Smith, Auditor
Clerk, City of Reynoldsburg
Clerk, Etna Township Trustees
Chris Chapman, Agent
Mayor- City of Reynoldsburg
William Lozier, County Engineer
Brad Mercer, Planning Department
E-911 Department
Reynoldsburg City Engineer
ODOI
Jared Knerr, Engineer's Office

Sheriff Randy Thorp
Board of Health
Board of Elections
Board of Education
Ken Oswalt, Pros. Atty.
Bryan Long, County Recorder
Tony Stocco, Ass't Pros. Atty.
City of Reynoldsburg Water Department
Etna Township Fiscal Officer
FILE

I, Beverly Adzic, duly qualified clerk of Licking County Commissioners, do hereby certify that the foregoing document is a true and exact copy.

Motion by

seconded by

that the resolution be adopted was carried by the following vote:

YEAS:

Timothy E. Bub *

W. H. Edm *

NAYS:

*

*

Timothy E. Bub
Duane H. Flowers
Rick Black

Adopted: August 16, 2016

Beverly Adzic
Bev Adzic, Clerk/Administrator

Date: 7/14/16

To: The Board of County Commissioners of Licking County, Ohio
Licking County Administration Building – 4th Floor
20 South Second Street
Newark, OH 43055

**PETITION FOR REGULAR ANNEXATION OF 2.231 ACRES IN ETNA TOWNSHIP, THE
CITY OF REYNOLDSBURG**

(ORC 709)

The undersigned, the owners of real estate within the area hereinafter described in Exhibit "A" and consisting of two and two hundred and thirty one one-hundredths of an acre (2.231 acres) in Etna Township, Licking County, Ohio, adjacent to the City of Reynoldsburg, do hereby respectfully petition the Board of Licking County Commissioners to cause such territory to be annexed to the City of Reynoldsburg under authority of Sections 709.02 to 709.11 of the Revised Code of Ohio.

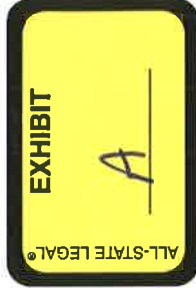
The number of owners within the area is two (2) in total.

1. Attached to this petition and made part hereof is a full legal description marked Exhibit "A".
2. Attached to this petition and made part hereof is an accurate map of the area to be annexed, marked Exhibit "B".
3. Attached to this petition and made part hereof is a list of parcels in the area to be annexed and adjacent territory that includes name of owner, mailing address of owner and permanent parcel number, marked Exhibit "C".

The undersigned petitioners do hereby designate Chris Chapman, who is located at 6100 East Main Street, Suite 108, Columbus, Ohio 43213, as their agent. His phone number is 614-759-4603; Fax number is 614-868-0029; and his email address is chris@thehelawfirm.com.

Witness our hands this 14th day of July, 2016.

Name	Address	Date
<u>Stuart D. Yousey</u> Stuart D. Yousey	10360 Taylor Rd SW Reynoldsburg, Ohio 43068	<u>7-14-2016</u>
<u>Carolyn D. Yousey</u> Carolyn D. Yousey	10360 Taylor Rd SW Reynoldsburg, Ohio 43068	<u>7-14-2016</u>



J & J Surveying Services, Inc.

7509 E. Main St.
Suite 104
Reynoldsburg, Ohio 43068

Phone 614\866-9158
Fax 614\866-9132

June 6, 2016

Description of 2.231 acres on Taylor Rd.

SITUATED in the State of Ohio, County of Licking, Township of Etna, and being a part of Lots 4 and 5 of Dexter Heights, Plat Book 8, pg. 9, conveyed to Stuart D. and Carolyn D. Yousey as Tract 2 and Tract 1, respectively, in Deed Book 689, pg. 135, Licking County Recorder's Office;

All records referred to are those of record in the Licking County Recorder's Office, unless otherwise noted;

BEGINNING at the southwest corner of the said Dexter Heights and of the said Lot 5, being a southeast corner of a 13.420 acre tract conveyed to the Board of Education, Reynoldsburg C.S.D. in Instrument (Instr.) No. 200209130034236 and a corner of a 5.700 acre tract conveyed to Terraceview Apartments, LTD in Instr. No. 201309040022621, and referenced by a found 1" iron pipe (2.00 feet, North 03 degrees 49 minutes 46 seconds East);

THENCE North 03 degrees 49 minutes 46 seconds East, a distance of 159.91 feet, along the west line of the said Lots 5 and 4, and an east line of the said 13.420 acre tract, passing the said 1" iron pipe at 2.00 feet, to a set iron pin, being the northwest corner of the said Tract 2 and a corner of the said 13.420 acre tract;

THENCE South 87 degrees 53 minutes 54 seconds East, a distance of 592.32 feet, along the north line of the said Tract 2 and a south line of the said 13.420 acre tract, and crossing the said Lot 4, to a set iron pin, being the northwest corner of a 0.211 acre tract (Parcel 5-WD) conveyed to Etna Township in Instr. No. 201607080006838 and the southwest corner of a 0.074 acre tract (Parcel 7-WD) conveyed to Etna Township in Instr. No. 201507140014604, being 33.00 feet left of Station 18+41.66, as shown on plans for Taylor Rd., LIC-TR169-4.60, on file with the Licking County Engineer;

THENCE with a curve turning to the right, with an arc length of 188.96 feet, a radius of 967.00 feet, a chord bearing of South 19 degrees 27 minutes 39 seconds West, a chord length of 188.66, and a delta angle of 11 degrees 11 minutes 47 seconds, crossing the said Lots 4 and 5, along the west line of the said 0.211 acre tract, to a set iron pin, being the southwest corner of the said 0.211 acre tract, being a point in the south line of the said Lot 5, and a point in a north line of a 10.301 acre tract conveyed to the City of Reynoldsburg in Instr. No. 199906230026426;

THENCE North 85 degrees 45 minutes 21 seconds West, a distance of 541.23 feet, along the south line of the said Lot 5, a north line of the said 10.301 acre tract, and a north line of the said 5.700 acre tract, to the point of beginning, having an area of 97,182 square feet or 2.231 acres, of which 1.589 acres is out of Lot 5 (Tract 1, Parcel No. 012-029502-00.000) and 0.642 acres is out of Lot 4 (Tract 2, Parcel No. 012-029496-00.000), according to a survey by J&J Surveying Services, Inc. on May 31, 2016, under the direct supervision of Raymond J. Wood, P.S. 7745;

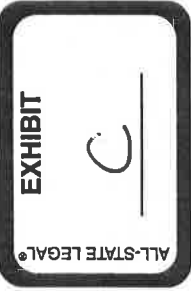
The parcel described herein is part of Parcel Nos. 012-029502-00.000 and 012-029496-00.000;

The bearings described herein are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (2011). Said bearings originated from a field traverse which was referenced to said coordinate system by GPS observations and observations of selected stations in the Ohio Department of Transportation Virtual Reference Station Network. The portion of the centerline of Taylor Rd., having a bearing of N 03 degrees 49 minutes 44 seconds E, and monumented as described herein, is designated the "Basis of Bearing" for this survey.



Raymond J. Wood 6/6/16 date
Raymond J. Wood P.S. 7745

PRE-APPROVAL	
LICKING COUNTY ENGINEER	
APPROVED ☒	CONDITIONAL ☐
APPROVED BY:	DATE:



Stuart D. Yousey and Carolyn D. Yousey
Annexation Application

Parcels to be Annexed

<u>Owner and Mailing Address</u>	<u>Parcel Address and Parcel Number</u>
Stuart and Carolyn Yousey 10360 Taylor Rd SW Reynoldsburg, OH 43068	Lot 4 PT, Dexter Heights Reynoldsburg, OH 43068 012-029496-00.000
Stuart and Carolyn Yousey 10360 Taylor Rd SW Reynoldsburg, OH 43068	Lot 5 PT, Dexter Heights Reynoldsburg, OH 43068 012-029502-00.000

Contiguous Property Owners and Parcel Numbers

<u>Owner and Mailing Address</u>	<u>Parcel Address and Parcel Number</u>
Terraceview Apartments LTD 6950 Americana Pkwy Suite A Reynoldsburg, OH 43068	10564 Taylor Rd SW Reynoldsburg, OH 43068 013-027582-00.000
Reynoldsburg City School Dist. Board of Education 7244 E Main Street Reynoldsburg, OH 43068	Taylor Rd SW Reynoldsburg, OH 43068 013-027582-00.003
Gerald and Debra Saffo 7244 E Main Street Reynoldsburg, OH 43068	10479 Taylor Rd SW Reynoldsburg, OH 43068 012-027528-00.000

AFFIDAVIT OF STUART D. YOUSEY

THE STATE OF OHIO, *FRANKLIN* COUNTY,

I, STUART D. YOUSEY, being duly sworn, hereby state as follows:

- 1. My name is Stuart D. Yousey.
- 2. I am the owner of the property located at:
Lot 4 PT, Dexter Heights
10360 Taylor Rd SW, Reynoldsburg, OH 43068
Reynoldsburg, OH 43068, 012-029496-00.000
- 3. I am the owner of the property located at:
Lot 5 PT, Dexter Heights
10360 Taylor Rd SW, Reynoldsburg, OH 43068
Reynoldsburg, OH 43068, 012-029502-00.000
- 4. I represent and warrant that I am the current owner of the aforementioned parcels as defined in O.R.C. 709.02(E).
- 5. As the owner of the aforementioned parcels, I represent and warrant that on the date the petition for annexation was filed with the City of Reynoldsburg, I had legal title to the parcels and had the authority to sign the petition to request that these parcels be annexed into the City of Reynoldsburg.

FURTHER AFFIANT SAYETH NAUGHT.

Stuart D. Yousey
Stuart D. Yousey
10360 Taylor Road, SW
Reynoldsburg, OH 43068

Sworn to and subscribed in my presence on July 14, 2016.

WITNESS MY HAND AND OFFICIAL SEAL.

Sherre M. Morales
NOTARY PUBLIC



SHERRE M. MORALES
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES MAY 18, 2021

AFFIDAVIT OF CAROLYN D. YOUSEY

THE STATE OF OHIO, *FRANKLIN* COUNTY,

I, STUART D. YOUSEY, being duly sworn, hereby state as follows:

1. My name is Carolyn D. Yousey.
2. I am the owner of the property located at:
Lot 4 PT, Dexter Heights
10360 Taylor Rd SW, Reynoldsburg, OH 43068
Reynoldsburg, OH 43068, 012-029496-00.000
3. I am the owner of the property located at:
Lot 5 PT, Dexter Heights
10360 Taylor Rd SW, Reynoldsburg, OH 43068
Reynoldsburg, OH 43068, 012-029502-00.000
4. I represent and warrant that I am the current owner of the aforementioned parcels as defined in O.R.C. 709.02(E).
5. As the owner of the aforementioned parcels, I represent and warrant that on the date the petition for annexation was filed with the City of Reynoldsburg, I had legal title to the parcels and had the authority to sign the petition to request that these parcels be annexed into the City of Reynoldsburg.

FURTHER AFFIANT SAYETH NAUGHT.

Carolyn D. Yousey
Carolyn D. Yousey
10360 Taylor Road, SW
Reynoldsburg, OH 43068

Sworn to and subscribed in my presence on July 14, 2016.

WITNESS MY HAND AND OFFICIAL SEAL.

Sherre M. Morales
NOTARY PUBLIC



PROPOSED LOT ANNEXATION OF 2.231 ACRES TO THE CITY OF REYNOLDSBURG

SITUATED IN THE STATE OF OHIO, COUNTY OF LICKING, TOWNSHIP OF ETNA, AND BEING PART OF LOTS 4 AND 5 OF DEXTER HEIGHTS, PLAT BOOK 6, PG. 9, CONVEYED TO STUART D. AND CAROLYN D. YOUSEY AS TRACT 2 AND TRACT 1, RESPECTIVELY, IN DEED BOOK 689, PG. 135, LICKING COUNTY RECORDERS OFFICE.

BOARD OF EDUCATION
REYNOLDSBURG C.S.D.
13.420 ACRES
INSTR. NO.
200200130034236
PARCEL NO.
013-027592-00.003

DEXTER HEIGHTS
P.B. 6, PG. 9
LOT 4

BOARD OF EDUCATION
REYNOLDSBURG C.S.D.
13.420 ACRES
INSTR. NO.
200200130034236
PARCEL NO.
013-027592-00.003

S. 87°53'51" E
392.32'

AREA OUT OF LOT 4
0.842 ACRES ACAS

LOT 4

S. 87°53'51" E
392.32'

STUART D. AND
CAROLYN D. YOUSEY
TRACT 1
07,102 SQ. FT.
D.B. 689, PG. 135
PARCEL NO.
012-029496-00.000

AREA TO BE ANNEXED
07,102 SQ. FT.
2.231 ACRES

AREA OUT OF LOT 1
0.842 ACRES ACAS

LOT 5

N 89°45'21" W
341.23'

TOWNSHIP OF ETNA
CITY OF REYNOLDSBURG

TERRACEVIEW APARTMENTS, LTD.
3.700 ACRES
INSTR. NO. 201300040022631
PARCEL NO. 013-027592-00.000

the willing map marked Exhibit "B" and made a part of the petition of annexation filed with the Board of Commissioners of Licking County, Ohio, on _____, 20____, under Chapter 709 of the Ohio Revised Code, is submitted as an accurate map of the territory in said petition described under the requirements of said Chapter 709 of the Ohio Revised Code.

Agent for Petitioners

The Board of County Commissioners of Licking County, Ohio, having received a petition bearing the signed names and addresses of the parties interested in the annexation to the City of Reynoldsburg, Ohio, of the territory shown hereon and having given due consideration to the prayer of said petition, do hereby grant the same.

Board of Licking County Commissioners

Petition Received _____, 20____

Petition Approved _____, 20____

Licking County Commissioner

Licking County Commissioner

Licking County Commissioner

the Council for the City of Reynoldsburg, Ohio, by Ordinance No. _____, Passed this _____ day of _____, 20____, did accept this territory shown hereon for annexation to the City of Reynoldsburg, Ohio, a Municipal Corporation.

Mayor, City of Reynoldsburg

Clerk, City of Reynoldsburg

Transferred this _____ day of _____, 20____, upon the duplicates of this office.

Containing 2.231 acres.

Transfer Fee \$_____

Licking County Auditor

Received for Record _____, 20____, at _____ (AM-PM) and recorded _____, 20____, in plot ordinance, petition, etc. in Plot Book Volume _____, page _____

Plot Fee \$_____

Ordinance, etc. Fee \$_____

Licking County Recorder

THIS DRAWING WAS PREPARED FROM A FIELD SURVEY, ANALYSIS OF RECORDED PLATS, RECORDED DEEDS AND SURVEY RECORDS, AND IS CORRECT TO THE BEST OF OUR KNOWLEDGE.

RAYMOND L. WOOD R.S. 7745 DATE 7/6/16



PROPOSED LOT ANNEXATION OF 2.231 ACRES TO THE CITY OF REYNOLDSBURG

J. & J. SURVEYING SERVICES, INC.
7500 E. MAIN ST., STE. 104
REYNOLDSBURG, OHIO 43068
PH (614) 866-9149
J.SURVEYING.COM

16-56 AN



NO.	DATE	DESCRIPTION	BY	CHKD.
1	7/6/16	FILED		
2				
3				
4				
5				
6				
7				
8				
9				
10				

Exhibit B

The Law Firm of
HALLOWES & EBBESKOTTE, LLC
A limited liability company
www.theHELlawfirm.com



Donald B. Hallows
Mark J. Ebbeskotte
Joshua D. DiYanni
Chris E Chapman

6100 East Main Street, Suite 108
Columbus, Ohio 43213
Telephone (614) 759-4603
Facsimile (614) 868-0029

August 24, 2016

Licking County Board of Commissioners
ATTN: Pam Jones
20 South Second Street
Newark, Ohio 43055

Re: **Annexation of 2.231 Acres from Etna Township to The City of
Reynoldsburg
File No. 8-2016**

Dear Ms. Jones:

Please find enclosed the Filing of Proof of Service to Clerks of Twp./City and Adjacent Property Owners for your file regarding the above-captioned matter.

If you have any questions or concerns, please do not hesitate to contact our office.

Very truly yours,

A handwritten signature in cursive script that reads "Angela Reed".

Angela Reed
Legal Assistant to Chris Chapman, Esq.

/asr
Enclosures

RECEIVED

2016 AUG 26 P 12:29

RECEIVED

Attachment: 2016-12-22 Annexation File Yousey Taylor Rd (1625 : Accept Annexation 10360 Taylor Road)

BOARD OF LICKING COUNTY COMMISSIONERS

**IN THE MATTER OF THE
ANNEXATION OF 2.231
ACRES FROM ETNA
TOWNSHIP
TO THE CITY OF REYNOLDSBURG**

FILE # 8-2016

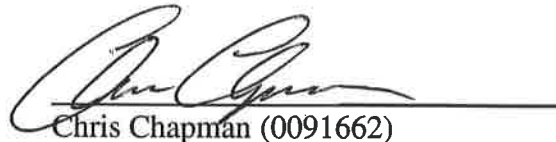
PETITIONERS: STUART D. AND CAROLYN D. YOUSEY

**FILING OF PROOF OF SERVICE TO CLERKS OF TWP./CITY AND ADJACENT
PROPERTY OWNERS**

Now comes the Petitioners, by and through their undersigned Agent and files the following:

- 1) Proof of Service to the Clerks of Etna Township and the City of Pickerington pursuant to RC§ 709.03(B)(1). Attached to this notice are copies of the certified letters sent to the respective Clerks.
- 2) Proof of Service to the adjacent property owners pursuant to RC§ 709.03(B)(2). Attached is the Affidavit of Chris Chapman, Agent for Stuart and Carolyn Yousey.

Respectfully submitted:
HALLOWES & EBBESKOTTE, LLC



Chris Chapman (0091662)

Agent

6100 East Main Street, Suite 108

Columbus, Ohio 43213

Telephone: (614) 759-4603

Facsimile: (614) 868-0029

E-Mail: chris@theHElawfirm.com

RECEIVED

Attachment: 2016-12-22 Annexation File Yousey Taylor Rd (1625 : Accept Annexation 10360 Taylor Road)

The Law Firm of
HALLOWES & EBBESKOTTE, LLC

A limited liability company
www.theHELawfirm.com

Donald B. Hallows
Mark J. Ebbeskotte
Joshua D. DiYanni
Chris E Chapman

6100 East Main Street, Suite 108
Columbus, Ohio 43213
Telephone (614) 759-4603
Facsimile (614) 868-0029



August 24, 2016

Licking County Board of Commissioners
ATTN: Pam Jones
20 South Second Street
Newark, Ohio 43055

Re: **Annexation of 2.231 Acres from Etna Township to The City of
Reynoldsburg
File No. 8-2016**

Dear Ms. Jones:

Please find enclosed the Filing of Proof of Service to Clerks of Twp./City and Adjacent Property Owners for your file regarding the above-captioned matter.

If you have any questions or concerns, please do not hesitate to contact our office.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Angela Reed".

Angela Reed
Legal Assistant to Chris Chapman, Esq.

/asr
Enclosures

RECEIVED

2016 AUG 26 P 12:29

RECEIVED

AFFIDAVIT OF CHRIS CHAPMAN

THE STATE OF OHIO, *FRANKLIN* COUNTY,

I, CHRIS CHAPMAN, being duly sworn, hereby state as follows:

1. Notices to adjacent property owners were sent by regular mail within 10 days after receiving the notice from the Licking County Commissioners for the annexation hearing date for the parcels located at Lot 4 PT Dexter Heights and Lot 5 PT Dexter Heights.

FURTHER AFFIANT SAYETH NAUGHT.



Chris Chapman
6100 E. Main St
Suite 108
Columbus, OH 43213

Sworn to and subscribed in my presence on August 23rd, 2016.

WITNESS MY HAND AND OFFICIAL SEAL.



NOTARY PUBLIC



JOSHUA D. DIYANNI
ATTORNEY AT LAW
NOTARY PUBLIC - STATE OF OHIO
MY COMMISSION HAS NO EXPIRATION
SEC. 147.03RC

LIICKING COUNTY COMMISSIONERS

2016 AUG 26 P 12:30

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Attachment: 2016-12-22 Annexation File Yousey Taylor Rd (1625 : Accept Annexation 10360 Taylor Road)

The Law Firm of
HALLOWES & EBBESKOTTE, LLC

A limited liability company
 www.theHELlawfirm.com

Donald B. Hallows
 Mark J. Ebbeskotte
 Joshua D. DiYanni
 Chris E. Chapman

6100 East Main Street, Suite 108
 Columbus, Ohio 43213
 Telephone: 614.759.4603
 Facsimile: 614.868.0029

August 19, 2016

Via Certified Mail #7012 3050 0001 6991 6860, RRR

Eric Snowden
 City of Reynoldsburg
 7232 East Main Street
 Reynoldsburg, Ohio 43068

Re: Annexation of Lot 4 and 5, Dexter Heights

Dear Mr. Snowden:

I am writing to inform you that as the agent for the property owners Stuart and Carolyn Yousey, I have filed a Petition with the Licking County Commissioners office to annex Lot 4 Dexter Heights – Parcel number 012-029496-00.000 and Lot 5 Dexter Heights – Parcel number 012-029502-00.000 into the City of Reynoldsburg.

Please find attached a notice of the hearing for this annexation with the Licking County Commissioners on October 18, 2016 at 1:30pm.

Should you have any questions or concerns, please do not hesitate to contact me.

Respectfully,

Chris E. Chapman

Chris Chapman
 Attorney at Law

CEC
 Enclosure

RECEIVED

2016 AUG 26 P 12:30

RECEIVED

7012 3050 0001 6991 6860

U.S. Postal Service™	
CERTIFIED MAIL™ RECEIPT	
<i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Sent To	
Street, Apt. No., or PO Box No.	
City, State, ZIP+4	
Postmark Here	

The Law Firm of
HALLOWES & EBBESKOTTE, LLC
A limited liability company
 www.theHELlawfirm.com

Donald B. Hallows
 Mark J. Ebbeskotte
 Joshua D. DiYanni
 Chris E. Chapman

6100 East Main Street, Suite 108
 Columbus, Ohio 43213
 Telephone: 614.759.4603
 Facsimile: 614.868.0029

August 19, 2016

Via Certified Mail #7012 3050 0001 6991 8574, RRR

John J. Carlisle, President
 Etna Township Board of Trustees
 81 Liberty Street
 Etna, Ohio 43018-0188

Re: Annexation of Lot 4 and 5, Dexter Heights

Dear Mr. Carlisle:

I am writing to inform you that as the agent for the property owners Stuart and Carolyn Yousey, I have filed a Petition with the Licking County Commissioners office to annex Lot 4 Dexter Heights – Parcel number 012-029496-00.000 and Lot 5 Dexter Heights – Parcel number 012-029502-00.000 into the City of Reynoldsburg.

Please find attached a notice of the hearing for this annexation with the Licking County Commissioners on October 18, 2016 at 1:30pm.

Should you have any questions or concerns, please do not hesitate to contact me.

Respectfully,

Chris E. Chapman

Chris Chapman
 Attorney at Law

CEC
 Enclosure

RECEIVED
 2016 AUG 26 P 12:30
 LICKING COUNTY COMMISSIONERS

RECEIVED

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To _____

Street, Apt. No.,
 or PO Box No. _____

City, State, ZIP+4 _____



BOARD OF LICKING COUNTY COMMISSIONERS

IN THE MATTER OF THE
ANNEXATION OF 2.231
ACRES FROM ETNA
TOWNSHIP
TO THE CITY OF REYNOLDSBURG

FILE # 8-2016

PETITIONERS: STUART D. AND CAROLYN D. YOUSEY

FILING OF PROOF OF PUBLICATION OF NOTICE OF HEARING (709.03(B)(3))

Now comes the Petitioners, by and through their undersigned Agent and file Proof of Publication of Notice of Hearing pursuant to RC§ 709.03(B)(3). Attached to this notice is the Affidavit of Todd Richards, Sales Assistant for the Newark Advocate, confirming publication of the attached advertisement on September 6, 2016.

Respectfully submitted:
HALLOWES & EBBESKOTTE, LLC

By: 
Chris Chapman (0091662)
Agent
6100 East Main Street, Suite 108
Columbus, Ohio 43213
Telephone: (614) 759-4603
Facsimile: (614) 868-0029
E-Mail: chris@theHELawfirm.com

RECEIVED
SEP - 9 P 4: 58
COUNTY COMMISSIONERS

Attachment: 2016-12-22 Annexation File Yousey Taylor Rd (1625 : Accept Annexation 10360 Taylor Road)

Newark Advocate Media

A GANNETT COMPANY

Advertiser:

HALLOWES & EBBESKOTTE, LLC

6100 E MAIN ST STE 108

COLUMBUS

OH 43213

AFFIDAVIT OF PUBLICATION**Newspaper:** MCO-Nwk-Newark Advocate**LEGAL NOTICE****ATTACHED****STATE OF OHIO****RE:** Order #:0001528304Account #:MCO-N011816
Total Amount of Claim:\$410.56I, TODD RICHARDS, Sales Assistant

for the above mentioned newspaper, hereby certify that the attached

advertisement appeared in said newspaper on the following dates:

08/25/16

Last Run Date :08/25/2016

Subscribed and sworn to me this 6 day of September, 2016

Tom Macklin
NOTARY PUBLIC



Tammy M. Macklin
Notary Public, State of Ohio
My Commission Expires
December 5, 2017

PUBLIC NOTICE

Notice is hereby given that on the 1st day of August, 2016, there was presented to the County of Licking, State of Ohio, a petition for Annexation of 13.420 acres from Elina Township to the City of Columbus, Ohio. By the Majority of the owners of the territory bounded and described as follows:

SITUATED In the State of Ohio, County of Licking, Township of Elina, and being a part of Lots 4 and 5 of Dexter Tract 1, and a part of Dexter Tract 2, to which said City of Columbus, Ohio, is entitled by Deed Book 489, pp. 135, Licking County Recorder's Office:

BEGINNING at the southwest corner of said Dexter Tract 1, and being a said Lot 5, being a southeast corner of a 13.420 acre tract conveyed to the Board of Education, Reynoldsburg C.S.D., in Instrument (Instr.) No. 20029130024236 and a corner of a 5.700 acre tract conveyed to TerraNova LLC, in Instrument (Instr.) No. 2013990022262, and referenced by a found 1" iron pipe (2.00 feet, North 03 degrees 49 minutes 46 seconds East);

THENCE North 03 degrees 49 minutes 46 seconds East, a distance of 592.32 feet, along the north line of the said Lot 5 and 4, and on an east line of the said 13.420 acre tract, passing the said 1" iron pipe at 2.00 feet, to a set iron pin, being the northwest corner of the said Tract 2 and a corner of the said 13.420 acre tract;

THENCE South 87 degrees 53 minutes 54 seconds East, a distance of 592.32 feet, along the north line of the said Tract 2 and a south line of the said 13.420 acre tract, and passing the said Lot 4 in the said 13.420 acre tract, to the northwest corner of a 0.211 acre tract (Parcel 5-WD) conveyed to Elina Township in Instr. No. 20160780006838

2016 SEP -9 P 4: 58
RECEIVED
JUNIOR COUNTY COMMISSIONER

RESOLUTION CONCERNING SERVICES TO PROPERTY PROPOSED FOR ANNEXATION ACRES IN ETNA TOWNSHIP (10360 Taylor Road, SW; Stuart and Carolyn Yousey) TO THE CITY OF REYNOLDSBURG AND DECLARING AN EMERGENCY.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG, COUNTIES OF FRANKLIN, LICKING, and FAIRFIELD, STATE OF OHIO that:

SECTION 1. That the Council of the City of Reynoldsburg, Ohio hereby states that the following services will be extended to the territory proposed for annexation after annexation. All services listed below will be available and provided upon the date the annexation to the City of Reynoldsburg becomes final:

- A. Water: Taylor Road 12" Water Main Extension Phase 1 would serve this property. The water main runs north and south on the east side of the property.
- B. Sewer: Woods at Slate Ridge Phase 5 is a 10" sanitary sewer. This sanitary sewer runs east to west running down the north side of the property.
- C. Police protection by Reynoldsburg Police Department; average response time on emergency calls is 4 minutes; average response time for non-emergency calls is 15 minutes.
- D. Fire protection and emergency medical service will continue to be provided by West Licking Joint Fire District.
- E. Refuse collection by City franchised private hauler currently Rumpke of Ohio, Inc.

SECTION 2. That if this 2.231+/- acre site is annexed and if the City of Reynoldsburg permits uses in the annexed territory that the City of Reynoldsburg determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within Etna Township, the Reynoldsburg City Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within Etna Township. The term "buffer" stated herein, includes open space, landscaping, fences, walls, and other structured elements: streets and street right-of-way; and bicycle and pedestrian paths and sidewalks.

SECTION 3. That the Clerk of the City of Reynoldsburg file a certified copy of this resolution hereby adopted, to the Board of Commissioners of Licking County.

SECTION 4. That this resolution is deemed to be an emergency measure necessary for the immediate preservation of the public safety and health, and further so the resolution can be available for the hearing before the Licking County Commissioners; wherefore upon adoption by Council this resolution shall be in effect immediately upon signature by the Mayor.

Doug Joseph
Doug Joseph, President of Council

ATTEST:

April L. Beggerow
April L. Beggerow, Clerk of Council

APPROVED:

Bradley L. McCloud
Bradley L. McCloud, Mayor

DATE

9/13/16

CERTIFICATE

I, April L. Beggerow, Clerk of Council, City of Reynoldsburg, Ohio do hereby certify the foregoing to be a true and correct copy of Resolution No. 77-16 as passed by Council of said City on the 12th day of September, 2016 and as recorded in the Record of Proceedings of said Council.

April L. Beggerow
April L. Beggerow, Clerk of Council

Filed with Mayor: 9/13/16

Published: _____

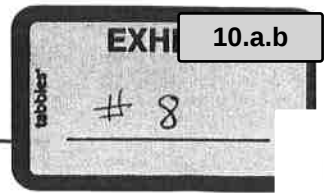
Certified True Copy

April L. Beggerow

OFFICE OF LICKING COUNTY ENGINEER

WILLIAM LOZIER, ENGINEER

Donald D. Hill County Administration Building
20 South Second Street
Newark, Ohio 43055
Phone 740-670-5280
FAX 740-670-5295



8-9-16
Date

Board of Licking County Commissioners
20 South Second Street
Newark, Ohio 43055

Attn: Bev Adzic, Licking County Clerk/Administrator

RE: Annexation Description and Map

2.231 acres
From Etna Twp. to Reynoldsburg City/Village

I have reviewed the description and map/plat for said annexation and find the following:

- | | | |
|--------------------------------------|----|---|
| ☒ Yes | No | The real estate is contiguous to municipality to which the annexation is proposed. (ORC 709.02 (A))
If No explain: _____ |
| ☒ Yes | No | Legal Description of the perimeter is accurate (ORC 709.02 (C)(2))
If No explain: _____ |
| ☒ Yes | No | The map/plat is accurate (ORC 709.02 (C) (2))
If No explain: _____ |
| Yes | No | Creates a divided road for which an HRO is needed.
If Yes explain: <u>NA</u> |

Respectfully Submitted,

William Lozier
William Lozier, P.E., P.S.
Licking County Engineer

AnnexLetter

Attachment: 2016-12-22 Annexation File Yousey Taylor Rd (1625 : Accept Annexation 10360 Taylor Road)



Licking County Planning Commission

Annexation Report

APPLICATION: 2016-002-ANX (Commissioner's File #8-2016)
DATE: October 18, 2016
APPLICANT: Stuart and Carolyn Yousey
(Chris Chapman; Agent)

ETNA TOWNSHIP to the CITY OF REYNOLDSBURG

Regular Annexation
LICKING COUNTY COMMISSIONERS FILE #8-2016
2.231 Acres

RECEIVED
2016 OCT 14 A 8:36
LICKING COUNTY COMMISSIONERS

Prepared By:
Angela V. Farley
LICKING COUNTY PLANNING COMMISSION

Attachment: 2016-12-22 Annexation File Yousey Taylor Rd (1625 : Accept Annexation 10360 Taylor Road)

BACKGROUND

On August 16, 2016, the Licking County Board of Commissioners adopted a petition and map for the annexation from Chris Chapman, Agent for the Petitioners (Stuart and Carolyn Yousey). The proposal consists of (2.231 acres) in the southwestern corner of Etna Township to be annexed by the City of Reynoldsburg. The proposed annexation includes platted Lots 4 and 5 of the Dexter Heights subdivision. The lots do not have designated street addresses but do have frontage on Taylor Road. Both lots are under the same ownership and are directly bordered on three (3) sides by the City of Reynoldsburg. The total perimeter of this (2.231 acre) annexation area is 1,482.42-feet, of which 1,293.46-feet are contiguous with the City of Reynoldsburg, giving the proposal 87.25% perimeter contiguity.

The Ohio Revised Code establishes several requirements to be used in determining whether an annexation petition should be approved. These can be grouped into five general categories. The first three requirements deal with procedural issues. The petition must include a description and an accurate map, the name of the agent, a statement of the number of property owners in the area to be annexed, and the signatures of the majority of property owners. Further, the agent must ensure that the township and municipal clerks, as well as the public, are notified of the annexation petition within seven days after the County Commissioners set the hearing date. Fourth, the annexing municipality must state the services, if any, that will be provided to the area. Finally, the territory must not be unreasonably large, and the general good of the territory to be annexed must be served as a result of the annexation.

The materials submitted include an accurate map and description. The site to be annexed is retained by two (2) property owners who have signed the petition. This review does not attempt to confirm compliance with notification of filing requirements. The City of Reynoldsburg has approved a resolution indicating the services to be provided to the area upon annexation in Resolution Number 77-16.

The remainder of this report provides a look at the physical nature of the area, the City of Reynoldsburg's ability to service the territory, Etna Township's services to the area, and related planning considerations as they pertain to the general good of the territory.

PHYSICAL CONSIDERATIONS

Land Use

The property in question is located within the Agricultural District (AG) of Etna Township and appears to be undeveloped, vacant land. The incorporated land to the north is owned by the Board of Education Reynoldsburg CSD and contains Slate Ridge Elementary School. Incorporated land to the south is a multi-family apartment complex. Single family homes are located to the east of the subject property within Etna Township.

Flood Hazard Conditions

No portion of this property is located within a flood hazard area as determined by the Federal Emergency Management Agency (FEMA) National Flood Insurance Program Maps. Panel No. 3989C0409J, effective March 16, 2015.

Zoning

While the proposed annexation area is bordered on three (3) sides by the City of Reynoldsburg, all adjacent and nearby property within Etna Township to the North and East is zoned Agricultural. Adjacent properties located within the City of Reynoldsburg, according to the 2009 Zoning Map on the City of Reynoldsburg website, are zoned Residential Multiple (AR-2) to the South, Residence Single (R-3) to the West, and Unzoned to the North. There are also portions of Taylor Road right-of-way to the South that are Unzoned.

(Etna Township Zoning Resolution; Agricultural District)

Article 9, Section 912 PURPOSE

The purpose of the AG District is to preserve and protect the decreasing supply of prime agricultural land. This district also is established to control the indiscriminate infiltration of urban development in agricultural areas, which adversely affects agricultural operators.

When a municipality annexes a territory, the township zoning regulations remain in effect and must be enforced by the township officials until the municipality adopts new zoning regulations for the area (Ohio Revised Code, Section 519.18).

Areas that have been annexed and are identified as “unzoned” on the City of Reynoldsburg 2009 zoning map have never had a zoning district applied directly by Reynoldsburg City Council. However, as of 2016, all unzoned lots within the City shall be interpreted as R-1, as per Section 1161.07 of the City of Reynoldsburg Zoning Code. Section 1161.07 states that: *When a lot developed with an agricultural use or one (1) single family dwelling is attached to City via annexation, it shall be classified as R-1 Single Family Residence District upon passage of the ordinance accepting the annexation.*

Development Plans

Any development plans would follow the City of Reynoldsburg's Planning & Zoning Code, Building Code, and Floodplain Regulations.

SERVICES**CITY OF REYNOLDSBURG**

The City of Reynoldsburg passed Resolution Number 77-16 on September 12, 2016, indicating the services it will provide should the annexation be approved. The City of Reynoldsburg stated that the following services would be available to the territory proposed after annexation; water, sanitary sewer, police, fire, and refuse collection.

Police Protection

The Department of Public Safety, Division of Police provides the City and its residents with adequately staffed and equipped 24-hour police protection. The proposed area for annexation would be primarily served by patrol units with an average emergency response time of 4 minutes for emergency calls and 15 minutes for non-emergency calls. This portion of The City of Reynoldsburg is a member of the Licking County 911 Emergency Service, which provides a direct link for emergency information to police dispatchers. This system provides a quick response to emergency situations.

Fire & Emergency Medical Protection

The West Licking Joint Fire District (WLJFD) currently provides fire and emergency medical services. When annexed, the WLJFD will continue to serve the area. The nearest WLJFD fire station, station #4, is located approximately 2.5 miles from the location of the annexation at 7821 B Taylor Rd. The response time would be three to four minutes.

Water

Water service is available to this property at this time. The Taylor Road 12" Water Main Extension Phase 1 would serve this property. The line runs north and south on the east side of the property.

Sanitary Sewer

The sanitary sewer is available to this property at this time. The Woods at Slate Ridge Phase 5 10" sanitary sewer runs east to west along the north side of the property.

Refuse Collection

The City of Reynoldsburg has franchised with private refuse hauler, Rumpke of Ohio, Inc.

Street Maintenance

Street maintenance services will be provided by the City of Reynoldsburg Street Department upon finalization of the annexation. An agreement should be finalized and entered into by the end of 2016, according to the Etna Township Zoning Inspector.

Schools

The area under consideration for annexation would remain in the Reynoldsburg City School District. School district boundaries do not change with annexation.

ETNA TOWNSHIP**Police**

Police service is currently provided by the Licking County's Sheriff's Office. The sheriff's expected emergency response time ranges between two and twenty (2-20) minutes depending on the time of day, location of officers, and existing call load.

Fire & Emergency Medical Protection

The West Licking Joint Fire District (WLJFD) currently provides fire and emergency medical services. The closest WLJFD fire station is located approximately 2.5 miles from the location of the annexation at 7821 B Taylor Rd.

Street Maintenance

This property is currently within Etna Township and the properties on both sides of this section of Taylor Road are within the township. Etna Township currently maintains this section of Taylor Road.

Schools

The area under consideration for annexation is currently in the Reynoldsburg City School District and would remain in the same district if annexed. School district boundaries do not change with annexation.

PLANNING CONSIDERATIONS**Etna Township's Comprehensive Plan (Planning for Our Future)**

Some of the applicable strategies and goals of the township's comprehensive plan are listed below. The property proposed to be annexed is shown as Residential, in the Southwest Quadrant, on the Etna Township Future Land Use map:

Etna Township, like many other unincorporated areas, has long enjoyed a proud rural history. The rural makeup of this community serves as the fundamental basis for the strong desire within Etna Township to maintain as much of that history as possible. With the passage of time, urban areas extend their reach into the untouched areas of our landscape. The rapid consumption of land has become a necessity in order to respond to a growing population and its need for more goods and services. Etna Township has been

at the threshold of this urban growth for well over a decade. During that span, this community has seen rapid development, resulting in many new homes, as well as industrial and business expansion. These developments have been accompanied by increased infrastructure and the expansion of utilities for their use. With these changes, land that was once farmed has come out of agricultural production in favor of development. If this trend continues, the rural nature of Etna Township will fade. This plan seeks to properly plan for future growth to make sure that doesn't happen. The residents of Etna Township treasure its rural heritage and seek to maintain it far into the future

Southwest Quadrant

The boundaries of the Southwest Quadrant are Lynns Road on the east, Reynoldsburg on the west, I-70 to the north and the Fairfield County line to the south.

The Southwest Quadrant currently consists of agricultural uses and single-family homes. It has the only area in the township that is solely zoned for multifamily housing. Also present in this area are several parcels zoned for manufacturing uses. The remainder of the current zoning in this quadrant is largely agricultural, with a few areas that have been zoned residential. Future development in this area should remain agricultural or single-family residential in nature. Residential development here should follow the requirement of the (PRCD) Planned Residential Conservation District.

Licking County Future Land Use (Optimum Land Use Policy and Plan)

According to the Optimum Land Use Policy and Plan, the area under consideration is targeted for Urban Development. Within the plan's implementation policy of the 'Urban Development' and 'Incorporated Areas' it is noted that the applicable cities and villages should absorb those areas planned for Urban Development. Further, it is specifically stated, "much of the land areas shown on the Optimum Land Use Plan as Urban Development areas should and will be annexed to the present incorporated areas." The plan also encourages the municipalities to encourage desirable, timely, and reasonable annexations to provide appropriate services to urban areas that cannot be served adequately by the townships and county.

Water & Waste Water

In 2006, Licking County completed a 208 Water Quality Management Plan, which was submitted to Ohio EPA. The Ohio EPA uses the County 208 Plan to issue a Permit to Install (PTI) for any development in Licking County. An important part of the 208 Plan is to establish facility-planning areas to all surrounding municipalities. The annexation area referenced in this report is identified on Licking County Wastewater Management Facility Planning Boundaries map as being within the "Southwest Licking Community Water and Sewer District" Facility Planning Area.

The City of Reynoldsburg stated, in Resolution #77-16, that water service is available to this property at this time. A 12" water main runs north and south on the east side of the property. The resolution also stated that sewer is available via a 10" line that runs east to west down the north side of the property.

City of Reynoldsburg Comprehensive Plan

The City of Reynoldsburg does not have a comprehensive plan.

Other Points of Interest

- According to the Licking County Auditor's Office the changes in the taxing districts will have the following effects if the annexation is approved without divisions of revenue between the city and the township:

Based on the 2015 Values, the property's taxing district will change from "012 ETNA TWP – REYNOLDSBURG CSD" with an effective tax rate of 73.004749 mills to "115 ETNA TWP – REYNOLDSBURG CITY – REYNOLDSBURG CSD" with an effective tax rate of 72.984749 mills. This represents a decrease of 0.02 mills. Given the current appraised value of the property, this would indicate a decrease in taxes of approximately \$ 0.15 per year.

- City of Reynoldsburg Resolution #77-16 also states that: *That if this 2.231+/- acre site is annexed and if the City of Reynoldsburg permits uses in the annexed territory that the City of Reynoldsburg determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within Etna Township, the Reynoldsburg City Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within Etna Township. The term "buffer" stated herein, includes open space, landscaping, fences, walls, and other structured elements: streets and street right-of-way; and bicycle and pedestrian paths and sidewalks.*



Timothy E. Bubb
Duane H. Flowers
Rick Black

LICKING COUNTY BOARD OF COMMISSIONERS

Date: Aug. 1, 2016
To: Chris Chapman
From: Deputy Clerk, Licking County Commissioners' Office
Re: Preliminary Meeting for Regular Annexation Petition - 2.231+/- acres

As of Aug. 1, 2016, we are in receipt of the following petition for annexation: 2.231 acres along with a Deposit in the amount of: \$250.00. These documents have been delivered by Chris Chapman, agent for petitioner whose address is 6100 East Main Street, Suite 108, Columbus, Ohio 43213 and phone number being (614) 759-4603.

The agent has answered the following questions:

Will the property to be annexed be removed from the Township? Yes No

Is there an Agreement between the Municipality & Township for the division of revenues? Yes No

If bonds exceed 10 mill, will revenues be split or will there be an Agreement? Yes No

Will the road(s) be divided and require an HRO? Yes No

The persons who signed the petition are owners of the property proposed to be annexed. YES/NO

The petition contains the signatures of all the property owners in the area proposed to be annexed. YES/NO

The area proposed to be annexed does not exceed 500 acres. YES/NO

The territory proposed to be annexed shares a common boundary with the municipality for a continuous length of at least 5% of the perimeter of the territory proposed to be annexed. YES/NO

The annexation will not create an unincorporated area of the township(s) that is completely surrounded by the area proposed to be annexed. YES/NO

If all requirements have been met, the Petition will then be filed with the Board of Licking County Commissioners. If the petition is incomplete, we will advise you of the requirements to be complied with before it may be filed. Thank you for your cooperation.

Sincerely,

Pamela A. Jones
Pamela A. Jones, Deputy Clerk

RESOLUTION

IN THE MATTER OF ESTABLISHING THE ETNA TOWNSHIP TO THE CITY OF REYNOLDSBURG- CHAPMAN ANNEXATION PETITION #8-2016 EXPENDITURE APPROPRIATION AND INCOME ACCOUNT WITHIN THE GENERAL FUND



Whereas, State of Ohio, Senate Bill 5 provides for the deposit of special revenues for the paying expenses related to the processing of annexation petition within the County; and,

Whereas, Licking County Auditor, Michael L. Smith has indicated that the County Commissioners shall establish appropriations and income accounts within the General Fund to facilitate tracking these monies; and,

Whereas, funds in the amount of \$250.00 has been received by the Licking County Commissioners for the aforementioned Annexation; NOW, THEREFORE,

BE IT RESOLVED by the Board of County Commissioners, County of Licking, State of Ohio:

That we do hereby request the Licking County Auditor, Michael L. Smith to establish a General Fund income account for the payment of annexation fees as follows:

0001-907-4736 Annexation, 2016-8, Chapman Annexation, Etna Twp. to City of Reynoldsburg

BE IT FURTHER RESOLVED that we do hereby request the Licking County Auditor, Michael L. Smith to establish the following appropriation for annexation expenditures within the General Fund as follows:

0001-907-5736 Annexation, 2016-8, Chapman Annexation, Etna Twp. to City of Reynoldsburg

BE IT FURTHER RESOLVED that we do hereby request the Licking County Auditor, Michael L. Smith to appropriate from the unappropriated balance of the General Fund as follows:

\$250.00 0001-907-⁵4736 Annexation, 2016-8, Chapman Annexation Etna Twp. to the City Reynoldsburg

Motion by BLACK seconded by BUBB

that the resolution be adopted was carried by the following vote:

YEAS: Timothy E. Bubb *

NAYS: _____ *

Timothy E. Bubb

CC: Michael L. Smith, Auditor
Brad Fink, Deputy Clerk/Finance

FILE
Louise Chaney, Deputy Clerk

Timothy E. Bubb
Duane H. Flowers
Rick Black

Adopted: August 16, 2016

Beverly Adzie
Beverly Adzie, Clerk/Administrator

Attachment: 2016-12-22 Annexation File Yousey Taylor Rd (1625 : Accept Annexation 10360 Taylor Road)

88- 44

RESOLUTION

IN THE MATTER OF GRANTING A PETITION FOR A REGULAR ANNEXATION
OF 2.231 +/- ACRES LOCATED IN ETNA TOWNSHIP TO THE CITY OF
REYNOLDSBURG (FILE # 8-2016)

The Board of Licking County Commissioners met in regular session on Tuesday, November 22, 2016, at the Licking County Administration Building, to consider the adoption of a resolution granting a petition for a regular annexation of 2.231 +/- acres located in Etna Township to the City of Reynoldsburg, with the following members being present: Timothy E. Bubb, Duane H. Flowers and Rick Black.

Commissioner Black moved for the adoption of the following resolution:

WHEREAS, a Petition for a regular annexation of 2.231 +/- acres located in Etna Township to the City of Reynoldsburg and a map was filed with the Board of Licking County Commissioners (hereinafter "the Board") by Chris E. Chapman as the agent for the Petitioners on August 16, 2016; and,

WHEREAS, Chapter 709 of the Ohio Revised Code establishes the requirements and procedures that must be followed by the Board when it is presented with such a petition for annexation; and,

WHEREAS, the Board is cognizant that this Petition for annexation is of interest to the residents and property owners of Licking County in general, and the residents and property owners of the area to be annexed, the residents and property owners of the surrounding area, the residents and property owners of the City of Reynoldsburg, and the residents and property owners of the Township of Etna in particular; and,

WHEREAS, the Board is constrained and has strived to follow only those procedures, and to consider only those factors, established by Chapter 709 of the Ohio Revised Code as they are written and as they have been interpreted by the courts of the State of Ohio; and,

WHEREAS, Ohio Revised Code Section 709.033(A) provides that the Board must hold a hearing on the Petition for annexation; and,

WHEREAS, the Board held a hearing on the Petition for annexation on October 18, 2016, to hear testimony regarding the annexation held at The Donald D. Hill County Administration Building, 20 South Second Street, Newark, Ohio; and,

WHEREAS, each necessary party to the annexation was given the opportunity to present evidence, to examine and cross-examine witnesses, and to comment on all evidence; and,

WHEREAS, the Board also heard testimony, and received evidence, from other individuals and/or entities; and,

WHEREAS, the Board also permitted any other individuals who wished to testify to do so; and,

WHEREAS, the Board shall enter upon its journal a resolution granting the annexation if it finds based upon a preponderance of the substantial, reliable, and probative evidence on the whole record, that the six conditions enumerated in Ohio Revised Code Section 709.33 (A) (1) -- (6) have all been met.

Attachment: 2016-12-22 Annexation File Yousey Taylor Rd (1625 : Accept Annexation 10360 Taylor Road)

(1) WHEREFORE, the Board finds, based upon a preponderance of the substantial, reliable, and probative evidence on the whole record, that the Petition meets all of the requirements set forth in, and was filed in the manner provided in, Section 709.02 of the Ohio Revised Code as required by Ohio Revised Code Section 709.033(A)(1) and,

(2) WHEREFORE, the Board finds, based upon a preponderance of the substantial, reliable, and probative evidence on the whole record, that the persons who signed the petition are owners of real estate located in the territory proposed to be annexed in the Petition, and, as of the time the petition was filed with the Board, the number of valid signatures on the Petition constituted a majority of the owners of real estate in that territory as required by Ohio Revised Code Section 709.033(A)(2); and,

(3) WHEREFORE, the Board finds, based upon a preponderance of the substantial, reliable, and probative evidence on the whole record, that the City of Reynoldsburg (the municipal corporation to which the territory is proposed to be annexed) has complied with Ohio Revised Code Section 709.03(D) by adopting and filing Resolution No.77-16 (A RESOLUTION ADOPTING A STATEMENT INDICATING WHAT SERVICES, IF ANY, THE CITY OF REYNOLDSBURG, OHIO, WILL PROVIDE FOR APPROXIMATELY 2.231 ACRES, MORE OR LESS, LOCATED IN ETNA TOWNSHIP, A TERRITORY PROPOSED FOR REGULAR ANNEXATION, AND DECLARING AN EMERGENCY), which is a resolution that indicates what services it will provide with an approximate date by which it will provide them to the territory proposed for annexation as required by Ohio Revised Code Section 709.033(A)(3);

(4) WHEREFORE, the Board finds, based upon a preponderance of the substantial, reliable, and probative evidence on the whole record, that the territory proposed to be annexed is not unreasonably large as required by Ohio Revised Code Section 709.033(A)(4); and,

(5) WHEREFORE, the Board finds, based upon a preponderance of the substantial, reliable, and probative evidence on the whole record, that, on balance, the general good of the territory proposed to be annexed will be served, and the benefits or detriments to the territory proposed to be annexed and the surrounding area (the territory within the unincorporated area of any township located one-half mile or less from any of the territory proposed to be annexed) will outweigh the detriments to the territory proposed to be annexed and the surrounding area, as required by Ohio Revised Code Section 709.033(A)(5).

In doing so the Board finds the following benefits: Improved law enforcement, patrols and response time; the existence of joint road maintenance agreements; City planning services; the potential for water and wastewater services; and that the Petitioner will have this parcel within the same jurisdiction as his adjacent parcel(s). The Board further finds any possible detriments such as loss of township rural environment or possible future development to be speculative on this record.

The Board further finds that the following factors are to be considered to be neither a benefit nor a detriment to the territory proposed to be annexed and the surrounding area, if the annexation petition is granted: fire and EMA protection, amenities of living in proximity to the City of Reynoldsburg community, and hunting on landowner's property; and,

(6) WHEREFORE, the Board finds, based upon a preponderance of the substantial, reliable, and probative evidence on the whole record, that a street or highway will NOT be divided or segmented by the boundary line between the Township and the City of Reynoldsburg as to create a potential maintenance problem and thus has complied with Ohio Revised Code Section 709.033(A)(6); and,

ACCORDINGLY, based upon a preponderance of the substantial, reliable, and probative evidence on the whole record, *and specifically based upon Ohio law that favors annexations involving sole or single owner properties*, the Board is constrained to conclude that each of the conditions of Ohio Revised Code Section 709.033(A) has been met.

NOW, THEREFORE, BE IT RESOLVED by the Board of Licking County Commissioners that the Petition for a Regular Annexation of 2.231 +/- acres located in Etna Township to the City of Reynoldsburg is hereby granted; and,

BE IT FURTHER RESOLVED that the Clerk/Administrator of this Board be, and hereby is, directed to deliver a certified copy of this Resolution to the following: the Agent for the Petitioners; the Clerk of the City of Reynoldsburg; the Fiscal Officer of the Township of Etna; and,

BE IT FURTHER RESOLVED that the Clerk/Administrator of this Board be, and hereby is, directed to take no further action until the expiration of thirty days after the date of journalization of this resolution; and,

BE IT FURTHER RESOLVED that the Clerk/Administrator of this Board be, and hereby is, directed, after the expiration of the aforementioned thirty day period, if no appeal has been timely filed under Ohio Revised Code Section 709.07, to deliver a certified copy of the entire record of the annexation proceedings, including all resolutions of the Board, signed by a majority of the members of the Board, the Petition, map, and all other papers on file, the recording of the proceedings, and exhibits presented at the hearing relating to the annexation proceedings, to the Clerk of the City of Reynoldsburg; and,

BE IT FURTHER RESOLVED that, if an appeal is filed in a timely manner under Ohio Revised Code section 709.07 from the determination of the Board granting the Petition for annexation, the Clerk/Administrator of this Board be, and hereby is, directed to take further action only in accordance with that section of the Ohio Revised Code.

Commissioner Commissioner Flowers seconded the Motion; and, the roll being called on the question of its adoption, the vote resulted as follows:

YEA: Timothy E. Bell Debbie

NAY: _____

Dated this 22nd day of November, 2016.

Beverly Adzie
Beverly Adzie
Clerk/Administrator, Board of Licking
County Commissioners

Attachment: 2016-12-22 Annexation File Yousey Taylor Rd (1625 : Accept Annexation 10360 Taylor Road)

TO CIRIS CHAPMAN (AGENT FOR PETITIONERS), CLERK OF THE CITY OF REYNOLDSBURG, ETNA TOWNSHIP FISCAL OFFICER:

I hereby certify that the foregoing is a true and accurate copy of the Resolution of the Board of Licking County Commissioners, adopted on the 22 day of November 2016, at their regular meeting.


Beverly Adzie
Clerk/Administrator,
Board of Licking County
Commissioners

Cc: Michael L. Smith, Auditor
Clerk, City of Reynoldsburg
Fiscal Officer, Township of Etna
Mayor, City of Reynoldsburg
Brad Mercer, LCPC
William Lozier, County Engineer
Tony Stocco, Prosecutor's Office
E-911
Sheriff Randy Thorp
Board of Health
Board of Elections
Board of Education
City of Reynoldsburg Water Department
Bryan Long, County Recorder
Chris E. Chapman, Agent for Petitioners
Brad Fink, Fiscal Director
FILE

COMMISSIONER TIMOTHY E. BUBB
COMMISSIONER DUANE H. FLOWERS
COMMISSIONER RICK BLACK

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or PO Box No. 81 Liberty St. PO Box 188
City, State, ZIP+4 Etna, OH 43018

PS Form 3800, June 2002

See Reverse for Instructions

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Total Postage & Fees	\$



Sent To City of Reynoldsburg Clerk
Street, Apt. No.,
or PO Box No. 7232 E. Main St.
City, State, ZIP+4 Reynoldsburg, OH 43068

PS Form 3800, June 2002

See Reverse for Instructions

Packet Pg. 46

AF-TER 5 DAYS RETURN
LICKING COUNTY
BOARD OF COMMISSIONERS

20 SOUTH SECOND STR
NEWARK OHIO 43055-4

7005 1820 0001 6945 2686
1820 0001 6945 2686
1820 0001 6945 2686
1820 0001 6945 2686

7005 1820 0001 6945 2389
1820 0001 6945 2389
1820 0001 6945 2389
1820 0001 6945 2389

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

City of Reynoldsburg Mayor
7232 E. Main Street
Reynoldsburg, OH 43068



9590 9403 0422 5163 1250 77

2. Article Number (Transfer from service label)

7005 1820 0001 6945 2402

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *D. Keys*
☒ Agent
☐ Address

B. Received by (Printed name)

D. Keys

C. Date of Delivery

*8-19-16*D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over \$500)

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation
- ☐ Signature Confirmation Restricted Delivery

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Total Postage & Fees	\$

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Sent To *City of Reynoldsburg Mayor*
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 City, State, ZIP+4 *Reynoldsburg, OH 43068*

PS Form 3800, June 2002

See Reverse for Instructions

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Sent To *City of Reynoldsburg Mayor*
 Street, Apt. No., or PO Box No. *7232 E. Main Street*
 City, State, ZIP+4 *Reynoldsburg, OH 43068*

PS Form 3800, June 2002

Packet Pg. 47

AFTER 5 DAYS RETURN TO
LICKING COUNTY
BOARD OF COMMISSIONERS
 20 SOUTH SECOND STREET
 NEWARK, OHIO 43055-5692

Return Service Requested

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Attachment: 2016-12-22 Annexation File Yousey Taylor Rd (1625 : Accept Annexation 10360 Taylor Road)

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Reynoldsburg Water Department
7232 E. Main Street
Reynoldsburg, Ohio 43068

Attachment: 2016-12-22 Annexation File Yousey Taylor Rd (1625 : Accept Annexation 10360 Taylor Road)

AFTER 5 DAYS RETURN TO
**LICKING COUNTY
BOARD OF COMMISSIONERS**

20 SOUTH SECOND STREET
NEWARK, OHIO 43055-5692

Return Service Requested

ODOT
9600 Jacksontown Road
Jacksontown, Ohio 43030

neopost
08/16/2016
FIRST-CLASS MAIL
US POSTAGE \$000.46⁵
ZIP 43055
041L11252344

AFTER 5 DAYS RETURN TO
**LICKING COUNTY
BOARD OF COMMISSIONERS**

20 SOUTH SECOND STREET
NEWARK, OHIO 43055-5692

Return Service Requested

Licking County Board of Education
145 North Quentin Road
Newark, Ohio 43055

neopost
08/16/2016
FIRST-CLASS MAIL
US POSTAGE \$000.46⁵
ZIP 43055
041L11252344

FIRST-CLASS MAIL

neopost

08/16/2016

US POSTAGE \$000.46⁵ZIP 43055
041L11252344

Licking County Board of Health
675 Price Road
Newark, Ohio 43055

AFTER 5 DAYS RETURN TO

**LICKING COUNTY
BOARD OF COMMISSIONERS**

20 SOUTH SECOND STREET
NEWARK, OHIO 43055-5692

Return Service Requested

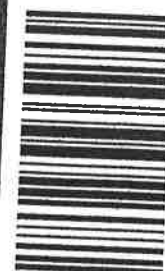
FIRST-CLASS MAIL

neopost

08/16/2016

US POSTAGE \$006.46⁵ZIP 43055
041L11252344

oman
ain Street, Suite 108
Ohio 43213



AFTER 5 DAYS RETC

7010 2780 0003 5382 9593

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com

0003 5382 9593
0003 5382 9593

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee	

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Sent To Chris Chapman
Street, Apt. No.,
or PO Box No. 6100 E. Main St. Suite 108
City, State, ZIP+4 Col. OH 43213

PS Form 3800, August 2006



Attachment: 2016-12-22 Annexation File Yousey Taylor Rd (1625 : Accept Annexation 10360 Taylor Road)

TER 5 DAYS RETURN TO
ICKING COUNTY
OF COMMISSIONERS

OUTH SECOND STREET
 WARK, OHIO 43055-5692

etum Service Requested

neopost

08/16/2016

FIRST-CLASS MAIL

US POSTAGE \$001.57



ZIP 43055
 041111252344

Reynoldsburg Engineer
 7232 E. Main Street
 Reynoldsburg, Ohio 43068

ANNEXATION HEARING AGENDA

REGULAR ANNEXATION

File 8-2016 2.231 ACRES

October 18, 2016 1:30pm

Donald D. Hill County Administration Building, Room D, 4th Floor

- 1. CALL TO ORDER**
- 2. PLEDGE**
- 3. INTRODUCTIONS**
- 4. ORDER OF HEARING PROCEEDINGS**
- 5. PRESENTATION OF CASE BY PARTIES**
- 6. TESTIMONY FROM OTHER INDIVIDUALS/ENTITIES**
- 7. CLOSING STATEMENTS**
- 8. PUBLIC COMMENT**
- 9. ADJOURNMENT OF HEARING**

ANNEXATION HEARING AGENDA

REGULAR ANNEXATION

File 8-2016 2.231 ACRES

October 18, 2016 1:48pm

Donald D. Hill County Administration Building, Room D, 4th Floor

CALL TO ORDER: Licking County Commissioners

PLEDGE: Commissioner Flowers

Commissioner Bubb: We have before the Board of County Commissioners one regular annexation from Etna Township to the City of Reynoldsburg. The hearing is Annexation Number 8-2016 regarding 2.231 acres. We will announce whether the hearing will conclude today or if because of necessity for further testimony or more time needed we will reserve this same room next week at the same time to resume the hearing. The Board of Commissioners, by ORC has a 30-day window within which to make a decision on whether to grant or deny the petition for annexation. It is our intention that when this hearing concludes today, we will include in our motion a date and time when a decision will be made concerning the granting or denial of the petition for annexation. Any deliberation concerning whether to grant or deny the petition will take place either on the date set for the final decision, or at any regularly scheduled Commissioners public meeting prior to the date of the final decision. Be assured your comments will be heard and taken into consideration, but the law is fairly specific and the Board of Commissioners must consider (6) specific factors in deciding whether to grant or deny the petition for annexation. There will be a time on the Agenda when we will ask individuals in attendance to come forward and be sworn-in individually if they wish to provide public comment either supporting or contesting the petition for annexation. If you choose to provide public comment, we will ask your name and address for the record.

- A. This is a Regular Annexation: Annexation 8-2016 2.231 Acres**
 - 1. Chris Chapman is the Agent for the Petitioner
 - 2. We are proceeding with the petition as filed.
- B. The Hearing will be recorded by Fraley Cooper & Assoc. - Court Reporter**
Fraley Cooper & Associates.
- C. Introductions:**
 - 1. Commissioners/Clerk Administrator – Bev Adzic
 - 2. Licking County Prosecutor’s Representative- Tony Stocco
 - 3. The “Necessary Parties” are:
 - a. Petitioners: Stuart and Carolyn Yousey – Not Present
 - b. Petitioners’ Representative(s): Chris Chapman

- c. Etna Township Representative(s): Rob Platte, Administrator
- d. City of Reynoldsburg Representative(s): Not present
- e. Licking County Planning Commission Representative: Angela Farley
- f. Licking County Engineer's Office Representative: Jared Knerr, Matt Farley

D. The Hearing will be held in accordance with ORC Chapter 709

1. Adopted Resolutions are: Resolution: 86-203 - Establishing the General Order of this annexation and Resolution: 86-204- Deposit and Fees
BEV: Commissioners, I would like to enter these resolutions into the hearing record as Exhibit #'s 1 and 2 respectively.
2. Each necessary party will be given the opportunity to:
 - a. Present evidence
 - b. Examine and cross-examine witnesses
 - c. Comment on all evidence
3. All witnesses will be sworn-in by the Board President.
 - a. All witnesses will be subject to cross-examination by the necessary parties.
 - b. Commissioners can ask questions of witness at any time.

E. Order of Hearing proceedings are:

1. Determination of the validity of petition signatures.
 - a. Owner's request to remove signature and the determination of sufficient number of signatures.
 1. **TIM:** Ms. Adzic, does the petition, as filed contain signatures of a majority of property owners seeking annexation? **BEV:** Yes, I would like to enter the petition for annexation into the hearing record as Exhibit # 3.
 2. **TIM:** Ms. Adzic, were any signatures removed properly prior to hearing? There were no signatures requested to be removed prior to the hearing.
 3. **TIM:** Does any owner who signed the petition seek to have their signature removed from the petition – at this hearing – under R.C. 709.032(D), by showing – under oath – that it was obtained by the following:
 1. Fraud?
 2. Duress?

3. Misrepresentation in general?
 4. Misrepresentation relating to the provision of municipal services to territory to be annexed?
 5. Undue influence?
- None noted

4. **TIM:** Ms. Adzic, have any of the Township trustees, or owners of property within the area to be annexed properly (in writing) and timely (15 days prior to hearing) requested “reasonable proof” of an individual’s authority to sign petition on behalf of any entity under 709.031(C) Bev: No

b. Challenges to proof of authority to sign.

1. **TIM:** Ms. Adzic, was the petition filed with the Clerk of Board of Commissioners? Bev: Yes

2. **TIM:** Ms. Adzic, is anyone claiming a lack of notice they believe that they were entitled to receive? Bev: No

3. **TIM:** Ms. Adzic, has agent for petitioners:

a. Filed “proof of notice” with Clerk affirming that they delivered the petition to the legislative body of the City of Reynoldsburg and Etna Township, as required by R.C. 709.03(B)(1)? Bev: Yes I would like to enter the “proof of notice” received in the Commissioner’s office dated August 26, 2016 into the hearing record as Exhibit # 4.

b. **TIM:** Has Agent for petitioners filed “proof of notice” with Clerk/Administrator affirming they delivered the petition and related information to property owners within the area to be annexed and adjacent owners, as required by R.C. 709.03(B)(2)? Bev: Yes, I would like to enter the “proof of notice” received in the Commissioner’s office dated August 26, 2016 into the hearing record as Exhibit # 5.

c. **TIM:** Has publication been completed at least 7 days before this hearing as required by R.C. 709.03(B)(3) with affidavit of publication being provided to Board of Commissioners within 10 days after publication, or at hearing if published less than 10 days before hearing? Bev-Yes I would like to enter the affidavit of publication received in the Commissioner’s office dated September 9, 2016 into the hearing record as Exhibit # 6.

- d. **TIM:** Have any notices of withdrawal of owner's signatures been timely filed? Bev -No withdrawals were filed.
- e. **TIM:** Has the City of Reynoldsburg timely (20 days before hearing) filed a municipal services ordinance/resolution with the Board of Commissioners as required by R.C. 709.03(D)? Bev - Yes, I would like to enter Resolution No. 77-16 passed by the Reynoldsburg City Council on September 13, 2016 and received in the Commissioner's office on September 19, 2016 into the hearing record as Exhibit #7. Also, as required by ORC 709.023, in Section 2 of Resolution 77-16, it states, if annexed territory is determined to be incompatible with the uses permitted, the City of Reynoldsburg will require a "buffer" separating the use of the annexed territory and the adjacent land remaining within Etna Township.
- f. **TIM:** If a road or street is to be divided or segmented, has the municipality agreed to maintain the road as required by R.C. 709.033(A)(6)? This annexation does not create a segmented roadway that would require a Highway Maintenance Ordinance. Therefore, no such ordinance is included herein.
- g. **TIM:** Has the BOC received a report from County Engineer 25 days prior to hearing per R.C. 709.031(A)? Yes I would like to enter the report of the County Engineer into the hearing record as Exhibit # 8.

2. Disposition/Consideration of procedural matters

a. Determining effect of procedural defects

- 1. **TIM:** Ms. Adzic, have any procedural defects been identified which would effect "substantial compliance" of the petition under 709.015? Bev -No

TIM: With the information gathered and reviewed, we find that the procedural requirements as outlined in Ohio Revised Code Section 709.02:

() **WERE NOT** substantially complied with as follows: Therefore, we do hereby DISMISS the petition. The petitioner may re-file his petition with current signatures and dates AND all proper documents required for this annexation.

OR

(X) **WERE** substantially complied with, and therefore the Board of Commissioners has jurisdiction to proceed with this hearing as recommended by legal counsel.

F. Presentation of the case by the parties: Attorney Chris Chapman, Commissioners Rick Black and Duane Flowers had no comments and no one opposed at this time.

G. Testimony from other individuals/entities: TIM: Ask Ms. Angela Fraley about the Planning Report, if their department found anything relevant to the report regarding the annexation hearing.

Bev: I would like to enter the report of the Licking County Planning Commission into the hearing record as Exhibit # 9 .

H. Closing statements by Necessary Parties: Mr. Chapman is in favor of the annexation.

I. Public Comments: Rob Platte, representing the Board of Etna Township Trustees said the Board is in support of the annexation because of an agreement between the Township and the City of Reynoldsburg entered into 12/2015 and is seeking legal advise from the Prosecutor's Office on an arrangement between the Township and City to address maintenance of the road, via an HMO, in from the annexed property. Mr. Chapman said there is no objection to the request for consideration.

J. Adjournment of hearing: Commissioner Flowers made a motion to close the hearing. Commissioner Black second. Motion carried. TIME: 2:10pm The Board will consider a resolution to approve annexation on November 22, 2016.

Attachment: 2016-12-22 Annexation File Yousey Taylor Rd (1625 : Accept Annexation 10360 Taylor Road)

INVOICE

Fraley Cooper & Associates
222 East Town Street, 2nd fl
Columbus, OH 43215
Phone:614-228-0018 Fax:614-224-5724

Invoice No.	Invoice Date	Job No.
201057	11/4/2016	81733
Job Date	Case No.	
10/18/2016		
Case Name		
Licking County Commissioners		
Payment Terms		
Due upon receipt		

Pam Jones
Licking County Commissioners Office
Licking County Administration Building
20 S. Second Street
Newark, OH 43055

Proceedings

Hourly

95.00 95.00

TOTAL DUE >>> \$95.00

No transcript ordered.

(-) Payments/Credits: 0.00

(+) Finance Charges/Debits: 0.00

(=) New Balance: \$95.00

Tax ID: 26-1578302

Please detach bottom portion and return with payment.

Pam Jones
Licking County Commissioners Office
Licking County Administration Building
20 S. Second Street
Newark, OH 43055

Invoice No. : 201057
Invoice Date : 11/4/2016
Total Due : \$95.00

Remit To: **Fraley Cooper & Associates**
222 East Town Street, 2nd fl
Columbus, OH 43215

Job No. : 81733
BU ID : 2-MAIN
Case No. :
Case Name : Licking County Commissioners

Attachment: 2016-12-22 Annexation File Yousey Taylor Rd (1625 : Accept Annexation 10360 Taylor Road)

SITUATED IN THE STATE OF OHIO, COUNTY OF LICKING,
TOWNSHIP OF ETNA, AND BEING PART OF LOTS 4 AND 5
OF DEXTER HEIGHTS, PLAT BOOK 8, PG. 9, CONVEYED
TO STUART D. AND CAROLYN D. YOUSEY AS TRACT 2
AND TRACT 1, RESPECTIVELY, IN DEED BOOK 689, PG.
135, LICKING COUNTY RECORDERS OFFICE.

BOARD OF EDUCATION
REYNOLDSBURG C.S.D.
13.420 ACRES
INSTR. NO.
200209130034236
PARCEL NO.
013-027582-00.003

STUART D. AND
CAROLYN D. YOUSEY
TRACT 1
D.B. 689, PG. 135
PARCEL NO.
012-029502-00.000

AREA OUT OF LOT 4
27,985 SQ. FT.
0.642 ACRES MEAS.

DEXTER HEIGHTS
P.B. 8, PG. 9

LOT 4

BOARD OF EDUCATION
REYNOLDSBURG C.S.D.
13.420 ACRES
INSTR. NO.
200209130034236
PARCEL NO.
013-027582-00.003

2T 4

AREA TO BE ANNEXED
97,182 SQ. FT.
2.231 ACRES

AREA OUT OF LOT 5
89,217 SQ. FT.
1.883 ACRES MORE

LOT 5

TOWNSHIP OF ETNA
CITY OF REYNOLDSBURG

TERRACEVIEW APARTMENTS, LTD
5.700 ACRES
INSTR. NO. 201309040022621
PARCEL NO. 013-027582-00.000

NEW C R/W
TAKEN FROM
SHEET 2/53
DATED 9/21/15
WIDTH VARIABLE
T.R. 169

THIS DRAWING WAS PREPARED FROM A FIELD SURVEY, ANALYSIS
OF RECORDED PLATS, RECORDED DEEDS AND SURVEY RECORDS,
AND IS CORRECT TO THE BEST OF OUR KNOWLEDGE.

RAYMOND J. WOOD R.S. 7745 DATE 7/25/16

0' 30' 60' 90' 120'

GRAPHIC SCALE
1" = 30'

7509 E. MAIN ST., STE. 104
REYNOLDSBURG, OHIO 43068
PH# (614) 866-9158
J.SURVEYING.COM

16-56 AN

**PROPOSED LOT ANNEXATION
OF 2.231 ACRES TO THE
CITY OF REYNOLDSBURG**

SCALE	1" = 30'	DATE	7/18/18	BY	RW	DATE	7/24/18
one		LOT 3 AREA, SIGNATURE LINE					
one							
one							
one							

Mayor, City of Reynoldsburg

Clerk, City of Reynoldsburg

Transferred this ____ day of _____, 20__, upon the
duplicates of this office.

Containing 2.231 acres.

Transfer Fee \$_____

Licking County Auditor

Received for Record _____, 20____, at
_____(AM-PM) and recorded _____, 20____, in plat
ordinance, petition, etc. in Plat Book Volume _____, page _____

Plat Fee \$_____
Ordinance, etc. Fee \$_____

Licking County Recorder

Agent for Petitioners

The Board of County Commissioners of Licking County, Ohio, having received a petition bearing the signed names and addresses of the parties interested in the annexation to the City of Reynoldsburg, Ohio, of the territory shown hereon and having given due consideration to the prayer of said petition, do hereby grant the same.

Board of Licking County Commissioners

Petition Received _____, 20__

Petition Approved _____, 20__

Licking County Commissioner

Licking County Commissioner

Licking County Commissioner

Packet Pg. 60

Human Resources Dept.**Sandra Boller****7232 E. Main Street****Reynoldsburg OHIO 43068****614-322-6868 Phone****ORDINANCE REQUEST**

DATE: January 23, 2017

TO: Finance Committee

RE: Ordinance to Approve Payment of Services Performed Prior to the Auditor's Certification of Availability of Funds and Declaring an Emergency - Keytel Systems

Emergency/Suspension: Emergency

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

Statement of necessity: ORC 5705.41 (D) requires that this ordinance be passed within thirty days of its presentation to City Council.

See attached Documentation in regards to this purchase.

AUDITOR'S CERTIFICATION

"Then and Now"

Section 5705.41(D) of the Ohio Revised Code states that, when a purchase of goods and services is made prior to the Auditor's certification of available funds, the Auditor shall prepare a certificate stating that funds were available at the time of the purchase and are still available at the time of receipt of the invoice for such purchase. The certificate shall be presented to City Council for its consideration of approval. Resulting legislation shall be passed within 30 days from receipt of the Auditor's certificate.

I do hereby certify that the amount of \$ 6,742.45 has been appropriated and was available in the treasury at the date of purchase 1/1/2016 and is still available as of 12/27/16 for the following purchase:

Purchase Order 2016-1983

Date of Invoice 11/30/16

Vendor Keytel Systems

Description 2016 Labtech Usage

Invoice No. 39429

Account 110.584.5366

Sharon L. Michael
 Deputy City Auditor
12/27/16
 Date

Attachment: Then and Now Keytel (1619 : Then and Now - IT Department)

Keytel Systems

Phone: 614-866-7700
 Fax: 614-866-7747
 1624 Brice Road
 Reynoldsburg, OH 43068

**Invoice**Number: **39429**

Date: 11/30/2016

Source: SO No. 35599

Bill-To

Attn: Scott Teeters
City of Reynoldsburg
7232 East Main Street
Reynoldsburg, OH 43068 U.S.A.

Ship-To

Attn: Scott Teeters
 City of Reynoldsburg
 7232 East Main Street
 Reynoldsburg, OH 43068 U.S.A.
 Phone: (614) 322-6883

<u>Acct. No.</u>	<u>A/R Cust. No.</u>	<u>Customer PO</u>	<u>Reference</u>	<u>Sales Rep</u>	<u>Ship Via</u>	<u>Terms</u>
1032	City of Reynoldsburg	2015-1096	Vendor # 145	Kristopher V. Haley		Due Upon Receipt

Labtech, ESET, Mallware Bytes - January 1st - October 15th

143 Machines.

Qty.	Item ID	Description	UOM	Ea. Price	Total
143.00	LABTECH - CR-OH	LABTECH - CR-OH	EA	\$47.15	\$6,742.45 ^T
					Item Total: \$6,742.45
			PO 2016-1983	Total Amount Due:	\$6,742.45

(* denotes repair item)

invoice.rpt

Printed: 11/30/2016 1:35:42PM

Page 1

Packet Pg. 63

Attachment: Then and Now Keytel (1619 : Then and Now - IT Department)

Sandra Boller

From: Kristopher V. Haley <kris@keytelsystems.com>
Sent: Wednesday, November 30, 2016 1:48 PM
To: Sandra Boller
Subject: FW: Invoice 39429
Attachments: Invoice39429-01.pdf

For Labtech usage 2016

PO 2016-1983

Kristopher Haley
Vice President
Keytel Systems
614-866-7700

Attachment: Then and Now Keytel (1619 : Then and Now - IT Department)

Ship To

City of Reynoldsburg-Computer
7232 E. Main Street
REYNOLDSBURG, OH 43068

Bill To

City of Reynoldsburg-Computer
7232 E. Main Street
REYNOLDSBURG, OH 43068

Purchase Order

No. 2016-00001983

DATE 11/28/2016

VENDOR 145 - KEYTEL SYSTEMS



Contact

KEYTEL SYSTEMS
1624 BRICE ROAD
REYNOLDSBURG, OH 43068

PURCHASE ORDER NUMBER MUST APPEAR ON
ALL INVOICES, SHIPPERS, BILL OF LADING AND
CORRESPONDENCE

DELIVER BY

SHIP VIA

FREIGHT TERMS

PAGE 1 of 1

ORIGINATOR: Sandra Boller

REFERENCE

QUANTITY	UNIT	DESCRIPTION	UNIT COST	TOTAL COST
1.0000	Each	Computer Maintenance - Software 110.584.5366 - Computer Maintenance 6,793.00 39429	6,793.0000	\$6,793.00
			TOTAL DUE	<i>Pay</i> \$6,742.75 \$6,793.00

AUDITOR'S CERTIFICATE

I certify that funds for the above encumbrance have been
appropriated and are in the treasury free from any obligation.

Richard E. Ham

Attachment: Then and Now Keytel (1619 : Then and Now - IT Department)

Special Instructions

Water and Wastewater Department**Mike Root****614-322-4500 Phone****ORDINANCE REQUEST**

DATE: **January 23, 2017****TO:** **Service Committee****RE:** ORDINANCE AUTHORIZING MAYOR TO ENTER INTO AN
AGREEMENT WITH EMH&T FOR THE ENGINEERING AND
MANAGEMENT OF SEWER LINE CCTV AND MANHOLE
INSPECTIONS

Request legislation for the Mayor to accept proposal with EMH&T, 5500 New Albany Road, Columbus, Ohio 43054 for the engineering, management of sewer main CCTV, reviewing of CCTV videos and manhole inspections.

Request authorization to proceed with this proposal in the amount of \$99,249.00 from account 720.736.5365 which was approved in the 2017 budget.

Mike Root

Water/Wastewater Superintendent
CITY OF REYNOLDSBURG
7232 EAST MAIN STREET
REYNOLDSBURG, OHIO 43068
(614) 322-4500 voice
(614) 575-4573 fax
mroot@ci.reynoldsburg.oh.us



MEMORANDUM

DATE: 12/12/2016

TO: Reynoldsburg City Council

CC: Mayor Brad McCloud, Auditor Richard Harris, Service Director, Bill Sampson

RE: 2017 Sewer Inspection and Cleaning Proposal

Please see proposal from EMH&T for field investigation services to perform closed circuit televising (CCTV) on the Reynoldsburg Estates Mobile Home Community Area. We will CCTV 12,350LF of 8 inch sewer and 2,290LF of 18 inch sewer. This area was installed in 1966 and has never been televised. This proposal will also include 400 manhole inspections in the sanitary sewer collection system. Any defects found will be added to our CIP list.

Our CMOM Program consists of 2 parts, inspection and rehabilitation. The rehabilitation part will be funded through our CIP Account. The inspection part, which is this, will come from our operating budget.

Total cost of this project is \$99,249.00 which was approved in the 2017 Budget.

December 6, 2016

Mr. Michael Root
Superintendent of Water and Wastewater
City of Reynoldsburg
7232 East Main Street
Reynoldsburg, OH 43068

**Re: City of Reynoldsburg 2017 Sewer Inspection and Cleaning
Proposal for Professional Services**

Dear Mr. Root:

EMH&T is pleased to submit our proposal for field investigation services to perform closed circuit televising (CCTV) on the Reynoldsburg Estates Mobile Home Community Area. Manhole inspections will be performed in a portion of the City's sanitary sewer collection system. Please refer to the attached exhibit for a schematic of the proposed study areas. These investigations will identify significant deficiencies and culminate in a report which summarizes the deficiencies as well as any recommended improvements to the sanitary collection system.

SCOPE OF SERVICES

EMH&T will provide the following engineering services:

1. System Characterization and Management
 - a. Conduct project meetings with the City to include a kick-off meeting, progress meetings (when needed), and a presentation of findings and recommendations.
 - b. Review of existing site conditions, Record Plans, tributary areas, sewer capacities, and right-of-way; and coordination with the City of Reynoldsburg.
 - c. Prepare field exhibits for use by inspection personnel.
 - d. Conduct periodic site visits during televising, cleaning, and manhole inspections.
2. CCTV Field Investigations
 - a. EMH&T's Infratechnologies Division will perform internal pipe inspection (CCTV) on sewers in the Reynoldsburg Estates Mobile Home Community Area to include 12,350 linear feet of 8-in sanitary sewer and 2,290 linear feet of 18-in sanitary sewer.
 - b. The CCTV task includes regular cleaning activities and assumes the following:
 - i. Manholes are accessible to cleaning and inspection equipment. City crews will be available to assist in providing access if needed.
 - ii. No bypass pumping will be performed. It is understood that CCTV may need to occur during off peak hours and the 18-in sewer will be inspected during periods of low flow.
 - iii. Manhole lids are removable and there are no obstructions to man entry.

- iv. Debris will be disposed of at the wastewater treatment facility and there are no provisions in this proposal for handling hazardous wastes.
- v. City of Reynoldsburg will provide water from a hydrant near the project site.
- vi. Maintenance of traffic beyond cones and truck flashers is not included in the scope of services.
- c. A contingency for 24-hours of heavy cleaning/root removal is included in this scope of services to be used in the event that the sewers are not passable by the CCTV camera. In the event that heavy cleaning or root cutting exceeds 24 hours, EMH&T will coordinate with the City on options / fee for any additional work.
- d. One copy of CCTV logs and flash drives will be provided to the City upon completion of work.
- e. All CCTV will be conducted in accordance with Pipeline Assessment and Certification Program (PACP) standards and the observed defects will be graded accordingly.
- f. The following is a summary of unit costs for the CCTV scope of services:

Description	2015 Unit Price	Units
8-in	\$2.50	Lin. Ft.
18-in	\$3.00	Lin. Ft.
Heavy Cleaning	\$195.00	Hour

3. Manhole Inspections

- a. EMH&T's Infratechnologies Division will conduct up to 400 manhole inspections (see attached Manhole Inspection Exhibit) using the City's simplified inspection form. The City's simplified manhole inspection form will be imported directly to GIS.
- b. These forms will be linked to the City's GIS through EMH&T's GIS update contract.
- c. In assessing the sanitary sewer collection system in Reynoldsburg, a physical assessment and GPS survey of the manhole will be conducted that includes photographs, physical measurements, and condition assessments will be made for each manhole
- d. In the event that manholes cannot be located in the field (possibly buried or under structures), EMH&T will coordinate with the City for assistance in locating and accessing the manholes.

4. Data Analysis and Reporting

- a. The CCTV data will be reviewed with respect to structural or operation and maintenance defects. The pipes and defects will be scored based on PACP standards.
- b. Upon the completion of the field services, manhole inspection forms will be prepared. EMH&T will process and evaluate manhole inspections.

- c. Prepare exhibits for the existing conditions in the study area. Exhibits will also be prepared documenting findings and deficiencies in the collection system. Finally, exhibits will be prepared to outline the recommended improvements in the inspection area.
- d. The City's Capital Improvement Project list will be updated based on rehabilitation or replacement recommendations for the study area. Probable project cost estimates will be prepared for all rehab or replacement recommendations.
- e. A summary report will be prepared. One (1) copy of the report will be submitted to the City. This report will include a summary of the field data analysis, recommendations for further improvements/rehabilitation or additional analysis to be made to this portion of the collection system, updated Capital Improvement Project list, and probable project cost estimates.

No field survey or construction plans are included as part of this scope. If emergency repairs are needed, then an additional scope and fee may be necessary to cover the cost of those services.

FEE

These services will be provided as per the conditions of our Professional Services Agreement and the associated Time Rates for the City. Fees for the work described within the Scope of Services shall not exceed Ninety-nine Thousand, Two Hundred, Forty-nine Dollars and no cents (\$99,249.00) without prior authorization from the City. Invoices will be submitted monthly, based on the progress of the work, and are payable upon receipt. Should this scope increase to incorporate additional investigations or heavy cleaning, additional fees may be necessary to cover the cost of professional services.

EMH&T SERVICES FEE SUMMARY

Description of Service/Task	Fee
1. System Characterization and Management	\$6,692.00
2. CCTV Field Investigations	\$42,925.00
a. CCTV and Regular Cleaning for 8-in Sewer (12,350LF @ \$2.50/LF)	(\$30,875.00)
b. CCTV and Regular Cleaning for 18-in Sewer (2,290LF @ \$3.00/LF)	(\$6,870.00)
c. Cleaning and Root Cutting (Contingency Item, 24 Hours @ 195.00/Hr)	(\$4,680.00)
d. CCTV Reimbursable Expenses	(\$500.00)
Manhole Inspections (400 MH @ \$60 / MH)	\$24,000.00
Data Analysis and Reporting	\$25,632.00
TOTAL FEE	\$99,249.00

SCHEDULE

EMH&T is prepared to begin work upon receipt of a authorization from the City of Reynoldsburg. A detailed schedule for field activities and office work will be prepared and submitted to the City at a project kick-off meeting.

City of Reynoldsburg
2017 Reynoldsburg Sewer Inspection and Cleaning

December 6, 2016
Page 4 of 4

If this description and fee meet your approval, please authorize with your signature below. Please contact me at (614) 775-4555 if you have any questions.

Respectfully submitted,
EVANS, MECHWART, HAMBLETON & TILTON, INC.



Ryan M. Andrews, PE
Senior Project Manager

Attachments: Exhibit 1 – 2017 CCTV Efforts Exhibit (1 Page)
Exhibit 2 – Manhole Inspection Exhibit (1 Page)

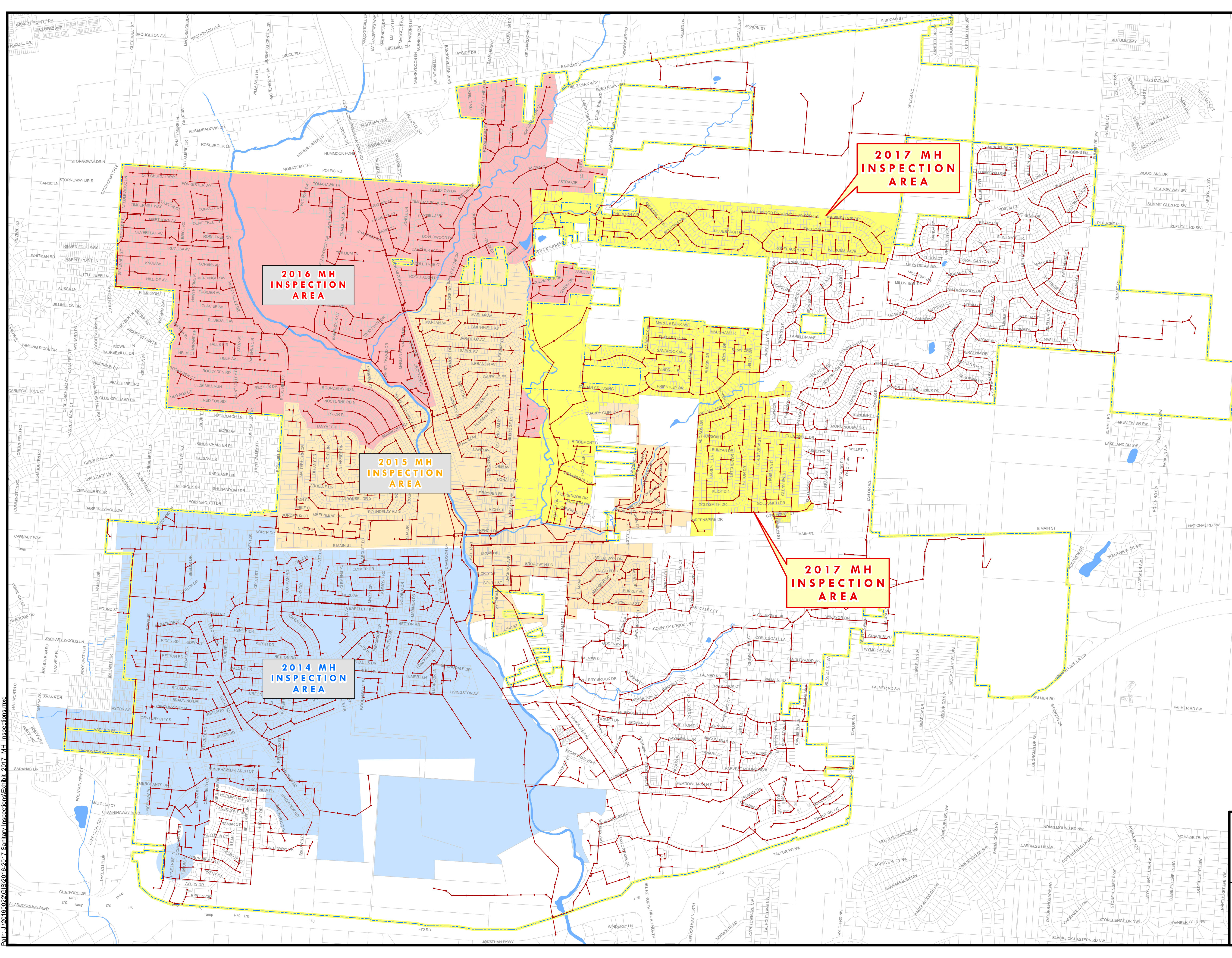
Acceptance and Authorization to Proceed:

Authorized Signature/Date

PO Number/Date

Print Name





Legend

- 2017 Manhole Inspection Area
- 2016 Manhole Inspection Area
- 2015 Manhole Inspection Area
- 2014 Manhole Inspection Area
- Sanitary Sewer
- Manhole
- Corporation Line

CITY OF REYNOLDSBURG, OHIO

2017 MANHOLE INSPECTION AREA MAP

EXHIBIT No. 1

0 500 1,000 2,000 Feet

EMH&T
Engineers, Surveyors, Planners, Scientists
emht.com

Date: December 2016
Scale: 1" = 1000'
Job No: 20160022
Sheet: 1 of 1

Path: \\20160022\\GIS\\2016-2017 Sanitary Inspections\\Exhibit 1 - 2017 MH Inspections.mxd

Attachment: Proposal - 2017 Reynoldsburg Sewer Inspection and Cleaning 12.4.16 (1605 : 2017 Sewer Inspection and Cleaning Proposal)

Development Department**Eric Snowden****7232 E. Main Street****Reynoldsburg OHIO 43068****614-322-6829 Phone****ORDINANCE REQUEST**

DATE: January 23, 2017**TO: Service Committee****RE: ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF
THE CITY OF REYNOLDSBURG ADOPTED BY ORDINANCE
NO. 131-95 ON NOVEMBER 27, 1995 AND AS SUBSEQUENTLY
AMENDED - 0 E Main St, Reynoldsburg, Ohio, from CC Community
Commerce District to PND Planned Neighborhood Development
District, Applicant, Nicole Boyer.**

Rezoning request.



Department of Development
Planning & Zoning Division
7232 East Main Street
Reynoldsburg, Ohio

Application #: 176120

Permit #: _____

Date Submitted: 12/9/16

Fee Amount: \$850.00

☒ Paid: 1381

PLANNING COMMISSION APPLICATION

II. PROPERTY INFORMATION			
Property Address:		FOR DISTRICT AMENDMENT ONLY	
Description of Location: Main Street between Carlyle Drive and Hanson Street		Proposed Zoning: PND	
Parcel ID(s): 060-003828-00, 13-030390-00.000		Size of Area to be Rezoned: 14.627 ac	
Number of Lots: 2	Present Zoning: CC	Present Use: Vacant Lot	Existing Structures: N/A
Complete Where Applicable:			
Engineer/Surveyor: Geographics			
Builder: Wallick Construction		Proposed Use: Senior Housing Campus	
III. PROPERTY OWNER OF RECORD			
Property Owner Name(s): Willam C. Davis Trust		Property Owner Address(s): 2 Miranova Place, Suite 700, Columbus, Ohio 43215	
JOHN C. LUCAS TRUSTEE			
IV. APPLICANT INFORMATION			
Applicant Name: Wallick Asset Management attn. Nicole Boyer			
Applicant Address: 6880 Tussing Road, Reynoldsburg, Ohio 43068			
Applicant Phone Number: 614-552-5929		Applicant Email: nboyer@wallick.com	
I. PROJECT TYPE			
☒ District Amendment (Rezoning) (\$750 Residential plus \$50 per lot/\$1,000 Non-Residential)			
☐ Amendment of Development Plan or Text (\$500)			
☐ Major Site Plan (\$500)			

Applicant Signature: John C. Lucas, Trustee Date: 11-29-16
*By signing this application, I certify that I am the owner of the property or the owner's agent, and that the work is authorized with the full knowledge of the owner. *

OFFICE USE ONLY

Additional Notes:	<u>Zoning Information</u>	<u>Planning Com. Meeting</u>	<u>City Council Meeting</u>
	☐ Historic District	Date: _____	Date: _____
	☐ CC Overlay	☐ Approved as Submitted	☐ Approved as Submitted
		☐ Approved w/ Conditions	☐ Approved w/ Conditions
		☐ Tabled	☐ Tabled
		☐ Denied	☐ Denied
	<u>Add'l Approvals Req'd</u>	Planning Admin: _____ Date: _____	
	☐ DRB	Clerk of Council: _____ Date: _____	
	☐ BZBA		

Purchase and Sale Agreement

Exhibit B

Legal Description of the Property

9.006 Acres – Franklin County

Situated in the County of Franklin, in the State of Ohio and in the City of Reynoldsburg, and bounded and described as follows:

Being Reserve “D” of Ludlow Subdivision, as the same is numbered and delineated upon the recorded plat thereof, in Plat Book 33, pages 72 and 73, Recorder’s Office, Franklin County, Ohio.

Subject to all restrictions, rights-of-way, and easements, if any, of previous record.

Parcel No. 060-003828-00

5.63 Acres – Licking County

Situated in the County of Licking, in the State of Ohio, and in the City of Reynoldsburg, and bounded and described as follows:

Being Reserve “A” of GLEN CREST AMENDED SUBDIVISION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 7, pages 176, Recorder’s Office, Licking County, Ohio.

Parcel No. 13-030390-00.000

Proposed Planned Neighborhood Development Application

CURRENT ZONING: (CC) Community Commerce District

PROPOSED ZONING: (PNDD) Planned Neighborhood Development District

EXISTING PROPERTY ADDRESS: East Main Street, between Carlyle and Hanson Street

EXISTING PARCEL ID: 060-00.828-00 (8.992 acres - Franklin County)
13-030390-00.00 (5.635 acres - Licking County)

CURRENT OWNER: William C. Davis Trust

APPLICANT: Wallick Asset Management LLC, as the agent for Owner

DATE OF TEXT: December 6, 2016

CASE NUMBER:

INTRODUCTION:

Wallick Asset Management LLC (the "Applicant"), as the agent for Owner, is seeking consideration for the approval of a proposed development consisting of the construction and operation of a Senior Living Campus (the "Project") that will provide for Independent, Assisted Living, and Daycare facilities on the subject property, as shown on the attached Proposed Site Plan. The existing 14.6-acre parcel (the "Property") is currently undeveloped, and the entire property is zoned as a Community Commerce District (the "CCD"), as defined by the City of Reynoldsburg in the May 2015 Codified Ordinances of Reynoldsburg.

The subject Property is located on the North side of E. Main Street directly between Carlyle Drive to the West and Hanson Street to the East. The Property is surrounded on 3 sides by,

- an AR-3 District to the west,
- an R-4 single and two-family residential district to the north, and
- an R-20 Townhouse district and Community Commerce District to the east.

The Applicant desires to amend the current zoning designation from a CCD to accommodate a Planned Neighborhood Development District (the "PNDD"), which would provide great compatibility with the surrounding residential sites. The proposed development will feature a senior campus that focuses on providing a Continuum of Care Model for residents of the City of Reynoldsburg.

The "Project" will include three (3) key components, each providing their own unique model of housing and services to residents, including:

1. Sub-Area A ("Phase I"):

A 60 unit, one-story, Senior Independent Living Community that will be constructed on approximately 7.9 acres at the western portion of the property and designed to R-20 District standards.

This initial phase of the proposed Project will serve as the catalyst to the entire campus, providing an accessible and enhanced community along the Main Street corridor that will continually enrich the lives of local seniors. The proposed development of Phase I will provide for 60 one-story, residential townhome units

in multiple buildings, constructed in a “row-style” setting. The unit mix is anticipated to consist of 30 one-bedroom units and 30 two-bedroom units.

Additionally, the Project will commit to an age-restricted development, serving only seniors ages 55 years and older, earning moderate incomes. This commitment will be evidenced with a recorded Land Use Restriction Agreement (the “LURA”) on the property for a minimum term of 30 years.

Seniors will enjoy and take pride in living in a warm and friendly neighborhood that embraces the values and vibrancy of the City of Reynoldsburg. To ensure this, both the design and community amenities will offer all of the comforts and safety of home. Open floor plans will maximize the amount of livable space, enabling those who may be downsizing from a larger home to retain their possessions.

Further, to encourage recreational activities and social interaction, amenities will include a separate one-story community building that will not only house the management/leasing office, but will also provide:

- A separate office for the Resident Service Coordinator who will assist the residents in accessing a wide range of programs and services through local non-profits and supportive service agencies.
- A large multi-purpose room that will provide a kitchenette, multiple seating areas, and a TV.
- A computer center which will allow residents to access free WiFi, printing, scanning, and faxing services.
- Laundry Facilities

2. Sub-Area B (“Phase II”):

A three-story, 120 room, 81,000 s.f. Home for the Aged/Residential Care Facility on approximately 4.5 acres at the south eastern portion of the property and designed to AR-3 District standards.

The second phase of the Project would feature a 120 room, Assisted Living Community which will offer personal and assisted living care services to its residents, as defined by the Ohio Administrative Code rules 3701-17 to 3701-17-26 and licensed by Ohio Department of Health.

The proposed development will provide 40 one bedroom suites and 80 studio suites (no kitchens) and will include multiple social destinations, restaurant-style dining and spacious private rooms and bathrooms, all under a single roof. The community will offer health and wellness classes, social activities, healthy flexible meal plan options as well as spiritual and educational opportunities.

3. Sub-Area C (“Phase III”):

A 1-story, 12,000 s.f. Child and Adult Daycare component on approximately 2.2 acres at the northeastern portion of the property and designed to AR-3 District standards.

The third and last phase of the Project will feature a daycare that will serve two populations, children and seniors. The proposed facility will provide daycare for up to 60 seniors and 60 children in separate, but attached, activity, dining, and staff service spaces, as well as separate outdoor spaces. The facility will be designed to accommodate intergenerational activity and will feature opportunities for children and seniors to interact through daily activities such as reading books, arts and crafts, and walks.

While many people are familiar with Daycare for Children, Adult Daycare is a lesser known service that is rapidly increasing as the population continues to age. Adult Daycare facilities provide care and companionship for older adults who need assistance during the day with services such as: exercise, health screenings, meals, physical therapy, education, recreations, socialization, medication management, and transportation.

The proposed intergenerational care model provides services to accommodate households in the City of Reynoldsburg, especially ones where adult children are torn between prioritizing the care of their young children and their aging parents. The proposed Daycare will feature adult care programs (as outlined above) as well as child-care programs in one center; providing the adult children with opportunities to ensure that all family members are cared for while they are working or doing other daily tasks.

Site Plan and Lot Split Approval:

This proposed development requires approval of the Site Plan and the lot splits of the Property. The lot splits will divide the property into the three different sub-areas outlined above. This procedure will occur after the final Site Plan is approved by the City.

The Applicant has met with the City Planner to discuss the proposed development of the Property, the applicable requirements and materials, the qualifying conditions, the review procedures, and the proposed development concept. The Applicant is submitting this application for consideration and approval.

SECTION 1183.01 – PURPOSE OF THE PNDD:

The proposed development on the Property will achieve the following purposes of a PNDD as outlined under Section 1183.01 of the City of Reynoldsburg Code:

1. Encourage creative, high quality site design practices in the development of residential areas.
The proposed development: (a) provides an opportunity to develop a vacant piece of land in close proximity to community services and amenities; (b) will provide a needed mix of senior housing and services for such seniors to allow existing residents to remain in the City of Reynoldsburg community; and (c) will provide jobs and tax base to the community through the creation of a new assisted living facility.
2. Encourage the creation and preservation of attractive and useful open spaces.
The proposed development will achieve these elements by enhancing the connectivity of preserved open space within the development and the adjacent public sidewalks. All internal open green space will be connected through walking paths including a new health and wellness path around the pond.

The assisted living facility will be adjacent to the senior independent living community to allow all residents the benefit of these enhancements on the site. In addition, educational and social programs will be developed to encourage resident participation both onsite and throughout the community and to provide the residents with access to other business and services throughout the City of Reynoldsburg.

3. Promote compatibility with, and complement existing developments and protect adjoining properties from adverse impacts.

The proposed development will, (a) develop a senior housing community on a vacant parcel of land by creating a campus that will allow residents to age-in-place and remain in the City of Reynoldsburg community; (b) encourage a mix of housing types and income levels on the same site; (c) create the availability and security needed (and expected) for the senior population of the City of Reynoldsburg community. The Project is compatible with, and will complement, the surrounding resident uses. The senior housing campus will provide new development without creating new traffic or noise disruptions for the existing neighborhood.

4. Promote safe and efficient pedestrian, bicycle, and vehicular movement.
Pursuant to the Site Plan, private roads will provide access to the interior of the site with curb cuts and access points being located off of secondary roads. The development will feature internal walking paths that will be connected to public sidewalks to encourage pedestrian and bicycle movement.

5. Promote efficient layout of infrastructure.

By redeveloping a landlocked and otherwise unusable section of a property for an expansion of the existing senior housing community in the City of Hilliard, the proposed development will create a campus that will allow residents to age-in-place and remain active in the City of Hilliard Community.

SECTION 1183.02(a)(5) – CURRENT ZONING DISTRICT AND USE OF THE SUBJECT PROPERTY:

The existing 14.6-acre parcel (the “Property”) is currently undeveloped, and the entire property is zoned as a CC - Community Commerce District.

SECTION 1183.02(a)(7) –COMPATIBILITY OF THE PROPOSED DEVELOPMENT:

The subject property is located on the North side of E. Main Street directly between Carlyle Drive to the West and Hanson Street to the East. Additionally, the property is also located in the Commercial Overlay District, as identified by the City of Reynoldsburg. The property is surrounded on 3 sides by (i) an AR-3 District to the West, (ii) an R-4 single and two-family residential district to the North, and (iii) an R-20 Townhouse district and Community Commerce District to the East.

Enhancing the development pattern along the Main Street corridor will help to maintain a high-quality community for residents and businesses, and create an environment to attract and support future economic development. Using this philosophy, the entire site was designed with three main principles:

- Enhance pedestrian mobility
- Accommodate multiple transportation options, and
- Improve landscaping and building appearance

To accomplish these objectives, the proposed development is designed to AR-3 and R-20 townhouse district standards. Using these standards, the development is able to achieve the following objectives:

1. Compatibility with existing uses of adjacent lots:

The use of the Project complements the surrounding neighborhood and the building architecture of the proposed development will be designed in a manner that will not only be compatible with, but will also complement the surrounding residential uses. The Project will include three (3) key components, each providing the own unique model of housing and services to residents, including:

- Sub-Area ‘A’, or Phase I, describes the independent senior living facility,
- Sub-Area ‘B’, or Phase II, describes the assisted living residential care facility, and
- Sub-Area ‘C’, or Phase III, describes the daycare facility

The existing uses of the adjacent lots are primarily residential in nature and include,

- a senior community to east,
- a single family and duplex homes to the north and east,
- a small office to the east, and
- a cemetery to the south

The proposed PNDD will not result in a significant adverse effect upon nearby properties. Instead, the proposed development will provide the City of Reynoldsburg, and its senior residents, with a new senior housing option that is economically affordable and located in a close, safe, modern and easily accessible location.

Additional benefits will be realized through the following objectives:

- Establish, and reinforce pedestrian orientation.
- Implement appropriate building and parking setback standards that accommodate the proposed development and establish continuity and consistency along the corridors.
- Provide the City with a new development that features landscaping, facade transparency, rear parking lots, user-friendly access, and appropriately scaled lighting and signage.

As evidenced in the provided impact calculation worksheets, the Project will have minimal impact on neighborhood traffic circulation and infrastructure. Private roads will provide access to the interior of the site with curb cuts and access points being located off of secondary roads. The development will feature internal walking paths that will be connected to public sidewalks to encourage pedestrian and bicycle movement.

Architecturally, sloped roofs and residential materials, including a mix of brick and vinyl horizontal, shake, and vertical siding, will provide a residential quality that will be reflective of the surrounding neighborhoods. Materials, lighting, and site work will enhance the property and seamlessly tie into the existing community. In addition, the Project will feature internal pathways to allow for resident circulation on-site as well as provide connectors to allow access to the multipurpose trail. All landscaping will meet the requirements as outlined in Chapter 1180 of the zoning code, and 15' landscape buffers will be provided as required. The details of the proposed modifications are further outlined in Section 1183.02(a)(9).

2. Compatibility with zoning districts of adjacent lots:

The proposed development contemplates expanding the senior housing options within the City of Reynoldsburg. The Property is bounded by a mixture of residential and commercial zoning districts including:

- AR-3 to the west
- R-4 to the north
- R-20 and CC to the east, and
- CC and S-1 to the south

The proposed PNDD will feature three sub-areas with AR-3 and R-20 Residential District Overlays to complement the existing uses and zoning of the adjacent lots.

3. Compatibility with the Land Use Plan and other plans of the City:

The PNDD zoning is not being used as a means to circumvent conventional zoning requirements, but rather as an opportunity to create a development that balances the residential neighborhoods and uses that are adjacent to the subject Property.

The Property is currently zoned as Community Commerce District (CC) and is on the eastern edge of the City Community Commercial Overlay district. A requested PNDD zoning will allow the Property owner to expand the senior living options in the City of Reynoldsburg by providing a campus that will offer independent and assisted living housing within the community. The proposed daycare will provide much needed services to the community as well as to the employees of the proposed development. The proposed zoning will provide an opportunity to increase the senior housing density through infill development of a vacant section of land in close proximity to proposed to community amenities.

The construction of this facility will help the city achieve the goals of the Franklin County Consolidated Plan by providing new senior housing and services through sustainable development of the community without

requiring the infusion of the City's limited resources. Once the Project is fully operational, the facility will provide new employment opportunities within the City.

SECTION 1183.02(a)(8) – STATEMENT OF BENEFITS:

The proposed development will achieve recognizable and substantial benefits. The following benefits will accrue to the City of Reynoldsburg community as a result of the proposed PNDD,

1. A complementary mix of land uses or housing types:

The proposed development will expand of the existing senior housing community by creating a campus that will allow residents to age-in-place and remain active in the City of Reynoldsburg Community. The Independent Living community will provide a new community for residents that are 55 years or older, as defined by a Restrictive Covenant and Use Agreement that will be recorded on the site.

The Residential Care Assisted Living facility will be marketed at a competitive price point that is lower than the comparable facilities in the community and will provide an economic housing option within the market. The new buildings will complement the existing homes that are adjacent to the property and will provide a mix of available housing types within the community. The plan also connects the open spaces within the developable area for internal use by the residents.

2. Preservation of common open space beyond the minimum required:

The proposed Site Plan provides more open common space than required by the Code. The Site Plan includes adding trees to the Project and improving the current storm water quality and site drainage by creating a detention pond and removing the low areas that do not drain.

3. Connectivity of preserved open space with adjacent open space and landscaping:

As depicted on the site plans, the open green space within the developable area shall be connected through walking paths including a health and wellness path around the pond for internal use by the residents. The plan connects to the public sidewalk that runs along the west and east edges of the property. The new development will feature improved landscaping that meets the minimum requirements as outlined by the City.

4. Coordinated development of vacant parcels:

This proposed PNDD will permit a new senior living campus on vacant parcels of land on a main corridor within the City of Reynoldsburg. The proposed independent living community, assisted living community, and daycare complement the adjacent residential use.

The proposed Site Plan allows for the maximum economic benefit for the Property while streamlining costs to the City, as building a new facility elsewhere would require greater expense on infrastructure, such as utilities and access roads.

SECTION 1183.02(a)(9):**Addressing each of the provisions set forth in 1183.04 Use Regulations and Development Standards.**

Development Standards	Required / Allowed	Proposed	Variance (Yes / No)
Permitted Use in Planned Neighborhood Development District 1183.04(a):	Single family dwelling; two-family dwelling; multiple family dwellings; public uses, semi-public uses, public service facility; accessory use, essential services; residential care facilities; non-commercial recreational uses.	Sub-area A: Multiple Family Dwellings (Independent Living) (R-20) Sub-area B: Residential Care Facility (AR-3) Sub-area C: Adult Daycare (RCF), Child Daycare (Semi-Public Use) (AR-3)	No
Max. Density of Dwelling Units 1183.04(b)	Shall not exceed 5 units per acre in the district and not 10 units per acre in any part of the district.	Sub-area A: 7.6 D.U. per acre Sub-area B: N/A* Sub-area C: N/A Total District: 4.1 D.U. per acre	No
Front Setback 1176.06 (a)	Major Arterial: 40 feet (E. Main St.)	Sub-area A: 40 feet Sub-area B: 50 feet Sub-area C: N/A	No
Side and Rear (Non-dwelling Uses Abutting Residential Districts 1175.08 (a)(b)	Semi-Public: 100 feet *Exception: Reduce to 50% if acceptable landscaping and screening are provided as approved by Design Review Board. (<i>fence or 15 feet landscape screening as req.</i>)	Sub-area A: N/A Sub-area B: N/A Sub-area C: 50 feet with 15 feet Landscape screening (<i>as required</i>)	No
Rear Yard - Table 1176.03	AR-3: 35 feet	Sub-area A: 35 feet Sub-area B: N/A (corner lot) Sub-area C: N/A (see above)	No
Side Yard – Table 1176.03	AR-3: 20 feet, Min. sum of side yards: 40 feet.	Sub-area A: 20 feet Sub-area B: 260 feet Sub-area C: 330 feet/62 feet	No
Lot Area per Dwelling – Table 1176.03	R-20: 2,000 square feet (Sub-area A) (2.75 acres required for 60 units)	Sub-area A: 7.9 acres provided Sub-area B: N/A * Sub-area C: N/A	No
Building Height – Table 1176.03	R20: 2.5 story, 35 feet (Sub-area A) AR-3: 3 story, 40 feet (Sub-area B,C)	Sub-area A: 1-story, 13 feet, 8 inches Sub-area B: 3-story, 37 feet, 8 inches Sub-area C: 1-story, 19 feet	No
Maximum Lot Coverage by building and Decks – Table 1176.03	R-20: 60% (Sub-area A) AR-3: 15% (Sub-area B,C)	Sub-area A: 17% Sub-area B: 14.2% Sub-area C: 13.7%	No
Floor Area Requirements for Dwellings – Table 1175.04	R-20: One bedroom – 700 square feet (sf) Two Bedroom – 700 square feet (sf)	Sub-area A: One Bedroom - 790 sf Two Bedroom – 940 sf Sub-area B: N/A* Sub-area C: N/A	No

Parking – Table 1179	Independent Living (Sub-area A): 1 per unit plus 1 per 5 units for visitors – 72 spaces Req'd. Residential Care Facility (Sub-area B): 1 per 8 beds plus 1 per employee based on largest shift – Approx. 35 spaces req'd. Adult Day Care: 1 per employee on largest shift plus 10 for visitors – approx. 20 req'd. Child Daycare: Determined by BZBA but not less than 1 per classroom – approx.. 4 req'd.	Sub-area A: 94 Spaces Sub-area B: 60 spaces Sub-area C: 24 spaces	No
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Special Provisions

Townhouse Front Yard Parking 1187.05(a)(1)	Sub-area A: Front Yard: 38 feet Rear Yard: 20' Side Yard: 6'	Sub-area A: Front Yard: 38' Rear Yard: 20' Min. Side Yard: 15' Min.	No
Townhouse Number of Units 1187.05(b)(1)	Sub-area A: Max. 8 dwellings in each row of townhouses.	Sub-area A: Max. 8 dwellings in each row of townhouses	No
Building Massing - 1187.06 (b)	AR Districts – Max. number of dwelling per building: 4	Sub-area B: N/A * Sub-area C: N/A	No
Open Space 1187.06(d)	Commons space shall be 30% of the lot or parcel.	Sub-area A: Approx. 52% open space Sub-area B: Approx. 56% open space Sub-area C: Approx. 54% open space Total District: Approx 54%	No

** Per Chapter 1131 (Dwelling), the rooms provided are not being considered dwelling units as they do not include provisions for cooking, and are part of a Home for the Aged as defined in Dwelling (g)*

SECTION 1183.02(a)(10) – OWNERSHIP and CONTROL:

William C. Davis Trust is the current owner of the Property. If the proposed development is approved, the property will be sold to a single purpose entity that is an affiliate of Wallick Asset Management LLC, (the “Applicant”). Affiliates of the Applicant will develop, construct, and manage the development.

SECTION 1183.02(a)(11) - PROPOSED DEVELOPMENT SCHEDULE AND ANTICIPATED DATES:

Subject to timely approvals and obtaining financing as anticipated, development could be completed in three phases; the first of which commencing in the Spring of 2018 and the subsequent phases to commence in a rolling 3-year period.

- Sub-area A (Phase I):
60-unit Senior Independent Living; Construction commence Spring of 2018 with a 12 to 14-month duration.
- Sub-area B (Phase II):
120 Room Residential Care Facility; Construction commence Spring of 2019 with a 14 to 16-month duration.
- Sub-area C (Phase III):
12,000 s.f Daycare Facility; Construction commence Spring of 2020 with a 12 -month duration.

INTENDED AGREEMENTS, PROVISIONS AND COVENANTS TO GOVERN THE USE OF THE DEVELOPMENT, APPROVAL OF BUILDING MATERIALS AND ARCHITECTURAL STYLES AND ANY COMMON OPEN SPACE AREAS TO BE PRESERVED.

If the Site Plan is approved, the owner of the Property will enter into the necessary easements and agreements, to be recorded against the property records, to reflect the following and to be based upon the needs of the proposed development.

Zoning Text – Planned Neighborhood Development District

CURRENT ZONING: (CC) Community Commerce District

PROPOSED ZONING: (PNDD) Planned Neighborhood Development District

EXISTING PROPERTY ADDRESS: East Main Street, between Carlyle and Hanson Street

EXISTING PARCEL ID: 060-00.828-00 (8.992 acres - Franklin County)
13-030390-00.00 (5.635 acres - Licking County)

CURRENT OWNER: William C. Davis Trust

APPLICANT: Wallick Asset Management LLC, as the agent for Owner

DATE OF TEXT: December 6, 2016

CASE NUMBER:

INTRODUCTION:

Wallick Asset Management LLC (the "Applicant"), as the agent for Owner, is seeking consideration for the approval of a proposed development consisting of the construction and operation of a Senior Living Campus (the "Project") that will provide for Independent, Assisted Living, and Daycare facilities on the subject property, as shown on the attached Proposed Site Plan. The existing 14.6-acre parcel (the "Property") is currently undeveloped, and the entire property is zoned as a Community Commerce District (the "CCD"), as defined by the City of Reynoldsburg in the May 2015 Codified Ordinances of Reynoldsburg.

The subject Property is located on the North side of E. Main Street directly between Carlyle Drive to the West and Hanson Street to the East. The Property is surrounded on 3 sides by,

- an AR-3 District to the west,
- an R-4 single and two-family residential district to the north, and
- an R-20 Townhouse district and Community Commerce District to the east.

The Applicant desires to amend the current zoning designation from a CCD to accommodate a Planned Neighborhood Development District (the "PNDD"), which would provide great compatibility with the surrounding residential sites. The proposed development will feature a senior campus that focuses on providing a Continuum of Care Model for residents of the City of Reynoldsburg.

The "Project" will include three (3) key components, each providing their own unique model of housing and services to residents, including:

1. Sub-Area A ("Phase I"):

A 60 unit, one-story, Senior Independent Living Community that will be constructed on approximately 7.9 acres at the western portion of the property and designed to R-20 District standards.

This initial phase of the proposed Project will serve as the catalyst to the entire campus, providing an accessible and enhanced community along the Main Street corridor that will continually enrich the lives of local seniors. The proposed development of Phase I will provide for 60 one-story, residential townhome units

in multiple buildings, constructed in a “row-style” setting. The unit mix is anticipated to consist of 30 one-bedroom units and 30 two-bedroom units.

Additionally, the Project will commit to an age-restricted development, serving only seniors ages 55 years and older, earning moderate incomes. This commitment will be evidenced with a recorded Land Use Restriction Agreement (the “LURA”) on the property for a minimum term of 30 years.

Seniors will enjoy and take pride in living in a warm and friendly neighborhood that embraces the values and vibrancy of the City of Reynoldsburg. To ensure this, both the design and community amenities will offer all of the comforts and safety of home. Open floor plans will maximize the amount of livable space, enabling those who may be downsizing from a larger home to retain their possessions.

Further, to encourage recreational activities and social interaction, amenities will include a separate one-story community building that will not only house the management/leasing office, but will also provide:

- A separate office for the Resident Service Coordinator who will assist the residents in accessing a wide range of programs and services through local non-profits and supportive service agencies.
- A large multi-purpose room that will provide a kitchenette, multiple seating areas, and a TV.
- A computer center which will allow residents to access free WiFi, printing, scanning, and faxing services.
- Laundry Facilities

2. Sub-Area B (“Phase II”):

A three-story, 120 room, 81,000 s.f. Home for the Aged/Residential Care Facility on approximately 4.5 acres at the south eastern portion of the property and designed to AR-3 District standards.

The second phase of the Project would feature a 120 room, Assisted Living Community which will offer personal and assisted living care services to its residents, as defined by the Ohio Administrative Code rules 3701-17 to 3701-17-26 and licensed by Ohio Department of Health.

The proposed development will provide 40 one bedroom suites and 80 studio suites (no kitchens) and will include multiple social destinations, restaurant-style dining and spacious private rooms and bathrooms, all under a single roof. The community will offer health and wellness classes, social activities, healthy flexible meal plan options as well as spiritual and educational opportunities.

3. Sub-Area C (“Phase III”):

A 1-story, 12,000 s.f. Child and Adult Daycare component on approximately 2.2 acres at the northeastern portion of the property and designed to AR-3 District standards.

The third and last phase of the Project will feature a daycare that will serve two populations, children and seniors. The proposed facility will provide daycare for up to 60 seniors and 60 children in separate, but attached, activity, dining, and staff service spaces, as well as separate outdoor spaces. The facility will be designed to accommodate intergenerational activity and will feature opportunities for children and seniors to interact through daily activities such as reading books, arts and crafts, and walks.

While many people are familiar with Daycare for Children, Adult Daycare is a lesser known service that is rapidly increasing as the population continues to age. Adult Daycare facilities provide care and companionship for older adults who need assistance during the day with services such as: exercise, health screenings, meals, physical therapy, education, recreations, socialization, medication management, and transportation.

The proposed intergenerational care model provides services to accommodate households in the City of Reynoldsburg, especially ones where adult children are torn between prioritizing the care of their young children and their aging parents. The proposed Daycare will feature adult care programs (as outlined above) as well as child-care programs in one center; providing the adult children with opportunities to ensure that all family members are cared for while they are working or doing other daily tasks.

Site Plan and Lot Split Approval:

This proposed development requires approval of the Site Plan and the lot splits of the Property. The lot splits will divide the property into the three different sub-areas outlined above. This procedure will occur after the final Site Plan is approved by the City.

The Applicant has met with the City Planner to discuss the proposed development of the Property, the applicable requirements and materials, the qualifying conditions, the review procedures, and the proposed development concept. The Applicant is submitting this application for consideration and approval.

PROPOSED CHARACTER OF THE PLANNED NEIGHBORHOOD DEVELOPMENT DISTRICT

The proposed development contemplates expanding the senior housing options within the City of Reynoldsburg. All buildings are designed to complement the surrounding architecture. Sloped roofs and residential materials, including a mix of brick and vinyl horizontal, shake, and vertical siding, will provide a residential quality that will enhance the adjacent residential neighborhoods. All landscaping will meet the requirements as outlined in Chapter 1180 of the zoning code. The details of the proposed modifications are outlined below. Parcel 'A' describes the existing independent senior living facility, Parcel 'B' describes the planned residential care facility, and Parcel 'C' describes the daycare facility.

ZONING SUMMARY

Development Standards	Required / Allowed	Proposed	Variance (Yes / No)
Permitted Use in Planned Neighborhood Development District 1183.04(a):	Single family dwelling; two-family dwelling; multiple family dwellings; public uses, semi-public uses, public service facility; accessory use, essential services; residential care facilities; non-commercial recreational uses.	Sub-area A: Multiple Family Dwellings (Independent Living) (R-20) Sub-area B: Residential Care Facility (AR-3) Sub-area C: Adult Daycare (RCF), Child Daycare (Semi-Public Use) (AR-3)	No
Max. Density of Dwelling Units 1183.04(b)	Shall not exceed 5 units per acre in the district and not 10 units per acre in any part of the district.	Sub-area A: 7.6 D.U. per acre Sub-area B: N/A* Sub-area C: N/A Total District: 4.1 D.U. per acre	No
Front Setback 1176.06 (a)	Major Arterial: 40 feet (E. Main St.)	Sub-area A: 40 feet Sub-area B: 50 feet Sub-area C: N/A	No
Side and Rear (Non-dwelling Uses Abutting Residential Districts 1175.08 (a)(b))	Semi-Public: 100 feet *Exception: Reduce to 50% if acceptable landscaping and screening are provided as approved by Design Review Board. (<i>fence or 15 feet landscape screening as req.</i>)	Sub-area A: N/A Sub-area B: N/A Sub-area C: 50 feet with 15 feet Landscape screening (<i>as required</i>)	No

Rear Yard - Table 1176.03	AR-3: 35 feet	Sub-area A: 35 feet Sub-area B: N/A (corner lot) Sub-area C: N/A (see above)	No
Side Yard – Table 1176.03	AR-3: 20 feet, Min. sum of side yards: 40 feet.	Sub-area A: 20 feet Sub-area B: 260 feet Sub-area C: 330 feet/62 feet	No
Lot Area per Dwelling – Table 1176.03	R-20: 2,000 square feet (Sub-area A) (2.75 acres required for 60 units)	Sub-area A: 7.9 acres provided Sub-area B: N/A * Sub-area C: N/A	No
Building Height – Table 1176.03	R20: 2.5 story, 35 feet (Sub-area A) AR-3: 3 story, 40 feet (Sub-area B,C)	Sub-area A: 1-story, 13 feet, 8 inches Sub-area B: 3-story, 37 feet, 8 inches Sub-area C: 1-story, 19 feet	No
Maximum Lot Coverage by building and Decks – Table 1176.03	R-20: 60% (Sub-area A) AR-3: 15% (Sub-area B,C)	Sub-area A: 17% Sub-area B: 14.2% Sub-area C: 13.7%	No
Floor Area Requirements for Dwellings – Table 1175.04	R-20: One bedroom – 700 square feet (sf) Two Bedroom – 700 square feet (sf)	Sub-area A: One Bedroom - 790 sf Two Bedroom – 940 sf Sub-area B: N/A* Sub-area C: N/A	No
Parking – Table 1179	Independent Living (Sub-area A): 1 per unit plus 1 per 5 units for visitors – 72 spaces Req'd. Residential Care Facility (Sub-area B): 1 per 8 beds plus 1 per employee based on largest shift – Approx. 35 spaces req'd. Adult Day Care: 1 per employee on largest shift plus 10 for visitors – approx. 20 req'd. Child Daycare: Determined by BZBA but not less than 1 per classroom – approx.. 4 req'd.	Sub-area A: 94 Spaces Sub-area B: 60 spaces Sub-area C: 24 spaces	No

Special Provisions

Townhouse Front Yard Parking 1187.05(a)(1)	Sub-area A: Front Yard: 38 feet Rear Yard: 20' Side Yard: 6'	Sub-area A: Front Yard: 38' Rear Yard: 20' Min. Side Yard: 15' Min.	No
Townhouse Number of Units 1187.05(b)(1)	Sub-area A: Max. 8 dwellings in each row of townhouses.	Sub-area A: Max. 8 dwellings in each row of townhouses	No
Building Massing - 1187.06 (b)	AR Districts – Max. number of dwelling per building: 4	Sub-area B: N/A * Sub-area C: N/A	No

Open Space 1187.06(d)	Commons space shall be 30% of the lot or parcel.	Sub-area A: Approx. 52% open space Sub-area B: Approx. 56% open space Sub-area C: Approx. 54% open space Total District: Approx 54%	No
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** Per Chapter 1131 (Dwelling), the rooms provided are not being considered dwelling units as they do not include provisions for cooking, and are part of a Home for the Aged as defined in Dwelling (g)*

OWNERSHIP and CONTROL:

William C. Davis Trust is the current owner of the Property. If the proposed development is approved, the property will be sold to a single purpose entity that is an affiliate of Wallick Asset Management LLC, (the "Applicant"). Affiliates of the Applicant will develop, construct, and manage the development.

PROPOSED DEVELOPMENT SCHEDULE AND ANTICIPATED DATES:

Subject to timely approvals and obtaining financing as anticipated, development could be completed in three phases; the first of which commencing in the Spring of 2018 and the subsequent phases to commence in a rolling 3-year period.

- Sub-area A (Phase I):
60-unit Senior Independent Living; Construction commence Spring of 2018 with a 12 to 14-month duration.
- Sub-area B (Phase II):
120 Room Residential Care Facility; Construction commence Spring of 2019 with a 14 to 16-month duration.
- Sub-area C (Phase III):
12,000 s.f Daycare Facility; Construction commence Spring of 2020 with a 12 -month duration.

INTENDED AGREEMENTS, PROVISIONS AND COVENANTS TO GOVERN THE USE OF THE DEVELOPMENT, APPROVAL OF BUILDING MATERIALS AND ARCHITECTURAL STYLES AND ANY COMMON OPEN SPACE AREAS TO BE PRESERVED.

If the Site Plan is approved, the owner of the Property will enter into the necessary easements and agreements, to be recorded against the property records, to reflect the following and to be based upon the needs of the proposed development.

Parcel Number	Property Owner	Attention of:	Street Number	Street Name	City	State	Zip
Franklin County							
060-003455	Livco Co		4525	Harbor Blvd	Columbus	OH	43232
060-003454	Livco Co		4525	Harbor Blvd	Columbus	OH	43232
060-003453	Livco Co		4525	Harbor Blvd	Columbus	OH	43232
060-003452	Livco Co		4525	Harbor Blvd	Columbus	OH	43232
060-003451	Livco Co		4525	Harbor Blvd	Columbus	OH	43232
060-003450	Livco Co		4525	Harbor Blvd	Columbus	OH	43232
060-003449	Livco Co		4525	Harbor Blvd	Columbus	OH	43232
060-003448	Livco Co		4525	Harbor Blvd	Columbus	OH	43232
060-003447	Livco Co		4525	Harbor Blvd	Columbus	OH	43232
060-003446	Freddie J. Firebaugh		1151	Crestview Street	Reynoldsburg	OH	43068
060-003445	Andrew Stacy		1390	Carlyle Drive	Reynoldsburg	OH	43068
060-003444	Maplewood Properties			P.O. Box 329	Etna	OH	43018
060-003829	John C Lucas Trust	Corelogic Commercial	1500	Solona Blvd. Bldg 1	Roanoke	TX	76262
060-006070	John C Lucas Trust	Corelogic Commercial	1500	Solona Blvd. Bldg 1	Roanoke	TX	76262
060-001087	Glen Rest Memorial		8029	E Main Street	Reynoldsburg	OH	43068
060-001088	Glen Rest Memorial		8029	E Main Street	Reynoldsburg	OH	43068
Licking County							
013-030390	John C Lucas Succesor Trustee		2	Miranova Pl	Columbus	OH	43215
013-031062	Susan Keifer		8143	Goldsmith Drive	Reynoldsburg	OH	43068

Geo-Graphics, Inc.
Land Surveying & Civil Engineering

George W. Schweitzer, PS, PE
 President

3331 Livingston Avenue
 Columbus, Ohio 43227

December 8, 2016

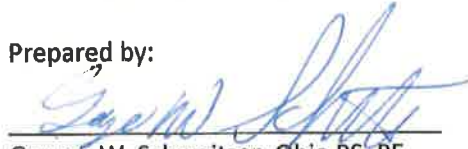
FACILITIES DEMAND WORKSHEET

1. Water	
Phase I	60 townhomes at 320 gpd / unit = 19200 gpd
Phase II	120 room assisted living units 30 employees 120 residents at 220 gpd = 26400 gpd 30 non-resident employees at 60 gpd = 1800 gpd = 28200 gpd
Phase III	12000 sf adult/child daycare 240 attendees at 30 gpd = 7200 gpd 40 employees at 60 gpd = 2400 gpd 40 visitors at 20 gpd = 800 gpd = 10400 gpd
TOTAL for all three Phases = 57800 gpd	

Pressure requirements 60-80 psi

2. Sanitary Sewer	
Phase I	60 townhomes at 300 gpd / unit = 18000 gpd
Phase II	120 room assisted living units 30 employees 120 residents at 200 gpd = 24000 gpd 30 employees at 55 gpd = 1650 gpd = 25650 gpd
Phase III	12000 sf adult/child daycare 240 attendees at 25 gpd = 6000 gpd 40 employees at 55 gpd = 2200 gpd 40 visitors at 15 gpd = 600 gpd = 8800 gpd
TOTAL for all three Phases = 52450 gpd	

Prepared by:


 George W. Schweitzer, Ohio PS, PE
 Geo-Graphics, Inc., President



N:\2016\16126\Facilities worksheet.docx



December 7, 2016

Mr. George Schweitzer, PE, PS
Geo-Graphics, Inc.
3331 Livingston Avenue
Columbus, OH 43227

Re: Reynoldsburg Senior Housing
City of Reynoldsburg, Franklin County, Ohio

Dear George:

Please consider this letter a summary of the trip generation for the subject development that will need to be incorporated into the City of Reynoldsburg's Facilities Demand Worksheet. The City will likely need to see the background to the traffic numbers in the Facilities Demand Worksheet, so please forward it to them when you submit.

BACKGROUND

The subject site is proposed to be developed with senior housing land uses and is located on the north side of Main Street (US 40) between Carlyle Drive and Hanson Street. The proposed site does not have direct access to Main Street (US 40). The City of Reynoldsburg's Development Handbook contains a Facilities Demand Worksheet that has a section related to traffic that is used to determine what type of traffic study, if any, needs to be performed.

The site is proposed to be developed in three phases. Phase 1 is to include 60 townhomes that are restricted to senior adults. Phase 2 adds 120 rooms of assisted living. Phase 3 will include a 12,000 SF adult/child day care.

TRIP GENERATION ANALYSIS

In traffic engineering, the accepted method for computing trip generation is utilizing data from the *Trip Generation Manual* published by the Institute of Transportation Engineers (ITE). The land uses "Senior Adult Housing-Attached" (ITE Code #252), "Assisted Living" (ITE Code #254), and "Day Care Center" (ITE Code #565) were used to represent the site. Note that the "Day Care Center" in the *Trip Generation Manual* is specific to pre-school age children. There is not data available in the *Trip Generation Manual* for an adult daycare.

Tables 1 and 2 which are attached show a summary of the weekday trip generation calculations for the land uses which includes both the peak hour of the adjacent street and the peak hour of the generator. Note that the *Trip Generation Manual, 9th Edition* does not have any data for the directional distribution (entering and exiting) for "Senior Adult Housing-Attached" for the peak hour of the generator. Therefore, the directional distribution (entering and exiting) given for "Senior Adult Housing-Attached" (ITE Code #252) peak hour of adjacent street was applied. Since there are three land uses, the peak hour of the

Reynoldsburg Senior Housing Traffic Analysis
City of Reynoldsburg, Franklin County, Ohio

Smart Services, Inc.
12/07/2016

generator likely does not occur in the same hour for all land uses so totaling the trips is likely not an appropriate representation.

Referencing the tables, the input to Section 3b of the Facilities Demand Worksheet would be as follows:

1408 ADT

	Generator Peak	Adjacent Street Peak	Peak Hour
Phases 1,2,3	* AM	<u>173</u> AM	<u>173</u> AM
	* PM	<u>186</u> PM	<u>186</u> PM
Phases 1&2	* AM	<u>27</u> AM	<u>27</u> AM
	* PM	<u>38</u> PM	<u>38</u> PM

*=Since there are three land uses on the site, the peak hour generator likely does not occur in the same hour for all land uses so totaling the trips is likely not an appropriate representation.

CONCLUSIONS

Since traffic studies are typically performed for the peak hour of adjacent street and there is not sufficient information to determine the hours of the peak hour generator, the conclusions are based on the adjacent street peak data which occurs within a two hour window in each peak hour.

Based on the trip generation calculations, the proposed development will generate 186 trips during the peak hour of adjacent street after all phases have been constructed. However, under 50 trips (38 trips) will be generated after phases 1 & 2 are complete. For full development of the site, an access study will be required in accordance to Sections 3c and 3d of the Facilities Demand Worksheet. The definition of a traffic access study provided in Section 3ai states that an access study is to be used for projects generating 50-200 trips. The projected trips for the proposed expansion does not fall into this range until the third phase have been constructed.

Please let me know if you have any questions. Thank you.

Sincerely,
SMART SERVICES, INC.



Registered Engineer No. E-64507, Ohio
Todd J. Stanhope, PE, PTOE
Director of Traffic Engineering

12-07-2016
Date



Submitted: One electronic copy (PDF format) via e-mail





Traffic Study Subarea	Land Use	Time of Day	Data Set from: Trip Generation Manual, 9th Edition (Unless noted Otherwise)	Override with Average	Regression Equation from: Trip Generation Manual 9th Edition	Entering		Exiting	
						%	Total Trips	%	Total Trips
Phase 1	Senior Adult Housing-Attached (ITE Code #252) Ind. Variable (X) = 60 Occupied Dwelling Units	Daily	Weekday	☐	$T=2.98(X)^{.75}+1.05$	50%	100	50%	100
		AM Peak	Peak Hour of Adj. Street Traffic, One Hour between 7 & 9 AM	☐	$T=0.20(X)^{.75}+1.66$	35%	4	65%	6
		PM Peak	Peak Hour of Adj. Street Traffic, One Hour between 4 & 6 PM	☐	$T=0.24(X)^{.75}+2.11$	60%	7	40%	5
				☐					
Phase 2	Assisted Living (ITE Code #254) Ind. Variable (X) = 120 Beds	Daily	Weekday	☐	Average Rate= 2.66	50%	160	50%	159
		AM Peak	Peak Hour of Adj. Street Traffic, One Hour between 7 & 9 AM	☐	Average Rate= 0.14	65%	11	35%	6
		PM Peak	Peak Hour of Adj. Street Traffic, One Hour between 4 & 6 PM	☐	Average Rate= 0.22	44%	11	56%	15
				☐					
Phase 3	Day Care Center (ITE Code #565) Ind. Variable (X) = 12 1000 SF Gross Floor Area	Daily	Weekday	☐	Average Rate= 74.06	50%	445	50%	444
		AM Peak	Peak Hour of Adj. Street Traffic, One Hour between 7 & 9 AM	☐	Average Rate= 12.18	53%	77	47%	69
		PM Peak	Peak Hour of Adj. Street Traffic, One Hour between 4 & 6 PM	☐	Average Rate= 12.34	47%	70	53%	78
				☐					
TOTALS		Daily AM Peak PM Peak			☐				
					1408	705	703		
					173	92	81		

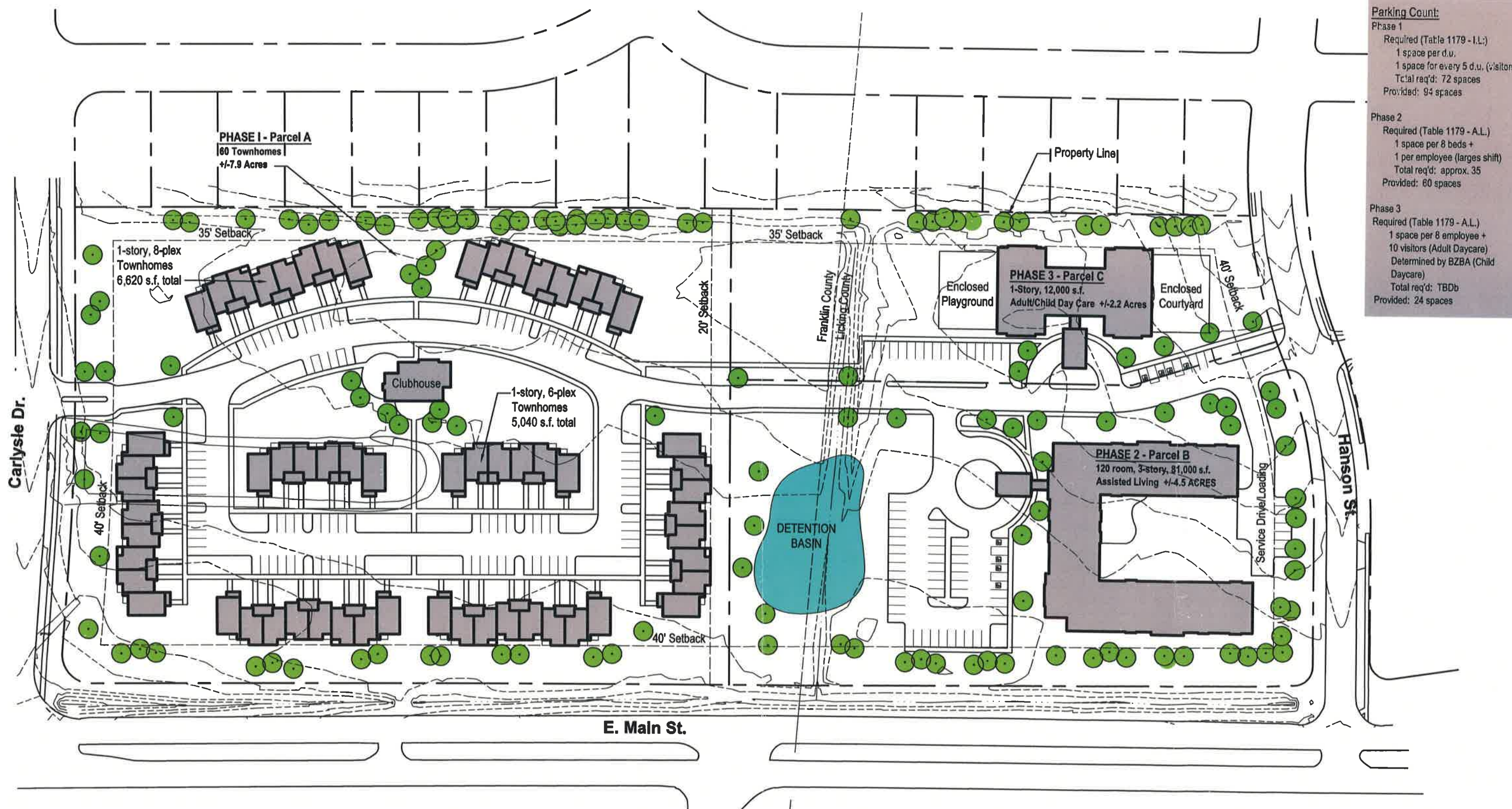
Reynoldsburg Senior Housing Traffic Impact Study - 12/2016

TABLE 1 - SITE TRIP GENERATION SUMMARY

Traffic Study Subarea	Land Use	Time of Day	Data Set from: <i>Trip Generation Manual, 9th Edition</i> (Unless noted Otherwise)	Regression Equation from: <i>Trip Generation Manual 9th Edition</i>	Entering		Exiting	
					%	Total Trips	%	Total Trips
Phase 1	Senior Adult Housing-Attached (ITE Code #252) Ind. Variable (X) = 60.0 Occupied Dwelling Units	AM Peak	AM Peak Hour of Generator	Average Rate= 0.39	35%	8	65%	15
		PM Peak	PM Peak Hour of Generator	Average Rate= 0.31	60%	11	40%	8
Phase 2	Assisted Living (ITE Code #254) Ind. Variable (X) = 120.0 Beds	AM Peak	AM Peak Hour of Generator	Average Rate= 0.18	67%	15	33%	7
		PM Peak	PM Peak Hour of Generator	$\ln(T) = 0.79 \ln(X) - 0.06$	47%	19	53%	22
Phase 3	Day Care Center (ITE Code #565) Ind. Variable (X) = 12.0 1000 SF Gross Floor Area	AM Peak	AM Peak Hour of Generator	Average Rate= 13.44	53%	85	47%	76
		PM Peak	PM Peak Hour of Generator	Average Rate= 13.75	47%	78	53%	87

Reynoldsburg Senior Housing Traffic Impact Study - 12/2016

TABLE 2 - SITE TRIP GENERATION SUMMARY



Parking Count:	
Phase 1	
Required (Table 1179 - I.L.)	1 space per d.u.
	1 space for every 5 d.u. (visitors)
Total req'd:	72 spaces
Provided:	94 spaces
Phase 2	
Required (Table 1179 - A.L.)	1 space per 8 beds +
	1 per employee (larges shift)
Total req'd:	approx. 35
Provided:	60 spaces
Phase 3	
Required (Table 1179 - A.L.)	1 space per 8 employee +
	10 visitors (Adult Daycare)
	Determined by BZBA (Child Daycare)
Total req'd:	TBD
Provided:	24 spaces

PROPOSED SITE PLAN

SCALE: 1" = 100'-0"

0 50' 100'



A-1

December 2, 2016

rdla: #16170

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ARCHITECTS

RDL ARCHITECTS
16102 Chagrin Blvd. Suite 200
Shaker Heights, Ohio 44120
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REYNOLDSBURG SENIOR HOUSING
REYNOLDSBURG, OHIO

Wallick Communities
6880 Tussing Rd.
Reynoldsburg, Ohio 43068

Packet Pg. 97



Site Context 1

Site Context 2



Site Context 3



Assisted Living @ E. Main St.

SITE CONTEXT

A-2

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REYNOLDSBURG, OHIO

December 2, 2016

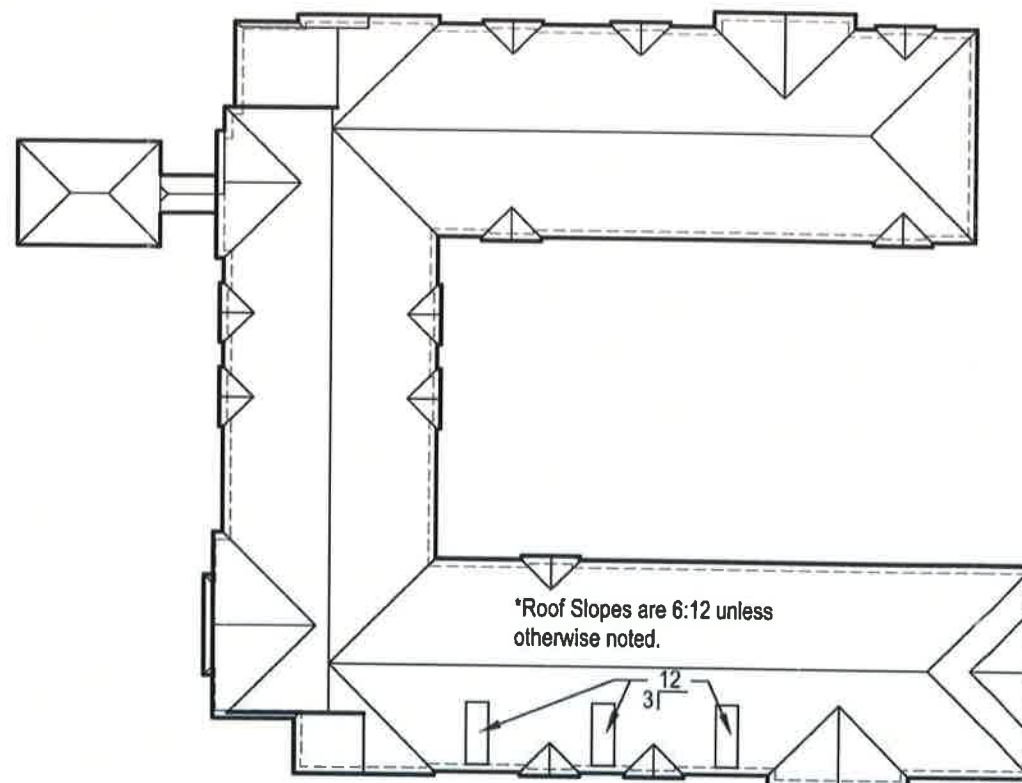
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Packet Pg. 98



1 Elevation @ Porte-Cochere



3 Roof Plan Key
Scale: 1"=50'-0"



2 Assisted Living Elevation @ E. Main St.

- Roof Midpoint
EL. 37'-8"
- Truss Bearing Ht.
EL. 29'-4 7/8"
- First Floor
EL. 21'-4 3/4"
- First Floor
EL. 11'-8 7/8"
- First Floor
EL. 0'-0"

Asphalt Roof
Shingles

Vinyl Board and
Batten Siding

Vinyl Shake
Siding

Horizontal Vinyl
Siding

Face Brick
Vinyl Single Hung
Window

ASSISTED LIVING ELEVATION

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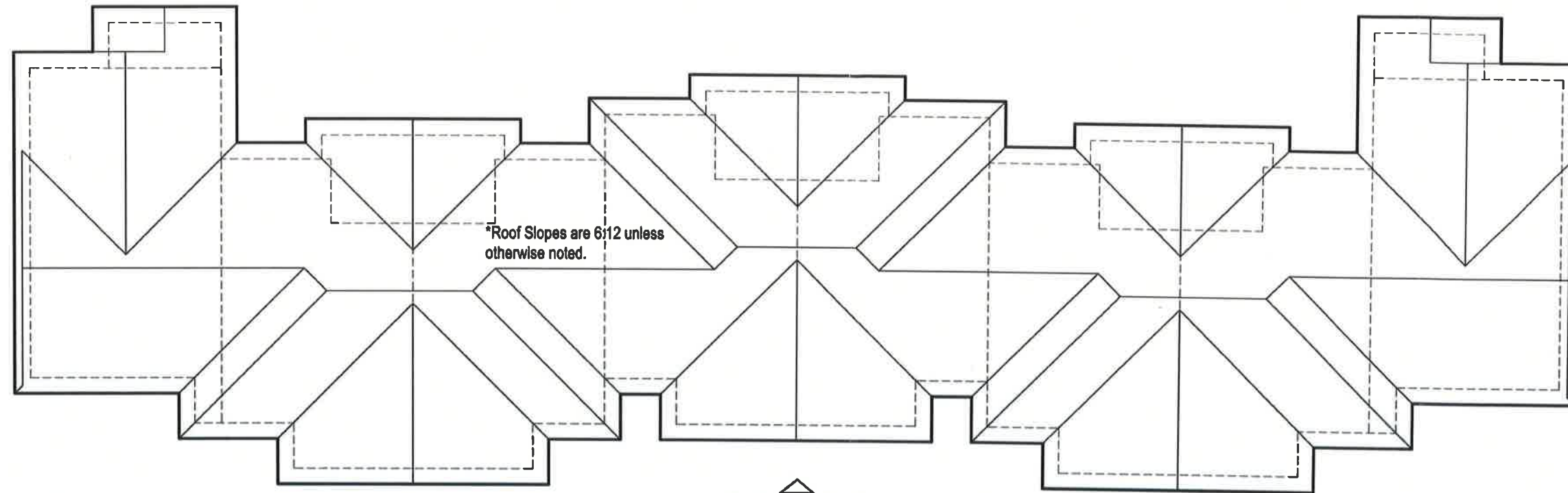
December 2, 2016

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SCALE: 1/16" = 1'-0"



Wallick Communities
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Reynoldsburg, OH



1 Townhouse Roof Plan

Elevation @ E. Main St.

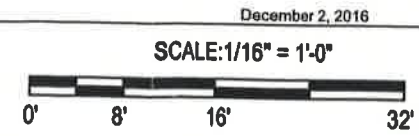


2 Townhouse Elevation @ E. Main St.

TOWNHOUSE ELEVATION

REYNOLDSBURG SENIOR HOUSING
REYNOLDSBURG, OHIO

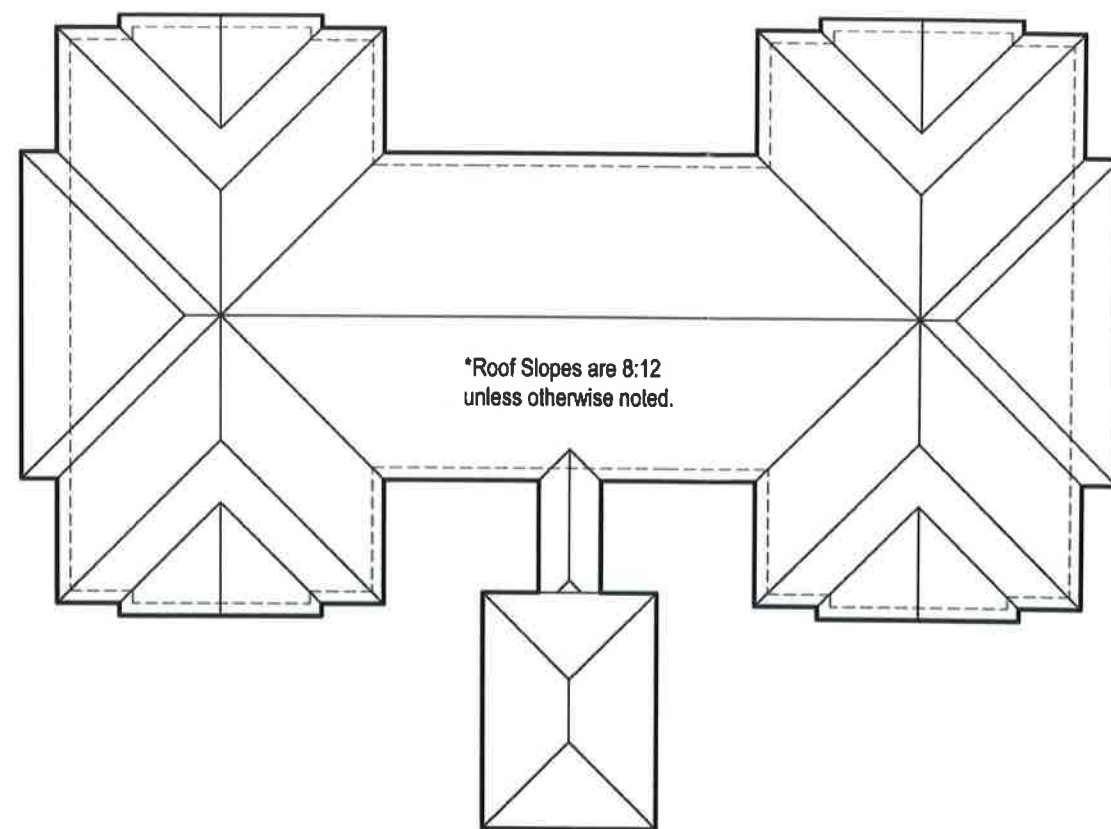
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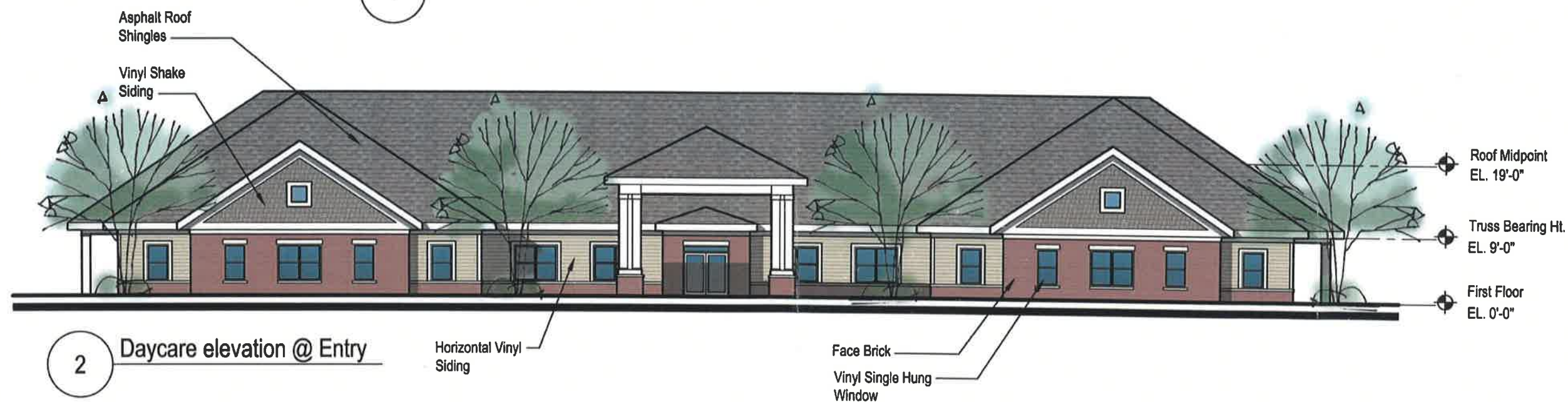
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A-4

Attachment: 20160105 - Wallick Rezoning Application (1628 : Rezoning 176120 0 E Main St Wallick)



1 Roof Plan Key
Elevation @ Entry



2 Daycare elevation @ Entry

DAYCARE ELEVATION

Development Department**Eric Snowden****7232 E. Main Street****Reynoldsburg OHIO 43068****614-322-6829 Phone****ORDINANCE REQUEST**

DATE: **January 23, 2017****TO:** **Service Committee****RE:** ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE
CITY OF REYNOLDSBURG, OHIO: Amending Chapter 1131
Definitions.

See the attached document for details of proposed text amendment.

CHAPTER 1131 – Definitions

Planning & Zoning Administrator. The public official of the City of Reynoldsburg designated to administer and enforce this Zoning Code. All references to the Zoning Officer, Planning Administrator, and Planning & Zoning Administrator may be construed as referring to the Development Director or his/her designee.

Development Department**Eric Snowden****7232 E. Main Street****Reynoldsburg OHIO 43068****614-322-6829 Phone****ORDINANCE REQUEST**

DATE: **January 23, 2017****TO:** **Service Committee**

RE: Ordinance to Amend the Code of Ordinances of the City of Reynoldsburg, Ohio: Amending Section 1161.02 Special Purpose Districts of Chapter 1161 Zoning Districts; Section 1183.04 Use Regulations and Development Standards of Chapter 1183 Planned Neighborhood Development District; AND AMENDING THE TITLES OF Chapter 1184 Planned Commercial Development; Chapter 1192 F-1 Flood Plain Overlay District; Chapter 1193 "HD" Historic Overlay District; and Chapter 1196 Community Commercial Overlay.

See the attached document for details of proposed text amendment.

1161.02 SPECIAL PURPOSE DISTRICTS.

(c) ~~HD Reynoldsburg~~ Historic Overlay District. An area of special historic significance, containing a concentration of historic features, known and identified as the "Olde Reynoldsburg Historic District", has been delineated by City ordinance. The "~~HD Reynoldsburg~~ Historic Overlay District" has been established to provide for the preservation of the historic characteristics of the area and for the compatible use and redevelopment of the properties ~~therein~~ as regulated by this Code within the district.

(d) CCO Community Commercial Overlay District. An area of special significance, as defined by Chapter 1196 of this Code. The "Community Commercial Overlay District" has been established to enhance the characteristics of the commercial corridors and encourage redevelopment of the properties within the district.

1183.04 USE REGULATIONS AND DEVELOPMENT STANDARDS.

The following shall be the minimum standards required for development in a Planned Neighborhood Development District. Additional requirements and conditions may be established by the Planning Commission and by City Council for approval of the district and the development plans. Such requirements and conditions may include but are not limited to: approved uses; width, height, yard requirements; density; arrangement and spacing of buildings and other structures; signs; parking; vehicular, pedestrian and bicycle circulation; landscaping; the construction of public improvements; and preservation of natural features or historic structures. Varied requirements and conditions may be applied to different areas of the development.

(a) Permitted Uses. The following uses may be permitted, as approved in the development plan, in a Planned Neighborhood Development District:

(e) Lot and Yard Dimensions, Building Spacing.

(1) Lot and yard dimensions shall be as established in the ~~detailed~~ development plan, except that no lot designed for a single family dwelling shall have a width of less than sixty-five feet (65FT) or a depth of less than one hundred ten feet (110FT).

(2) In locations where the Planned Neighborhood Development District abuts other zoning districts, the minimum area and widths of yards and setbacks within the proposed Planned Neighborhood Development District shall be no less than the minimums required for such abutting districts unless specifically varied by approval of the Planning Commission.

(f) Variances to the Subdivision Regulations. To the extent specifically provided in the Subdivision Regulations, the Planning Commission may vary the requirements for improvements as determined necessary and appropriate for the design and development of the Planned Neighborhood Development District.

CHAPTER 1184 – Planned Commercial Development District

CHAPTER 1192 - ~~F-1~~ Flood Plain Overlay District

CHAPTER 1193 - ~~HD~~ Historic Overlay District

CHAPTER 1196 - Community Commercial Overlay District

Development Department**Eric Snowden****7232 E. Main Street****Reynoldsburg OHIO 43068****614-322-6829 Phone****ORDINANCE REQUEST**

DATE: **January 23, 2017****TO:** **Mel Clemens, Ward IV Service Committee****RE:** Ordinance to Amend the Code of Ordinances of the City of Reynoldsburg,
Ohio: Amending Section 1181.06.

See the attached document for details of proposed text amendment and staff report.



**REYNOLDSBURG
PLANNING & ZONING DIVISION**

**STAFF REPORT:
CODIFIED ORDINANCE
AMENDMENT**

CODE SECTION: Section 1181.06 – General Sign Regulations

BACKGROUND: Staff becomes periodically aware of provisions in the Planning & Zoning Code that require revision. A provision of Chapter 1181 of the Zoning Code prescribes a structural requirement for signage that is at variance with those prescribed in the Building Code. Staff proposes to remove this redundant requirement.

SUMMARY OF MAJOR REVISIONS:

SECTION 1181.06 – GENERAL SIGN REGULATIONS

Staff proposes to remove language from this section that requires signs to be constructed to a specific structural specification. This was an existing regulation within the Codified Ordinances and was originally part of our local Building Code. This requirement was necessary when the statewide building codes did not have specific signage requirements. Today, the Reynoldsburg Building Division is a certified building department, which means that the requirements of the Ohio Building Code are mandatory. Section 3107 of that code prescribes the regulations for signs, most of which exceed this requirement. The structural regulations of this section are no longer required.

1181.06 GENERAL SIGN REGULATIONS.

(b) Requirements for all Signs.

(1) All signs shall be properly constructed and maintained to ensure that no safety hazard is created. ~~All signs shall be constructed to withstand a wind pressure of thirty pounds per square foot (30LB/SF).~~ All signs shall be built in conformity with the requirements of the Building Code and the procedures of the Building Division.

Service Department**Bill Sampson****7232 E. Main Street****Reynoldsburg OH 43068****614-322-6884 Phone****ORDINANCE REQUEST**

DATE: **January 23, 2017****TO:** **Finance Committee****RE:** ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A
"MASTER AGREEMENT" WITH CONSTELLATION NEWENERGY,
INC., TO PROVIDE FULL REQUIREMENTS RETAIL ELECTRIC
ENERGY SUPPLY AND RELATED ADMINISTRATIVE SERVICES
TO AN AGGREGATED GROUP AND DECLARING AN
EMERGENCY.

Emergency/Suspension: Emergency**Reason For Emergency:** Financial needs of the City's government**Statement of necessity:** Passing this as an emergency will allow us to begin the program and realize financial savings as soon as possible in 2017.

The City's electric aggregation program expires in March of this year. American Municipal Power (or AMP) is under contract with the City to administer this program. AMP solicited preliminary or "indicative" pricing last week for a 24-month period. Constellation came in at the lowest indicative rate of 5.5 cents/KWH. This rate includes a \$100,000 civic grant. Our current aggregation rate is approximately 7.1 cents. It is very important to remember that this is indicative pricing as the rates change daily. Final pricing will reflect any market changes between now and when the final pricing is established after Council adopts legislation.

Aggregation Program Agreement Between Constellation NewEnergy, Inc. and , Ohio

This Aggregation Program Agreement, is entered into as of this day of , 20 (“Agreement”), by and between , OH (“Municipality”), a political subdivision of the State of Ohio, and Constellation NewEnergy, Inc. (“Constellation”), a Wisconsin corporation with its principal place of business at 1716 Lawrence Drive, DePere, Wisconsin 54115, hereinafter referred to individually as a “Party” or collectively as the “Parties”.

WITNESSETH

WHEREAS, pursuant to 4928.20 of the Ohio Revised Code, the Municipality desires to aggregate non-mercantile retail electrical loads located within its jurisdictional boundaries (“Jurisdiction”) and arrange for competitive retail electric supply for eligible participants on an opt-out basis (the “Aggregation”); and

WHEREAS, the Municipality’s electorate will vote or has voted to authorize the Municipality to create an Aggregation under 4928.20 of Ohio Revised Code and the legislative authority of a municipal corporation, the board of township trustees of a township, or the board of county commissioners of a county (as appropriate, the “Governing Body”) will adopt or has adopted an ordinance regarding the Aggregation;

WHEREAS, Constellation has been selected as the supplier for the Aggregation; and

WHEREAS, the Parties desire to establish the rights and obligations of the Parties with respect to aggregating the electric load located within the Jurisdiction (the “Program”).

NOW, THEREFORE, the Parties, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, agree as follows:

ARTICLE 1: TERM

A. Term of Agreement. This Agreement shall be effective upon execution by the Parties and shall continue in effect through the last meter read date in a Delivery Period agreed upon on a fully executed Confirmation identifying a Price and Delivery Period for the Program. The Parties can agree to extend the terms of this Agreement by agreeing to a Price(s) for a subsequent Delivery Period(s).

ARTICLE 2: DUTIES

A. Municipality’s Duties

1. Governmental Aggregator Status. The Municipality will register as a governmental aggregator in accordance with 4901:1-24 of the Ohio Administrative Code (“Administrative Code”) and will maintain the requisite authority under 4928.20 of the Ohio Revised Code (“Revised Code”) as a governmental aggregator for the provision of competitive retail electric service for the term of this Agreement.
2. Logo. The Municipality will provide its logo for informational materials.
3. Exclusive Supplier. The Municipality will identify Constellation as the exclusive supplier for the Aggregation and facilitate the provision of electric supply to the Aggregation.
4. Negotiation. The Municipality will negotiate the Delivery Period(s) and Price(s) to be included in the customer terms and conditions for each Delivery Period and confirm that Price between the Parties.
5. Enrollment Process. The Municipality will oversee the opt-out process and enrollments detailed in 4901:1-21-17 of the Administrative Code, including providing timely feedback to Constellation on the contents.
6. Customer Data. The Municipality will assist Constellation in obtaining all available customer data and historical usage information regarding the eligible Program participants, as that group and the data may change from time to time, including executing any applicable documentation to enable (the “Utility”) to

release such information directly to Constellation from time to time during the term of this Agreement (which shall include without limitation the Municipality's filing of the Aggregator Registration Application with the Utility). "Eligible Program participants" include all nonmercantile customers except those that are not eligible pursuant to 4901:1-21-17 of the Administrative Code.

7. Employee Preparation. The Municipality will prepare its employees to direct residents to Constellation's customer service telephone number or website.

B. Constellation's Duties

1. Toll-free telephone. Constellation will establish a toll-free telephone number staffed with customer service representatives to address questions of Program participants.
2. Website. Constellation will establish a website for the Aggregation Program.
3. Opt-Out Process. Constellation will draft, obtain feedback from the Municipality on, and mail informational materials, including opt-out notices and customer terms and conditions, to the potential Program participants consistent with 4901:1-21-17 of the Administrative Code.
4. Website. Constellation will develop and activate landing page on Constellation's website for the Aggregation.
5. Data. Constellation will assist the Municipality with the requests for the delivery of data from the Utility and the completion and filing of any Utility-required forms (including the Aggregator Registration Application). Constellation will "scrub" the Utility-provided data as appropriate to eliminate ineligible accounts.
6. Negotiation. Constellation will negotiate the Delivery Period(s) and Price(s) to be included in the customer terms and conditions for each Delivery Period and confirm that Price between the Parties.
7. List. Constellation will maintain a list of potential Program participants who elect to opt-out of the Aggregation and maintain a list of Aggregation participants.
8. Enrollment. Constellation shall enroll the Aggregation.
9. Governmental Aggregator Assistance. Constellation will respond to questions the Municipality may have, as appropriate, regarding the completion of any forms required for the Municipality to maintain its Governmental Aggregator status during a Delivery Period.

ARTICLE 3: TERMS OF SERVICE, PRICE, AND ADDITIONS

A. Terms of Service. The terms of service between each Aggregation participant and Constellation shall be set forth in the contract between them, in a form substantially similar to that set forth in Attachment 2 hereto, which shall survive any termination of this Agreement. The Price for specific Delivery Periods shall be mutually agreed upon by Constellation and the Municipality in writing on a fully executed Confirmation and included in the final terms of service distributed (which final terms of service shall be referred to as the "Terms and Conditions").

B. Establishing a Price. To establish a Price, Constellation will submit a Price for a specific Delivery Period to the ("Municipality Designee") in the form of a confirmation, substantially similar to Attachment 1 hereto. The Price for the Delivery Period submitted to the Municipality in this form is *not* an offer. This submittal will contain market sensitive pricing, which pricing is subject to change until the document is executed by both the Municipality Designee on behalf of the Municipality, and Constellation. If the Price and Delivery Period submitted to the Municipality meets with the Municipality's approval, then the Municipality Designee shall promptly execute the document and return it via fax or .pdf or tif. attachment to electronic mail transmission to Constellation. Upon receipt by Constellation, Constellation will verify that the Price for the Delivery Period is still available, and if so, will execute the document (creating a fully executed Confirmation) and return the Confirmation by fax or by .pdf or .tif attachment to electronic mail transmission to the Municipality for its records. Only a fully executed

Confirmation shall be binding, form a part of this Agreement, and evidence an agreement between Constellation and the Municipality with respect to the Price for a specific Delivery Period for the Aggregation.

C. Market Information. When discussing pricing alternatives, Constellation may provide information and/or analyses of alternatives available to the Aggregation regarding energy commodities, related transactions for supply, and other energy market information. Constellation shall be deemed to have provided only information, and/or analyses of potential alternatives available to the Aggregation, and the Municipality shall make all decisions independently. Constellation has not and shall not be deemed to have made or given any representations, warranties, guarantees or assurances as to the actual or perceived outcomes and/or any other effects, adverse or beneficial, relating to this Agreement, the Terms and Conditions, or any Confirmation. Constellation has not acted and shall not be deemed to have acted, in any capacity as an agent or fiduciary for the Municipality in connection with this Agreement or any Confirmation

D. Adding to the Aggregation after planned Program enrollments. After the initial enrollment of the Aggregation (or after subsequent planned Program enrollments for a specific Delivery Period and Price agreed upon by Municipality and Constellation) Constellation may allow other potential participants to enroll with Constellation through various methods, including without limitation direct contact between an individual potential participant and Constellation via telephone or Constellation's website, and/or en masse through a special offering. For potential, eligible Program participants who enroll with Constellation other than during a planned Program enrollment that corresponds to a specific Delivery Period and Confirmation between the Municipality and Constellation, may pay a different rate than those who join during a planned Program enrollment.

E. Service Inquiries. Constellation shall establish a toll free telephone number to answer general information requests, billing questions and other customer service inquiries for the Aggregation participants. All emergency or other service disruption concerns should continue to be directed to the Utility.

ARTICLE 4: PUBLICITY AND TERMINATION

A. Press Releases. The Parties agree to joint review and approval prior to issuance of all media press releases regarding this Agreement. Approval of press releases will not be unreasonably withheld.

B. Program Endorsement. The Municipality and Constellation shall cooperate in disseminating information to all potential Aggregation participants concerning the Program and the Municipality's endorsement of the Program. Information related to pricing and other contractual terms related to participation in the Aggregation is subject to review and approval by Constellation. Similarly, any use of the Municipality's official seal for advertising or promotional purposes is subject to review and approval by the Municipality. Upon mutual agreement of the Parties, the Parties may utilize Municipality resources for advertising, promotion and consumer communications of the Municipality's selection of Constellation as the Municipality's sole preferred supplier for the Aggregation. The Municipality warrants that it will not take any action (written, verbal, or otherwise) to advise and/or encourage participants to exit the Aggregation, provided however, nothing in the preceding clause shall prohibit the Municipality from making factual statements in response to inquiries about the Aggregation or the Program.

C. Default and Termination. This Agreement may be terminated early: (1) if either Party fails to comply with any material term or condition of this Agreement, provided the failure continues without a cure thirty (30) days after written Notice of such failure is provided by one Party to the other, or (2) upon the occurrence of a Regulatory Event, as provided for in 4(D). Upon termination for any reason this Agreement shall be of no further force and effect, except for those obligations that survive termination (including without limitation those set forth in Article 5). The obligations of Constellation and each Aggregation participant set forth in the Terms and Conditions shall survive termination.

D. Regulatory Event. Upon the occurrence of a Regulatory Event, the adversely affected Party shall give notice to the other Party that such event has occurred. Within thirty (30) days, or such other period as the Parties may agree in writing, the Parties will enter into good faith negotiations to amend or replace this Agreement so that the adversely affected Party is restored as nearly as possible to the economic position it would have been in but for

the occurrence of the Regulatory Event. If the Parties are unable to agree upon an amendment to the Agreement, within the prescribed time after entering into negotiations, the adversely affected Party shall have the right, upon ten (10) days prior written notice, to terminate this Agreement. The following will constitute a "Regulatory Event":

1. **Illegality:** It becomes unlawful for a Party to perform any obligation under this Agreement due to the adoption of, change in, or change in the interpretation of any applicable law by any judicial or government authority with competent jurisdiction.
2. **Adverse Government Action:** A regulatory, legislative or judicial body (A) requires a material change to the terms of this Agreement that materially and adversely affects a Party or (B) takes action that adversely and materially impacts a Party's ability to perform, or requires a delay in the performance of this Agreement that either Party determines to be unreasonable or (C) orders a change or modification that affects the Program such that either Party's obligations hereunder are materially changed, and the change is not deemed a Force Majeure.

ARTICLE 5: DISCLAIMER AND LIMITATION OF LIABILITY

A. Disclaimer. EXCEPT AS EXPRESSLY PROVIDED HEREIN, CONSTELLATION MAKES NO WARRANTIES HEREUNDER, WHETHER EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

B. Limitation of Liability. NOTWITHSTANDING ANYTHING HEREIN TO THE CONTRARY, IN NO EVENT WILL EITHER PARTY BE LIABLE TO THE OTHER PARTY UNDER THIS AGREEMENT FOR INCIDENTAL, PUNITIVE, EXEMPLARY, INDIRECT, SPECIAL, OR CONSEQUENTIAL DAMAGES CONNECTED WITH OR RESULTING FROM PERFORMANCE OR NON-PERFORMANCE OF THIS AGREEMENT, IRRESPECTIVE OF WHETHER SUCH CLAIMS ARE BASED UPON BREACH OF WARRANTY, TORT (INCLUDING NEGLIGENCE OF ANY DEGREE), STRICT LIABILITY, CONTRACT, OPERATION OF LAW OR OTHERWISE.

ARTICLE 6: MISCELLANEOUS

A. Entire Agreement. This Agreement including all Attachments, fully executed Confirmations, and fully executed amendments, constitute the entire Agreement and understanding between the Parties with respect to the services, which are included herein. Any conflict between the terms and conditions of this Agreement and any Confirmation shall be resolved in favor of the Confirmation. All prior written and verbal agreements and representations with respect to these services are merged into and superseded by this agreement.

B. Amendment. All amendments or modifications to this Agreement must be made in writing and signed by both Parties before they become effective.

C. Non-Assignability. This Agreement shall not be transferred or assigned by either Party without the express authorization of the other Party, which shall not be unreasonably withheld, provided however, with notice to the Municipality, Constellation may assign this Agreement to an affiliate.

D. Method of Notification. Any notices, requests or demands regarding the services provided under this Agreement shall be properly given or made upon receipt, if delivered by overnight or next day mailing/courier service to the address shown below. If delivered by facsimile, any such document shall be considered delivered on the business day the facsimile is sent, provided the sender has evidence of a successful transmission on that day, and provided further that the successful transmission occurred prior to 5:00 pm eastern prevailing time. If the facsimile is successfully transmitted after 5:00 pm eastern prevailing time, then the notice shall be deemed received on the next business day. Each Party shall direct notices, requests or demands to the other Party using the following address:

Notices to Constellation:	Notices to the Municipality:
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Attention: Contracts Administration Constellation NewEnergy, Inc. , 1221 Lamar St., Suite 750 Houston, Texas 77010 Telephone: 888-635-0827 Facsimile: 888-829-8738	, OH Attn: , OH Telephone: Facsimile:
With a copy to: Contract Administration Attn: Government Aggregation Constellation NewEnergy, Inc. 1716 Lawrence Drive DePere, WI 54115 Telephone: 920-617-6067 Facsimile: 920-617-6070	With a copy to: , Telephone: Facsimile:

E. Waivers. No failure or delay on the part of either Party in exercising any right, power or privilege hereunder will operate as a waiver thereof, nor will any single or partial exercise thereof preclude any other or further exercise thereof or the exercise of any right, power or privilege hereunder.

F. Applicable Law and Choice of Venue. This Agreement shall be governed by, construed and enforced in accordance with the laws of the State of Ohio without regard to principles of conflict of laws.

G. No Third Party Beneficiaries. The Parties do not intend for this Agreement to have, nor are there, any third party beneficiaries. Nothing herein shall be construed to create a private right of enforcement in any person or entity, it being the Parties' intent for this Agreement to only be enforceable by the Parties themselves.

H. Reports, Analysis, and Products. All reports, data aggregations and analysis, pricing products, templates for communications with eligible Program participants and/or the Aggregation and ideas, and other information generated by Constellation as part of this Agreement remain the sole and exclusive property of Constellation. The Municipality may use all such information furnished by Constellation for its internal use, but only in furtherance of the Program.

I. Plan of Operation and Governance. The Parties agree to perform consistent with the Plan of Operation and governance, provided however if there is a conflict between this Agreement and the Plan, this Agreement shall control. The Municipality agrees to provide notice of any changes the Municipality plans to make to the Plan in a manner that allows Constellation to adjust the administration or operation of the Program accordingly.

ARTICLE 7: REPRESENTATIONS AND WARRANTIES

A. Mutual Representations and Warranties. Each Party represents and warrants to the other Party, as of the date of this Agreement, that:

1. It is duly organized and validly existing under the laws of the jurisdiction of its organization or incorporation, and if relevant under such laws, in good standing;
2. It has the corporate, governmental and/or other legal capacity, authority and power to execute, deliver and enter into this Agreement and any other related documents, and perform its obligations under this Agreement, and has taken all necessary actions and made all necessary determinations and findings to authorize such execution, delivery and performance;
3. The execution, delivery and performance of this Agreement does not violate or conflict with any law applicable to it, any provision of its constitutional documents, any order or judgment of any court or other agency of government applicable to it or any of its assets or any contractual restriction binding on or affecting it or any of its assets;
4. It has reviewed and understands this Agreement; and
5. It will comply with all federal, state, and local laws, regulations, licensing, and disclosure requirements.

B. Additional Representations of the Municipality. The Municipality hereby further represents to Constellation, as of the date of this Agreement, that:

1. The Municipality's execution and delivery of this Agreement, and its performance of its obligations hereunder, are in furtherance, and not in violation, of the municipal purposes for which the Municipality is organized pursuant to its authorizing statutes and regulations;
2. This Agreement does not constitute any kind of investment by the Municipality that is proscribed by any constitution, charter, law, rule, regulation, government code, constituent or governing instrument, resolution, guideline, ordinance, order, writ, judgment, decree, charge, or ruling to which the Municipality (or any of its officials in their respective capacities as such) or its property is subject;
3. The Municipality has all regulatory authorizations necessary for it to legally perform its obligations under the Agreement and no consents of any other party and no act of any other governmental authority is required in connection with the execution, delivery and performance of the Agreement;
4. With respect to the Agreement, all acts necessary to the valid execution, delivery and performance of the Agreement, including without limitation, competitive bidding, public notice, election, referendum, prior appropriation or other required procedures have or will be taken and performed as required under all relevant federal, state and local laws, ordinances or other regulations with which Municipality is obligated to comply. Municipality Designee is duly authorized to execute Confirmations on behalf of the Municipality with respect to the Aggregation;
5. The Municipality is not relying on any representations, other than those set forth in Article 7(A), in entering into this Agreement; and
6. The Municipality is capable of assessing the merits and understanding the terms, conditions and risks of each energy, energy services, and/or related contracts that it enters into or chooses not to enter into, and prior to deciding whether to enter into any such arrangement and/or agreement, and in making such decision, the Municipality independently assesses the merits of such decision, and understands the terms, conditions and risks of such arrangement and/or agreement.

IN WITNESS WHEREOF, the Parties have duly executed this agreement to be effective on the date first written above. The Parties agree that this Agreement may be executed in separate counterparts and delivered by facsimile, or as an attachment to an electronic message (such as a pdf, tif or other mutually acceptable type of file attachment), each of which when so executed and delivered shall constitute the one and the same original document.

, OH By: _____ Name: Title: Date: APPROVED AS TO FORM (if required): By: _____ Name: Title: Date:	Constellation NewEnergy, Inc. By: _____ Name: Title: Date:
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ATTACHMENT 1**CONFIRMATION**

This Confirmation dated _____, once fully executed, is an agreement entered into pursuant to the terms of the Aggregation Program Agreement between Constellation NewEnergy, Inc. ("Constellation") and the _____, OH (the "Municipality"), and forms a part thereof.

Constellation and the Municipality agree that the Aggregation participants shall receive the Fixed Rate set forth below for the Delivery Period set forth below:

Delivery Period:

Fixed Rate: \$ _____ per kWh. The Fixed Rate does not include Utility distribution charges or applicable taxes.

ACKNOWLEDGED AND AGREED:

SAMPLE

_____, OH

By: _____

Name:

Title:

Date:

Constellation NewEnergy, Inc.

By: _____

Name:

Title:

Date:

This is not an offer. This Confirmation requires a signature from each Party to be effective.

Attachment: Reynoldsburg CNE OH Agg Program Agmt - electric - w.o preagg 06-2016 ... (1640 : Electric Aggregation Agreement with

ATTACHMENT 2

Electricity Purchase and Sale Terms and Conditions – Opt-Out Aggregation

The _____, Ohio ("Municipality"), pursuant to the aggregation authority conferred upon it by electorate vote, which passed by a majority vote on _____ and ordinance establishing the program, selected Constellation NewEnergy, Inc. ("Seller") to supply the aggregation and to administer enrollments as described below. You, the account holder (also referred to as "Buyer") for the eligible account associated with the service address referenced on the letter accompanying these Electricity Purchase and Sale Terms and Conditions (the "Account"), and Seller agree to the following terms and conditions. Seller and Buyer (individually referred to as "Party" and collectively as "Parties") agree to the following Electricity Purchase and Sale Terms and Conditions ("Agreement"), as of _____ (the "Effective Date").

1. Opt-Out Enrollment: Enrollment is automatic for those who are eligible, but participation is voluntary. **IF YOU DO NOT WISH TO PARTICIPATE, YOU MUST OPT-OUT BY (1) DETACHING AND RETURNING THE OPT OUT CARD ATTACHED TO THE ENROLLMENT NOTICE POSTMARKED NO LATER THAN _____, (2) BY CALLING _____ BY _____ OR (3) BY OPTING-OUT ON SELLER'S WEBSITE AT _____.** If you choose to opt-out, you will be served by the standard service offer of _____ (the "Utility") or until you choose an alternative supplier of electric service.

2. Eligibility: To be eligible for opt-out aggregation, Buyer and the Accounts to be served (i) must be located within the Municipality's jurisdictional boundaries, (ii) must be served by the Utility, (iii) may not be under contract with another competitive supplier, (iv) may not be on the Public Utilities Commission of Ohio ("PUCO") "do not aggregate" list, (v) must be in good standing with the Utility (including payment history), and (vi) may not be under a Utility special arrangement or percentage of income payment plan (PIPP).

3. Term and Renewal: This Agreement shall become binding on the Effective Date, provided however, the obligation of Seller to sell and schedule electricity for delivery to Buyer and the obligation of Buyer to purchase, take and pay for electricity is contingent upon: (a) eligibility of Buyer and the Accounts, (b) successful enrollment by the Utility, and (c) passage of the Rescission Period without effective cancellation by Buyer. Successful enrollment by the Utility is dependent upon (i) the eligibility of the Accounts, as set forth above and as determined by the Utility, to take from a retail electric supplier and (ii) the accuracy and completeness of any information submitted by Buyer and the Municipality. Service will commence on meter read dates in _____ and shall remain in effect through the _____ meter read ("Initial Term"), unless terminated pursuant to the terms of this Agreement. In the event ineligibility is not ascertained until after service commences, Seller shall provide notice of the same to Buyer and return Buyer to the Utility. Buyer shall have the opportunity to opt-out of the Aggregation at least every three years without penalty.

4. Rescission Period: The Utility will send Buyer a letter confirming transfer of service upon processing of Buyer's enrollment and Buyer will have 7 days from the postmark date of that letter to cancel its enrollment, without penalty, ("Rescission Period") by calling the Utility on the toll-free number provided in the letter or by providing written notice to the Utility.

5. Price: For each billing cycle of Initial Term, Buyer shall pay a Fixed Rate of \$0. _____ per kWh, multiplied by the billing cycle usage for the Accounts. The Parties acknowledge that the Municipality hired a third party intermediary ("Broker") for this transaction and a per kWh Broker fee has been included in the Fixed Rate. Buyer will also incur delivery and other additional service charges from the Utility. Switching fees may apply when service is established with Seller, but Buyer will not be charged separately by Seller for a switching fee.

6. Billing and Payment: Buyer will be invoiced by the Utility for both Seller's charges and the Utility's delivery charges. Such billing and payment (including fees associated with late payments) shall be subject to the applicable Utility rules regarding billing and payment procedures. Seller may cause the Utility to correct previous invoices in the event of invoicing errors. Seller's charges or credits not invoiced through the Utility shall be invoiced or credited, respectively, directly by Seller. Any such charges shall be due within 21 days following the invoice date and payments not received by the due date will be deemed past due and shall accrue interest on the unpaid balance from the due date until payment is received at a rate of 1.5% per month of the unpaid balance, provided that such percentage does not exceed the maximum amount allowable by law. Seller offers budget billing for generation charges (except in Duke territory) and Buyer should contact Seller at the phone number identified in Section 10 to elect budget billing. Seller does not offer budget billing for generation charges in Duke territory, but Buyer may contact the Utility for information on whether the Utility offers budget billing for Seller's charges.

7. Taxes: Any tax levied against Seller by any governmental entity, exclusive of Seller's income tax or taxes levied on Seller's real or personal property, that must be paid by Seller shall be passed through to and borne and reimbursed by Buyer. Buyer must provide Seller with any applicable exemption certificates. Buyer shall pay any such taxes unless Seller is required by law to collect and remit such taxes, in which case Buyer shall reimburse Seller for all amounts so paid.

8. Limitations: ALL ELECTRICITY SOLD HEREUNDER IS PROVIDED "AS IS", AND SELLER EXPRESSLY DISCLAIMS ALL OTHER WARRANTIES, WHETHER EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR PARTICULAR PURPOSE. IN NO EVENT WILL EITHER PARTY BE LIABLE UNDER THIS AGREEMENT, WHETHER IN AGREEMENT, IN TORT (INCLUDING NEGLIGENCE AND STRICT LIABILITY), OR OTHERWISE, FOR INDIRECT, INCIDENTAL, CONSEQUENTIAL, SPECIAL, OR PUNITIVE DAMAGES AND, FURTHER, IN NO CASE SHALL SELLER'S LIABILITY EXCEED THE AMOUNT OF BUYER'S SINGLE LARGEST MONTHLY INVOICE DURING THE PRECEDING 12 MONTHS.

9. Environmental Disclosure: Seller's environmental disclosure label, which will be updated from time to time, is available on Seller's

website.

10. Termination; Remedies: Seller may terminate Buyer's service under this Agreement for non-payment with at least 14 days written notice. Failure to pay Utility invoices may result in Buyer being disconnected in accordance with the Utility tariff. Buyer may terminate at any time without an early termination fees, including if Buyer moves outside of Seller's service area or into an area where the Seller charges a different price. If Buyer switches back to the Utility, Buyer may not be served under the same rates, terms, and conditions that apply to other customers served by the Utility. The Choice program is under the ongoing jurisdiction of the PUCO.

11. Force Majeure: Except for Buyer's obligation to pay Seller timely, neither Party shall be liable to the other for failure to perform an obligation if the non-performing Party was prevented from performing due to an event beyond the reasonable control, that could not be remedied by the exercise of due diligence and that was not reasonably foreseeable, including without limitation, acts of God, a condition resulting in the curtailment of electricity supply or interruption or curtailment of transmission on the electric transmission and/or distribution system, interruption of Utility service, terrorist acts or wars, and force majeure events of the Utility or RTO/ISO.

12. Questions, Complaints and Concerns: Buyer may contact Seller 24 hours per day, 7 days per week at . Seller's mailing address is 1716 Lawrence Drive, DePere, WI 54115, and its website is www.constellation.com. Seller will attempt to resolve all customer complaints in a timely manner and will respond to all complaints within 3 business days of receipt. If Buyer's complaint is not resolved after Buyer has called Seller and/or the Utility, or for general utility information, residential and business customers may contact the PUCO for assistance at 1-800-686-7826 (toll-free) from 8a.m. to 5p.m. weekdays, or at www.PUCO.ohio.gov. Hearing or speech impaired customers may contact the PUCO via 7-1-1 (Ohio relay service). Residential customers may also contact the Ohio Consumers' Counsel for assistance with complaints and utility issues at 1-877-742-5622 (toll free) from 8 a.m. to 5 p.m. weekdays, or at www.pickocc.org.

13. Miscellaneous: Buyer hereby authorizes the Utility to release data to Seller regarding Buyer's historical or current billing and usage data. This Agreement shall be governed by and construed in accordance with the laws of the State of Ohio and any applicable Utility tariffs. Buyer appoints Seller as its agent for the purposes of effectuating delivery, including for receipt of billing and usage data from the Utility. Title, possession, control of the electricity, and risk of loss will pass from Seller to Buyer at the interconnect between the applicable ISO's transmission system and the Utility's distribution system. Subject to regulatory approvals and notice from Seller, Seller may assign this Agreement without Buyer's consent. Buyer may assign this Agreement only with Seller's prior written consent. This Agreement constitutes the entire agreement between the Parties, superseding all verbal and written understandings. The Parties acknowledge and agree that (a) this Agreement constitutes a "forward contract" and/or "forward agreement" within the meaning of title 11 of the United States Code (the "Bankruptcy Code"), (b) each Party is a "forward contract merchant" within the meaning of the Bankruptcy Code, (c) for purposes of this Agreement, each Party is not a "utility" within the meaning of Section 366 of the Bankruptcy Code, and (d) each Party agrees to waive and not to assert the applicability of Section 366 of the Bankruptcy Code in any bankruptcy proceeding wherein such Party is a debtor, and (e) each Party further agrees to waive the right to assert that the other Party is a provider of last resort. This Agreement shall only be amended in a writing signed by both Parties or pursuant to Section 4 hereof. By agreeing to the terms and conditions herein, Buyer warrants the he or she is authorized to enter into this Agreement on behalf of the Party and Accounts for which it was made. Buyer should contact the Utility in the event of an electricity emergency. Seller is prohibited from disclosing Buyer's social security number and/or account number(s) without Buyer's affirmative written consent, except for the purpose of (i) Seller's collections and credit reporting, (ii) participation in programs funded by the universal service fund, (iii) pursuant to section 4928.54 of the Ohio Revised Code, or (iv) assigning this Agreement to another certified retail electric provider. Buyer may request from Seller, twice within a 12-month period, up to 24 months of Buyer's payment history without charge.

Development Department**Dan Havener****7232 E. Main Street****Reynoldsburg OHIO 43068****614-322-6831 Phone****RESOLUTION REQUEST**

DATE: **January 23, 2017****TO:** **Finance Committee****RE:** A RESOLUTION ACCEPTING, APPROVING AND RATIFYING THE
SUBMITTED RECOMMENDATIONS OF SEVERAL CITY OF
REYNOLDSBURG TAX INCENTIVE REVIEW COUNCILS; AND
DECLARING AN EMERGENCY.

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

That this ordinance is deemed to be an emergency measure necessary for the financial needs of the city, and that a response is needed within 60 days of receiving the recommendation; wherefore upon adoption by council this ordinance shall be in effect immediately upon signature by the mayor.

A RESOLUTION ACCEPTING, APPROVING AND RATIFYING THE SUBMITTED RECOMMENDATIONS OF THE BRICE AND MAIN TIF, TAYLOR SQUARE TIF, TAYLOR ROAD TIF #1, TAYLOR ROAD TIF #2, KROGER TIF, AND SUMMIT ROAD TIF TAX INCENTIVE REVIEW COUNCILS.



MINUTES

2016 FAIRFIELD COUNTY; TAYLOR SQ. TIRC WEDNESDAY, JULY 29, 2016

**PLACE: 2nd FLOOR, MAIN CONFERENCE ROOM
7232 E. MAIN ST, REYNOLDBURG, OH 43068**

1. Ed Laramée, Fairfield County Deputy Auditor

Mr. Laramée called the meeting to order at 3:05 p.m.

Present: Ed Laramée, Tina Thomas-Manning, Rick Szabrak, Richard Harris, Dan Havener and Rochelle Menningen

2. Approval of 2015 Minutes

Mr. Harris made a motion to approve the Minutes, seconded by Ms. Tina Thomas-Manning; five affirmative votes, no negative votes; Minutes stand approved as submitted.

3. Taylor Square TIF

Mr. Harris: This is the Taylor Sq. Tax Increment. The infrastructure has been built, the debt service has been paid, and the schools are getting their money regularly. Everything seems to be working as scheduled. This was part of a debt refinancing that we did. The debt service is going to be reduced by about \$700,000. We are down to eight years left on the bonds. The debt service has been paid to date.

Mr. Laramée: *(Inaudible)*

Mr. Harris: It was put there in case one of the major retailers decided not to come, and the schools and developer would have then been on the hook for making up the shortfall. That was the reason for that. It took off and was very successful. It is all built out.

Mr. Laramée: *(Inaudible)*

Mr. Harris: parking for the IHOP and Olive Garden is terrible. Anything that does not include a major parking lot there is going to be a problem. No other tax incentives, just

the debt service on Phase One. Noble properties, even when the old hotel was there, had owned that for forty years.

Mr. Laramée: *(Inaudible)*

Mr. Harris: The bond issuance was between seven and a half, and eight million. There was even enough to put the snub road in on the west side. Most of it was sidewalks, sewers, water streets, that sort of thing.

Mr. Laramée: *(Inaudible)*

Mr. Harris: I get about a dozen calls a year about the tax rate at the Walmart, and I have to explain that it is not in Franklin County, and it is in Fairfield.

Mr. Harris made a motion to accept the reports and to continue the TIF, seconded by Mr. Havener; five affirmative votes, no negative votes; the Motion carried.

4. Comments and Closing

Mr. Laramée adjourned the meeting at 3:17 p.m.

TAYLOR SQUARE TAX INCREMENT FINANCING

11.g.b

Phase I and II	1st Half 2015	2nd half 2015
Total Phase I Collected	702,113.06	658,615.57
Total Phase II Collected	268,447.09	278,224.98
TOTAL COLLECTED	970,560.15	936,840.55

Effective Class II % to School 71.00% 71.00%

Subaccounts	1st Half 2015	2nd half 2015
Phase I Reserve		
Phase I Debt Service	702,113.06	658,615.57
Phase II School Revenue	190,597.43	197,539.74
Phase II Debt Service	77,849.66	80,685.24
	970,560.15	936,840.55

Fund 970 (TIF)	1st Half 2015	2nd half 2015
Fund 970 Beginning Balance	459,388.50	1,165,942.80
Total Collected	970,560.15	936,840.55
Paid To Schools	-264,005.84	-388,137.17
Transferred to Debt Service		-601,348.00
Debt Payments paid from Tax Revenues	0.00	
Fund 970 Ending Balance	1,165,942.80	1,113,298.18
Fund 970 reserve		195,382.65

Payments to School District	1st Half 2015	2nd half 2015
Phase II School Revenue (30 days after receipt)	190,597.43	197,539.74
Annual Balance (30 days after calendar year)		917,915.53

Service Payment Deficiencies	2015	2015
Phase I Owner's Parcel (i)		832,949.65
Phase I Property (ii)		1,360,728.63
Credited Payments (iii)		1,519,263.53
Debt Payment Required		601,348.00
Debt Service Deficiency		0.00
Target Deficiency		0.00
Amount Due From Owner		0.00

Attachment: Taylor Sq TIF Reports (1616 : Resolution Accepting Recommendations of Several City of Reynoldsburg Tax Incentive Review

Taylor Square
1st half

2015 Tax Year 2014

Phase		Total Collected	Fees	Net Amount
I - Other	044-73792-00 BP Exploration	14,307.62	306.57	14,001.05
I - Other	044-73793-00 Bills Sunoco	23,088.43	494.72	22,593.71
I - Other	044-73793-13 Noca (O'Charlies)	23,049.96	493.89	22,556.07
I - Other	044-73793-15 Noca (Fridays)	24,440.59	523.69	23,916.90
I - Other	044-73795-12 BP Exploration		0.00	0.00
I - Other	044-73795-50 Noca Ltd.	725.90	15.55	710.35
I - Other	044-73795-51 Smokey Bones	28,641.76	613.71	28,028.05
I - Other	044-73795-52 Sliver	1,036.74	22.21	1,014.53
I - Other	044-73795-70 Fifth Third Bank	23,173.07	496.53	22,676.54
I - Other	044-73795-80 P & S Hotel Group	109,808.07	2,352.86	107,455.21
I - Other	044-73795-90 First Hospitality	44,457.70	952.60	43,505.10
		<u>292,729.84</u>	<u>6,272.32</u>	<u>286,457.52</u>
I - Owner	044-73795-20 Noca (Walmart)	248,713.27	5,328.80	243,384.47
I - Owner	044-73795-30 Noca Retail Devel.	119,814.85	2,567.27	117,247.58
I - Owner	044-73795-40 Noca (West Strip)	56,228.30	1,204.80	55,023.50
		<u>424,756.42</u>	<u>9,100.88</u>	<u>415,655.54</u>
II	044-73790-10 Ardmore of Ohio		0.00	0.00
II	044-73790-11 Ardmore of Ohio		0.00	0.00
II	044-73791-00 Logans SH	41,038.31	879.33	40,158.98
II	044-73791-10 City of Reyn.		0.00	0.00
II	044-73791-11 Ardmore of Ohio	156.17	3.35	152.82
II	044-73791-20 UHA Corp.	15,479.36	331.68	15,147.68
II	044-73793-11 Noca Retail Devel.	21,246.56	455.25	20,791.31
II	044-73793-30 Drury Inns Inc	34,980.22	749.52	34,230.70
II	044-73794-10 Drury Inns Inc	-619.52	-13.27	-606.25
II	044-73794-20 Drury Inns Inc	4,852.93	103.98	4,748.95
II	044-73795-00 BP Gas Lease.	14,027.57	300.57	13,727.00
II	044-73795-01 Reynoldsburg LLC	-17,723.14	-379.75	-17,343.39
II	044-73795-13 Sams (17%).	53,970.20	1,156.42	52,813.78
II	044-73795-14 Parking lot	15,649.39	335.32	15,314.07
II	044-73795-10 Drury Inns Inc	23,117.69	495.34	22,622.35
II	044-73795-60 Noca Ltd.	68,149.31	1,460.24	66,689.07
		<u>274,325.05</u>	<u>5,877.96</u>	<u>268,447.09</u>
Total 2010 Collections estimated		991,811.31	21,251.16	970,560.15

Taylor Square
2nd half
2015 Tax Year 2014

Phase		Total Collected	Fees	Net Amount
I - Other	044-73792-00 BP Exploration	14,307.62	251.37	14,056.25
I - Other	044-73793-00 Bills Sunoco	23,088.43	405.64	22,682.79
I - Other	044-73793-13 Noca (O'Charlies)	23,049.96	404.96	22,645.00
I - Other	044-73793-15 Noca (Fridays)	24,440.59	429.40	24,011.19
I - Other	044-73795-12 BP Exploration		0.00	0.00
I - Other	044-73795-50 Noca Ltd.	725.90	12.75	713.15
I - Other	044-73795-51 Smokey Bones	9,676.78	170.01	9,506.77
I - Other	044-73795-52 Sliver	1,036.74	18.21	1,018.53
I - Other	044-73795-70 Fifth Third Bank	23,173.07	407.13	22,765.94
I - Other	044-73795-80 P & S Hotel Group	81,680.27	1,435.04	80,245.23
I - Other	044-73795-90 First Hospitality	44,457.70	781.08	43,676.62
		<u>245,637.06</u>	<u>4,315.60</u>	<u>241,321.46</u>
I - Owner	044-73795-20 Noca (Walmart)	248,713.27	4,369.41	244,343.86
I - Owner	044-73795-30 Noca Retail Devel.	119,814.85	2,105.03	117,709.82
I - Owner	044-73795-40 Noca (West Strip)	56,228.30	987.88	55,240.42
		<u>424,756.42</u>	<u>7,462.32</u>	<u>417,294.10</u>
II	044-73790-10 Ardmore of Ohio		0.00	0.00
II	044-73790-11 Ardmore of Ohio		0.00	0.00
II	044-73791-00 Logans SH	21,382.75	375.67	21,007.08
II	044-73791-10 City of Reyn.		0.00	0.00
II	044-73791-11 Ardmore of Ohio	156.17	2.74	153.43
II	044-73791-20 UHA Corp.	15,479.36	271.96	15,207.40
II	044-73793-11 Noca Retail Devel.	21,246.56	373.28	20,873.28
II	044-73793-30 Drury Inns Inc		0.00	0.00
II	044-73794-10 Drury Inns Inc	-2,994.48	-52.61	-2,941.87
II	044-73794-20 Drury Inns Inc	-4,891.55	-85.94	-4,805.61
II	044-73795-00 BP Gas Lease.	14,027.57	246.45	13,781.12
II	044-73795-01 Reynoldsburg LLC	55,466.36	974.49	54,491.87
II	044-73795-13 Sams (17%).	53,970.20	948.20	53,022.00
II	044-73795-14 Parking lot	18,090.59	317.83	17,772.76
II	044-73795-10 Drury Inns Inc	23,117.69	406.15	22,711.54
II	044-73795-60 Noca Ltd.	68,149.31	1,197.32	66,951.99
		<u>283,200.53</u>	<u>4,975.55</u>	<u>278,224.98</u>
Total 2010 Collections estimated		953,594.01	16,753.46	936,840.55



MINUTES

2016 FRANKLIN COUNTY; BRICE ROAD TIRC WEDNESDAY, JULY 29, 2016

**PLACE: 2nd FLOOR, MAIN CONFERENCE ROOM
7232 E. MAIN ST, REYNOLDBURG, OH 43068**

1. Brian Katz, Franklin County Auditor's Office

Mr. Katz called the meeting to order at 2:32 p.m.

Present: Brian Katz, Shelley May, Cindy Deloid, Tina Thomas-Manning, Richard Harris, Dan Havener and Rochelle Menningen

2. Approval of 2015 Minutes

Mr. Katz asked to have a correction on the 2015 Minutes. Under Ms. May it stated built and should have been billed.

Mr. Katz made a motion to approve the Minutes with the noted correction, seconded by Mr. Havener; six affirmative votes, no negative votes; Minutes stand approved as submitted.

3. Brice Road TIF

Mr. Harris: I have given everybody a copy of the information. The Brice Rd. TIF debt service has been paid for the year and the school has gotten their money. So everything is as it should be.

Mr. Harris made a motion to accept the reports and to continue the TIF, seconded by Mr. Havener; six affirmative votes, no negative votes; the Motion carried.

4. Comments and Closing

Mr. Katz adjourned the meeting at 2:35 p.m.

	1st Half	2nd Half
Total Net TIF Collections	2015	2015
Home Depot Settlement	73,582.98	73,582.98
Home Depot 10% Rollback	0.00	0.00
Walgreens Settlement	34,073.80	34,073.80
Walgreens 10% Rollback	0.00	0.00
Gross Collection	107,656.78	107,656.78
Less:		
Aud/Treas Fees	1,218.45	1,220.87
Delinquent Tax Collection (5%)		
Net Distribution	106,438.33	106,435.91

Effective Class II % to School	62.75%	62.75%
	1st Half	2nd Half
Subaccounts	2015	2015
School Revenue Account	66,790.05	66,788.53
Public Improvement Account	39,648.28	39,647.38
	106,438.33	106,435.91

	1st Half	2nd Half
Distribution to Schools	2015	2015
Beginning Balance Owed to Schools	5,278.82	66,790.05
Funds Deposited in School Revenue Account	66,790.05	66,788.53
Paid To Schools	5,278.82	124,721.18
Ending Balance Owed to Schools	66,790.05	8,857.41

Fund 971 (Brice - Main TIF)	1st Half	2nd Half
	2015	2015
Fund 971 Beginning Balance	9,021.92	109,425.25
Total Collected	106,438.33	106,435.91
Debt Service paid for 2003 Bonds	6,035.00	81,035.00
Paid To Schools		130,000.00
Fund 971 Ending Balance	109,425.25	14,826.16
	trf from GF	10,000.00
		24,826.16

2nd half 2015 Collections	Total Distribution	Fees	Net Distribution	10% Rollback	Total Received
Home Depot 90-007	73,582.98	834.46	2072,748.52	0.00	72,748.52
Walgreen 90-28	34,073.80	386.41	33,687.39	0.00	33,687.39
Tax Year 2014	107,656.78	1,220.87	106,435.91	0.00	106,435.91

1st half 2015 Collections	Total Distribution	Fees	Net Distribution	10% Rollback	Total Received
Home Depot 90-007	73,582.98	832.81	72,750.17	0.00	72,750.17
Walgreen 90-28	34,073.80	385.64	33,688.16	0.00	33,688.16
Tax Year 2014	107,656.78	1,218.45	106,438.33	0.00	106,438.33



MINUTES

2015 LICKING COUNTY TIRC WEDNESDAY, SEPTEMBER 30, 2015

**PLACE: 2nd FLOOR, MAIN CONFERENCE ROOM
7232 E. MAIN ST, REYNOLDBURG, OH 43068**

1. Michael Smith, Licking County Auditor

Mr. Smith called the meeting to order at 3:32 p.m.

Present: Michael Smith, Tina Thomas-Manning, Robert Platte, Brad Mercer, Walter Rogers, Atty. Jed Hood, Richard Harris, Dan Havener, and Rochelle Menningen

2. Approval of 2015 Minutes

Atty. Hood made a motion to approve the Minutes, seconded by Mr. Harris; eight affirmative votes, no negative votes; Minutes stand approved as submitted.

3. Kroger TIF

Mr. Harris: This was to fund the improvements at Taylor Rd. and US 40. This was done through District 2 money. Money is still being collected. The bond on this is still being paid on. However, ODOT still has the authority to come in and demand improvements on that intersection. For those of you who were not around then, Kroger had thought about going north and putting in shops there. I do not know if they have any thoughts of doing that now. At some point in time we are probably going to have to put another lane going southbound on Taylor. At one point in time, McDonalds had thought about going in across the street. If something like that came in, we would have to do the infrastructure. Sanitary we already did up the street.

Mr. Havener: Sanitary was not done to the east.

Mr. Harris: No, and the reason it was done was to get our sewer lines in before the gas station.

Atty. Hood: There were other utilities to identify that were necessary.

Atty. Hood made a motion to accept the reports and to continue the TIF, seconded by Mr. Harris; eight affirmative votes, no negative votes; the Motion carried.

4. Taylor Road TIF #1

Mr. Harris: This is on a condominium complex that is on the west side of Taylor Rd., north of Main. We have some money coming in. The original intent was to use the income to put water and sewer under Taylor Rd.

Atty. Hood made a motion to accept the reports and to continue the TIF, seconded by Mr. Harris; eight affirmative votes, no negative votes; the Motion carried.

5. Taylor Road TIF #2

Mr. Harris: This is on a multi-family development south on Taylor Rd. This was also meant for infrastructure. After a number of years of not having anything, I do not know what the plans are.

Atty. Hood made a motion to accept the reports and to continue the TIF, seconded by Mr. Harris; eight affirmative votes, no negative votes; the Motion carried.

6. Summit Road TIF

Mr. Harris: This is for the west side of Summit Rd. Mr. McClain is building an assisted living which is going to be generating some money. Eventually the rest of that will probably all be residential.

Atty. Hood made a motion to accept the reports and to continue the TIF, seconded by Mr. Harris; eight affirmative votes, no negative votes; the Motion carried.

7. Comments and Closing

Mr. Smith adjourned the meeting at 3:42

Kroger TIF
Fund 972

	1st half	2nd half
Total Net TIF Collections	2015	2015
Kroger	39,009.58	39,009.58
Kroger 10% Rollback	0.00	0.00
	0.00	0.00
	0.00	0.00
Gross Collection	39,009.58	39,009.58
Less:		
Aud/Treas Fees	507.05	520.17
Delinquent Tax Collection (5%)		
Net Distribution	38,502.53	38,489.41

Fund 972 Kroger Tif	1st half	2nd half
	2015	2015
Fund 972 Beginning Balance	254,672.87	276,133.54
Total Collected	38,502.53	38,489.41
Debt Service -SIB Loan	17,041.86	17,041.86
Fund 972 Ending Balance	276,133.54	297,581.09

KROGER

2nd Half 2015 Collections	Total Distribution	Fees	Net Distribution	10% Rollback	Total Received
Kroger	39,009.58	520.17	38,489.41	0.00	38,489.41
			0.00	0.00	0.00
	39,009.58	520.17	38,489.41	0.00	38,489.41

1st Half 2015 Collections	Total Distribution	Fees	Net Distribution	10% Rollback	Total Received
Kroger	39,009.58	507.05	38,502.53	0.00	38,502.53
			0.00	0.00	0.00
	39,009.58	507.05	38,502.53	0.00	38,502.53

Summit Rd #1
Fund 973

	1st half 2015	2nd half 2015
Total Net TIF Collections		
Summit Rd #1	0.00	0.00
Summit Rd #1 10% Rollback	0.00	0.00
Maple Woods Farms	0.00	0.00
Maple Woods Farms-10% Rollback	0.00	0.00
Gross Collection	0.00	
Less:		
Aud/Treas Fees	0.00	0.00
Delinquent Tax Collection (5%)		
Net Distribution	0.00	0.00

Fund 973 Summit Rd #1 Tif	1st half 2015	2nd half 2015
Fund 973 Beginning Balance	5,105.61	5,105.61
Total Collected	0.00	0.00
Debt Service		
Fund 973 Ending Balance	5,105.61	5,105.61

Taylor Rd Tif #1
Fund 974

	1st half	2nd half
Total Net TIF Collections	2015	2015
Taylor Chase	10,252.31	7,393.04
	0.00	0.00
Gross Collection	10,252.31	7,393.04
Less:		
Aud/Treas Fees	149.48	98.44
Delinquent Tax Collection (5%)		
Net Distribution	10,102.83	7,294.60

Fund 974 Taylor Rd-1 Tif	1st half	2nd half
	2015	2015
Fund 974 Beginning Balance	116,576.52	126,679.35
Total Collected	10,102.83	7,294.60
Debt Service		
Fund 974 Ending Balance	126,679.35	133,973.95

Taylor Rd #1

2nd Half 2015 Collections	Total Distribution	Fees	Net Distribution	10% Rollback	Total Received
Taylor Chase	7,393.04	98.44	7,294.60	0.00	7,294.60
			0.00	0.00	0.00
Tax Year 2014	7,393.04	98.44	7,294.60	0.00	7,294.60

1st Half 2015 Collections	Total Distribution	Fees	Net Distribution	10% Rollback	Total Received
Taylor Chase	10,252.31	149.48	10,102.83		10,102.83
Tax Year 2014	10,252.31	149.48	10,102.83	0.00	10,102.83

Taylor Rd Tif #2
Fund 975

	1st half	2nd half
Total Net TIF Collections	2015	2015
Park National Bank	0.00	0.00
Glen O Bard	758.61	0.00
	0.00	0.00
Gross Collection	758.61	0.00
Less:		
Aud/Treas Fees	9.83	0.00
Delinquent Tax Collection (5%)		
Net Distribution	748.78	0.00

Fund 975 Taylor Rd-2 Tif	1st half	2nd half
	2015	2015
Fund 975 Beginning Balance	12,727.95	13,476.73
Total Collected	748.78	0.00
Debt Service		
Fund 975 Ending Balance	13,476.73	13,476.73

1st Half 2015 Collections

2nd Half 2015 Collections	Total Distribution	Fees	Net Distribution	10% Rollback	Total Received
Park National Bank	0.00		0.00	0.00	0.00
Glen O Bard	0.00	0.00	0.00	0.00	0.00
Tax Year 2014	0.00	0.00	0.00	0.00	0.00

1st Half 2015 Collections

1st Half 2015 Collections	Total Distribution	Fees	Net Distribution	10% Rollback	Total Received
Park National Bank	0.00	0.00	0.00		0.00
Glen O Bard	758.61	9.83	748.78		748.78
Tax Year 2014	758.61	9.83	748.78	0.00	748.78

Police Department**James O'Neill****7240 E. Main Street****Reynoldsburg OHIO 43068****614-322-6947 Phone****ORDINANCE REQUEST**

DATE: **January 23, 2017****TO:** **Finance Committee****RE:** ORDINANCE AUTHORIZING THE REYNOLDSBURG DIVISION OF
POLICE TO APPLY FOR AND ACCEPT THE US DEPARTMENT OF
JUSTICE; OFFICE OF JUSTICE PROGRAMS; BUREAU OF JUSTICE
ASSISTANCE GRANT AND DECLARING AN EMERGENCY.

Emergency/Suspension: **Emergency****Reason For Emergency:** **Financial needs of the City's government****Apply and Receive the Body Worn Camera Grant****Statement of Necessity: Permission to pass this request as an emergency due to the deadline for grant application being February 16, 2017.**

The Reynoldsburg Division of Police request permission to apply for the Body Worn Camera Policy and Implementation Grant, and request to receive the funding from the grant if approved.

Please see the attached support document detailing the implementation of this grant.

OMB No. 1121-0329
Approval Expires 12/31/2018

U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance



The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [Bureau of Justice Assistance](#) (BJA) is seeking applications for the FY 2017 Body-Worn Camera Policy and Implementation Program. This program furthers the Department's mission by supporting the safe and fair administration of justice.

Body-Worn Camera Policy and Implementation Program FY 2017 Competitive Grant Announcement

Applications Due: February 16, 2017

Eligibility

Eligible applicants are limited to public agencies of state government, units of local government, and federally recognized Indian tribal governments that perform law enforcement functions (as determined by the Secretary of the Interior); or any department, agency, or instrumentality of the foregoing that performs criminal justice functions (including combinations of the preceding, one of which is designated as the primary applicant).

BJA welcomes applications under which two or more entities would carry out the federal award; however, only one entity may be the applicant. Any others must be proposed as subrecipients ("subgrantees").¹ The applicant must be the entity that would have primary responsibility for carrying out the award, including administering the funding and managing the entire Body-Worn Camera Policy and Implementation Program. Under this solicitation, only one application by any particular applicant entity will be considered. An entity may, however, be proposed as a subrecipient ("subgrantee") in more than one application.

BJA may elect to fund applications submitted under this FY 2017 solicitation in future fiscal years, dependent on, among other considerations, the merit of the applications and on the availability of appropriations.

If clarification as to an entity's eligibility is needed, applicants are encouraged to contact BJA to confirm their eligibility before developing a full application. BJA will consider supporting documentation relevant to a determination of eligibility.

¹ For additional information on subawards, see "Budget and Associated Documentation" under [Section D. Application and Submission Information](#).

Deadline

Applicants must register with [Grants.gov](https://grants.gov) prior to submitting an application. All applications are due to be submitted and in receipt of a successful validation message in Grants.gov by 11:59 p.m. eastern time on February 16, 2017.

To be considered timely, an application must be submitted by the application deadline using Grants.gov, and the applicant must have received a validation message from Grants.gov that indicates successful and timely submission. OJP urges applicants to submit applications at least 72 hours prior to the application due date, in order to allow time for the applicant to receive validation messages or rejection notifications from Grants.gov, and to correct in a timely fashion any problems that may have caused a rejection notification.

OJP encourages all applicants to read this [Important Notice: Applying for Grants in Grants.gov](#).

For additional information, see [How to Apply](#) in Section D. Application and Submission Information.

Contact Information

For technical assistance with submitting an application, contact the Grants.gov Customer Support Hotline at 800-518-4726 or 606-545-5035, or via email to support@grants.gov. The [Grants.gov](https://grants.gov) Support Hotline operates 24 hours a day, 7 days a week, except on federal holidays.

An applicant that experiences unforeseen Grants.gov technical issues beyond its control that prevent it from submitting its application by the deadline must email the BJA contact identified below **within 24 hours after the application deadline** and request approval to submit its application. Additional information on reporting technical issues appears under "Experiencing Unforeseen Grants.gov Technical Issues" in the [How to Apply](#) section.

For assistance with any other requirement of this solicitation, contact the National Criminal Justice Reference Service (NCJRS) Response Center: toll-free at 800-851-3420; via TTY at 301-240-6310 (hearing impaired only); email grants@ncjrs.gov; fax to 301-240-5830; or web chat at <https://webcontact.ncjrs.gov/ncjchat/chat.jsp>. The NCJRS Response Center hours of operation are 10:00 a.m. to 6:00 p.m. eastern time Monday through Friday, and 10:00 a.m. to 8:00 p.m. eastern time on the solicitation close date.

Grants.gov number assigned to this solicitation: BJA-2017-11221

Release date: December 13, 2016

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Body-Worn Camera Policy and Implementation Program

(CFDA #16.835)

A. Program Description

Overview

Law enforcement agencies across the country and worldwide are using body-worn cameras (BWC) as a promising tool to improve law enforcement interactions with the public. BWCs can provide a visual and audio record of interactions. Some preliminary evidence indicates that the presence of BWCs helps strengthen accountability and transparency, and can assist in de-escalating conflicts, resulting in more constructive encounters between the police and members of the community. This competitive solicitation is for law enforcement agencies seeking to **establish or enhance** BWC Policy and Implementation Programs (PIP). Successful applicants will be responsible for a mandatory 50 percent in-kind or cash match.

The FY 2017 BWC PIP will support the implementation of body-worn camera programs in law enforcement agencies across the country. The intent of the program is to help agencies develop, implement, and evaluate a BWC program as one tool in a law enforcement agency's comprehensive problem-solving approach to enhance officer interactions with the public and build community trust.

Successful applicants will develop and implement policies and practices required for effective program adoption, and will address program factors including the purchase, deployment, and maintenance of camera systems and equipment; data storage and access; and privacy considerations. BJA expects the BWC programs to make a positive impact on the quality of policing in these jurisdictions and to inform national efforts to improve the use of BWCs more broadly. While BWC equipment may be purchased under this program, successful applicants must demonstrate a commitment and adherence to a strong BWC policy framework, including comprehensive policy adoption and requisite training.

Statutory Authority: Any awards under this solicitation would be made under statutory authority provided by a full-year appropriations act for FY 2017. As of the writing of this solicitation, the Department of Justice is operating under a short-term "Continuing Resolution;" no full-year appropriation for the Department has been enacted for FY 2017.

Program-Specific Information

Law enforcement agencies' use of BWC programs has shown these cameras to be a promising practice to improve law enforcement's interactions with the public. These cameras are an important tool that could be an integrated part of a jurisdiction's holistic problem-solving and community-engagement strategy, helping to increase both trust and communication between the police and the communities they serve. BWCs can be highly effective, providing an objective audio and visual record of interactions that can capture empirical evidence in the event of a crime, police-citizen interaction, or use-of-force incident. Preliminary research indicates that departments that have effectively implemented BWC programs have received fewer public

complaints, file fewer use-of-force reports, and show a reduction in adjudicated complaints resulting in a decrease of settlements.

While research relating to BWCs is promising, current implementation methods vary widely and BWC deployment is often a complex balance between the overarching public safety goals and the technological, logistical, and policy challenges. Leading police membership organizations like the Police Executive Research Forum (PERF) and the International Association of Chiefs of Police (IACP), and federal agencies such as DOJ's Office of Community Oriented Policing Services (COPS) and OJP's Diagnostic Center, BJA, and National Institute of Justice (NIJ) have produced helpful guidance related to the complex privacy, officer safety, and policy issues involved in implementing this rapidly evolving technology:

1. BJA Body-Worn Camera Toolkit: www.bja.gov/bwc
2. COPS/PERF Resource: www.justice.gov/iso/opa/resources/472014912134715246869.pdf
3. IACP Resources: www.theiacp.org (search "Body Worn Camera")
4. OJP Diagnostics Center Resource: www.ojpdiagnosticcenter.org/sites/default/files/spotlight/download/Police%20Officer%20Body-Worn%20Cameras.pdf
5. National Institute of Justice Resource: www.nij.gov/topics/law-enforcement/technology/Pages/body-worn-cameras.aspx

Goals, Objectives, and Deliverables

BJA is soliciting applications from law enforcement agencies to develop a comprehensive, problem-solving approach that incorporates BWCs into officer practice by implementing a first-time program or enhancing an existing BWC program that includes the following elements:

- Implementation of a BWC program developed in a planned and phased approach that first achieves broad stakeholder, local political leadership, and community engagement, and then leverages partnership input to address policy, training, deployment, and procurement requirements.
- Implementation of appropriate privacy policies that, at a minimum, address BWC program issues involving civil rights, domestic violence, juveniles, and victims' groups, and legal liabilities of release of information.
- Implementation of operational procedures and tracking mechanisms that address the use, review, access, storage, retention, redaction, and expungement of digital voice and audio evidence.
- Training of officers, administrators, and associated agencies requiring access to digital multimedia evidence (DME).

Program funds are expected to support necessary collaboration with other justice stakeholders, such as citizen and community groups, prosecution, defense counsel, labor organizations (e.g., police unions), and the courts, to help ensure that an effective program is implemented. BJA requires that applicants develop a communication strategy for engaging with privacy and civil liberty advocacy groups to promote understanding of the program and obtain buy-in. Program funds may be used to engage and inform the public and victim, privacy, and civil liberty advocacy groups about how the applicant will use its BWC project as a part of a larger initiative to improve transparency and accountability in encounters between police and the public. The successful applicant will demonstrate it has evaluated its agency's existing evidence and practices related to

increasing accountability and transparency and will set goals and develop strategies (to include the use of BWCs) that will improve outcomes during police–citizen encounters.

Policy and practices should at minimum address technology usage, evidence acquisition, data storage and retention, as well as privacy issues, accountability, and discipline. They must also consider the impact of data collection and use on public trust and police legitimacy. Public record laws, which allow public access to information held by government agencies, including law enforcement, should also be evaluated and, when practicable, modified to protect the privacy of the individuals whose records they hold and to maintain the trust of the community. These policies and practices should at a minimum increase transparency and accessibility, provide appropriate access to information, allow for public posting of policy and procedures, and encourage community interaction and relationship building.

Special Condition for Policy Development and Planning:

Award recipients shall be required to work with the BJA-funded BWC training and technical assistance (TTA) provider as part of the policy development process review prior to full funding being released for procurement and implementation. The agencies are also encouraged to utilize the services of the TTA provider to assist in any areas of BWC policy development and implementation.

Agencies shall only have access to 10 percent of federal award funds for preliminary policy development and planning efforts prior to this review. Match funds should only be encumbered after an approved budget has been processed by BJA and received by the grantee.

The primary tool for policy development review is the BWC Policy Scorecard, which can be found on BJA's website, <https://www.bja.gov/bwc/pdfs/BWC-Scorecard-Instructions-and-Template.pdf>. Agencies are required to complete the scorecard process through the TTA provider prior to release of funds for implementation.

Agencies are also encouraged to contact the TTA provider via the contact information found on the TTA website, at <http://www.bwctta.com>, prior to application submission to ensure the agency understands the potential impacts of a BWC program. This funding opportunity does not cover long-term program and storage costs and BJA wants to ensure agencies understand the potential impact on their agency and agency budget.

Successful applicants will identify the methods by which they plan to address the "Considerations for Implementation" referenced in the COPS "Implementing a Body-Worn Camera Program" (see "Considerations for Implementation" section below). Additionally, the applicant will describe the existing or intended methods of establishing and measuring the success of the BWC program and the policies and practices required for a sustainable BWC program, including the relationships with associated agencies, advocates, and other interested parties. Funds for the expansion of existing programs should be used to support represented police agencies with body-worn cameras, the associated hardware, software licenses, and contractual agreements directly related to program creation or expansion. These funds should not be used to extend maintenance and support services for existing resources.

The Goals, Objectives, and Deliverables are directly related to the performance measures set out in the table in [Section D. Application and Submission Information](#), under "Program Narrative."

Reimbursement for previously purchased cameras, other equipment, and contracts:

BJA only expects to fund new and expanding BWC programs; applications that seek reimbursement for previously purchased components are not being considered for this solicitation. See the **Pre-Agreement Cost Approvals** section on page 14.

Data Storage Costs: To ensure agencies establish program continuity this solicitation does not allow for federal reimbursement of data storage costs. BJA does recognize that BWC systems are often bundled or sold as software-as-a-service (SAAS) with no line-item distinction to data storage costs. Procurements with bundled costs, specifically no line-item storage costs, are permissible for reimbursement and the agency will not be asked to break out the costs.

CATEGORY 1: IMPLEMENTATION OR EXPANSION OF BWC PROGRAMS FOR SMALL AGENCIES.

Competition ID: BJA-2017-12240

This funding category seeks to establish new or expand existing BWC programs in police agencies with 25 or fewer sworn officers. Applicants may request no more than \$50,000 under this category. BJA estimates 40 awards will be made in this category for an estimated total amount of \$2,000,000.

Funding Metric:

There is a minimum request of \$10,000 for this category. If an agency does not require this level of funding they are encouraged to partner with other criminal justice agencies to combine projects and have one of the agencies act as the applicant while the partner agencies act as subrecipients.

This category is not restricted by the \$1,500 camera metric (see below), though peer reviewers and BJA will consider the cost ratio of requested funds to the number of body-worn cameras requested. All categories must follow the 50 percent funding match requirement.

CATEGORY 2: IMPLEMENTATION OR EXPANSION OF BWC PROGRAMS FOR MID-SIZED AGENCIES.

Competition ID: BJA-2017-12241

This funding category seeks to establish new or expand existing BWC programs in mid-sized police agencies with more than 25 sworn officers and up to 250 sworn officers. Applicants may request no more than \$400,000 under this category. BJA estimates 10 awards will be made in this category for an estimated total amount of \$4,000,000.

Funding Metric:

Applicants for this category may request no more than \$1,500.00 for each camera to be deployed in this phase of their BWC program, up to the agency size funding limitations (see below). Though funds are correlated to the number of cameras, **awarded funds may also be used for any part of the BWC program** other than line-item data storage costs, which can only be covered with matching funds. BWC systems that are bundled or sold as software-as-a-service (SAAS) with no line-item distinction to data storage costs are permissible for award funding.

CATEGORY 3: IMPLEMENTATION OR EXPANSION OF BWC PROGRAMS FOR LARGE AGENCIES.

Competition ID: BJA-2017-12242

This funding category seeks to establish new or expand existing BWC programs in large police agencies with more than 250 and up to 1,000 sworn officers. Eight awards are anticipated, and applicants may request no more than \$750,000 for an estimated total amount of \$6,000,000 under this category.

Funding Metric:

Applicants for this category may request no more than \$1,500.00 for each camera to be deployed in this phase of their BWC program, up to the agency size funding limitations (see below). Though funds are correlated to the number of cameras, **awarded funds may also be used for any part of the BWC program** other than line-item data storage costs, which can only be covered with matching funds. BWC systems that are bundled or sold as software-as-a-service (SAAS) with no line-item distinction to data storage costs are permissible for award funding.

CATEGORY 4: IMPLEMENTATION OR EXPANSION OF BWC PROGRAMS FOR EXTRA-LARGE AGENCIES.**Competition ID: BJA-2017-12243**

This funding category seeks to establish new or expand existing BWC programs in extra-large police agencies with more than 1,000 sworn officers. Five awards are anticipated, and applicants may request no more than \$1,000,000 for an estimated total of \$5,000,000 under this category.

Funding Metric:

Applicants for this category may request no more than \$1,500.00 for each camera to be deployed in this phase of their BWC program, up to the agency size funding limitations (see below). Though funds are correlated to the number of cameras, **awarded funds may also be used for any part of the BWC program** other than line-item data storage costs, which can only be covered with matching funds. BWC systems that are bundled or sold as software-as-a-service (SAAS) with no line-item distinction to data storage costs are permissible for award funding.

CAMERA-BASED FUNDING METRIC FORMULA FOR CATEGORIES 2, 3, and 4:

Number of Cameras in Project X \$1,500 = Max. Requested Funds

Max. Requested Funds + Matching Funds = Total Program Cost

- Note: \$1,500.00 is **not** the expected cost of a body-worn camera. Paired with the matching funds, it is the expected total program costs for one (1) camera system to include: Camera, Storage, Software, Licenses, Services, Policy Development, Training, etc.

Example 1:

An agency may request \$150,000 in funding for a 100-camera program (\$1,500 X 100), while actually only spending \$100,000 of awarded funds

on cameras; the other \$50,000 could be spent on planning and training staff. Additionally, the soft-match requirements could be met by line-item data storage and other agency costs and partner program expenses such as those incurred by prosecutors, defense bar, or community outreach.

Example 2:

Agencies could apply directly under a category based on the size of their agency, or they could partner with other agencies to bring the combined sworn officers count up to another category's minimum officer count.

Example 3:

An agency that applies for \$100,000 in federal funds will have to identify a minimum of \$100,000 of in-kind or cash matching funds. This means the total program cost is at least \$200,000 for this example.

Matching fund considerations are reviewed through the peer-review process and used in award determinations by BJA. If there are questions about the type or amount of matching funds being used, applicants are encouraged to contact the National Criminal Justice Reference Service (NCJRS) Response Center toll-free at 800-851-3420.

CONSIDERATIONS FOR IMPLEMENTATION:

Applicants are strongly encouraged to review the COPS "Implementing a Body-Worn Camera Program"² report. The successful applicant will demonstrate a thorough understanding and appreciation of the issues discussed and will incorporate the most important program design elements in their proposal.

All applicants must describe a detailed phased implementation plan for achieving the goals of the BWC PIP as part of their program narrative. The following elements, taken directly from the COPS report, must be included in this plan in order to receive funding consideration.

- Privacy considerations
- Impact on community relationships
- Addressing officer concerns (e.g., privacy, safety, administrative uses)
- Managing expectations of police agencies and the public
- Ensure partnerships with associated criminal justice agencies like prosecutors and the judiciary support effective implementation
- Financial considerations
- Technical specifications and considerations
- Use of data, training, and program evaluation

Prior to pursuing funding under this solicitation, evidence of cross-agency collaboration and a high level of commitment from participating agencies and entities should be received and documented (via memoranda of understanding or other appropriate mechanisms) because the primary focus of this program is implementation. Such commitment should be described in the

² Miller, Lindsay, Jessica Toliver, and Police Executive Research Forum. 2014. *Implementing a Body-Worn Camera Program: Recommendations and Lessons Learned*. Washington, DC: Office of Community Oriented Policing Services. www.justice.gov/iso/opa/resources/472014912134715246869.pdf.

application and submitted as attachments with the application. Pre-implementation applicants are expected to focus on the planning of efforts and tasks to accomplish these goals, while applicants with existing implementations are expected to document how these goals were accomplished and/or plan to be improved.

CONSIDERATIONS FOR PROCUREMENT:

If awarded, grantees must ensure all funds, federal and match, expended through procurement processes are done using fair, competitive processes. Agencies shall not rely on informal testing of equipment (piloting) to determine equipment selection. Grantee testing and evaluation alone do not meet federal procurement standards. For more information on federal procurement please see <http://ojp.gov/financialguide/DOJ/index.htm>. BJA has developed a [BWC Request for Proposals template](#) that takes into account many of the primary considerations when procuring a BWC system. This requirement does not apply to funds that are for non-procurement based expenditures, such as officer training time.

CONFERENCE TRAVEL REQUIREMENTS:

All applicants must identify funding within their submitted budgets (requested federal funds or offered agency match) for two staff members to attend one mandatory national BWC PIP meeting in a location to be determined and one optional regional BWC PIP meeting. The applicants are also required to budget for staff to attend at least one of the regional BWC conferences with similar expected costs. There are expected to be one national BWC PIP Conference per year and two regional BWC PIP Conferences per year.

Conference travel costs will not be considered part of the \$1,500 camera metric that applies to categories 2, 3, and 4, though agencies must stay within their category's funding limit.

MANDATORY CATEGORY 1, 2, 3, AND 4 APPLICATION REQUIREMENTS:

Hint: Start this process early; previous applications have scored well but were rejected due to failure to produce these documents.

1) Prosecutor Involvement:

APPLICANTS MUST ATTACH DOCUMENT(S) THAT DEMONSTRATE significant involvement of the local and/or state prosecutor's office, meaning that the prosecutor's office has a direct role with law enforcement in establishing relevant policy, system requirements that effect prosecution, evidence management, redaction, and retention specifications. Documentation of the prosecutor's involvement and commitment to the applicant's program is a requirement that will be reviewed through peer review and by BJA. Demonstration of this involvement shall be documented by either of the following methods:

- a. Documented proof of established, active, and mutually attended governance boards or committees focused on BWC policy and implementation;
- b. Or, by production of executed (signed) memoranda of understanding, letters of intent, service-level agreements, or other mutually signed documents that clearly state the involvement and commitment between the relevant parties.

2) Use-of-Force Policy Review:

APPLICANTS MUST ATTACH DOCUMENT(S) THAT directly state that they have an existing, periodic use-of-force policy review or that their use-of-force policy and training will be reviewed and refined, as appropriate, as part of the development of BWC policies. Awarded applicants are required to have an implemented use-of-force policy prior to BJA

releasing implementation funding. This requirement will be evaluated by the BWC TTA provider and submitted to BJA as part of the special condition process. This affirmation should be written as a separate document and added as an attachment to the application submission. The agency is not required to submit their use-of-force policy as part of the application.

PRIORITY CONSIDERATIONS FOR APPLICATION SCORING:

1) **Partnerships:** Priority consideration will be given to applicants that demonstrate cost reductions through economies of scale.

- Projects that provide economies of scale by establishing or utilizing shared resources. Examples of shared resources could be:
 - State, county, or regionally managed BWC system with a shared repository or other BWC services.
 - Shared contracts that meet local, state, and federal procurement requirements and increase the buying power through combined purchases. Economies of scale should be designed to maximize cost savings and increase interoperability between agencies and jurisdictions.
 - Minimized duplication of effort and infrastructure, such as providing a prosecutor that works with multiple law enforcement agencies with a single process for evidence submission, review, and management.
 - Multiple law enforcement agencies collaborating together on a single application.

When combining applications, one agency should act as the designated applicant but the agency size should be the combined number of sworn officers between all represented agencies. Specifically, if agency A has 200 sworn officers and agency B has 100 sworn officers, the applicants could submit for as much as \$750,000, the same as a mid-sized agency with 300 officers.

Evidence of partnerships and commitment should be demonstrated in writing in the submitted application as attachments and will not be counted against the maximum page limitation.

2) **Technical Considerations:** For technical priority consideration the applicant should affirm that the [linked minimum technical requirements \(click here\)](#) will be used in order to maximize the usefulness of BWC technology. Priority consideration will be given to applicants that incorporate the 18 core operating characteristics found on the [National Institute of Justice website](#) in their procurement of BWC technology. These minimum operating characteristics and associated audio/video specifications are available in current commercial products and are based on technical resources about criminal justice use of video.^{3, 4}

It is not necessary for applicants to address each of these areas specifically in their proposal,

³ Home Office Centre for Applied Science and Technology, *Body-Worn Video Technical Guidance*, May 2014, www.bwvsq.com/wp-content/uploads/2013/07/body-worn-video-technical-guidance-1414.pdf.

⁴ Scientific Working Group on Imaging Technology, *Recommendations and Guidelines for Using Closed-Circuit Television Security Systems in Commercial Institutions*, Version 3.0, June 8, 2012, www.swgit.org/pdf/Section%204%20Recommendations%20and%20Guidelines%20for%20Using%20Closed-Circuit%20Television%20Security%20Systems%20in%20Commercial%20Institutions?docID=48.

but in order to receive priority consideration the applicant must discuss how they will be incorporated into the agency's purchasing or procurement procedures.

PROGRAM DEVELOPMENT EXPECTATIONS:

As a guideline, in months 1-9, the PIP grantees will be expected to review and develop policies and training programs. The results of these activities will be evaluated to ensure that the topics in chapter two of the COPS "Implementing a Body-Worn Camera Program" report have been reviewed, considered, and addressed in a submitted request for equipment purchase drawdown, to include relevant implemented policies, memoranda of understanding, correspondence, and other supporting documentation. As every agency faces different challenges and applicable laws, BJA will not set standards for policies and procedures. Policies must conform to applicable federal, state, local, and tribal laws.

The TTA provider will work with the agency to document and validate the policy development process. The TTA provider will make recommendations to BJA that an agency has met the policy development requirements before BJA releases any award funds to the agency prior to implementation.

After completion of the policy development process and evaluation, the PIP grantees will be expected to deploy BWCs, continue their training efforts, and collect outcome measures to assess their BWC implementation. Agencies prepared to demonstrate implemented BWC policies that address the requisite areas may request drawdown for non-planning expenses outside of the timeframes provided, but only within the grant period.

Evidence-Based Programs or Practices

OJP strongly emphasizes the use of data and evidence in policy making and program development in criminal justice, juvenile justice, and crime victim services. OJP is committed to:

- Improving the quantity and quality of evidence OJP generates.
- Integrating evidence into program, practice, and policy decisions within OJP and the field.
- Improving the translation of evidence into practice.

OJP considers programs and practices to be evidence-based when their effectiveness has been demonstrated by causal evidence, generally obtained through one or more outcome evaluations. Causal evidence documents a relationship between an activity or intervention (including technology) and its intended outcome, including measuring the direction and size of a change, and the extent to which a change may be attributed to the activity or intervention. Causal evidence depends on the use of scientific methods to rule out, to the extent possible, alternative explanations for the documented change. The strength of causal evidence, based on the factors described above, will influence the degree to which OJP considers a program or practice to be evidence-based. The OJP [CrimeSolutions.gov](https://www.ojp.gov/crimesolutions) website is one resource that applicants may use to find information about evidence-based programs in criminal justice, juvenile justice, and crime victim services.

B. Federal Award Information

BJA estimates that it will make up to 63 awards, with an estimated total amount of \$17,000,000. All awards will be for a 24-month period of performance, beginning on October 1, 2017.

BJA may, in certain cases, provide additional funding in future years to awards under this solicitation, through supplemental awards. In making decisions regarding supplemental awards, OJP will consider, among other factors, the availability of appropriations, OJP's strategic priorities, and OJP's assessment of both the management of the award (for example, timeliness and quality of progress reports), and the progress of the work funded under the award.

All awards are subject to the availability of appropriated funds and to any modifications or additional requirements that may be imposed by law.

Type of Award

BJA expects that any award under this solicitation will be made in the form of a grant. See [Administrative, National Policy, and Other Legal Requirements](#), under [Section F. Federal Award Administration Information](#), for a brief discussion of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants.

Financial Management and System of Internal Controls

Award recipients and subrecipients (including any recipient or subrecipient funded in response to this solicitation that is a pass-through entity⁵) must, as described in the Part 200 Uniform Requirements⁶ set out at 2 C.F.R. 200.303:

- (a) Establish and maintain effective internal control over the Federal award that provides reasonable assurance that [the recipient (and any subrecipient)] is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. These internal controls should be in compliance with guidance in "Standards for Internal Control in the Federal Government" issued by the Comptroller General of the United States and the "Internal Control Integrated Framework", issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).
- (b) Comply with Federal statutes, regulations, and the terms and conditions of the Federal awards.
- (c) Evaluate and monitor [the recipient's (and any subrecipient's)] compliance with statutes, regulations, and the terms and conditions of Federal awards.
- (d) Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.
- (e) Take reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or pass-through entity designates as sensitive or [the recipient (or any subrecipient)] considers

⁵ For purposes of this solicitation (or program announcement), "pass-through entity" includes any entity eligible to receive funding as a recipient or subrecipient under this solicitation (or program announcement) that, if funded, may make a subaward(s) to a subrecipient(s) to carry out part of the funded program.

⁶ The "Part 200 Uniform Requirements" means the DOJ regulation at 2 C.F.R. Part 2800, which adopts (with certain modifications) the provisions of 2 C.F.R. Part 200.

sensitive consistent with applicable Federal, state, local, and tribal laws regarding privacy and obligations of confidentiality.

To help ensure that applicants understand applicable administrative requirements and cost principles, OJP encourages prospective applicants to enroll, at no charge, in the DOJ Grants Financial Management Online Training, available [here](#).

Budget Information

Cost Sharing or Matching Requirement (cash or in-kind)

Federal funds awarded under this solicitation may not cover more than 50 percent of the total costs of the project. Applicants must identify the source of the 50 percent non-federal portion⁷ of the total project costs and how they will use match funds. If a successful applicant's proposed match exceeds the required match amount, and OJP approves the budget, the total match amount incorporated into the approved budget becomes mandatory and subject to audit. ("Match" funds may be used only for purposes that would be allowable for the federal funds.) Recipients may satisfy this match requirement with either cash or in-kind services. See the [DOJ Grants Financial Guide](#) for examples of "in-kind" services. The formula for calculating the match is:

$$\frac{\text{Federal Award Amount}}{\text{Federal Share Percentage}} = \text{Adjusted (Total) Project Costs}$$

$$\text{Required Recipient's Share Percentage} \times \text{Adjusted Project Cost} = \text{Required Match}$$

Match Formula Examples: 50% match requirement for a federal award amount of \$350,000, calculate match as follows:

$$\frac{\$350,000}{50\%} = \$700,000 \quad 50\% \times \$700,000 = \$350,000 \text{ Match}$$

Pre-Agreement Costs (also known as Pre-award Costs)

Pre-agreement costs are costs incurred by the applicant prior to the start date of the period of performance of the federal award.

OJP does **not** typically approve pre-agreement costs; an applicant must request and obtain the prior written approval of OJP for all such costs. All such costs incurred prior to award and prior to approval of the costs are incurred at the sole risk of the applicant. (Generally, no applicant should incur project costs *before* submitting an application requesting federal funding for those costs.) Should there be extenuating circumstances that make it appropriate for OJP to consider approving pre-agreement costs, the applicant may contact the point of contact listed on the title page of this solicitation for the requirements concerning written requests for approval. If approved in advance by OJP, award funds may be used for pre-agreement costs, consistent with the recipient's approved budget and applicable cost principles. See the section on Costs Requiring Prior Approval in the [DOJ Grants Financial Guide](#) for more information.

⁷ Indian tribes and tribal organizations that otherwise are eligible for an award may be able to apply certain types of funds received from the federal government (for example, certain funds received under an Indian "self-determination contract") to satisfy all or part of a required "non-federal" match.

Limitation on Use of Award Funds for Employee Compensation; Waiver

With respect to any award of more than \$250,000 made under this solicitation, a recipient may not use federal funds to pay total cash compensation (salary plus cash bonuses) to any employee of the recipient at a rate that exceeds 110 percent of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year.⁸ The 2017 salary table for SES employees is available at the Office of Personnel Management [website](#). Note: A recipient may compensate an employee at a greater rate, provided the amount in excess of this compensation limitation is paid with non-federal funds. (Non-federal funds used for any such additional compensation will not be considered matching funds, where match requirements apply.) If only a portion of an employee's time is charged to an OJP award, the maximum allowable compensation is equal to the percentage of time worked times the maximum salary limitation.

The Assistant Attorney General for OJP may exercise discretion to waive, on an individual basis, this limitation on compensation rates allowable under an award. An applicant that requests a waiver should include a detailed justification in the budget narrative of its application. An applicant that does not submit a waiver request and justification with its application should anticipate that OJP will require the applicant to adjust and resubmit the budget.

The justification should address—in the context of the work the individual would do under the award—the particular qualifications and expertise of the individual, the uniqueness of a service the individual will provide, the individual's specific knowledge of the proposed program or project, and a statement that explains whether and how the individual's salary under the award would be commensurate with the regular and customary rate for an individual with his/her qualifications and expertise, and for the work he/she would do under the award.

Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs

OJP strongly encourages every applicant that proposes to use award funds for any conference-, meeting-, or training-related activity (or similar event) to review carefully—before submitting an application—the OJP and DOJ policy and guidance on approval, planning, and reporting of such events, available at www.ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm. OJP policy and guidance (1) encourage minimization of conference, meeting, and training costs; (2) require prior written approval (which may affect project timelines) of most conference, meeting, and training costs for cooperative agreement recipients, as well as some conference, meeting, and training costs for grant recipients; and (3) set cost limits, which include a general prohibition of all food and beverage costs.

Costs Associated with Language Assistance (if applicable)

If an applicant proposes a program or activity that would deliver services or benefits to individuals, the costs of taking reasonable steps to provide meaningful access to those services or benefits for individuals with limited English proficiency may be allowable. Reasonable steps to provide meaningful access to services or benefits may include interpretation or translation services, where appropriate.

For additional information, see the "Civil Rights Compliance" section under "Overview of Legal

⁸ OJP does not apply this limitation on the use of award funds to the nonprofit organizations listed in Appendix VIII to 2 C.F.R. Part 200.

Requirements Generally Applicable to OJP Grants and Cooperative Agreements” in the [OJP Funding Resource Center](#).

C. Eligibility Information

For eligibility information, see title page.

For information on cost sharing or match requirements, see [Section B. Federal Award Information](#).

D. Application and Submission Information

What an Application Should Include

This section describes in detail what an application should include. An applicant should anticipate that if it fails to submit an application that contains all of the specified elements, it may negatively affect the review of its application; and, should a decision be made to make an award, it may result in the inclusion of award conditions that preclude the recipient from accessing or using award funds until the recipient satisfies the conditions and OJP makes the funds available.

Moreover, an applicant should anticipate that an application that OJP determines is nonresponsive to the scope of the solicitation, or that OJP determines does not include the application elements that BJA has designated to be critical, will neither proceed to peer review, nor receive further consideration. For this solicitation, BJA has designated the following application elements as critical: Program Narrative, Budget Detail Worksheet, and Budget Narrative. An applicant may combine the Budget Narrative and the Budget Detail Worksheet in one document. However, if an applicant submits only one budget document, it must contain **both** narrative and detail information. Please review the “Note on File Names and File Types” under [How to Apply](#) (below) to be sure applications are submitted in permitted formats.

OJP strongly recommends that applicants use appropriately descriptive file names (e.g., “Program Narrative,” “Budget Detail Worksheet and Budget Narrative,” “Timelines,” “Memoranda of Understanding,” “Résumés”) for all attachments. Also, OJP recommends that applicants include résumés in a single file.

1. Information to Complete the Application for Federal Assistance (SF-424)

The SF-424 is a required standard form used as a cover sheet for submission of pre-applications, applications, and related information. Grants.gov and the OJP Grants Management System (GMS) take information from the applicant’s profile to populate the fields on this form. When selecting “type of applicant,” if the applicant is a for-profit entity, select “For-Profit Organization” or “Small Business” (as applicable).

To avoid processing delays, applicants must include an accurate legal name on their SF-424. Current OJP award recipients, when completing the field for “Legal Name,” should use the same legal name that appears on the prior year award document, which is also the legal name stored in OJP’s financial system. On the SF-424, enter the Legal Name in box 5 and Employer Identification Number (EIN) in box 6 exactly as it appears on the prior year award document. Applicants with current awards must ensure that their GMS profile is current. If it isn’t, they

should submit a Grant Adjustment Notice updating the information on their GMS profile prior to applying under this solicitation.

New applicants should enter the Official Legal Name and address of the applicant entity in box 5 and the EIN in box 6 of the SF-424. Applicants must attach official legal documents to their applications (e.g., articles of incorporation, 501C3, etc.) to confirm the legal name, address, and EIN entered into the SF-424.

Intergovernmental Review: This solicitation ("funding opportunity") is subject to [Executive Order 12372](#). An applicant may find the names and addresses of State Single Points of Contact (SPOCs) at the following website: www.whitehouse.gov/omb/grants_spoc/. If the State appears on the SPOC list, the applicant must contact the State SPOC to find out about, and comply with, the State's process under E.O. 12372. In completing the SF-424, an applicant whose State appears on the SPOC list is to make the appropriate selection in response to question 19 once the applicant has complied with its State E.O. 12372 process. (An applicant whose State does not appear on the SPOC list should answer question 19 by selecting the response that the "Program is subject to E.O. 12372 but has not been selected by the State for review.")

2. Project Abstract

Applications should include a high-quality Project Abstract that summarizes the proposed project in 400 words or less. Project Abstracts should be—

- Written for a general public audience.
- Submitted as a separate attachment with "Project Abstract" as part of its file name.
- Single-spaced, using a standard 12-point font (Times New Roman) with 1-inch margins.

As a separate attachment, the Project Abstract will **not** count against the page limit for the Program Narrative.

All project abstracts should follow the detailed template available at ojp.gov/funding/Apply/Resources/ProjectAbstractTemplate.pdf.

Permission to Share Project Abstract with the Public: It is unlikely that OJP will be able to fund all applications submitted under this solicitation, but it may have the opportunity to share information with the public regarding unfunded applications, for example, through a listing on a web page available to the public. The intent of this public posting would be to allow other possible funders to become aware of such applications.

In the project abstract template, each applicant is asked to indicate whether it gives OJP permission to share the applicant's project abstract (including contact information for individuals) with the public. Granting (or failing to grant) this permission will not affect OJP's funding decisions. Moreover, if the application is not funded, providing permission will not ensure that OJP will share the abstract information, nor will it assure funding from any other source.

Note: OJP may choose not to list a project that otherwise would have been included in a listing of unfunded applications, should the abstract fail to meet the format and content requirements noted above and outlined in the project abstract template.

3. Program Narrative

The Program Narrative should respond to the solicitation and the [Selection Criteria \(1-5\)](#) in the order given. The Program Narrative should be double-spaced, using a standard 12-point font (Times New Roman is preferred) with no less than 1-inch margins, and should not exceed 15 pages. Please number pages "1 of 15," "2 of 15," etc.

If the Program Narrative fails to comply with these length-related restrictions, BJA may consider such noncompliance in peer review and in final award decisions. BJA will instruct the peer reviewers to score applications based on content, not the length of the application. Applicants should focus on grant requirements, priority considerations, and addressing the purpose of this grant.

The following sections should be included as part of the program narrative⁹:

- a. Description of issues the applicant(s) intend to address
- b. Project design and implementation
- c. Capabilities and competencies
- d. Plans for continuity of the program after federal funds have been expended
- e. Plan for collecting the data required for this solicitation's performance measures

OJP will require each successful applicant to submit specific performance measures data as part of its reporting under the award (see "[General Information about Post-Federal Award Reporting Requirements](#)" in [Section F. Federal Award Administration Information](#)). The performance measures correlate to the goals, objectives, and deliverables identified under "Goals, Objectives, and Deliverables" in [Section A. Program Description](#).

The application should describe the applicant's plan for collection of all of the performance measures data should it receive funding.

Award recipients will be required to provide the relevant data by submitting quarterly performance metrics through BJA's online Performance Measurement Tool (PMT) located at www.bjaperformancetools.org.

Applicants should review the complete list of BWC PIP program performance measures at: <https://www.bjaperformancetools.org/help/BWCPerformanceMeasures.pdf>.

Note on Project Evaluations

An applicant that proposes to use award funds through this solicitation to conduct project evaluations should be aware that certain project evaluations (such as systematic investigations designed to develop or contribute to generalizable knowledge) may constitute "research" for purposes of applicable DOJ human subjects protection regulations. However, project evaluations that are intended only to generate internal improvements to a program or service, or are

⁹ For information on subawards (including the details on proposed subawards that should be included in the application), see "Budget and Associated Documentation" under [Section D. Application and Submission Information](#).

conducted only to meet OJP's performance measure data reporting requirements, likely do not constitute "research." Each applicant should provide sufficient information for OJP to determine whether the particular project it proposes would either intentionally or unintentionally collect and/or use information in such a way that it meets the DOJ definition of research that appears at 28 C.F.R. Part 46 ("Protection of Human Subjects").

Research, for purposes of human subjects protection for OJP-funded programs, is defined as "a systematic investigation, including research development, testing, and evaluation designed to develop or contribute to generalizable knowledge." 28 C.F.R. 46.102(d).

For additional information on determining whether a proposed activity would constitute research for purposes of human subjects protection, applicants should consult the decision tree in the "Research and the protection of human subjects" section of the "[Requirements related to Research](#)" web page of the "Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements," available through the [OJP Funding Resource Center](#). Every prospective applicant whose application may propose a research or statistical component also should review the "Data Privacy and Confidentiality Requirements" section on that web page.

4. Budget and Associated Documentation

The budget documents should respond to the solicitation and the 6th [Selection Criteria](#) and address both federal requested funds and allotted in-kind and/or cash matching funds.

a. Budget Detail Worksheet

A sample Budget Detail Worksheet can be found at www.ojp.gov/funding/Apply/Resources/BudgetDetailWorksheet.pdf. An applicant that submits its budget in a different format should use the budget categories listed in the sample budget worksheet. The Budget Detail Worksheet should break out costs by year.

The Budget Detail Worksheet should identify the number of cameras expected to be purchased with Federal Funds, the number of cameras to be purchased with Match Funds, and the estimated travel costs to attend the required conferences.

For questions pertaining to budget and examples of allowable and unallowable costs, see the [DOJ Grants Financial Guide](#).

b. Budget Narrative

The budget narrative should thoroughly and clearly describe every category of expense listed in the Budget Detail Worksheet. OJP expects proposed budgets to be complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities).

An applicant should demonstrate in its budget narrative how it will maximize cost effectiveness of grant expenditures. Budget narratives should generally describe cost effectiveness in relation to potential alternatives and the goals of the project. For example, a budget narrative should detail why planned in-person meetings are necessary, or how technology and collaboration with outside organizations could be used to reduce costs, without compromising quality.

The budget narrative should be mathematically sound and correspond clearly with the information and figures provided in the Budget Detail Worksheet. The narrative should explain how the applicant estimated and calculated all costs, and how those costs are necessary to the completion of the proposed project. The narrative may include tables for clarification purposes, but need not be in a spreadsheet format. As with the Budget Detail Worksheet, the budget narrative should describe costs by year.

c. Information on Proposed Subawards (if any), as well as on Proposed Procurement Contracts (if any)

Applicants for OJP awards typically may propose to make "subawards." Applicants also may propose to enter into procurement "contracts" under the award.

Whether—for purposes of federal grants administrative requirements—a particular agreement between a recipient and a third party will be considered a "subaward" or instead considered a procurement "contract" under the award is determined by federal rules and applicable OJP guidance. It is an important distinction, in part because the federal administrative rules and requirements that apply to "subawards" and to procurement "contracts" under awards differ markedly.

In general, the central question is the relationship between what the third-party will do under its agreement with the recipient and what the recipient has committed (to OJP) to do under its award to further a public purpose (e.g., services the recipient will provide, products it will develop or modify, research or evaluation it will conduct). If a third party will provide some of the services the recipient has committed (to OJP) to provide, will develop or modify all or part of a product the recipient has committed (to OJP) to develop or modify, or will conduct part of the research or evaluation the recipient has committed (to OJP) to conduct, OJP will consider the agreement with the third party a subaward for purposes of federal grants administrative requirements.

This will be true **even if** the recipient, for internal or other non-federal purposes, labels or treats its agreement as a procurement, a contract, or a procurement contract. Neither the title nor the structure of an agreement determines whether the agreement—for purposes of federal grants administrative requirements—is a "subaward" or is instead a procurement "contract" under an award.

Additional guidance on the circumstances under which (for purposes of federal grants administrative requirements) an agreement constitutes a subaward as opposed to a procurement contract under an award, is available (along with other resources) on the [OJP Part 200 Uniform Requirements](#) web page.

1. Information on proposed subawards

A recipient of an OJP award may not make subawards ("subgrants") unless the recipient has specific federal authorization to do so. Unless an applicable statute or DOJ regulation specifically authorizes (or requires) subawards, a recipient must have authorization from OJP before it may make a subaward.

A particular subaward may be authorized by OJP because the recipient included a sufficiently detailed description and justification of the proposed subaward in the

application as approved by OJP. If, however, a particular subaward is not authorized by federal statute or regulation, and is not sufficiently described and justified in the application as approved by OJP, the recipient will be required, post-award, to request and obtain written authorization from OJP before it may make the subaward.

If an applicant proposes to make one or more subawards to carry out the federal award and program, the applicant should (1) identify (if known) the proposed subrecipient(s), (2) describe in detail what each subrecipient will do to carry out the federal award and federal program, and (3) provide a justification for the subaward(s), with details on pertinent matters such as special qualifications and areas of expertise. Pertinent information on subawards should appear not only in the Program Narrative, but also in the Budget Detail Worksheet and budget narrative.

2. Information on proposed procurement contracts (with specific justification for proposed noncompetitive contracts over \$150,000)

Unlike a recipient contemplating a subaward, a recipient of an OJP award generally does not need specific prior federal authorization to enter into an agreement that—for purposes of federal grants administrative requirements—is considered a procurement contract, **provided that** (1) the recipient uses its own documented procurement procedures and (2) those procedures conform to applicable federal law, including the Procurement Standards of the (DOJ) Part 200 Uniform Requirements (as set out at 2 C.F.R. 200.317 - 200.326). The Budget Detail Worksheet and budget narrative should identify proposed procurement contracts. (As discussed above, subawards must be identified and described separately from procurement contracts.)

The Procurement Standards in the Part 200 Uniform Requirements, however, reflect a general expectation that agreements that (for purposes of federal grants administrative requirements) constitute procurement “contracts” under awards will be entered into on the basis of full and open competition. If a proposed procurement contract would exceed the simplified acquisition threshold—currently, \$150,000—a recipient of an OJP award may not proceed without competition unless and until the recipient receives specific advance authorization from OJP to use a non-competitive approach for the procurement.

An applicant that (at the time of its application) intends—without competition—to enter into a procurement “contract” that would exceed \$150,000 should include a detailed justification that explains to OJP why, in the particular circumstances, it is appropriate to proceed without competition. Various considerations that may be pertinent to the justification are outlined in the [DOJ Grants Financial Guide](#).

d. Pre-Agreement Costs

For information on pre-agreement costs, see [Section B. Federal Award Information](#).

5. Indirect Cost Rate Agreement (if applicable)

Indirect costs may be charged to an award only if:

- (a) The recipient has a current (that is, unexpired), federally-approved indirect cost rate; or

- (b) The recipient is eligible to use, and elects to use, the “de minimis” indirect cost rate described in the Part 200 Uniform Requirements, as set out at 2 C.F.R. 200.414(f).

An applicant with a current (that is, unexpired) federally-approved indirect cost rate is to attach a copy of the indirect cost rate agreement to the application. An applicant that does not have a current federally-approved rate may request one through its cognizant federal agency, which will review all documentation and approve a rate for the applicant entity, or, if the applicant’s accounting system permits, applicants may propose to allocate costs in the direct cost categories.

For assistance with identifying the appropriate cognizant federal agency for indirect costs, please contact the OCFO Customer Service Center at 1-800-458-0786 or at ask.ocfo@usdoj.gov. If DOJ is the cognizant federal agency, applicants may obtain information needed to submit an indirect cost rate proposal at <http://www.ojp.gov/funding/Apply/Resources/IndirectCosts.pdf>.

Certain OJP recipients have the option of electing to use the “de minimis” indirect cost rate. An applicant that is eligible to use the “de minimis” rate that wishes to use the “de minimis” rate should attach written documentation to the application that advises OJP of both (1) the applicant’s eligibility to use the “de minimis” rate, and (2) its election to do so. If an eligible applicant elects the “de minimis” rate, costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both. The “de minimis” rate may no longer be used once an approved federally-negotiated indirect cost rate is in place. (No entity that ever has had a federally-approved negotiated indirect cost rate is eligible to use the “de minimis” rate.)

6. Tribal Authorizing Resolution (if applicable)

A tribe, tribal organization, or third party that proposes to provide direct services or assistance to residents on tribal lands should include in its application a resolution, letter, affidavit, or other documentation, as appropriate, that demonstrates (as a legal matter) that the applicant has the requisite authorization from the tribe(s) to implement the proposed project on tribal lands. In those instances when an organization or consortium of tribes applies for an award on behalf of a tribe or multiple specific tribes, the application should include appropriate legal documentation, as described above, from all tribes that would receive services or assistance under the award. A consortium of tribes for which existing consortium bylaws allow action without support from all tribes in the consortium (i.e., without an authorizing resolution or comparable legal documentation from each tribal governing body) may submit, instead, a copy of its consortium bylaws with the application.

7. Financial Management and System of Internal Controls Questionnaire (including applicant disclosure of high-risk status)

Every applicant (other than an individual applying in his/her personal capacity) is to download, complete, and submit the [OJP Financial Management and System of Internal Controls Questionnaire](#), as part of its application.

Among other things, the form requires each applicant to disclose whether it currently is designated “high risk” by a federal grant-making agency outside of DOJ. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides

additional oversight due to the applicant's past performance, or other programmatic or financial concerns with the applicant. If an applicant is designated high risk by another federal awarding agency, the applicant must provide the following information:

- The federal awarding agency that currently designates the applicant high risk.
- The date the applicant was designated high risk.
- The high-risk point of contact at that federal awarding agency (name, phone number, and email address).
- The reasons for the high-risk status, as set out by the federal awarding agency.

OJP seeks this information to help ensure appropriate federal oversight of OJP awards. An applicant that is considered "high risk" by another federal awarding agency is not automatically disqualified from receiving an OJP award. OJP may, however, consider the information in award decisions, and may impose additional OJP oversight of any award under this solicitation (including through the conditions that accompany the award document).

8. Disclosure of Lobbying Activities

Each applicant must complete and submit this information. An applicant that expends any funds for lobbying activities is to provide all of the information requested on the form Disclosure of Lobbying Activities (SF-LLL). An applicant that does not expend any funds for lobbying activities is to enter "N/A" in the text boxes for item 10 ("a. Name and Address of Lobbying Registrant" and "b. Individuals Performing Services").

9. Additional Attachments

a. Memorandum of Understanding/Letters of Intent/Documentation of Governance

Applicants should include evidence of cross-agency collaboration and a high level of commitment from participating agencies and entities via a memorandum of understanding or other appropriate mechanism.

b. Affirmation of Use-of-Force Processes and Policy Review

Applicants should include affirmation of existing, periodic use-of-force policy review processes, a commitment to review use-of-force policies as part of the BWC policy development process, and/or an affirmation that a use-of-force policy will be implemented, if not already, prior to BWC implementation.

c. Timeline

Include a timeline that identifies milestones, numerically lists deliverables, and identifies who is responsible for each activity.

d. Applicant Disclosure of Pending Applications

Each applicant is to disclose whether it has (or is proposed as a subrecipient under) any pending applications for federally-funded grants or cooperative agreements that (1) include requests for funding to support the same project being proposed in the application under this solicitation, and (2) would cover any identical cost items outlined in the budget submitted to OJP as part of the application under this solicitation. The applicant is to disclose applications made directly to federal awarding agencies, and also applications for subawards of federal funds (e.g., applications to State agencies that will subaward ("subgrant") federal funds).

OJP seeks this information to help avoid any inappropriate duplication of funding. Leveraging multiple funding sources in a complementary manner to implement comprehensive programs or projects is encouraged and is not seen as inappropriate duplication.

Each applicant that has one or more pending applications as described above is to provide the following information about pending applications submitted within the last 12 months:

- The federal or State funding agency.
- The solicitation name/project name.
- The point of contact information at the applicable federal or State funding agency.

Federal or State Funding Agency	Solicitation Name/Project Name	Name/Phone/Email for Point of Contact at Federal or State Funding Agency
DOJ/COPS	COPS Hiring Program	Jane Doe, 202/000-0000; jane.doe@usdoj.gov
HHS/ Substance Abuse & Mental Health Services Administration	Drug Free Communities Mentoring Program/ North County Youth Mentoring Program	John Doe, 202/000-0000; john.doe@hhs.gov

Each applicant should include the table as a separate attachment to its application. The file should be named "Disclosure of Pending Applications." The applicant Legal Name on the application must match the entity named on the disclosure of pending applications statement.

Any applicant that does not have any pending applications as described above is to submit, as a separate attachment, a statement to this effect: "[Applicant Name on SF-424] does not have (and is not proposed as a subrecipient under) any pending applications submitted within the last 12 months for federally-funded grants or cooperative agreements (or for subawards under federal grants or cooperative agreements) that request funding to support the same project being proposed in this application to OJP and that would cover any identical cost items outlined in the budget submitted as part of this application."

How to Apply

Applicants must register in and submit applications through Grants.gov, a primary source to find federal funding opportunities and apply for funding. Find complete instructions on how to register and submit an application at www.Grants.gov. Applicants that experience technical difficulties during this process should call the Grants.gov Customer Support Hotline at **800-518-4726** or **606-545-5035**, which operates 24 hours a day, 7 days a week, except on federal holidays.

Registering with Grants.gov is a one-time process; however, **processing delays may occur, and it can take several weeks** for first-time registrants to receive confirmation of registration and a user password. OJP encourages applicants to **register several weeks before** the application submission deadline. In addition, OJP urges applicants to submit applications at least 72 hours prior to the application due date, in order to allow time for the applicant to receive validation messages or rejection notifications from Grants.gov, and to correct in a timely fashion any problems that may have caused a rejection notification.

OJP strongly encourages all prospective applicants to sign up for Grants.gov email [notifications](#) regarding this solicitation. If this solicitation is cancelled or modified, individuals who sign up with Grants.gov for updates will be automatically notified.

Browser Information: Grants.gov was built to be compatible with Internet Explorer. For technical assistance with Google Chrome, or another browser, contact Grants.gov Customer Support.

Note on Attachments: Grants.gov has two categories of files for attachments: “mandatory” and “optional.” OJP receives all files attached in both categories. Please ensure that all required documents are attached in either Grants.gov category.

Note on File Names and File Types: Grants.gov only permits the use of certain specific characters in the file names of attachments. Valid file names may include only the characters shown in the table below. Grants.gov rejects any application that includes an attachment(s) with a file name that contains any characters not shown in the table below. Grants.gov forwards successfully submitted applications to the OJP Grants Management System (GMS).

Characters	Special Characters		
Upper case (A – Z)	Parenthesis ()	Curly braces { }	Square brackets []
Lower case (a – z)	Ampersand (&)	Tilde (~)	Exclamation point (!)
Underscore (_)	Comma (,)	Semicolon (;)	Apostrophe (')
Hyphen (-)	At sign (@)	Number sign (#)	Dollar sign (\$)
Space	Percent sign (%)	Plus sign (+)	Equal sign (=)
Period (.)	When using the ampersand (&) in XML, applicants must use the “&” format.		

GMS does not accept executable file types as application attachments. These disallowed file types include, but are not limited to, the following extensions: “.com,” “.bat,” “.exe,” “.vbs,” “.cfg,” “.dat,” “.db,” “.dbf,” “.dll,” “.ini,” “.log,” “.ora,” “.sys,” and “.zip.” GMS may reject applications with files that use these extensions. It is important to allow time to change the type of file(s) if the application is rejected.

All applicants are required to complete the following steps:

Every applicant entity must comply with all applicable System for Award Management (SAM) and unique entity identifier (currently, a Data Universal Numbering System [DUNS] number) requirements. If an applicant entity has not fully complied with applicable SAM and unique identifier requirements by the time OJP makes award decisions, OJP may determine that the applicant is not qualified to receive an award and may use that determination as a basis for making the award to a different applicant.

An individual who wishes to apply in his/her personal capacity should search Grants.gov for funding opportunities for which individuals are eligible to apply. Use the Funding Opportunity Number (FON) to register. (An applicant applying as an individual must comply with all applicable Grants.gov individual registration requirements.)

Complete the registration form at <https://apply07.grants.gov/apply/IndCPRegister> to create a username and password for Grants.gov. (An applicant applying as an individual should complete all steps except 1, 2, and 4.)

1. **Acquire a unique entity identifier (currently, a DUNS number).** In general, the Office of Management and Budget requires every applicant for a federal award (other than an individual) to include a "unique entity identifier" in each application, including an application for a supplemental award. Currently, a DUNS number is the required unique entity identifier.

A DUNS number is a unique nine-digit identification number provided by the commercial company Dun and Bradstreet. This unique entity identifier is used for tracking purposes, and to validate address and point of contact information for applicants, recipients, and subrecipients. It will be used throughout the life cycle of an OJP award. Obtaining a DUNS number is a free, one-time activity. Call Dun and Bradstreet at 866-705-5711 to obtain a DUNS number or apply online at www.dnb.com. A DUNS number is usually received within 1-2 business days.

2. **Acquire registration with the System for Award Management (SAM).** SAM is the repository for certain standard information about federal financial assistance applicants, recipients, and subrecipients. All applicants for OJP awards (other than individuals) must maintain current registrations in the SAM database. An applicant must be registered in SAM to successfully register in Grants.gov. Each applicant must **update or renew its SAM registration at least annually** to maintain an active status. SAM registration and renewal can take as long as 10 business days to complete.

An application cannot be successfully submitted in Grants.gov until Grants.gov receives the SAM registration information. Once the SAM registration/renewal is complete, **the information transfer from SAM to Grants.gov can take as long as 48 hours.** OJP recommends that the applicant register or renew registration with SAM as early as possible.

Information about SAM registration procedures can be accessed at www.sam.gov.

3. **Acquire an Authorized Organization Representative (AOR) and a Grants.gov username and password.** Complete the AOR profile on Grants.gov and create a username and password. An applicant entity's "unique entity identifier" (DUNS number) must be used to complete this step. For more information about the registration process for organizations and other entities, go to www.grants.gov/web/grants/register.html. Individuals registering with Grants.gov should go to <http://www.grants.gov/web/grants/applicants/individual-registration.html>.
4. **Acquire confirmation for the AOR from the E-Business Point of Contact (E-Biz POC).** The E-Biz POC at the applicant organization must log into Grants.gov to confirm the applicant organization's AOR. The E-Biz POC will need the Marketing Partner Identification Number (MPIN) password obtained when registering with SAM to complete this step. Note that an organization can have more than one AOR.

5. **Search for the funding opportunity on Grants.gov.** Use the following identifying information when searching for the funding opportunity on Grants.gov. The Catalog of Federal Domestic Assistance ("CFDA") number for this solicitation is 16.835, titled "Body Worn Camera Policy and Implementation," and the funding opportunity number is BJA-2017-11221.
6. **Select the correct Competition ID.** Some OJP solicitations posted to Grants.gov contain multiple purpose areas, denoted by the individual Competition ID. If applying to a solicitation with multiple Competition IDs, select the appropriate Competition ID for the intended purpose area of the application.
7. **Submit a valid application consistent with this solicitation by following the directions in Grants.gov.** Within 24–48 hours after submitting the electronic application, the applicant should receive two notifications from Grants.gov. The first will confirm the receipt of the application. The second will state whether the application has been validated and successfully submitted, or whether it has been rejected due to errors, with an explanation. It is possible to first receive a message indicating that the application is received, and then receive a rejection notice a few minutes or hours later. Submitting an application well ahead of the deadline provides time to correct the problem(s) that caused the rejection. **Important:** OJP urges each applicant to submit its application **at least 72 hours prior** to the application due date, to allow time to receive validation messages or rejection notifications from Grants.gov, and to correct in a timely fashion any problems that may have caused a rejection notification. Applications must be successfully submitted through Grants.gov by 11:59 p.m. eastern time on February 16, 2017.

Click [here](#) for further details on DUNS numbers, SAM, and Grants.gov registration steps and timeframes.

Note: Application Versions

If an applicant submits multiple versions of the same application, OJP will review only the most recent system-validated version submitted.

Experiencing Unforeseen Grants.gov Technical Issues

An applicant that experiences unforeseen Grants.gov technical issues beyond its control that prevent it from submitting its application by the deadline may contact the Grants.gov [Customer Support Hotline](#) or the [SAM Help Desk](#) (Federal Service Desk) to report the technical issue and receive a tracking number. The applicant must email the BJA contact identified in the Contact Information section on the title page **within 24 hours after the application deadline** to request approval to submit its application after the deadline. The applicant's email must describe the technical difficulties, and must include a timeline of the applicant's submission efforts, the complete grant application, the applicant's DUNS number, and any Grants.gov Help Desk or SAM tracking number(s).

Note: OJP does not automatically approve requests to submit a late application. After OJP reviews the applicant's request, and contacts the Grants.gov or SAM Help Desks to verify the reported technical issues, OJP will inform the applicant whether the request to submit a late application has been approved or denied. If OJP determines that the untimely application submission was due to the applicant's failure to follow all required procedures, OJP will deny the applicant's request to submit its application.

The following conditions generally are insufficient to justify late submissions:

- Failure to register in SAM or Grants.gov in sufficient time. (SAM registration and renewal can take as long as 10 business days to complete. The information transfer from SAM to Grants.gov can take up to 48 hours.)
- Failure to follow Grants.gov instructions on how to register and apply as posted on its website.
- Failure to follow each instruction in the OJP solicitation.
- Technical issues with the applicant's computer or information technology environment, such as issues with firewalls or browser incompatibility.

Notifications regarding known technical problems with Grants.gov, if any, are posted at the top of the OJP [Funding Resource Center](#) web page.

E. Application Review Information

Review Criteria

Applications that meet basic minimum requirements will be evaluated by peer reviewers using the following review criteria.

1. Description of the Issue (15 percent)

Describe the problems that the implementation of a body-worn camera program will seek to overcome:

- 1) Provide data in support of the need for a body-worn camera program.
- 2) Describe the demographics of your jurisdiction.
- 3) Demonstrate an understanding of how officer complaints and use-of-force practices can be addressed by BWCs.
- 4) Demonstrate a need to leverage DME (Digital Multimedia Evidence) to help inform adjudication of cases.
- 5) Provide metrics for agency sworn personnel:
 - a) Total number of sworn officers within your agency.
 - b) The number of sworn officers with patrol activities or with daily citizen interaction outside of the agency.
 - c) The number of sworn officers your project expects to deploy body-worn cameras to when your program is completely implemented.
- 6) Additionally, all applicants must identify and provide a status of any other BWC grant programs that have been applied for.

2. Project Design and Implementation (35 percent)

- 1) Describe specifically how the project will accomplish expected outcomes by providing the goals, objectives, and performance measures applicable to the project.
- 2) Include a comprehensive timeline (as an attachment) that identifies milestones, numerically lists deliverables, and identifies who is responsible for each activity.
- 3) Utilizing the COPS "Implementing a Body-Worn Camera Program"¹⁰ report, the applicant will demonstrate a thorough understanding and appreciation of the issues discussed, and

¹⁰ Miller, Lindsay, Jessica Toliver, and Police Executive Research Forum. 2014. *Implementing a Body-Worn Camera Program: Recommendations and Lessons Learned*. Washington, DC: Office of Community Oriented Policing Services. www.justice.gov/iso/opa/resources/472014912134715246869.pdf.

will incorporate the most important program design elements in their proposal.

- 4) All applicants must describe an implementation plan for achieving the goals of the BWC PIP.
- 5) Demonstrate a partnership with associated agencies and advocacy groups necessary to effectively utilize DME and promote the program objectives.
- 6) Identify the expected number of BWCs to purchase with requested funds.
- 7) Address travel requirements for national and regional conference attendance see page 10.
- 8) Address Partnership and Technical Priority Considerations (if applicable) see page 11.
- 9) Identify methods to develop policies and tracking mechanisms that include legal liabilities of the Freedom of Information Act (FOIA) statutes and regulations pertaining to storage, retention, redaction, and expungement as well as privacy policies addressing BWC issues involving civil rights, domestic violence, juvenile, and other victims' groups.

3. Capabilities and Competencies (15 percent)

- 1) Categories 1, 2, 3, and 4: Reference to attached documentation of Prosecutor Support, see page 10.
- 2) Reference to attached affirmation of Use-Of-Force Policy Review, see page 10.
- 3) Fully describe the applicant's capabilities to implement the project and the competencies of the staff assigned to the project.
- 4) Describe and demonstrate effective policy development and implementation and describe program communications plans.
- 5) Describe the agency's technology capabilities including previous systems' implementation projects.
- 6) Describe previous law enforcement programs and initiatives that required broad community and stakeholder engagement and report the results of those efforts.
- 7) Describe previous mobile technology deployments and the results of those efforts (e.g., mobile: records management systems (RMS), computer aided dispatch (CAD), electronic citations and other reports, mobile computers and devices, in-car video, and mobile applications).
- 8) Provide evidence of broad community and stakeholder collaboration and a high level of commitment from participating agencies and entities via memoranda of understanding or other appropriate mechanisms. Such commitment for the BWC PIP should be described in the application and submitted as attachments with the application.

4. Program Continuity (5 percent)

- 1) Describe specifically how the jurisdiction will support the body-worn camera program after the end of the grant period.
- 2) Address budgetary, policy, and administrative management continuity.

5. Plan for Collecting the Data Required for this Solicitation's Performance Measures (10 percent).

- 1) Describe the process for measuring project performance.
- 2) Identify who will collect the data, who is responsible for performance measurement, and how the information will be used to guide and evaluate the impact of the program.
- 3) Describe commitment to working with BJA TTA provider to accurately report implementation findings.

6. Budget (20 percent)

- 1) Provide a proposed budget and budget narrative that are complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities).
- 2) Identify the number of cameras to be purchased with federal and match funding sources.
- 3) Identify travel budgets for national and regional conference attendance.
- 4) Budget narratives should demonstrate generally how applicants will maximize cost effectiveness of grant expenditures.
- 5) Budget Narratives should enhance the information provided in the Budget Detail Worksheet, providing details about how the line items impact the overall project.
- 6) Budget Narratives should demonstrate cost effectiveness in relation to potential alternatives and the goals of the project.¹¹

Review Process

OJP is committed to ensuring a fair and open process for making awards. BJA reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with the solicitation.

Peer reviewers will review the applications submitted under this solicitation that meet basic minimum requirements. For purposes of assessing whether an application meets basic minimum requirements and should proceed to further consideration, OJP screens applications for compliance with those requirements. Although specific requirements may vary, the following are common requirements applicable to all solicitations for funding under OJP programs:

- The application must be submitted by an eligible type of applicant.
- The application must request funding within programmatic funding constraints (if applicable).
- The application must be responsive to the scope of the solicitation.
- The application must include all items designated as “critical elements.”
- The applicant must not be identified in SAM as excluded from receiving federal awards.

For a list of the critical elements for this solicitation, see “What an Application Should Include” under [Section D. Application and Submission Information](#).

Peer review panels will evaluate, score, and rate applications that meet basic minimum requirements. BJA may use internal peer reviewers, external peer reviewers, or a combination, to assess applications on technical merit using the solicitation's review criteria. An external peer reviewer is an expert in the subject matter of a given solicitation who is not a current DOJ employee. An internal reviewer is a current DOJ employee who is well-versed or has expertise in the subject matter of this solicitation. Peer reviewers' ratings and any resulting recommendations are advisory only, although reviewer views are considered carefully. Other important considerations for OJP include underserved populations, geographic diversity, strategic priorities, and available funding, as well as the extent to which the Budget Detail Worksheet and budget narrative accurately explain project costs that are reasonable, necessary, and otherwise allowable under federal law and applicable federal cost principles.

¹¹ Generally speaking, a reasonable cost is a cost that, in its nature or amount, does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the costs.

Pursuant to the Part 200 Uniform Requirements, before award decisions are made, OJP also reviews information related to the degree of risk posed by applicants. Among other things to help assess whether an applicant that has one or more prior federal awards has a satisfactory record with respect to performance, integrity, and business ethics, OJP checks whether the applicant is listed in SAM as excluded from receiving a federal award. If OJP anticipates that an award will exceed \$150,000 in federal funds, OJP also must review and consider any information about the applicant that appears in the non-public segment of the integrity and performance system accessible through SAM (currently, the Federal Awardee Performance and Integrity Information System; "FAPIS").

Important note on FAPIS: An applicant, at its option, may review and comment on any information about itself that currently appears in FAPIS and was entered by a federal awarding agency. OJP will consider any such comments by the applicant, in addition to the other information in FAPIS, in its assessment of the risk posed by applicants.

The evaluation of risks goes beyond information in SAM, however. OJP itself has in place a framework for evaluating risks posed by applicants for competitive awards. OJP takes into account information pertinent to matters such as:

1. Applicant financial stability and fiscal integrity.
2. Quality of the management systems of the applicant, and the applicant's ability to meet prescribed management standards, including those outlined in the DOJ Grants Financial Guide.
3. Applicant's history of performance under OJP and other DOJ awards (including compliance with reporting requirements and award conditions), as well as awards from other federal agencies.
4. Reports and findings from audits of the applicant, including audits under the Part 200 Uniform Requirements.
5. Applicant's ability to comply with statutory and regulatory requirements, and to effectively implement other award requirements.

Absent explicit statutory authorization or written delegation of authority to the contrary, all final award decisions will be made by the Assistant Attorney General, who may take into account not only peer review ratings and BJA recommendations, but also other factors as indicated in this section.

F. Federal Award Administration Information

Federal Award Notices

Award notifications will be made by September 30, 2017. OJP sends award notifications by email through GMS to the individuals listed in the application as the point of contact and the authorizing official (E-Biz POC and AOR). The email notification includes detailed instructions on how to access and view the award documents, and steps to take in GMS to start the award acceptance process. GMS automatically issues the notifications at 9:00 p.m. eastern time on the award date.

For each successful applicant, an individual with the necessary authority to bind the applicant will be required to log in; execute a set of legal certifications and a set of legal assurances; designate a financial point of contact; thoroughly review the award, including all award conditions; and sign

and accept the award. The award acceptance process requires physical signature of the award document by the authorized representative and the scanning of the fully-executed award document to OJP.

Administrative, National Policy, and Other Legal Requirements

If selected for funding, in addition to implementing the funded project consistent with the OJP-approved application, the recipient must comply with all award conditions, as well as all applicable requirements of federal statutes, regulations, and executive orders (including applicable requirements referred to in the assurances and certifications executed in connection with award acceptance). OJP strongly encourages prospective applicants to review information on post-award legal requirements and common OJP award conditions **prior** to submitting an application.

Applicants should consult the “[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements](#),” available in the [OJP Funding Resource Center](#). In addition, applicants should examine the following two legal documents, as each successful applicant must execute both documents before it may receive any award funds.

- [Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements](#)
- [Standard Assurances](#)

Applicants may view these documents in the Apply section of the [OJP Funding Resource Center](#).

The web pages accessible through the “[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements](#)” are intended to give applicants for OJP awards a general overview of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants and cooperative agreements awarded in FY 2017. Individual OJP awards typically also will include additional award conditions. Those additional conditions may relate to the particular statute or program, or solicitation under which the award is made; to the substance of the funded application; to the recipient's performance under other federal awards; to the recipient's legal status (e.g., as a for-profit entity); or to other pertinent considerations.

General Information about Post-Federal Award Reporting Requirements

In addition to the deliverables described in [Section A. Program Description](#), any recipient of an award under this solicitation will be required to submit the following reports and data.

Required reports. Recipients typically must submit quarterly financial reports, semi-annual progress reports, final financial and progress reports, and, if applicable, an annual audit report in accordance with the Part 200 Uniform Requirements or specific award conditions. Future awards and fund drawdowns may be withheld if reports are delinquent. (In appropriate cases, OJP may require additional reports.)

Awards that exceed \$500,000 will include an additional condition that, under specific circumstances, will require the recipient to report (to FAPIIS) information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either the OJP award or any other grant, cooperative agreement, or procurement contract from the federal

government. Additional information on this reporting requirement appears in the text of the award condition posted on the OJP website at <http://ojp.gov/funding/FAPIS.htm>.

Data on performance measures. In addition to required reports, an award recipient also must provide data that measure the results of the work done under the award. To demonstrate program progress and success, as well as to assist DOJ in fulfilling its responsibilities under the Government Performance and Results Act of 1993 (GPRA), Public Law 103-62, and the GPRA Modernization Act of 2010, Public Law 111-352, OJP will require any recipient, post award, to provide the data listed as "Data Recipient Provides" in the performance measures table in [Section D. Application and Submission Information](#), under "Program Narrative," so that OJP can calculate values for this solicitation's performance measures.

G. Federal Awarding Agency Contact(s)

For OJP Contact(s), see [title page](#).

For contact information for Grants.gov, see [title page](#).

H. Other Information

Freedom of Information Act and Privacy Act (5 U.S.C. 552 and 5 U.S.C. 552a)

All applications submitted to OJP (including all attachments to applications) are subject to the federal Freedom of Information Act (FOIA) and to the Privacy Act. By law, DOJ may withhold information that is responsive to a request pursuant to FOIA if DOJ determines that the responsive information either is protected under the Privacy Act or falls within the scope of one of nine statutory exemptions under FOIA. DOJ cannot agree in advance of a request pursuant to FOIA not to release some or all portions of an application.

In its review of records that are responsive to a FOIA request, OJP will withhold information in those records that plainly falls within the scope of the Privacy Act or one of the statutory exemptions under FOIA. (Some examples include certain types of information in budgets, and names and contact information for project staff other than certain key personnel.) In appropriate circumstances, OJP will request the views of the applicant/recipient that submitted a responsive document.

For example, if OJP receives a request pursuant to FOIA for an application submitted by a nonprofit or for-profit organization or an institution of higher education, or for an application that involves research, OJP typically will contact the applicant/recipient that submitted the application and ask it to identify—quite precisely—any particular information in the application that applicant/recipient believes falls under a FOIA exemption, the specific exemption it believes applies, and why. After considering the submission by the applicant/recipient, OJP makes an independent assessment regarding withholding information. OJP generally follows a similar process for requests pursuant to FOIA for applications that may contain law-enforcement sensitive information.

Provide Feedback to OJP

To assist OJP in improving its application and award processes, OJP encourages applicants to provide feedback on this solicitation, the application submission process, and/or the application review process. Provide feedback to OJPSolicitationFeedback@usdoj.gov.

IMPORTANT: This email is for feedback and suggestions only. OJP does **not** reply from this mailbox to messages it receives in this mailbox. Any prospective applicant that has specific questions on any program or technical aspect of the solicitation **must** use the appropriate telephone number or email listed on the front of this document to obtain information. These contacts are provided to help ensure that prospective applicants can directly reach an individual who can address specific questions in a timely manner.

If you are interested in being a reviewer for other OJP grant applications, please email your resume to ojppeerreview@lmsolas.com. (Do not send your résumé to the OJP Solicitation Feedback email account.) **Note:** Neither you nor anyone else from your organization or entity can be a peer reviewer in a competition in which you or your organization/entity has submitted an application.

Application Checklist FY 2017 Body-Worn Camera Pilot Implementation Program

This application checklist has been created to assist in developing an application.

What an Applicant Should Do:

Prior to Registering in Grants.gov:

- _____ Acquire a DUNS Number (see page 26)
- _____ Acquire or renew registration with SAM (see page 26)

To Register with Grants.gov:

- _____ Acquire AOR and Grants.gov username/password (see page 26)
- _____ Acquire AOR confirmation from the E-Biz POC (see page 26)

To Find Funding Opportunity:

- _____ Search for the Funding Opportunity on Grants.gov (see page 27)
- _____ Select the correct Competition ID (see page 27)
- _____ Download Funding Opportunity and Application Package (see page 27)
- _____ Sign up for Grants.gov email [notifications](#) (optional) (see page 25)
- _____ Read [Important Notice: Applying for Grants in Grants.gov](#)
- _____ Read OJP policy and guidance on conference approval, planning, and reporting available at ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm

After Application Submission, Receive Grants.gov Email Notifications That:

- _____ (1) application has been received,
- _____ (2) application has either been successfully validated or rejected with errors (see page 27)

If No Grants.gov Receipt, and Validation or Error Notifications are Received:

- _____ contact BJA regarding experiencing technical difficulties (see page 27)

Overview of Post-Award Legal Requirements:

- _____ Review the "[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements](#)" in the OJP Funding Resource Center.

Scope Requirement:

- _____ The federal amount requested is within the allowable limit(s) described for each category (see pages 7-12).

Eligibility Requirement: Eligible applicants are limited to units of state government, units of local government, and federally recognized Indian tribal governments that perform law enforcement functions (as determined by the Secretary of the Interior), or any department, agency, or instrumentality of the foregoing that performs criminal justice functions (including combinations of the preceding, one of which is designated as the primary applicant.)

What an Application Should Include:

- _____ Application for Federal Assistance (SF-424) (see page 16)
- _____ Intergovernmental Review *[insert if applicable]* (see page 17)
- _____ Project Abstract *[insert if applicable]* (see page 17)
- _____ *Program Narrative (see page 18)
- _____ *Budget Detail Worksheet (see page 19)
- _____ *Budget Narrative (see page 19)
- _____ Indirect Cost Rate Agreement (if applicable) (see page 21)
- _____ Tribal Authorizing Resolution (if applicable) (see page 22)
- _____ Financial Management and System of Internal Controls Questionnaire (see page 22)
- _____ Disclosure of Lobbying Activities (SF-LLL) (see page 23)
- _____ Additional Attachments
 - _____ *Memoranda of Understanding/Letters of Intent/Governance (see page 23)
 - _____ *Affirmation of Use-of-Force Policy Development, Review, and Implementation (see page 23)
 - _____ Timeline (see page 23)
 - _____ Applicant Disclosure of Pending Applications (see page 23) *[insert page number]*
 - _____ Request and Justification for Employee Compensation Waiver (if applicable) (see page 15)

NOTE: Elements marked with an asterisk (*) are the basic minimum requirements for applications. Applications that do not include these elements shall neither proceed to peer review nor receive further consideration by BJA.

Police Department**James O'Neill****7240 E. Main Street****Reynoldsburg OHIO 43068****614-322-6947 Phone****ORDINANCE REQUEST**

DATE: January 23, 2017

TO: Finance Committee

RE: ORDINANCE APPROPRIATING FUNDS FROM UNAPPROPRIATED
GENERAL FUND FOR GRANT MONIES RECEIVED FROM THE
LBRANDS FOUNDATION.

Please see the attached letter from the L Brands Foundation awarding \$1500.00 to the Reynoldsburg Police Department. The Department is requesting permission to accept this grant money and appropriate \$1,000.00 to the Community Resource Bureau and \$500.00 to the City's annual Heroes for Heroes 5K Event.

*** 1/18/2017 Per staff- \$1,500.00 shall be appropriated to the Community Resource Bureau and a line item will be created at a later date for the Heroes for Heroes 5K funds.

Lbrands

FOUNDATION

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December 28, 2016

Chief Jim O'Neill
Chief of Police
Reynoldsburg Police Department
3240 East Main Street
Reynoldsburg, OH 43068

Dear Chief O'Neill:

The Board of Trustees of L Brands Foundation has approved a grant of \$1,500 to Reynoldsburg Police Department. This grant is to provide unrestricted support. Enclosed is a check in the full amount of the grant.

Grants from L Brands Foundation are made at the recommendation of L Brands' Contribution Committee. If you would like to express your appreciation for this grant, please address your correspondence to my attention at L Brands Foundation, 1234 East Broad Street, Columbus, OH 43205.

L Brands Foundation is proud to support the work of Reynoldsburg Police Department. Please contact LBrandsFoundation@columbusfoundation.org if you have any questions regarding this grant.

Sincerely,



Janelle N. Simmons
President

Enclosure: Check

cc: Gary M. Williams

P.S. By accepting this grant, your organization certifies that (1) no tangible benefit, goods or services were provided to the Board of Trustees of L Brands Foundation, and (2) this donation will not be used by you to satisfy the payment of any pledge or other financial obligation on behalf of the trustee(s) per Section 6115 of the Internal Revenue Code. Please do not use the formal substantiation language required by the 1993 Tax Reconciliation Act in your donor acknowledgment. L Brands Foundation is a charitable foundation.