

CITY COUNCIL AGENDA

April 1, 2024

7:30 p.m.

**The meeting convenes at City Hall, in Council Chambers
1st Floor, 538 N. Market Street, Wooster, Ohio.**

I. ROLL CALL & ORDERING OF AGENDA

II. APPROVAL OF MINUTES

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

V. COMMITTEE REPORTS; PUBLIC HEARINGS

VI. UNFINISHED BUSINESS

1. Second Reading – ORDINANCE NO. 2024-06 AN ORDINANCE AMENDING THE ANNUAL APPROPRIATION ORDINANCE AND ALLOWING FOR IMMEDIATE ENACTMENT (Abernathy)

2. Second Reading - RESOLUTION NO. 2024-23 A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR RESURFACING-URBAN PAVING WITHIN THE CITY OF WOOSTER, AND ALLOWING FOR IMMEDIATE ENACTMENT (Warden)

3. Second Reading - ORDINANCE NO. 2024-07 AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF MELROSE DRIVE BETWEEN CERTAIN TERMINI BY GRADING, DRAINING, WIDENING, PAVING, RESURFACING, CONSTRUCTING CURBS, GUTTERS, A MULTI-USE PATH, SIDEWALKS AND DRIVEWAY APPROACHES, INSTALLING STORM SEWERS, CATCH BASINS, MANHOLES, WATER MAINS, FIRE HYDRANTS, AND TRAFFIC CONTROL SIGNS AND DEVICES, AND ACQUIRING ANY REAL ESTATE AND INTERESTS, ALL TOGETHER WITH THE NECESSARY APPURTENANCES, AND ALLOWING FOR IMMEDIATE ENACTMENT (Warden)

4. Second Reading - ORDINANCE NO. 2024-09 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$4,030,000 FOR THE PURPOSE OF PAYING COSTS OF IMPROVING AND EXPANDING THE CITY'S SANITARY SEWERAGE SYSTEM BY CONSTRUCTING AND RECONSTRUCTING SANITARY SEWERS, FORCE MAINS AND LIFT STATIONS, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND ALLOWING FOR IMMEDIATE ENACTMENT (Abernathy)

5. Second Reading - ORDINANCE NO. 2024-10 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$565,000 TO PAY THE PROPERTY OWERNS' PORTION, IN ANTICIPATION OF THE COLLECTION OF SPECIAL ASSESSMENTS HERETOFORE LEVIED, OF THE COSTS OF IMPROVING MELROSE DRIVE BETWEEN CERTAIN TERMINI BY GRADING, DRAINING, WIDENING, PAVING, RESURFACING, CONSTRUCTING CURBS, GUTTERS, A MULTI-USE PATH, SIDEWALKS AND DRIVEWAY APPROACHES, INSTALLING STORM SEWERS, CATCH BASINS, MANHOLES, WATER MAINS, FIRE HYDRANTS, AND TRAFFIC CONTROL SIGNS, AND ACQUIRING ANY REAL ESTATE AND INTERESTS THEREIN REQUIRED THEREBY, ALL TOGETHER WITH THE NECESSARY APPURTENANCES THERETO, AND ALLOWING FOR IMMEDIATE ENACTMENT (Abernathy)
6. Second Reading - ORDINANCE NO. 2024-11 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$5,500,000 FOR THE PURPOSE OF PAYING COSTS OF CONSTRUCTING, FURNISHING, EQUIPPING AND OTHERWISE IMPROVING A MUNICIPAL SWIMMING POOL AND RELATED RECREATIONAL FACILITIES AND IMPROVING THE SITE THEREOF, AND TOGETHER WITH NECESSARY AND INCIDENTAL APPURTENANCES THERETO, AND ALLOWING FOR IMMEDIATE ENACTMENT (Abernathy)
7. Second Reading - ORDINANCE NO. 2024-12 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$4,655,000 FOR THE PURPOSE OF PAYING COSTS OF IMPROVING STREETS AND ROADS IN THE CITY INCLUDING OAK HILL ROAD, MILLTOWN ROAD AND COMMERCE PARKWAY BY PURCHASING A RIGHT OF WAY, CONSTRUCTING, RECONSTRUCTING, WIDENING, GRADING, DRAINING, PAVING, CREATING A ROUNDABOUT AND OTHERWISE IMPROVING, TOGETHER WITH ALL NECESSARY RELATED IMPROVEMENTS AND APPURTENANCES THERETO, AND ALLOWING FOR IMMEDIATE ENACTMENT (Abernathy)
8. Second Reading - ORDINANCE NO. 2024-13 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$3,100,000 FOR THE PURPOSE OF PAYING COSTS OF IMPROVING AND MAINTAINING THE CITY'S SANITARY SEWERAGE SYSTEM PLANT INCLUDING UPGRADES TO THE BIOSOLIDS, BIOGAS AND HEADWORKS SYSTEMS, TOGETHER WITH ALL NECESSARY IMPROVEMENTS AND APPURTENANCES THERETO, AND ALLOWING FOR IMMEDIATE ENACTMENT (Abernathy)

VII. NEW BUSINESS

1. First Reading – ORDINANCE NO. 2024-08 AN ORDINANCE AMENDING CHAPTER 160, BIDDING PROCEDURES AND CONTRACT REQUIREMENTS, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, BY INCREASING THE AMOUNT OF THE LIMIT FOR COMPETITIVE BIDDING (Knapic)

2. First Reading – ORDINANCE NO. 2024-14 AN ORDINANCE AMENDING CHAPTER 539.04 LIQUOR PROHIBITED WITHOUT A PERMIT OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, AND ALLOWING FOR IMMEDIATE ENACTMENT (Knapic)

3. First Reading – RESOLUTION NO. 2024-29 A RESOLUTION REQUESTING THAT THE PLANNING COMMISSION, PURSUANT TO WOOSTER CODIFIED ORDINANCE SECTION 1105.03, REVIEW AND CONSIDER PROPOSED TEXT AMENDMENTS TO THE PLANNING AND ZONING CODE SECTION 1109.02 AND 1135.02 AND ALLOWING FOR IMMEDIATE ENACTMENT (Knapic)

VIII. MISCELLANEOUS

IX. ADJOURNMENT

ORDINANCE NO. 2024-06

AN ORDINANCE AMENDING THE ANNUAL APPROPRIATION
ORDINANCE AND ALLOWING FOR IMMEDIATE ENACTMENT

WHEREAS, the Council of the City of Wooster adopted an Annual Appropriation Ordinance No. 2023-28 for Fiscal Year 2024, and from time-to-time it becomes necessary to amend that Ordinance;

WHEREAS, The City was awarded a Community Housing Impact and Preservation Program (CHIP) – Community Development Block Grant (CDBG) grant in the amount of \$316,000 for Federal fiscal years 2023 through 2025 for the purpose of addressing local housing needs for low to moderate-income persons in Wayne County.

WHEREAS, The City was awarded a Community Housing Impact and Preservation Program (CHIP) – HOME Investments Partnership (HOME) Program grant in the amount of \$729,000 for Federal fiscal years 2023 through 2025 for the purpose of addressing local housing needs for low to moderate-income persons in Wayne County.

WHEREAS, The City was awarded Community Development Block Grant (CDBG) – Community Development Program grant in the amount of \$150,000 for Federal fiscal years 2022 through 2024 for Fire Station #1 Improvements [\$127,500] and Viola Startzman Clinic which provides primary, urgent, and dental care to LMI-qualified individuals [\$22,500]. Fire Station #1 Improvements were made in calendar year 2023 and the payment to the Startzman Clinic will be made in 2024, and is required to be appropriated as such.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WOOSTER, OHIO:

SECTION 1. That the amount of \$1,067,500 is hereby appropriated from the unappropriated balance in the Community Development Block Grant (CDBG) Fund (107) for the purposes set forth above.

SECTION 3. This Council finds and declares that all formal actions concerning and relating to the adoption of this Ordinance occurred in an open meeting of this Council or its committees, in compliance with law.

SECTION 4. This Ordinance is hereby declared to be necessary to the immediate preservation of the public health, peace, safety and welfare of the City; wherefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor; provided it receives the affirmative vote of at least three-fourths of the members of Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

1st reading _____ 2nd reading _____ 3rd reading _____

Passed: _____, 2024 Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2024
Mayor

Introduced by: Michael Abernathly, Jr.

ord
2024-06

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Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division Community Development	Meeting Date Requested 03/18/2024
Project Name Appropriating Grant Funds	Estimated Total Funds/Costs \$1,067,500
Is Full Amount Budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, three readings NOT REQUIRED	
If No, How is the Purchase to be Funded? 	
Description of Request The City was awarded a CHIP CDBG grant in the amount of \$316,000 for Federal fiscal years 2023 through 2025 and a CHIP HOME grant in the amount of \$719,000 for Federal fiscal years 2023 through 2025. The City also has \$22,500 of unspent CDBG Community Development grant funds. This Ordinance will appropriate the grant funds.	
Justification / Benefits This will help housing and healthcare needs of low to moderate-income persons in Wayne County.	
Will this Project affect the City's Operating Costs No	
What Alternatives Exist and what are the Implications of the Alternatives N/A	
Is this a Sole Source Bid or Non-Bid Situation <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Explain The Circumstances: N/A	
Is there a need for Suspension of the Rules or a Time Frame when this must be passed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Note Reasons	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Millea and Dordea	Date: 02/29/2024

Approved for Agenda Yes No

RESOLUTION NO. 2024-23

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR RESURFACING-URBAN PAVING WITHIN THE CITY OF WOOSTER, AND ALLOWING FOR IMMEDIATE ENACTMENT

CONSENT LEGISLATION

Ordinance/Resolution No. 2024-23
PID No. 118792
Project Name WAY-30-09.18

The following resolution enacted by the City of Wooster of Wayne County, Ohio, hereinafter referred to as the City, in the matter of the stated described project.

SECTION I - Project Description

WHEREAS, the State has identified the need for the described project:

To resurface pavement with a fine graded polymer asphalt concrete overlay (smoothseal) and perform pavement repairs in the City of Wooster in Wayne County. This project includes US Route 30 from SLM 9.18 (SR 3 interchange) to SLM 11.62 (SR 3/SR 83/US 250 interchange), US Route 30 from SLM 9.351 to SLM 10.392 and from SLM 10.756 to SLM 10.924 is within City limits.

This project is currently scheduled to be constructed in the summer of 2025.

NOW THEREFORE, be it resolved by the City of Wooster of Wayne County, Ohio.

SECTION II - Consent Statement

Being in the public interest, the City gives consent to the Director of Transportation to complete the above described project.

SECTION III - Cooperation Statement

The City shall cooperate with the Director of Transportation in the above described project as follows:

- 1) *The City gives consent for the above improvement,*
- 2) ***No funds are required from the City*** except that the City agrees to assume and bear one hundred percent (100%) of the total cost for added construction items requested by the City and not necessary for the improvement as determined by the State and the Federal Highway Administration.

SECTION IV - Maintenance

Upon completion of the described Project, and unless otherwise agreed, the City shall:

- 1) Provide adequate maintenance for the described Project in accordance with all applicable state and federal law;
- 2) Provide ample financial provisions, as necessary, for the maintenance of the described project;
- 3) Maintain the right-of-way, keeping it free of obstructions; and hold said right-of- way inviolate for public highway purposes.

SECTION V – Utilities and Right-of-Way Statement

If City owned utilities, within a corporation limit or in a private easement outside corporation limits, need to be relocated due to this ODOT project, the City will be reimbursed for any relocation work; ODOT will perform the coordination, relocation, and reimbursement which shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

If other public and private utilities need to be relocated due to this ODOT project they will not be reimbursed for relocation; with exceptions due to an easement, etc.

SECTION VI - Authority to Sign

The Director of Administration of said City of Wooster is hereby empowered on behalf of the City of Wooster to enter into contracts with the Director of Transportation necessary to complete the above described project

Section VII – Immediate Enactment

This Resolution is hereby declared to be necessary to the immediate preservation of the public health, peace, safety and welfare of the City, and for the further reason that prompt action is necessary to complete the acquisitions in accordance with the project schedule; wherefore, this Resolution shall be in full force and effect from and immediately after its passage and approval by the Mayor; provided it receives the affirmative vote of at least three-fourths of the members of the Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

1st reading _____ 2nd reading _____ 3rd reading _____

Passed: _____

Vote: _____

Attest: _____
Clerk of Council

President of Council

Approved: _____

Mayor

Introduced by: Jennifer Warden

CERTIFICATE OF COPY
STATE OF OHIO
City of Wooster of Wayne County, Ohio

I, Amy Hamilton, as Clerk of the City of Wooster of Wayne County, Ohio,

Do hereby certify that the foregoing is a true and correct copy of Res. 2024-23 adopted by
(Ordinance/Resolution)
the legislative Authority of the said City of Wooster on this ____ day of _____, 202____,
that the publication of such Res. 2024-23 has been made and certified of record according
(Ordinance/Resolution)
to law; that no proceedings looking to a referendum upon such Res. 2024-23 have been
(Ordinance/Resolution)
taken;

and that such Res. 2024-23 and certificate of publication thereof are of record in
(Ordinance/Resolution)
the Res. 2024-23, Page _____.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable,
this ____ day of ____, 202____,

Clerk Signature
City of Wooster of Wayne County, Ohio.

The foregoing is accepted as a basis for proceeding with the project herein described.

For the City of Wooster of Wayne County, Ohio

Attest: _____ Date _____
Contractual Officer

Res. 2024-23

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Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division Engineering	Meeting Date Requested March 18, 2024
Project Name WAY-30-09.18 PID 118792	Estimated Total Funds/Costs \$0
Is Full Amount Budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, three readings NOT REQUIRED	
If No, How is the Purchase to be Funded? Not applicable, 100% funded by ODOT.	
Description of Request This is a request to give consent to ODOT to perform a smoothseal overlay and pavement repairs on US 30 and interchanges within the City corporation limits.	
Justification / Benefits There is no cost to the City and this will improve the portion of US 30 within the City corporation limits.	
Will this Project affect the City's Operating Costs It should reduce operating costs, as the City is responsible for routine maintenance.	
What Alternatives Exist and what are the Implications of the Alternatives We could not give consent and not allow the project to proceed.	
Is this a Sole Source Bid or Non-Bid Situation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Explain The Circumstances:	
Is there a need for Suspension of the Rules or a Time Frame when this must be passed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Note Reasons Suspension of the Rules is requested to allow ODOT to continue moving forward on this project.	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: John Rice	Date: 3-1-2024

Approved for Agenda Yes No

ORDINANCE NO. 2024-07

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF MELROSE DRIVE BETWEEN CERTAIN TERMINI BY GRADING, DRAINING, WIDENING, PAVING, RESURFACING, CONSTRUCTING CURBS, GUTTERS, A MULTI-USE PATH, SIDEWALKS AND DRIVEWAY APPROACHES, INSTALLING STORM SEWERS, CATCH BASINS, MANHOLES, WATER MAINS, FIRE HYDRANTS, AND TRAFFIC CONTROL SIGNS AND DEVICES, AND ACQUIRING ANY REAL ESTATE AND INTERESTS, ALL TOGETHER WITH THE NECESSARY APPURTENANCES, AND ALLOWING FOR IMMEDIATE ENACTMENT

WHEREAS, this Council adopted Resolution No. 2021-68, declaring the necessity of making the improvement described in Section 1 (the Resolution of Necessity) which improvement has been completed and the final cost determined;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WOOSTER, WAYNE COUNTY, OHIO, that:

SECTION 1. The special assessments for the cost and expense of improving Melrose Drive, by grading, draining, widening, paving, resurfacing, constructing curbs, gutters, a multi-use path, sidewalks and driveway approaches, installing storm sewers, catch basins, manholes, water mains, fire hydrants, and traffic control signs and devices, and acquiring any real estate and required interests, all together with the necessary appurtenances, all as provided for and described in, and pursuant to, the Resolution of Necessity, amounting in the aggregate to \$534,664.20, which were filed and are on file with the Clerk of Council, are adopted and confirmed. Those special assessments are levied and assessed upon the lots and lands provided for in the Resolution of Necessity in the respective amounts set forth in the final schedule of special assessments on file, which special assessments are not in excess of any statutory limitation.

SECTION 2. This Council finds and determines that the special assessments do not exceed the actual cost of the improvement and are in the same proportion to the estimated assessments as the actual costs of the improvement are to the estimated costs of the improvement.

SECTION 3. The special assessment against each lot or parcel of land shall be payable, in whole or in part, in cash or by check within 30 days after the passage of this ordinance, or at the option of the owner in fifteen annual installments with interest at the rate of 6.0 % per year, which interest rate is determined by this Council to be substantially equivalent to the fair market rate that would have been borne by securities issued in anticipation of the

OND
2024-07

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Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division Engineering	Meeting Date Requested March 18, 2024
Project Name Melrose Drive Reconstruction Ass	Estimated Total Funds/Costs \$0
Is Full Amount Budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, three readings NOT REQUIRED	
If No, How is the Purchase to be Funded?	
<p>Description of Request</p> <p>This is a request to levy assessments for the improvements on Melrose Drive (between E. Milltown Road and E. Smithville-Western Road).</p> <p>The Resolution of Necessity (Res 2021-68) was passed by Council. Council also passed resolutions to appoint the Equalization Board (Res 2021-69), Approve the Equalization Board's report (Res 2022-04), and Authorization to Advertise and Award a contract (Res 2022-06).</p> <p>The project cost estimate at the time of the Resolution of Necessity was \$4,382,500. The actual project costs total \$4,191,601.84.</p>	
<p>Justification / Benefits</p> <p>This is the final step in the process to levy the assessments for this project.</p>	
<p>Will this Project affect the City's Operating Costs</p> <p>No.</p>	
<p>What Alternatives Exist and what are the Implications of the Alternatives</p> <p>N/A</p>	
<p>Is this a Sole Source Bid or Non-Bid Situation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Explain The Circumstances:</p>	
<p>Is there a need for Suspension of the Rules or a Time Frame when this must be passed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Note Reasons Suspension of the Rules is requested to allow finalization of the assessments sooner.</p>	
<p>NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.</p>	
Manager Requesting: John Rice	Date: 3-1-2024

Approved for Agenda Yes No

FINAL COST
and
ONE-THIRD CERTIFICATE

I certify that:

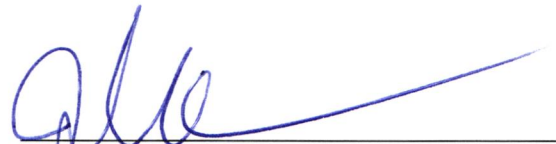
1. Based on actual construction costs for improving Melrose Drive from just north of E. Milltown Road to E. Smithville-Western Road by grading, draining, widening, paving, resurfacing, constructing curbs, gutters, a multi-use path, sidewalks and driveway approaches, installing storm sewers, catch basins, manholes, water mains, fire hydrants, and traffic control signs, and acquiring any real estate and interests therein required thereby, all together with the necessary appurtenances thereto, in accordance with Resolution No. 2021-68, adopted December 6, 2021 (the Resolution), the aggregate final cost of that improvement, including the costs specified in Section 727.08 of the Revised Code and all other necessary expenditures, is at least \$4,382,500.

2. A portion of the costs of the improvement were paid from a grant received by the City. With respect to the remaining costs of the improvement, the portion of those costs to be assessed in accordance with Resolution No. 2021-68, passed December 6, 2021, is \$556,713.97. Accordingly, the remaining amount is allocated to the City pursuant to the Resolution.

3. The estimated special assessments filed pursuant to the Resolution and approved by another Resolution has been revised and aggregate in amount of \$534,664.20; those revised assessments do not exceed the actual cost of the improvement and do not exceed the limits established in the Resolution. Those revised special assessments were filed by me in the office of the Clerk of Council of this City before the commencement of the meeting of City Council on March 18, 2024.

4. No special assessment for the improvement, together with all other special assessments levied within a period of five years preceding the anticipated date of passage of the assessing ordinance for the improvement, exceeds one-third of the actual value of the property, including improvements thereon, as enhanced by the improvement. This certification is based on the revised special assessments and the final costs of the improvement as stated above.

Dated: March 18, 2024



John Rice, PE
City Engineer
City of Wooster, Ohio

**MELROSE DRIVE RECONSTRUCTION
PROJECT COSTS, FUNDING, AND PRELIMINARY ASSESSMENT
DECEMBER, 2021**

Project Costs

Construction =	\$3,860,000
Construction Contingencies =	\$360,000
Appraisals =	\$26,000
Right of Way Acquisition =	\$105,000
Permit Fees =	\$1,500
Surveying =	<u>\$30,000</u>
Total Project Costs =	\$4,382,500

Project Funding

Water Fund =	\$200,000
Sanitary Sewer Fund =	\$360,000
Storm Sewer Fund =	\$850,000
OPWC Grant =	\$500,000
Capital Improvement Fund =	<u>\$722,500</u>
Subtotal Established Funds =	\$2,632,500

Total Project Costs Less Established Funds = \$1,750,000

Initial Assessment Amount = \$1,750,000

TOTAL FUNDS = \$4,382,500

Total Property Frontage = 5400 Feet

Eligible Assessment Amount = Total Project Cost x 98% - Intersection Costs

Project Cost per Foot = \$811.57

Intersection Costs:

Summerlin Drive 80 Feet

Springwood Drive 80 Feet

Firethorn Drive 70 Feet

Total Intersection Length = 230 Feet

Total Intersection Cost = \$186,662

Eligible Assessment Amount:

Total Project Costs:	\$4,382,500
Total Cost Eligible for Assessment (98%):	\$4,294,850
Less Intersection Costs:	<u>-\$186,662</u>
Subtotal:	\$4,108,188

Trip Generation as Percentage of Total ADT: 62%

Maximum Eligible for Assessment = \$2,557,892.97

Actual Costs to be Assessed = \$1,750,000

Assessment Costs as Percentage of Total Costs = 40%

**MELROSE DRIVE RECONSTRUCTION
PROJECT COSTS, FUNDING, AND FINAL ASSESSMENT
FEBRUARY, 2024**

Project Costs

Construction =	\$4,029,654
Appraisals =	\$26,000
Right of Way Acquisition =	\$104,350
Permit Fees =	\$1,598
Surveying =	<u>\$30,000</u>
Total Project Costs =	\$4,191,602

Project Funding

Water Fund =	\$200,000
Sanitary Sewer Fund =	\$360,000
Storm Sewer Fund =	\$850,000
OPWC Grant =	\$500,000
Capital Improvement Fund =	<u>\$722,500</u>
Subtotal Established Funds =	\$2,632,500

Total Project Costs Less Established Funds = \$1,559,102

Initial Assessment Amount = \$1,559,102

TOTAL FUNDS = \$4,191,602

Total Property Frontage = 5400 Feet

Eligible Assessment Amount = Total Project Cost x 98% - Intersection Costs

Project Cost per Foot = \$776.22

Intersection Costs:

Summerlin Drive 80 Feet

Springwood Drive 80 Feet

Firethorn Drive 70 Feet

Total Intersection Length = 230 Feet

Total Intersection Cost = \$178,531

Eligible Assessment Amount:

Total Project Costs:	\$4,191,602
Total Cost Eligible for Assessment (98%):	\$4,107,770
Less Intersection Costs:	<u>-\$178,531</u>
Subtotal:	\$3,929,239

Trip Generation as Percentage of Total ADT:	0%
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Maximum Eligible for Assessment =	\$0.00
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Actual Costs to be Assessed =	\$1,673,771.41
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Assessment Costs as Percentage of Total Costs =	40%
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Melrose Drive Reconstruction - From E. Milltown to E. Smithville Western

Preliminary Costs to be allocated by trip generation = \$1,089,608 (All Assessable Costs)
 Final Costs to be allocated by trip generation = \$1,042,145 (All Assessable Costs)
 % of Assessable Costs: 62%
 Non-fronting Residences = 100% (Applied Amount)
 Fronting Resid. & Commercial Developments = 100% (Applied Amount)

Project Parcel #	Current Name and Mailing Address	Service Address	Auditor's Parcel #	Size Ac.	9-20-2021 Auditor's Value	9-20-2021 Third Value	2-20-2024 Third Value Verified	Type/Usage	ITE Code	Size	Units	Average Rate	Weekday ADT	Potential ADT	% of Traffic Generation	% of Total Traffic	Preliminary Assessment By Trips	Preliminary Assessment (Adjusted)	Final Assessment By Trips	Final Assessment (Adjusted)	Notes
MARY E BRICKER 1844 NEAL DR WOOSTER, OH 44691	MELROSE DR	67-00166.000	33.090	\$18,940.00	\$6,313.33	Y	Vacant	210	132	House	9.44	1,246	1,246	14.30%	8.90%	\$155,829.08	\$6,313.33	\$149,041.21	\$6,313.33	Limited to One-third value.	
JOSHUA B & ANGELA S HIXENBAUGH 3949 MELROSE DR WOOSTER, OH 44691	3949 MELROSE DR	67-00782.000	1.58	\$170,770.00	\$56,923.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10		
WOOSTER GROWTH CORPORATION 538 N MARKET STREET WOOSTER, OH 44691	3751 MELROSE DR	67-01151.001	42.625	\$464,340.00	\$154,780.00	Y	Vacant	210	170	House	9.44	1,605	1,605	18.42%	11.47%	\$200,688.96	\$0.00	\$191,947.01	\$0.00	City owned property.	
CITY OF WOOSTER 538 N. MARKET ST WOOSTER, OH 44691	MELROSE DR	67-01307.001	9.874	\$713,470.00	\$237,823.33	Y	Vacant	210	39	House	9.44	368	368	4.23%	2.63%	\$46,040.41	\$0.00	\$44,034.90	\$0.00	City owned property.	
WOOSTER GROWTH CORPORATION 538 N. MARKET ST WOOSTER, OH 44691	MELROSE DR	67-01307.002	13.893	\$0.00	\$0.00	Y	Vacant	210	55	House	9.44	519	519	5.96%	3.71%	\$64,928.78	\$0.00	\$62,100.50	\$0.00	City owned property.	
JAMES H & JUDITH A VITARO 4167 MELROSE DR WOOSTER, OH 44691	4167 MELROSE DR	71-00081.000	0.528	\$132,060.00	\$44,020.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10		
JOSHUA J WILSON 4163 MELROSE DR WOOSTER, OH 44691	4163 MELROSE DR	71-00082.000	0.58	\$108,340.00	\$36,113.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10		
GLENN R & JENNIFER L SHIPLEY 4121 MELROSE DR WOOSTER, OH 44691	4121 MELROSE DR	71-00083.000	0.46	\$125,530.00	\$41,843.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10		
BRYAN C ALAURA 4093 MELROSE DR WOOSTER, OH 44691	4093 MELROSE DR	71-00084.000	0.7	\$160,350.00	\$53,450.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10		
RICHARD B & JACQUELYN D TEMPLETON 4081 MELROSE DR WOOSTER, OH 44691	4081 MELROSE DR	71-00085.000	0.49	\$105,380.00	\$35,126.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10		
MARY E BRICKER 1844 NEAL DR WOOSTER, OH 44691	MELROSE DR	71-00086.000	0.333	\$280.00	\$93.33	Y	Vacant	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$93.33	\$1,129.10	\$93.33	Limited to One-third value.	
LLOYD A & CASEY S SNYDER 1440 FIRETHORN LN WOOSTER, OH 44691	1440 FIRETHORN LN	71-00121.000	0.27	\$231,770.00	\$77,256.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10		
RENEE A DAMICO & LISA J SHEFFAR 1685 SPRINGWOOD DR WOOSTER, OH 44691	1685 SPRINGWOOD DR	71-00121.001	0.299	\$271,720.00	\$90,573.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10		
GEORGE W & LISA M WYATT 1679 SUMMERLIN DR WOOSTER, OH 44691	1679 SUMMERLIN DR	71-00121.002	0.404	\$223,220.00	\$74,406.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10		
DUANE T RAHZ 1659 SUMMERLIN DR WOOSTER, OH 44691	1659 SUMMERLIN DR	71-00121.003	0.293	\$177,480.00	\$59,160.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10		
CRAIG W ABBOTT 1641 SUMMERLIN DR WOOSTER, OH 44691	1641 SUMMERLIN DR	71-00121.004	0.293	\$187,720.00	\$62,573.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10		
JEFFREY D & JUDY M VINCENT 1623 SUMMERLIN DR WOOSTER, OH 44691	1623 SUMMERLIN DR	71-00121.005	0.293	\$202,840.00	\$67,613.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10		
JOAN B COLLIER 1605 SUMMERLIN DR WOOSTER, OH 44691	1605 SUMMERLIN DR	71-00121.006	0.293	\$192,160.00	\$64,053.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10		
PAUL DAVID ANDREW JR 1587 SUMMERLIN DR WOOSTER, OH 44691	1587 SUMMERLIN DR	71-00121.007	0.317	\$230,370.00	\$76,790.00 \$0.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10		
THI DUONG 1567 SUMMERLIN DR WOOSTER, OH 44691	1567 SUMMERLIN DR	71-00121.008	0.343	\$184,700.00	\$61,566.67 \$0.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10		
JOHN L & NANCY C TUNISON 1549 SUMMERLIN DR WOOSTER, OH 44691	1549 SUMMERLIN DR	71-00121.009	0.348	\$184,980.00	\$61,660.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10		
DAVID A & JENNIFER PATTERSON 1531 SUMMERLIN DR WOOSTER, OH 44691	1531 SUMMERLIN DR	71-00121.010	0.348	\$206,330.00	\$68,776.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10		
WAYNE C & ANTOINETTE M BAYRLE 1511 SUMMERLIN DR WOOSTER, OH 44691	1511 SUMMERLIN DR	71-00121.011	0.348	\$202,820.00	\$67,606.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10		
SHERRY L WALTON 1495 SUMMERLIN DR WOOSTER, OH 44691	1495 SUMMERLIN DR	71-00121.012	0.348	\$223,140.00	\$74,380.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10		
JOHN S COLEMAN 1475 SUMMERLIN DR WOOSTER, OH 44691	1475 SUMMERLIN DR	71-00121.013	0.3512	\$248,800.00	\$82,933.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10		

Project Parcel #	Current Name and Mailing Address	Service Address	Auditor's Parcel #	Size Ac.	9-20-2021 Auditor's Value	9-20-2021 Third Value	2-20-2024 Third Value Verified	Type/Usage	ITE Code	Size	Units	Average Rate	Weekday ADT	Potential ADT	% of Traffic Generation	% of Total Traffic	Preliminary Assessment By Trips	Preliminary Assessment (Adjusted)	Final Assessment By Trips	Final Assessment (Adjusted)	Notes
	JOHEL C & LISA BIELKE 1459 SUMMERLIN DR WOOSTER, OH 44691	1459 SUMMERLIN DR	71-00121.014	0.475	\$202,930.00	\$67,643.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	UDAY VAIDYA 3654 SUGARBUSH LN WOOSTER, OH 44691	3654 SUGARBUSH LN	71-00121.015	0.4861	\$217,780.00	\$72,593.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	BOBBI E DOUGLAS 3672 SUGARBUSH LN WOOSTER, OH 44691	3672 SUGARBUSH LN	71-00121.016	0.3884	\$224,170.00	\$74,723.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	RICHARD D & ANN L KINNEY 1972 PORTAGE RD WOOSTER, OH 44691	3700 SUGARBUSH LN	71-00121.017	0.4132	\$236,700.00	\$78,900.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	JOHN R & KATHLEEN M TISHER 1484 SUMMERLIN DR WOOSTER, OH 44691	1484 SUMMERLIN DR	71-00121.018	0.4234	\$212,400.00	\$70,800.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	VIRGIL P & MARY JANE WALTER 1502 SUMMERLIN DR WOOSTER, OH 44691	1502 SUMMERLIN DR	71-00121.019	0.2847	\$209,400.00	\$69,800.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	ELSIE SUMMERS 1512 SAUNDERS DR WOOSTER, OH 44691	1522 SUMMERLIN DR	71-00121.020	0.2847	\$209,400.00	\$69,800.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	JOHN A & TINA M ROBERTSON 1538 SUMMERLIN DR WOOSTER, OH 44691	1538 SUMMERLIN DR	71-00121.021	0.2847	\$202,970.00	\$67,656.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	EMERSON H & DOLORES E HEILMAN 1558 SUMMERLIN DR WOOSTER, OH 44691	1558 SUMMERLIN DR	71-00121.022	0.2755	\$190,160.00	\$63,386.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	VINICIUS SANTOS & DANIELE PIRES ANSELMO CUNEGATTO 1576 SUMMERLIN DR WOOSTER, OH 44691	1576 SUMMERLIN DR	71-00121.023	0.4132	\$215,940.00	\$71,980.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	CHARLES D & RANA M MURZDA 3675 TURNBERRY LN WOOSTER, OH 44691	3675 TURNBERRY LN	71-00121.024	0.8177	\$271,130.00	\$90,376.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	JOSEPH M & KAREN A SILVESTRI 3710 MELROSE DR WOOSTER, OH 44691	MELROSE DR	71-00121.025	0.5011	\$28,840.00	\$9,613.33	Y	Vacant	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	DEEPAK V & MARY F VAIDYA 1363 BANNOCK TRL WOOSTER, OH 44691	1363 BANNOCK TRL	71-00121.026	1.954	\$398,400.00	\$132,800.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	JOSHUA A & MEREDITH A MULLET 1301 BANNOCK TRL WOOSTER, OH 44691	1301 BANNOCK TRL	71-00121.027	1.727	\$393,890.00	\$131,296.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	RAHSAAN & NINA FRIEND 1249 BANNOCK TRL WOOSTER, OH 44691	1249 BANNOCK TRL	71-00121.028	2.633	\$630,820.00	\$210,273.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	CHRISTOPHER BRUCE & HAYLEY ANNE TRACY BURSLEY 1258 BANNOCK TRL WOOSTER, OH 44691	1258 BANNOCK TRL	71-00121.029	3.069	\$414,590.00	\$138,196.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	KARIN C WIEST 1282 BANNOCK TRL WOOSTER, OH 44691	1282 BANNOCK TRL	71-00121.030	2.08	\$321,110.00	\$107,036.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	MICHAEL D BORTZ & STEPHANIE N PEREA 1350 BANNOCK TRL WOOSTER, OH 44691	1350 BANNOCK TRL	71-00121.031	1.285	\$391,190.00	\$130,396.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	DENNY J P & LIZA D TALAMPAS 1400 BANNOCK TRL WOOSTER, OH 44691	1400 BANNOCK TRL	71-00121.032	2.706	\$364,480.00	\$121,493.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	BANNOCK TRAIL HOMEOWNERS ASSOCIATION INC 2363 EAGLE PASS STE G WOOSTER, OH 44691	BANNOCK TRL	71-00121.033	0.833	\$0.00	\$0.00	Y	Vacant											\$0.00	\$0.00	HOA owned private drive.
	JASON D FRIEDT 3729 TURNBERRY LN WOOSTER, OH 44691	3729 TURNBERRY LN	71-00121.036	0.6493	\$225,560.00	\$75,186.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	DAVE & ROXANNE YUNCKER 1602 BENT TREE DR WOOSTER, OH 44691	1602 BENT TREE DR	71-00121.037	0.523	\$285,700.00	\$95,233.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	JI TAEHYUN & MIHEE JON 1598 BENT TREE DR WOOSTER, OH 44691	1598 BENT TREE DR	71-00121.038	0.3629	\$233,090.00	\$77,696.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	ROBERT WILLIAM LAY 1584 BENT TREE DR WOOSTER, OH 44691	1584 BENT TREE DR	71-00121.039	0.3201	\$217,840.00	\$72,613.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	FRANK W & DEBORAH L BLOUGH III 1568 BENT TREE DR WOOSTER, OH 44691	1568 BENT TREE DR	71-00121.040	0.3076	\$247,860.00	\$82,620.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	WILLIAM J HENLEY 1550 BENT TREE DR WOOSTER, OH 44691	1550 BENT TREE DR	71-00121.041	0.2843	\$198,680.00	\$66,226.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	IRENE M ROUCH 1532 BENT TREE DR WOOSTER, OH 44691	1532 BENT TREE DR	71-00121.042	0.2755	\$207,420.00	\$69,140.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	CHARLES F & PAMELA J MESHEW 1514 BENT TREE DR WOOSTER, OH 44691	1514 BENT TREE DR	71-00121.043	0.3306	\$224,950.00	\$74,983.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	

Project Parcel #	Current Name and Mailing Address	Service Address	Auditor's Parcel #	Size Ac.	9-20-2021 Auditor's Value	9-20-2021 Third Value	2-20-2024 Third Value Verified	Type/Usage	ITE Code	Size	Units	Average Rate	Weekday ADT	Potential ADT	% of Traffic Generation	% of Total Traffic	Preliminary Assessment By Trips	Preliminary Assessment (Adjusted)	Final Assessment By Trips	Final Assessment (Adjusted)	Notes
	BRUCE E & LINDA M ARTHURS 1496 BENT TREE DR WOOSTER, OH 44691	1496 BENT TREE DR	71-00121.044	0.4224	\$233,600.00	\$77,866.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	GE XUMENG & HAITNO ZHANG 1478 BENT TREE DR WOOSTER, OH 44691	1478 BENT TREE DR	71-00121.045	0.4556	\$240,520.00	\$80,173.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	RONALD L & NANCY A SANDS 1466 BENT TREE DR WOOSTER, OH 44691	1466 BENT TREE DR	71-00121.046	0.6313	\$237,650.00	\$79,216.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	DENNIS A & LEAH M LUST 1462 BENT TREE DR WOOSTER, OH 44691	1462 BENT TREE DR	71-00121.047	0.969	\$261,450.00	\$87,150.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	STEVEN VARNOLD & KATHLEEN A NUSSBAUM 3738 SUGARBUSH LN WOOSTER, OH 44691	3738 SUGARBUSH LN	71-00121.048	0.3664	\$171,550.00	\$57,183.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	RONALD T & PHYLLIS A HARRISON 3720 SUGARBUSH LN WOOSTER, OH 44691	3720 SUGARBUSH LN	71-00121.049	0.3673	\$223,290.00	\$74,430.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	NICHOLAS M & KRISTEN L CAULIER 3721 SUGARBUSH LN WOOSTER, OH 44691	3721 SUGARBUSH LN	71-00121.050	0.4234	\$253,320.00	\$84,440.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	ARDEN T & KATHLEEN A NUSSBAUM 1505 BENT TREE DR WOOSTER, OH 44691	1505 BENT TREE DR	71-00121.051	0.2847	\$204,700.00	\$68,233.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	GREGORY & LINDA M TAYLOR DUNN 1521 BENT TREE DR WOOSTER, OH 44691	1521 BENT TREE DR	71-00121.052	0.2847	\$201,630.00	\$67,210.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	DONALD G JR & MARCIA L EDWARDS 1541 BENT TREE DR WOOSTER, OH 44691	1541 BENT TREE DR	71-00121.053	0.2847	\$215,890.00	\$71,963.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	LARRY L & LUCY A DRABENSTOTT 1559 BENT TREE DR WOOSTER, OH 44691	1559 BENT TREE DR	71-00121.054	0.2902	\$198,620.00	\$66,206.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	DWAINE R & JOI E HEMPHILL 1585 BENT TREE DR WOOSTER, OH 44691	1585 BENT TREE DR	71-00121.055	0.4215	\$214,650.00	\$71,550.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	CLYDE E & JEAN S OPLIGER 2095 E TOLBERT RD WOOSTER, OH 44691	3856 MELROSE DR	71-00121.056	1.75	\$790,370.00	\$263,456.67	Y	Apartments	210	11	Apt's	7.32	81	81	0.92%	0.58%	\$10,069.46	\$10,069.46	\$9,630.84	\$9,630.84	
	CHARLES G & AMY F BRERETON 5001 BRIDGE ST APT 3445 TAMPA, FL 33611	1669 SPRINGWOOD DR	71-00121.057	0.2663	\$212,800.00	\$70,933.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	NATHAN J REINKING 1649 SPRINGWOOD DR WOOSTER, OH 44691	1649 SPRINGWOOD DR	71-00121.058	0.2663	\$210,840.00	\$70,280.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	BARBARA A MOSER 1635 SPRINGWOOD DR WOOSTER, OH 44691	1635 SPRINGWOOD DR	71-00121.059	0.2645	\$233,060.00	\$77,686.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	JAMES & ASHLEY POYNTER 1601 SPRINGWOOD DR WOOSTER, OH 44691	1601 SPRINGWOOD DR	71-00121.060	0.3455	\$277,590.00	\$92,530.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	PRASHANT M & GAURI V TUPEKAR KHADAKKAR 1565 SPRINGWOOD DR WOOSTER, OH 44691	1565 SPRINGWOOD DR	71-00121.061	0.5693	\$295,720.00	\$98,573.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	WESLEY P & JOYCE A SPEICHER 1545 SPRINGWOOD DR WOOSTER, OH 44691	1545 SPRINGWOOD DR	71-00121.062	0.3253	\$210,580.00	\$70,193.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	ANGELA & KELLY LEE CARMICHAEL 1531 SPRINGWOOD DR WOOSTER, OH 44691	1531 SPRINGWOOD DR	71-00121.063	0.4277	\$217,770.00	\$72,590.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	GARY L & DIANE L WELSHHANS 1515 SPRINGWOOD DR WOOSTER, OH 44691	1515 SPRINGWOOD DR	71-00121.064	0.5477	\$235,470.00	\$78,490.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	SAMUEL A & CHRISTINE M GLENN 1503 SPRINGWOOD DR WOOSTER, OH 44691	1503 SPRINGWOOD DR	71-00121.065	0.3697	\$284,940.00	\$94,980.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	WADE A & DIANE E BRILL 1489 SPRINGWOOD DR WOOSTER, OH 44691	1489 SPRINGWOOD DR	71-00121.066	0.303	\$229,980.00	\$76,660.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	ERIC A & GAIL A TROYER WICKHAM 1473 SPRINGWOOD DR WOOSTER, OH 44691	1473 SPRINGWOOD DR	71-00121.067	0.3551	\$239,800.00	\$79,933.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	RICHARD A HARTMAN & PAMELA J MESHEW 1461 SPRINGWOOD DR WOOSTER, OH 44691	1461 SPRINGWOOD DR	71-00121.068	0.5567	\$222,020.00	\$74,006.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	THOMAS R & DARLENE M CETKOSKY 1449 SPRINGWOOD DR WOOSTER, OH 44691	1449 SPRINGWOOD DR	71-00121.069	0.7691	\$233,750.00	\$77,916.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	DAVID A & DORIS A MILLER 1435 SPRINGWOOD DR WOOSTER, OH 44691	1435 SPRINGWOOD DR	71-00121.070	0.4449	\$213,830.00	\$71,276.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	RICHARD A & SANDRA L HARTMAN 1425 SPRINGWOOD DR WOOSTER, OH 44691	1425 SPRINGWOOD DR	71-00121.071	0.5611	\$231,270.00	\$77,090.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	

Project Parcel #	Current Name and Mailing Address	Service Address	Auditor's Parcel #	Size Ac.	9-20-2021 Auditor's Value	9-20-2021 Third Value	2-20-2024 Third Value Verified	Type/Usage	ITE Code	Size	Units	Average Rate	Weekday ADT	Potential ADT	% of Traffic Generation	% of Total Traffic	Preliminary Assessment By Trips	Preliminary Assessment (Adjusted)	Final Assessment By Trips	Final Assessment (Adjusted)	Notes
	DAVID J & ANITA M STENGLEIN 1414 SPRINGWOOD DR WOOSTER, OH 44691	1414 SPRINGWOOD DR	71-00121.072	16.167	\$381,390.00	\$127,130.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	LOUIE T & DELORIS CARTER JR 1424 SPRINGWOOD DR WOOSTER, OH 44691	1424 SPRINGWOOD DR	71-00121.073	0.7461	\$344,600.00	\$114,866.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	JAMES L & SARA J MOWRER 1440 SPRINGWOOD DR WOOSTER, OH 44691	1440 SPRINGWOOD DR	71-00121.074	0.4691	\$213,030.00	\$71,010.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	IGNATIUS S & ESTHER D DAVID 1482 SPRINGWOOD DR WOOSTER, OH 44691	1482 SPRINGWOOD DR	71-00121.076	0.5032	\$264,450.00	\$88,150.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	STRATFORD VILLAGE HOMEOWNERS ASSOCIATION INC 1371 STRATFORD WAY WOOSTER, OH 44691	SPRINGWOOD DR	71-00121.080	5.5791	\$0.00	\$0.00	Y	Vacant											\$0.00	\$0.00	HOA owned private drive and common area.
	RODNEY W & VICKIE L STONE 1420 FIRETHORN LN WOOSTER, OH 44691	1420 FIRETHORN LN	71-00121.081	0.4574	\$211,330.00	\$70,443.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	MEGAN LINDSAY MORR 1622 SPRINGWOOD DR WOOSTER, OH 44691	1622 SPRINGWOOD DR	71-00121.082	0.2701	\$232,270.00	\$77,423.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	WENHAO & YINFENG LIU 1636 SPRINGWOOD DR WOOSTER, OH 44691	1636 SPRINGWOOD DR	71-00121.083	0.2681	\$225,930.00	\$75,310.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	FLAVIO NASCIMENTO & ROSANA MARIA ANCONA MATEUS 1650 SPRINGWOOD DR WOOSTER, OH 44691	1650 SPRINGWOOD DR	71-00121.084	0.2663	\$264,600.00	\$88,200.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	JOHN W KICH & DARVEL A KICH 1670 SPRINGWOOD DR WOOSTER, OH 44691	1670 SPRINGWOOD DR	71-00121.085	0.2663	\$214,800.00	\$71,600.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	ANITA & WAYNE D HAMMOND 1686 SPRINGWOOD DR WOOSTER, OH 44691	1686 SPRINGWOOD DR	71-00121.086	0.2863	\$217,940.00	\$72,646.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	JOHN E HUGHES JR & COURTNEY M HUGHES 922 KIEFFER ST WOOSTER, OH 44691	3820 MELROSE DR	71-00121.087	2.999	\$81,480.00	\$27,160.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	SCOTT T & KARIN M SCHROER 1466 SPRINGWOOD DR WOOSTER, OH 44691	1466 SPRINGWOOD DR	71-00121.090	0.5448	\$298,340.00	\$99,446.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	RODRIGO A & MARIA F BAEZ OCAMPO CARTAGENA 1500 SPRINGWOOD DR WOOSTER, OH 44691	1500 SPRINGWOOD DR	71-00121.091	0.3776	\$277,250.00	\$92,416.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	FRANK P & CAROL L VARTORELLA 1524 SPRINGWOOD DR WOOSTER, OH 44691	1524 SPRINGWOOD DR	71-00121.092	0.3416	\$231,370.00	\$77,123.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	JAMI M MARSH 1552 SPRINGWOOD DR WOOSTER, OH 44691	1552 SPRINGWOOD DR	71-00121.093	0.3712	\$201,800.00	\$67,266.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	DAVID A & BRENDA L NUSSBAUM 1454 FIRETHORN LN WOOSTER, OH 44691	1454 FIRETHORN LN	71-00121.099	0.299	\$241,730.00	\$80,576.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	BRADLEY D & ERICA AMSTUTZ ARNETTE 1468 FIRETHORN LN WOOSTER, OH 44691	1468 FIRETHORN LN	71-00121.100	0.321	\$244,640.00	\$81,546.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	KENNETH J & MARY LOU NUZAM 1480 FIRETHORN LN WOOSTER, OH 44691	1480 FIRETHORN LN	71-00121.101	0.321	\$218,260.00	\$72,753.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	NANCY A BROOKER 1494 FIRETHORN LN WOOSTER, OH 44691	1494 FIRETHORN LN	71-00121.102	0.3228	\$268,210.00	\$89,403.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	YONG W LIU & SHU YU ZHUANG ZHUANG 1508 FIRETHORN LN WOOSTER, OH 44691	1508 FIRETHORN LN	71-00121.103	0.3315	\$219,560.00	\$73,186.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	JOHN M & PHYLLIS E HINERMAN 1530 FIRETHORN LN WOOSTER, OH 44691	1530 FIRETHORN LN	71-00121.105	0.3678	\$231,780.00	\$77,260.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	JAMES A & LYNETTE S SNYDER 1544 FIRETHORN LN WOOSTER, OH 44691	1544 FIRETHORN LN	71-00121.106	0.3771	\$199,250.00	\$66,416.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	PAUL D & BARBARA J MILLER 1558 FIRETHORN LN WOOSTER, OH 44691	1558 FIRETHORN LN	71-00121.107	0.5006	\$234,310.00	\$78,103.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	G ADAM & TRACY J KEYS 1570 FIRETHORN LN WOOSTER, OH 44691	1570 FIRETHORN LN	71-00121.108	0.3629	\$230,960.00	\$76,986.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	RONALD E & GINA B HATTEN 1584 FIRETHORN LN WOOSTER, OH 44691	1584 FIRETHORN LN	71-00121.109	0.2956	\$198,700.00	\$66,233.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	STEPHANIE M CARMAN 1600 FIRETHORN LN WOOSTER, OH 44691	1600 FIRETHORN LN	71-00121.110	0.2346	\$208,270.00	\$69,423.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	DORIVAL SIRINO DO NASCIMENTO JUNIOR & FERNANDA GOMES SANTOS DO NASCIMENTO 1616 FIRETHORN LN WOOSTER, OH 44691	1616 FIRETHORN LN	71-00121.111	0.2346	\$220,490.00	\$73,496.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	

Project Parcel #	Current Name and Mailing Address	Service Address	Auditor's Parcel #	Size Ac.	9-20-2021 Auditor's Value	9-20-2021 Third Value	2-20-2024 Third Value Verified	Type/Usage	ITE Code	Size	Units	Average Rate	Weekday ADT	Potential ADT	% of Traffic Generation	% of Total Traffic	Preliminary Assessment By Trips	Preliminary Assessment (Adjusted)	Final Assessment By Trips	Final Assessment (Adjusted)	Notes
	LESLIE A SHARP 1630 FIRETHORN LN WOOSTER, OH 44691	1630 FIRETHORN LN	71-00121.112	0.2346	\$262,300.00	\$87,433.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	DONALD R & KAREN L JAMES 1646 FIRETHORN LN WOOSTER, OH 44691	1646 FIRETHORN LN	71-00121.113	0.2346	\$242,590.00	\$80,863.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	BRIAN & ELIZABETH TETER 1660 FIRETHORN LN WOOSTER, OH 44691	1660 FIRETHORN LN	71-00121.114	0.2346	\$210,190.00	\$70,063.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	JONATHAN L & CHRISTINE M COURT 1680 FIRETHORN LN WOOSTER, OH 44691	1680 FIRETHORN LN	71-00121.115	0.3031	\$219,870.00	\$73,290.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	MIHAI & CAMELIA SERBAN 1683 FIRETHORN LN WOOSTER, OH 44691	1683 FIRETHORN LN	71-00121.116	0.3162	\$256,870.00	\$85,623.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	JOSEPH G & FRANCES C GEIG 1665 FIRETHORN LN WOOSTER, OH 44691	1665 FIRETHORN LN	71-00121.117	0.233	\$207,420.00	\$69,140.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	MICHAEL K & CHARLOTTE A UMSTEAD 1651 FIRETHORN LN WOOSTER, OH 44691	1651 FIRETHORN LN	71-00121.118	0.233	\$215,940.00	\$71,980.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	JAMES A & NANCY M MCCREARY 182 GREEN GARDEN DR BOARDMAN, OH 44512	1639 FIRETHORN LN	71-00121.119	0.516	\$32,970.00	\$10,990.00	Y	Vacant	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	MARY A SUTTON 1621 FIRETHORN LN WOOSTER, OH 44691	1621 FIRETHORN LN	71-00121.120	0.233	\$221,210.00	\$73,736.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	ROBERT T & BEVERLY J HAMILTON JR 1605 FIRETHORN LN WOOSTER, OH 44691	1605 FIRETHORN LN	71-00121.121	0.233	\$213,130.00	\$71,043.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	WILLIAM T & SUSAN M KIRKWOOD 1585 FIRETHORN LN WOOSTER, OH 44691	1585 FIRETHORN LN	71-00121.122	0.2497	\$267,590.00	\$89,196.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	MANBIR RAKKAR & GAGANPREET SINGH 1551 FIRETHORN LN WOOSTER, OH 44691	1551 FIRETHORN LN	71-00121.123	0.2612	\$218,190.00	\$72,730.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	JAY I & MARSHA G MAIBACH 1521 FIRETHORN LN WOOSTER, OH 44691	1521 FIRETHORN LN	71-00121.124	0.2579	\$236,170.00	\$78,723.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	JOHN R & ALICIA D WEEMAN SMITH 1457 FIRETHORN LN WOOSTER, OH 44691	FIRETHORN LN	71-00121.125	0.2579	\$27,510.00	\$9,170.00	Y	Vacant	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	JOHN R SMITH 1457 FIRETHORN LN WOOSTER, OH 44691	1457 FIRETHORN LN	71-00121.126	0.2777	\$228,570.00	\$76,190.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	JOHN R & ALICIA D WEEMAN SMITH 1457 FIRETHORN LN WOOSTER, OH 44691	FIRETHORN LN	71-00121.127	0.233	\$24,690.00	\$8,230.00	Y	Vacant	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	RICHARDSON L DAVIS 1419 FIRETHORN LN WOOSTER, OH 44691	1419 FIRETHORN LN	71-00121.128	0.233	\$200,950.00	\$66,983.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	ELIZABETH J SHAFFER & ALAN D SMITH 1469 STRATFORD WAY WOOSTER, OH 44691	1469 STRATFORD WAY	71-00121.129	0.1765	\$196,840.00	\$65,613.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	BONNIE R MORRIS 1455 STRATFORD WAY WOOSTER, OH 44691	1455 STRATFORD WAY	71-00121.130	0.1708	\$198,650.00	\$66,216.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	ROBERT J & BRENDA S SCHMID 1441 STRATFORD WAY WOOSTER, OH 44691	1441 STRATFORD WAY	71-00121.131	0.1708	\$211,360.00	\$70,453.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	LISA C HOOBLE & ANGELA C DAVIS 1427 STRATFORD WAY WOOSTER, OH 44691	1427 STRATFORD WAY	71-00121.132	0.1708	\$204,580.00	\$68,193.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	ROBIN H MARTIN 1415 STRATFORD WAY WOOSTER, OH 44691	1415 STRATFORD WAY	71-00121.133	0.1708	\$227,470.00	\$75,823.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	ROBERT M & CANDACE J HOLLAND 1399 STRATFORD WAY WOOSTER, OH 44691	1399 STRATFORD WAY	71-00121.134	0.1708	\$229,280.00	\$76,426.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	WILLIAM & SHELLEY CONLEY GALONSKI 1560 BIG BLUESTEM WAY SUNBURY, OH 43074	1385 STRATFORD WAY	71-00121.135	0.1708	\$226,270.00	\$75,423.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	ROBERT P & MELISSA D FOSTER 1371 STRATFORD WAY WOOSTER, OH 44691	1371 STRATFORD WAY	71-00121.136	0.1708	\$213,040.00	\$71,013.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	SPENCER E HODGES 1357 STRATFORD WAY WOOSTER, OH 44691	1357 STRATFORD WAY	71-00121.137	0.1708	\$199,600.00	\$66,533.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	ALLAN M & KIMBERLY A BAUMGARTNER 1343 STRATFORD WAY WOOSTER, OH 44691	1343 STRATFORD WAY	71-00121.138	0.2702	\$277,720.00	\$92,573.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	CAROL J LANTZ 1319 STRATFORD WAY WOOSTER, OH 44691	1319 STRATFORD WAY	71-00121.139	0.3742	\$217,760.00	\$72,586.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	

Project Parcel #	Current Name and Mailing Address	Service Address	Auditor's Parcel #	Size Ac.	9-20-2021 Auditor's Value	9-20-2021 Third Value	2-20-2024 Third Value Verified	Type/Usage	ITE Code	Size	Units	Average Rate	Weekday ADT	Potential ADT	% of Traffic Generation	% of Total Traffic	Preliminary Assessment By Trips	Preliminary Assessment (Adjusted)	Final Assessment By Trips	Final Assessment (Adjusted)	Notes
	WALTER L & HOLLY R SEKULICH 1320 STRATFORD WAY WOOSTER, OH 44691	1320 STRATFORD WAY	71-00121.140	0.2944	\$212,770.00	\$70,923.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	RALPH E & JOANNE F LEHMAN 1344 STRATFORD WAY WOOSTER, OH 44691	1344 STRATFORD WAY	71-00121.141	0.2125	\$207,200.00	\$69,066.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	CONNIE S ENGMAN 1358 STRATFORD WAY WOOSTER, OH 44691	1358 STRATFORD WAY	71-00121.142	0.1625	\$196,600.00	\$65,533.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	SARAH L DONOHOE 2636 MONTCLAIR ST WOOSTER, OH 44691	1372 STRATFORD WAY	71-00121.143	0.1694	\$193,660.00	\$64,553.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	BECKY GILKISON 1386 STRATFORD WAY WOOSTER, OH 44691	1386 STRATFORD WAY	71-00121.144	0.1708	\$213,200.00	\$71,066.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	DIANNE S HANGE 1400 STRATFORD WAY WOOSTER, OH 44691	1400 STRATFORD WAY	71-00121.145	0.1708	\$213,920.00	\$71,306.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	DOUGLAS H & DELORES A SCHREINER 1414 STRATFORD WAY WOOSTER, OH 44691	1414 STRATFORD WAY	71-00121.146	0.1708	\$195,580.00	\$65,193.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	CHARLES MICHAEL & PEGGY ANN BROWN 1428 STRATFORD WAY WOOSTER, OH 44691	1428 STRATFORD WAY	71-00121.147	0.1708	\$193,080.00	\$64,360.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	PATRICK F & PATRICE M BLACK 1442 STRATFORD WAY WOOSTER, OH 44691	1442 STRATFORD WAY	71-00121.148	0.1708	\$214,510.00	\$71,503.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	DAVID E & ERIN S DEVOLLD 1456 STRATFORD WAY WOOSTER, OH 44691	1456 STRATFORD WAY	71-00121.149	0.1708	\$239,630.00	\$79,876.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	KENNETH F & KATHLYN F KARPINSKI 1470 STRATFORD WAY WOOSTER, OH 44691	1470 STRATFORD WAY	71-00121.150	0.1936	\$31,670.00	\$10,556.67	Y	Vacant	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	PAUL & CHERYL SHETLER 1637 FIRETHORN LN WOOSTER, OH 44691	1637 FIRETHORN LN	71-00121.151	0.5172	\$31,880.00	\$10,626.67	Y	Vacant	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	MD CUSTOM BUILDERS LTD 67 N KOHLER RD ORRVILLE, OH 44667	1635 FIRETHORN LN	71-00121.152	0.63	\$40,900.00	\$13,633.33	Y	Vacant	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	MD CUSTOM BUILDERS LTD 67 N KOHLER RD ORRVILLE, OH 44667	1633 FIRETHORN LN	71-00121.153	0.5937	\$37,200.00	\$12,400.00	Y	Vacant	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	DONALD CAMPBELL 3784 MELROSE DR WOOSTER, OH 44691	3784 MELROSE DR	71-00124.000	1.34	\$143,520.00	\$47,840.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	DAVID A GRABILL 3724 MELROSE DR WOOSTER, OH 44691	3724 MELROSE DR	71-00125.000	0.4936	\$40,150.00	\$13,383.33	Y	Mobile Home	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	JOSEPH M & KAREN A SILVESTRI 3710 MELROSE DR WOOSTER, OH 44691	3710 MELROSE DR	71-00126.000	0.5429	\$156,300.00	\$52,100.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	AGRI SOILS LTD 9599 S APPLE CREEK RD FREDERICKSBURG, OH 44627	MELROSE DR	71-00127.001	7.499	\$105,010.00	\$35,003.33	Y	Vacant	210	30	House	9.44	283	283	3.25%	2.02%	\$35,415.70	\$35,003.33	\$33,873.00	\$33,873.00	
	JOHN C HOCKETT 4122 MELROSE DR WOOSTER, OH 44691	MELROSE DR	71-00127.002	18.027	\$31,590.00	\$10,530.00	Y	Timber	210	72	House	9.44	680	680	7.80%	4.86%	\$84,997.68	\$10,530.00	\$81,295.20	\$10,530.00	Limited to One-third value.
	JOHN C HOCKETT 4122 MELROSE DR WOOSTER, OH 44691	MELROSE DR REAR	71-00127.003	1.324	\$5,270.00	\$1,756.67	Y	Timber	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$0.00	\$0.00	Not a buildable lot.
	NICHOLAS L COMPTON 4090 MELROSE DR WOOSTER, OH 44691	4090 MELROSE DR	71-00127.004	0.248	\$137,530.00	\$45,843.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	AGRI SOILS LTD 9599 S APPLE CREEK RD FREDERICKSBURG, OH 44627	4122 MELROSE DR	71-00128.000	3.9	\$206,990.00	\$68,996.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	TIMOTHY L AULT 4160 MELROSE DR WOOSTER, OH 44691	4160 MELROSE DR	71-00129.000	0.74	\$140,760.00	\$46,920.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	UMH MELROSE LLC 3499 ROUTE 9 N SUITE 3C FREEHOLD, NJ 07728	4400 MELROSE DR	71-00197.000	78.547	\$2,006,480.00	\$668,826.67	Y	Mobile home park	240	222	Mobile Homes	6.49	1,441	1,441	16.54%	10.30%	\$180,177.37	\$180,177.37	\$172,328.90	\$172,328.90	
	GREATER LIFE CHAPEL 4497 MELROSE DR WOOSTER, OH 44691	4497 MELROSE DR	71-00235.000	1.0101	\$545,770.00	\$181,923.33	Y	Church	560	5.52	1000 SF	6.95	38	38	0.44%	0.27%	\$4,797.63	\$4,797.63	\$4,588.64	\$4,588.64	
	BRADY & DARLENE A CASSIDY JR 4561 MELROSE DR WOOSTER, OH 44691	4561 MELROSE DR	71-00236.000	1.0101	\$162,750.00	\$54,250.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	BRADY & DARLENE A CASSIDY JR 4561 MELROSE DR WOOSTER, OH 44691	MELROSE DR	71-00237.000	1.01	\$20,760.00	\$6,920.00	Y	Vacant	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	BRITTANY E & AARON A MOORE 4607 MELROSE DR WOOSTER, OH 44691	4607 MELROSE DR	71-00238.000	1.01	\$122,950.00	\$40,983.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	

Project Parcel #	Current Name and Mailing Address	Service Address	Auditor's Parcel #	Size Ac.	9-20-2021 Auditor's Value	9-20-2021 Third Value	2-20-2024 Third Value Verified	Type/Usage	ITE Code	Size	Units	Average Rate	Weekday ADT	Potential ADT	% of Traffic Generation	% of Total Traffic	Preliminary Assessment By Trips	Preliminary Assessment (Adjusted)	Final Assessment By Trips	Final Assessment (Adjusted)	Notes
	STEPHANIE KASCO TONEV 2421 E SMITHVILLE WESTERN RD WOOSTER, OH 44691	2421 E SMITHVILLE WESTERN RD	71-00239.000	0.7223	\$162,920.00	\$54,306.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	MICHAEL & MADELEINE HAKIM 4727 MELROSE DR WOOSTER, OH 44691	4727 MELROSE DR	71-00239.001	0.4467	\$205,250.00	\$68,416.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	JARVIS D & LAURA M HAINES 2447 E SMITHVILLE WESTERN RD WOOSTER, OH 44691	MELROSE DR	71-00239.003	0.2249	\$12,400.00	\$4,133.33	Y	Vacant	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	WILLIAM J LEMMON 8230 PITTSBURG AVE NW NORTH CANTON, OH 44720	4677 MELROSE DR	71-00250.000	14.87	\$202,960.00	\$67,653.33	Y	Vacant, cash/grain	210	59	House	9.44	557	557	6.39%	3.98%	\$69,650.87	\$67,353.33	\$66,616.90	\$66,616.90	
	UMH MELROSE LLC 3499 ROUTE 9 N SUITE 3C FREEHOLD, NJ 07728	4400 MELROSE DR	71-00258.000	19.45	\$679,380.00	\$226,460.00	Y	Mobile home park	240	63	Mobile Homes	6.49	409	409	4.69%	2.92%	\$51,131.42	\$51,131.42	\$48,904.15	\$48,904.15	
	MATTHEW HENSEL 2383 E SMITHVILLE WESTERN RD WOOSTER, OH 44691	2383 E SMITHVILLE WESTERN RD	71-00262.000	0.5106	\$90,440.00	\$30,146.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	VERONICA V AGUIRRE 4666 MELROSE DR WOOSTER, OH 44691	4666 MELROSE DR	71-00264.000	1.87	\$156,510.00	\$52,170.00	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	MICHAEL D & WENDY J SCOTT 4740 MELROSE DR WOOSTER, OH 44691	4740 MELROSE DR	71-00265.000	0.4772	\$124,210.00	\$41,403.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	TYLER A & TAYLOR R ABEL 4718 MELROSE DR WOOSTER, OH 44691	4718 MELROSE DR	71-00266.000	0.4772	\$114,010.00	\$38,003.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	JAMES E & LINDA S HIXSON 4706 MELROSE DR WOOSTER, OH 44691	4706 MELROSE DR	71-00267.000	0.4772	\$118,780.00	\$39,593.33	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	GREATER LIFE CHAPEL 4497 MELROSE DR WOOSTER, OH 44691	MELROSE DR	71-00494.000	1.02	\$25,500.00	\$8,500.00	Y	Church											\$0.00	\$0.00	Included with Parcel 71-00235.000.
	GREATER LIFE CHAPEL 4497 MELROSE DR WOOSTER, OH 44691	MELROSE DR	71-00495.000	1.01	\$25,250.00	\$8,416.67	Y	Church											\$0.00	\$0.00	Included with Parcel 71-00235.000.
	STEVEN R & KIMBERLEY F SMITH 4541 MELROSE DR WOOSTER, OH 44691	4541 MELROSE DR	71-00496.000	1.01	\$225,530.00	\$75,176.67	Y	Single family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$1,180.52	\$1,129.10	\$1,129.10	
	HANS E & JENNIFER A STUDER PO BOX 203 DUNDEE, OH 44624	4455 MELROSE DR	53-01220.000	0.57	\$118,330.00	\$39,443.33		Single Family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$0.00	\$0.00	\$0.00	Outside of corporation limits.
	DAVID D & LAURIE L STAHL 4333 MELROSE DR WOOSTER, OH 44691	4333 MELROSE DR	53-01221.001	3.44	\$220,590.00	\$73,530.00		Single Family	210	1	House	9.44	9	9	0.11%	0.07%	\$1,180.52	\$0.00	\$0.00	\$0.00	Outside of corporation limits.
	TYLER H & ERICA D STAHL 4467 MEL LN WOOSTER, OH 44691	4467 MEL LN	53-01221.002	32.67	\$512,750.00	\$170,916.67		Vacant	210	130	House	9.44	1,227	1,227	14.08%	8.77%	\$153,468.03	\$0.00	\$0.00	\$0.00	Outside of corporation limits.
	MORRISON FAMILY LLC 8094 EBY RD SMITHVILLE, OH 44677	MELROSE DR	53-01221.000	30.6	\$272,840.00	\$90,946.67		Vacant	210	122	House	9.44	1,152	1,152	13.22%	8.23%	\$144,023.84	\$0.00	\$0.00	\$0.00	Outside of corporation limits.
	SEIPP PROPERTIES LLC 1950 OLD COLUMBUS RD WOOSTER, OH 44691	MELROSE DR	53-01219.000	32.23	\$289,490.00	\$96,496.67		Vacant	210	128	House	9.44	1,208	1,208	13.87%	8.63%	\$151,106.98	\$0.00	\$0.00	\$0.00	Outside of corporation limits.

Non-Assessable because they are located outside of the corporation limits
Assessment limited to 1/3 of property value
Parcel owned by Wooster Growth or City of Wooster
Per written notice from property owner, mailings should be sent to 170 Cohan Road, Wooster, Ohio 44691.
Notes: All dimensions are from the survey or the auditor's records unless otherwise noted.

Total Preliminary Assessments = \$556,713.97
Total Final Assessments = \$534,664.20

ORDINANCE NO. 2024-09

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$4,030,000 FOR THE PURPOSE OF PAYING COSTS OF IMPROVING AND EXPANDING THE CITY'S SANITARY SEWERAGE SYSTEM BY CONSTRUCTING AND RECONSTRUCTING SANITARY SEWERS, FORCE MAINS AND LIFT STATIONS, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND ALLOWING FOR IMMEDIATE ENACTMENT.

WHEREAS, pursuant to Ordinance No. 2022-09, passed on May 2, 2022, there were issued \$1,800,000 of notes, issued in anticipation of bonds for the purposes stated in Section 2, as part of a consolidated issue of \$2,360,000 Various Purpose Improvement Notes, Series 2022, which notes were retired at maturity with the proceeds of \$4,030,000 of notes (the Outstanding Notes) issued in anticipation of bonds pursuant to Ordinance No. 2023-15, passed on April 3, 2023, as part of a consolidated issue of \$4,750,000 Various Purpose Improvement Notes, Series 2023, which Outstanding Notes mature on June 7, 2024; and

WHEREAS, this Council finds and determines that the City should retire the Outstanding Notes with the proceeds of the Bonds described in Section 2 and other funds available to the City; and

WHEREAS, the Director of Finance, as fiscal officer of the City, has certified to this Council that the estimated life or period of usefulness of the improvement described in Section 2 is at least five years and the estimated maximum maturity of the Bonds described in Section 2 is 40 years;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WOOSTER, WAYNE COUNTY, OHIO, THAT:

Section 1: Definitions and Interpretation. In addition to the words and terms elsewhere defined in this Ordinance, unless the context or use clearly indicates another or different meaning or intent:

“Authorized Denominations” means (subject to any limitations in Section 3) the denomination of \$5,000 or any integral multiple thereof.

“Bond proceedings” means, collectively, this Ordinance, the Certificate of Award, the Continuing Disclosure Agreement and such other proceedings of the City, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds.

“Bond Register” means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

“Bond Registrar” means the bank or trust company appointed pursuant to Section 4 as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds under the Bond Registrar Agreement and until a successor Bond Registrar shall have become such pursuant to the provisions of the Bond Registrar Agreement and, thereafter, “Bond Registrar” shall mean the successor Bond Registrar.

“Bond Registrar Agreement” means the Bond Registrar Agreement between the City and the Bond Registrar, as it may be modified from the form on file with the Clerk of Council and signed by the Fiscal Officer in accordance with Section 4.

“Bonds” means, collectively, the Serial Bonds and the Term Bonds, each as is designated as such in the Certificate of Award.

“Book entry form” or “book entry system” means a form or system under which (a) the ownership of book entry interests in Bonds and the principal of and interest on the Bonds may be transferred only through a book entry and (b) physical Bond certificates in fully registered form are issued by the City only to a Depository or its nominee as registered owner, with the Bonds “immobilized” in the custody of the Depository or its agent. The book entry maintained by others than the City is the record that identifies the owners of book entry interests in those Bonds and that principal and interest.

“Certificate of Award” means the certificate authorized by Section 6(a), to be signed by the Fiscal Officer, setting forth and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Ordinance requires or authorizes to be set forth or determined therein.

“Closing Date” means the date of physical delivery of, and payment of the purchase price for, the Bonds.

“Code” means the Internal Revenue Code of 1986, the Regulations (whether temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a Section of the Code includes any applicable successor section or provision and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that Section.

“Continuing Disclosure Agreement” means the agreement authorized by Section 6(c), to be substantially in the form on file with the Clerk of Council, made by the City for the benefit of holders and beneficial owners of the Bonds in accordance with the Rule.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of book entry interests in Bonds or the principal of and interest on Bonds, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Fiscal Officer” means the Director of Finance of the City.

“Interest Payment Dates” means, unless otherwise determined by the Fiscal Officer in the Certificate of Award, June 1 and December 1 of each year that the Bonds are outstanding, commencing December 1, 2024.

“Original Purchaser” means the original purchaser of the Bonds designated by the Fiscal Officer in the Certificate of Award.

“Participant” means any participant contracting with a Depository under a book entry system and includes securities brokers and dealers, banks and trust companies, and clearing corporations.

“Principal Payment Dates” means, unless otherwise determined by the Fiscal Officer in the Certificate of Award, December 1 in each of the years from and including 2024 to and including 2043, provided that in no case shall the total number of Principal Payment Dates exceed the maximum maturity of the Bonds referred to in the preambles hereto.

“Rule” means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

“SEC” means the Securities and Exchange Commission.

“Serial Bonds” means those Bonds designated as such and maturing on the dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

“Term Bonds” means those Bonds designated as such and maturing on the date or dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

Section 2: Authorized Principal Amount and Purpose; Application of Proceeds. This Council determines that it is necessary and in the best interest of the City to issue bonds of the City in one lot in the maximum principal amount of \$4,030,000 (the Bonds) for the purpose of

paying costs of improving and expanding the City's sanitary sewerage system by constructing and reconstructing sanitary sewers, force mains and lift stations, together with all necessary appurtenances thereto, and to retire, together with other funds available to the City, the Outstanding Notes.

The aggregate principal amount of Bonds to be issued shall not exceed \$4,030,000 and shall be issued in an amount determined by the Fiscal Officer in the Certificate of Award to be the aggregate principal amount of Bonds required to be issued, taking into account any premium above or discount from the aggregate principal amount of the Bonds at which they are sold to the Original Purchaser, in order to effect the purpose for which the Bonds are to be issued, including the payment of any expenses properly allocable to the issuance of the Bonds.

The proceeds from the sale of the Bonds (except any premium and accrued interest) shall be paid into the proper fund or funds, and those proceeds are appropriated and shall be used for the purpose for which the Bonds are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

Section 3: Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be issued in one lot and only as fully registered bonds, in the Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The Bonds shall be dated as provided in the Certificate of Award, provided that their dated date shall not be more than 60 days prior to the Closing Date.

(a) Interest Rates and Interest Payment Dates. The Bonds shall bear interest at the rate or rates per year (computed on the basis of a 360-day year consisting of 12 30-day months) as shall be determined by the Fiscal Officer in the Certificate of Award. Interest on the Bonds shall be payable at such rate or rates on the Interest Payment Dates until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) Principal Payment Schedule. The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements (as hereinafter defined and described) on the Principal Payment Dates in principal amounts as shall be determined by the Fiscal Officer, subject to subsection (c) of this Section, in the Certificate of Award, consistent with the Fiscal Officer's determination of the best interest of and financial advantages to the City.

Consistent with the foregoing and in accordance with the Fiscal Officer's determination of the best interest of and financial advantages to the City, the Fiscal Officer shall specify in the Certificate of Award (i) the aggregate principal amount of Bonds to be issued as Serial Bonds, the Principal Payment Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date, and (ii) the aggregate principal amount of Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (Mandatory

Redemption Dates) and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Mandatory Redemption Date.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Bonds, and the principal amount of Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date, shall be such that (i) the total principal and interest payments on the Bonds in any fiscal year in which principal is payable is not more than three times the amount of those payments in any other such fiscal year and (ii) the true interest cost of the Bonds does not exceed 8%.

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Bonds shall be payable when due upon presentation and surrender of the Bonds at the office of the Bond Registrar designated in the Certificate of Award or, if not so designated, then at the principal corporate trust office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day preceding that Interest Payment Date. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the Fiscal Officer, in the name and on behalf of the City, in connection with the book entry system.

(e) Redemption Provisions. The Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund requirements, at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those dates, for which provision is made in the Certificate of Award (such dates and amounts being the Mandatory Sinking Fund Redemption Requirements).

The aggregate of the money to be deposited with the Bond Registrar for payment of principal of and interest on any Term Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that date the principal amount of Term Bonds payable on that date pursuant to Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The City shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the City, as specified by the Fiscal Officer, for Term Bonds stated to

mature on the same Principal Payment Date as the Term Bonds so delivered. That option shall be exercised by the City on or before the 45th day preceding any Mandatory Redemption Date with respect to which the City wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Fiscal Officer, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date. If the certificate is not timely furnished to the Bond Registrar, the current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the Fiscal Officer, also shall be received by the City for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. The Bonds of the maturities, if any, specified in the Certificate of Award shall be subject to redemption by and at the sole option of the City, in whole or in part in integral multiples of \$5,000, on the dates, in the years and at the redemption prices (expressed as a percentage of the principal amount to be redeemed), plus accrued interest to the redemption date, to be determined by the Fiscal Officer in the Certificate of Award; provided that (a) the earliest optional redemption date shall not be more than 10½ years after the Closing Date and (b) the redemption price for the earliest optional redemption date shall not be greater than 102%.

If optional redemption of Term Bonds at a redemption price exceeding 100% of the principal amount to be redeemed is to take place as of any Mandatory Redemption Date applicable to those Term Bonds, the Term Bonds, or portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Term Bonds of the same maturity to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements. Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the Fiscal Officer to the Bond Registrar, given upon the direction of this Council through a resolution or an ordinance. That notice shall specify the redemption date and the principal amount of each maturity of Bonds to be redeemed, and shall be given at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

(iii) Partial Redemption. If fewer than all of the outstanding Bonds are called for optional redemption at one time and Bonds of more than one maturity are then outstanding, the Bonds that are called shall be Bonds of the maturity or maturities selected by the City. If fewer than all of the Bonds of a single maturity are to be redeemed, the selection of Bonds of that maturity to be redeemed, or portions thereof in amounts of \$5,000 or any integral multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$5,000 are then outstanding, each \$5,000 unit of principal thereof shall be treated as if it were a separate Bond of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of principal amount represented by a Bond are to be called for redemption, then, upon notice of redemption of a \$5,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (a) for payment of the redemption price of the \$5,000 unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (b) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (a) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (b) the redemption price to be paid, (c) the date fixed for redemption, and (d) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the City by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the fifteenth day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If money for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption

shall cease to bear interest and no longer shall be considered to be outstanding. If that money shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All money held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds, provided that any interest earned on the money so held by the Bond Registrar shall be for the account of and paid to the City to the extent not required for the payment of the Bonds called for redemption.

Section 4: Execution and Authentication of Bonds; Appointment of Bond Registrar.

The Bonds shall be signed by the Mayor and the Fiscal Officer, in the name of the City and in their official capacities, provided that either or both of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer in order to distinguish each Bond from any other Bond, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to the provisions of Chapter 133 of the Revised Code and this Ordinance and the Certificate of Award.

The Huntington National Bank is appointed to act as the initial Bond Registrar; provided, however, that the Fiscal Officer is authorized to appoint a different Bond Registrar in the Certificate of Award after determining that such bank or trust company will not endanger the funds or securities of the City and that proper procedures and safeguards are available for that purpose. The Fiscal Officer shall sign and deliver, in the name and on behalf of the City, the Bond Registrar Agreement between the City and the Bond Registrar, in substantially the form as is now on file with the Clerk of Council. The Bond Registrar Agreement is approved, together with any changes or amendments that are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved by the Fiscal Officer on behalf of the City, all of which shall be conclusively evidenced by the signing of the Bond Registrar Agreement or amendments thereto. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Bond Registrar Agreement from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Fiscal Officer on behalf of the City. The same person need not sign the certificate of authentication on all of the Bonds.

Section 5: Registration; Transfer and Exchange; Book Entry System.

(a) Bond Registrar. So long as any of the Bonds remain outstanding, the City will cause the Bond Registrar to maintain and keep the Bond Register at the office satisfactory to the Fiscal Officer and the Bond Registrar. Subject to the provisions of Section 6, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the City nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the City's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the office of the Bond Registrar designated in the Certificate of Award or, if not so designated, then at the principal corporate trust office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the designated office of the Bond Registrar together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the City are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the City. In all cases of Bonds exchanged or transferred, the City shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the City and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the City, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings as the Bonds surrendered upon that exchange or transfer. Neither the City nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) Book Entry System. Notwithstanding any other provisions of this Ordinance, if the Fiscal Officer determines in the Certificate of Award that it is in the best interest of and

financially advantageous to the City, the Bonds may be issued in book entry form in accordance with the following provisions of this Section.

The Bonds may be issued to a Depository for use in a book entry system and, if and so long as a book entry system is utilized, (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity and registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository or its designated agent which may be the Bond Registrar; (ii) the book entry interest owners of Bonds in book entry form shall not have any right to receive Bonds in the form of physical securities or certificates; (iii) ownership of book entry interests in Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of book entry interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book entry system, the Fiscal Officer may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, after making provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause Bond certificates in registered form to be authenticated by the Bond Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Fiscal Officer is hereby authorized and directed, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the City, that the Fiscal Officer determines to be necessary in connection with a book entry system for the Bonds.

Section 6: Award and Sale of the Bonds.

(a) Original Purchaser Designated in Certificate of Award. The Bonds shall be sold to the Original Purchaser at a purchase price, not less than 97% of their aggregate principal amount, to be determined by the Fiscal Officer in the Certificate of Award, plus accrued interest on the Bonds from their date to the Closing Date, and shall be awarded by the Fiscal Officer with and upon such other terms as are required or authorized by this Ordinance to be specified in the Certificate of Award, in accordance with law and the provisions of this Ordinance. The Fiscal Officer is authorized, if it is determined to be in the best interest of the City, to combine the issue of Bonds with one or more other bond issues of the City into a consolidated bond issue pursuant to Section 133.30(B) of the Revised Code in which case a single Certificate of Award may be utilized for the consolidated bond issue if appropriate and consistent with the terms of this Ordinance.

The Fiscal Officer shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price. The Mayor, the Fiscal Officer, the Director of Law, the Clerk of Council and other City officials, as appropriate, each are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance.

(b) Primary Offering Disclosure – Official Statement. The Mayor and the Fiscal Officer, on behalf of the City and in their official capacities, are authorized to (i) prepare or cause to be prepared, and make or authorize modifications, completions or changes of or supplements to, an official statement in connection with the original issuance of the Bonds, (ii) determine, and to certify or otherwise represent, when the official statement is to be “deemed final” (except for permitted omissions) by the City or is a final official statement for purposes of SEC Rule 15c2-12(b)(1), (3) and (4), (iii) use and distribute, or authorize the use and distribution of, that official statement and any supplements thereto in connection with the original issuance of the Bonds and (iv) complete and sign that official statement as so approved together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of that official statement as they deem necessary or appropriate.

(c) Agreement to Provide Continuing Disclosure. For the benefit of the holders and beneficial owners from time to time of the Bonds, the City agrees to provide or cause to be provided such financial information and operating data, audited financial statements and notices of the occurrence of certain events, in such manner as may be required for purposes of the Rule. The Fiscal Officer is authorized and directed to complete, sign and deliver the Continuing Disclosure Agreement, in the name and on behalf of the City, in substantially the form as is now on file with the Clerk of Council. The Continuing Disclosure Agreement is approved, together with any changes or amendments that are not inconsistent with this ordinance and not substantially adverse to the City and that are approved by the Fiscal Officer, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement.

The Fiscal Officer is further authorized and directed to establish procedures in order to ensure compliance by the City with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Fiscal Officer shall consult with and obtain legal advice from, as appropriate, the Director of Law and/or bond or other qualified independent special counsel selected by the City. The Fiscal Officer, acting in the name and on behalf of the City, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the City of its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

(d) Municipal Advisor; Application for Rating or Bond Insurance; Financing Costs. If, in the judgment of the Fiscal Officer, the (i) engagement of the services of a municipal advisor or (ii) filing of an application for (A) a rating on the Bonds by one or more nationally-recognized rating agencies, or (B) a policy of insurance from a company or companies to better assure the

payment of principal of and interest on the Bonds, is in the best interest of and financially advantageous to this City, the Fiscal Officer is authorized to engage a municipal advisor and prepare and to submit those applications, to provide to each such agency or company such information as may be required for the purpose, and to provide further for the payment of the fees of a municipal advisor or the cost of obtaining each such rating or policy from the proceeds of the Bonds, except to the extent paid by the Original Purchaser or the Bond Registrar in accordance with the Bond Registrar Agreement, to the extent available and otherwise from any other funds lawfully available and that are appropriated or to be appropriated for that purpose. The Fiscal Officer is hereby authorized, to the extent necessary or required, to enter into any agreements, in the name of and on behalf of the City, that the Fiscal Officer determines to be necessary in connection with the engagement of a municipal advisor or of obtaining that bond insurance.

The expenditure of the amounts necessary to engage a municipal advisor and/or secure those rating(s) and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Bonds, to the extent not paid by the Original Purchaser or the Bond Registrar, is authorized and approved, and the Fiscal Officer is authorized to provide for the payment of any such amounts and costs from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

Section 7: Provisions for Tax Levy. There shall be levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due. In each year, to the extent that revenues and surplus funds from the City's sanitary sewerage system or other moneys are available for the payment of debt charges on the Bonds and are appropriated for that purpose, the amount of the tax shall be reduced by the amount of revenues and funds and/or moneys so available and appropriated. Nothing in this section in any way diminishes the irrevocable pledge of the full faith and credit and general property taxing power of the City to the prompt payment of the debt charges on the Bonds.

Section 8: Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (a) the Bonds will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Section 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the Code), or (ii) be treated other than as bonds to which Section 103 of the Code applies, and (b) the interest thereon will not be an item of tax preference under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Bonds to be and to remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Bonds to the governmental purposes of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Fiscal Officer, or any other officer of the City having responsibility for the issuance of the Bonds is hereby authorized (a) to make or effect any election, selection, designation (including specifically designation or treatment of the Bonds as “qualified tax-exempt obligations”), choice, consent, approval or waiver on behalf of the City with respect to the Bonds as the City is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting the favorable tax treatment or status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Bonds.

Each covenant made in this section with respect to the Bonds is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this section to take with respect to the Bonds.

Section 9: Certification and Delivery of Ordinance and Certificate of Award. The Clerk of Council is directed to deliver or cause to be delivered a certified copy of this Ordinance and a signed copy of the Certificate of Award to the Wayne County Auditor.

Section 10: Retention of Bond and Disclosure Counsel. The legal services of Squire Patton Boggs (US) LLP, as bond and disclosure counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Bonds and the rendering of the

necessary legal opinion upon the delivery of the Bonds. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services. The Fiscal Officer is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

Section 11: Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be performed by the City or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 7) of the City are pledged for the timely payment of the debt charges on the Bonds; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

Section 12: Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the passage of this Ordinance were taken in open meetings of this Council or committees, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

Section 13: Immediate Effect; Effective Date. This Ordinance is hereby declared to be necessary to the immediate preservation of the public health, peace, safety and welfare of the City and for the further reason that this Ordinance is required to be immediately effective in order to issue and sell the Bonds, which is necessary to enable the City to retire the Outstanding Notes and thereby preserve its credit; wherefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor; provided it receives the affirmative vote of at least three-fourths of the members of Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

1st reading _____ 2nd reading _____ 3rd reading _____

Passed: _____, 2024 Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2024
Mayor

Introduced by: Michael Abernathy

FISCAL OFFICER'S CERTIFICATE

TO THE COUNCIL OF THE CITY OF WOOSTER, OHIO:

As fiscal officer of the City of Wooster, Ohio, I certify in connection with your proposed issue of bonds in the maximum principal amount of \$4,030,000 (the Bonds) for the purpose of paying costs of improving and expanding the City's sanitary sewerage system by constructing and reconstructing sanitary sewers, force mains and lift stations, together with all necessary appurtenances thereto (the improvement), that:

1. The estimated life or period of usefulness of the improvement is at least five years.
2. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is 40 years.

Dated: March 18, 2024



Director of Finance
City of Wooster, Ohio

ORDINANCE NO. 2024-10

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$565,000 TO PAY THE PROPERTY OWNERS' PORTION, IN ANTICIPATION OF THE COLLECTION OF SPECIAL ASSESSMENTS HERETOFORE LEVIED, OF THE COSTS OF IMPROVING MELROSE DRIVE BETWEEN CERTAIN TERMINI BY GRADING, DRAINING, WIDENING, PAVING, RESURFACING, CONSTRUCTING CURBS, GUTTERS, A MULTI-USE PATH, SIDEWALKS AND DRIVEWAY APPROACHES, INSTALLING STORM SEWERS, CATCH BASINS, MANHOLES, WATER MAINS, FIRE HYDRANTS, AND TRAFFIC CONTROL SIGNS, AND ACQUIRING ANY REAL ESTATE AND INTERESTS THEREIN REQUIRED THEREBY, ALL TOGETHER WITH THE NECESSARY APPURTENANCES THERETO, AND ALLOWING FOR IMMEDIATE ENACTMENT.

WHEREAS, this Council has previously by proper legislation declared the necessity of constructing the improvement described in Section 2; and

WHEREAS, that improvement has been completed, the final costs have been ascertained and special assessments have been levied to pay the property owners' portion of those costs; and

WHEREAS, pursuant to Ordinance No. 2022-08, passed on May 2, 2022, there were issued \$565,000 of notes, issued in anticipation of bonds for the purposes stated in Section 2, as part of a consolidated issue of \$2,360,000 Various Purpose Improvement Notes, Series 2022, which notes were retired at maturity with the proceeds of \$565,000 of notes (the Outstanding Notes) issued in anticipation of bonds pursuant to Ordinance No. 2023-13, passed on April 3, 2023, as part of a consolidated issue of \$4,750,000 Various Purpose Notes, Series 2023, which Outstanding Notes mature on June 7, 2024; and

WHEREAS, this Council finds and determines that the City should retire the Outstanding Notes with the proceeds of the Bonds described in Section 2 and other funds available to the City; and

WHEREAS, the Director of Finance, as fiscal officer of the City, has certified to this Council that the estimated life or period of usefulness of the improvement described in Section 2 is at least five years and the estimated maximum maturity of the Bonds described in Section 2 is 15 years;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WOOSTER, WAYNE COUNTY, OHIO, THAT:

Section 1: Definitions and Interpretation. In addition to the words and terms elsewhere defined in this Ordinance, unless the context or use clearly indicates another or different meaning or intent:

“Authorized Denominations” means (subject to any limitations in Section 3) the denomination of \$5,000 or any integral multiple thereof.

“Bond proceedings” means, collectively, this Ordinance, the Certificate of Award, the Continuing Disclosure Agreement and such other proceedings of the City, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds.

“Bond Register” means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

“Bond Registrar” means the bank or trust company appointed pursuant to Section 4 as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds under the Bond Registrar Agreement and until a successor Bond Registrar shall have become such pursuant to the provisions of the Bond Registrar Agreement and, thereafter, “Bond Registrar” shall mean the successor Bond Registrar.

“Bond Registrar Agreement” means the Bond Registrar Agreement between the City and the Bond Registrar, as it may be modified from the form on file with the Clerk of Council and signed by the Fiscal Officer in accordance with Section 4.

“Bonds” means, collectively, the Serial Bonds and the Term Bonds, each as is designated as such in the Certificate of Award.

“Book entry form” or “book entry system” means a form or system under which (a) the ownership of book entry interests in Bonds and the principal of and interest on the Bonds may be transferred only through a book entry and (b) physical Bond certificates in fully registered form are issued by the City only to a Depository or its nominee as registered owner, with the Bonds “immobilized” in the custody of the Depository or its agent. The book entry maintained by others than the City is the record that identifies the owners of book entry interests in those Bonds and that principal and interest.

“Certificate of Award” means the certificate authorized by Section 6(a), to be signed by the Fiscal Officer, setting forth and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Ordinance requires or authorizes to be set forth or determined therein.

“Closing Date” means the date of physical delivery of, and payment of the purchase price for, the Bonds.

“Code” means the Internal Revenue Code of 1986, the Regulations (whether temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a Section of the Code includes any applicable successor section or provision and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that Section.

“Continuing Disclosure Agreement” means the agreement authorized by Section 6(c), to be substantially in the form on file with the Clerk of Council, made by the City for the benefit of holders and beneficial owners of the Bonds in accordance with the Rule.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of book entry interests in Bonds or the principal of and interest on Bonds, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Fiscal Officer” means the Director of Finance of the City.

“Interest Payment Dates” means, unless otherwise determined by the Fiscal Officer in the Certificate of Award, June 1 and December 1 of each year that the Bonds are outstanding, commencing December 1, 2024.

“Original Purchaser” means the original purchaser of the Bonds designated by the Fiscal Officer in the Certificate of Award.

“Participant” means any participant contracting with a Depository under a book entry system and includes securities brokers and dealers, banks and trust companies, and clearing corporations.

“Principal Payment Dates” means, unless otherwise determined by the Fiscal Officer in the Certificate of Award, December 1 in each of the years from and including 2024 to and including 2038, provided that in no case shall the total number of Principal Payment Dates exceed the maximum maturity of the Bonds referred to in the preambles hereto.

“Rule” means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

“SEC” means the Securities and Exchange Commission.

“Serial Bonds” means those Bonds designated as such and maturing on the dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

“Term Bonds” means those Bonds designated as such and maturing on the date or dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

Section 2: Authorized Principal Amount and Purpose; Application of Proceeds. This Council determines that it is necessary and in the best interest of the City to issue bonds of the City in one lot in the maximum principal amount of \$565,000 (the Bonds) to pay the property owners’ portion, in anticipation of the collection of special assessments heretofore levied, of the costs of improving Melrose Drive between certain termini by grading, draining, widening, paving, resurfacing, constructing curbs, gutters, a multi-use path, sidewalks and driveway approaches, installing storm sewers, catch basins, manholes, water mains, fire hydrants, and traffic control signs, and acquiring any real estate and interests therein required thereby, all together with the necessary appurtenances thereto, in the manner provided in Resolution No. 2021-68, adopted on December 6, 2021 (the Improvement), and to retire, together with other funds available to the City, the Outstanding Notes.

The aggregate principal amount of Bonds to be issued shall not exceed \$565,000 and shall be issued in an amount determined by the Fiscal Officer in the Certificate of Award to be the aggregate principal amount of Bonds required to be issued, taking into account any premium above or discount from the aggregate principal amount of the Bonds at which they are sold to the Original Purchaser, in order to effect the purpose for which the Bonds are to be issued, including the payment of any expenses properly allocable to the issuance of the Bonds.

The proceeds from the sale of the Bonds (except any premium and accrued interest) shall be paid into the proper fund or funds, and those proceeds are appropriated and shall be used for the purpose for which the Bonds are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

Section 3: Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be issued in one lot and only as fully registered bonds, in the Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The Bonds shall be dated as provided in the Certificate of Award, provided that their dated date shall not be more than 60 days prior to the Closing Date.

(a) Interest Rates and Interest Payment Dates. The Bonds shall bear interest at the rate or rates per year (computed on the basis of a 360-day year consisting of 12 30-day months) as shall be determined by the Fiscal Officer in the Certificate of Award. Interest on the Bonds shall be payable at such rate or rates on the Interest Payment Dates until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) Principal Payment Schedule. The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements (as hereinafter defined and described) on the Principal Payment Dates in principal amounts as shall be determined by the Fiscal Officer, subject to subsection (c) of this Section, in the Certificate of Award, consistent with the Fiscal Officer's determination of the best interest of and financial advantages to the City.

Consistent with the foregoing and in accordance with the Fiscal Officer's determination of the best interest of and financial advantages to the City, the Fiscal Officer shall specify in the Certificate of Award (i) the aggregate principal amount of Bonds to be issued as Serial Bonds, the Principal Payment Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date, and (ii) the aggregate principal amount of Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (Mandatory Redemption Dates) and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Mandatory Redemption Date.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Bonds, and the principal amount of Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date, shall be such that (i) the total principal and interest payments on the Bonds in any fiscal year in which principal is payable is not more than three times the amount of those payments in any other such fiscal year and (ii) the true interest cost of the Bonds does not exceed 8%.

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Bonds shall be payable when due upon presentation and surrender of the Bonds at the office of the Bond Registrar designated in the Certificate of Award or, if not so designated, then at the principal corporate trust office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day preceding that Interest Payment Date. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the Fiscal Officer, in the name and on behalf of the City, in connection with the book entry system.

(e) Redemption Provisions. The Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot

and be redeemed pursuant to mandatory sinking fund requirements, at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those dates, for which provision is made in the Certificate of Award (such dates and amounts being the Mandatory Sinking Fund Redemption Requirements).

The aggregate of the money to be deposited with the Bond Registrar for payment of principal of and interest on any Term Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that date the principal amount of Term Bonds payable on that date pursuant to Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The City shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the City, as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so delivered. That option shall be exercised by the City on or before the 45th day preceding any Mandatory Redemption Date with respect to which the City wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Fiscal Officer, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date. If the certificate is not timely furnished to the Bond Registrar, the current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the Fiscal Officer, also shall be received by the City for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. The Bonds of the maturities, if any, specified in the Certificate of Award shall be subject to redemption by and at the sole option of the City, in whole or in part in integral multiples of \$5,000, on the dates, in the years and at the redemption prices (expressed as a percentage of the principal amount to be redeemed), plus accrued interest to the redemption date, to be determined by the Fiscal Officer in the Certificate of Award;

provided that (a) the earliest optional redemption date shall not be more than 10½ years after the Closing Date and (b) the redemption price for the earliest optional redemption date shall not be greater than 102%.

If optional redemption of Term Bonds at a redemption price exceeding 100% of the principal amount to be redeemed is to take place as of any Mandatory Redemption Date applicable to those Term Bonds, the Term Bonds, or portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Term Bonds of the same maturity to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements. Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the Fiscal Officer to the Bond Registrar, given upon the direction of this Council through a resolution or an ordinance. That notice shall specify the redemption date and the principal amount of each maturity of Bonds to be redeemed, and shall be given at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

(iii) Partial Redemption. If fewer than all of the outstanding Bonds are called for optional redemption at one time and Bonds of more than one maturity are then outstanding, the Bonds that are called shall be Bonds of the maturity or maturities selected by the City. If fewer than all of the Bonds of a single maturity are to be redeemed, the selection of Bonds of that maturity to be redeemed, or portions thereof in amounts of \$5,000 or any integral multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$5,000 are then outstanding, each \$5,000 unit of principal thereof shall be treated as if it were a separate Bond of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of principal amount represented by a Bond are to be called for redemption, then, upon notice of redemption of a \$5,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (a) for payment of the redemption price of the \$5,000 unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (b) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (a) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (b) the redemption price to be paid, (c) the date fixed for redemption, and (d) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the City by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the fifteenth day preceding that mailing. Failure to receive notice by mail or any

defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If money for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If that money shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All money held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds, provided that any interest earned on the money so held by the Bond Registrar shall be for the account of and paid to the City to the extent not required for the payment of the Bonds called for redemption.

Section 4: Execution and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be signed by the Mayor and the Fiscal Officer, in the name of the City and in their official capacities, provided that either or both of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer in order to distinguish each Bond from any other Bond, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to the provisions of Chapter 133 of the Revised Code and this Ordinance and the Certificate of Award.

The Huntington National Bank is appointed to act as the initial Bond Registrar; provided, however, that the Fiscal Officer is authorized to appoint a different Bond Registrar in the Certificate of Award after determining that such bank or trust company will not endanger the funds or securities of the City and that proper procedures and safeguards are available for that purpose. The Fiscal Officer shall sign and deliver, in the name and on behalf of the City, the Bond Registrar Agreement between the City and the Bond Registrar, in substantially the form as is now on file with the Clerk of Council. The Bond Registrar Agreement is approved, together with any changes or amendments that are not inconsistent with this Ordinance and not

substantially adverse to the City and that are approved by the Fiscal Officer on behalf of the City, all of which shall be conclusively evidenced by the signing of the Bond Registrar Agreement or amendments thereto. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Bond Registrar Agreement from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Fiscal Officer on behalf of the City. The same person need not sign the certificate of authentication on all of the Bonds.

Section 5: Registration; Transfer and Exchange; Book Entry System.

(a) Bond Registrar. So long as any of the Bonds remain outstanding, the City will cause the Bond Registrar to maintain and keep the Bond Register at the office satisfactory to the Fiscal Officer and the Bond Registrar. Subject to the provisions of Section 6, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the City nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the City's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the office of the Bond Registrar designated in the Certificate of Award or, if not so designated, then at the principal corporate trust office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the designated office of the Bond Registrar together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the City are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the

authorized officers of the City. In all cases of Bonds exchanged or transferred, the City shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the City and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the City, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings as the Bonds surrendered upon that exchange or transfer. Neither the City nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) Book Entry System. Notwithstanding any other provisions of this Ordinance, if the Fiscal Officer determines in the Certificate of Award that it is in the best interest of and financially advantageous to the City, the Bonds may be issued in book entry form in accordance with the following provisions of this Section.

The Bonds may be issued to a Depository for use in a book entry system and, if and so long as a book entry system is utilized, (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity and registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository or its designated agent which may be the Bond Registrar; (ii) the book entry interest owners of Bonds in book entry form shall not have any right to receive Bonds in the form of physical securities or certificates; (iii) ownership of book entry interests in Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of book entry interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book entry system, the Fiscal Officer may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, after making provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause Bond certificates in registered form to be authenticated by the Bond Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Fiscal Officer is hereby authorized and directed, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the City, that the Fiscal Officer determines to be necessary in connection with a book entry system for the Bonds.

Section 6: Award and Sale of the Bonds.

(a) Original Purchaser Designated in Certificate of Award. The Bonds shall be sold to the Original Purchaser at a purchase price, not less than 97% of their aggregate principal amount, to be determined by the Fiscal Officer in the Certificate of Award, plus accrued interest on the Bonds from their date to the Closing Date, and shall be awarded by the Fiscal Officer with and upon such other terms as are required or authorized by this Ordinance to be specified in the Certificate of Award, in accordance with law and the provisions of this Ordinance. The Fiscal Officer is authorized, if it is determined to be in the best interest of the City, to combine the issue of Bonds with one or more other bond issues of the City into a consolidated bond issue pursuant to Section 133.30(B) of the Revised Code in which case a single Certificate of Award may be utilized for the consolidated bond issue if appropriate and consistent with the terms of this Ordinance.

The Fiscal Officer shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price. The Mayor, the Fiscal Officer, the Director of Law, the Clerk of Council and other City officials, as appropriate, each are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance.

(b) Primary Offering Disclosure – Official Statement. The Mayor and the Fiscal Officer, on behalf of the City and in their official capacities, are authorized to (i) prepare or cause to be prepared, and make or authorize modifications, completions or changes of or supplements to, an official statement in connection with the original issuance of the Bonds, (ii) determine, and to certify or otherwise represent, when the official statement is to be “deemed final” (except for permitted omissions) by the City or is a final official statement for purposes of SEC Rule 15c2-12(b)(1), (3) and (4), (iii) use and distribute, or authorize the use and distribution of, that official statement and any supplements thereto in connection with the original issuance of the Bonds and (iv) complete and sign that official statement as so approved together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of that official statement as they deem necessary or appropriate.

(c) Agreement to Provide Continuing Disclosure. For the benefit of the holders and beneficial owners from time to time of the Bonds, the City agrees to provide or cause to be provided such financial information and operating data, audited financial statements and notices of the occurrence of certain events, in such manner as may be required for purposes of the Rule. The Fiscal Officer is authorized and directed to complete, sign and deliver the Continuing Disclosure Agreement, in the name and on behalf of the City, in substantially the form as is now on file with the Clerk of Council. The Continuing Disclosure Agreement is approved, together with any changes or amendments that are not inconsistent with this ordinance and not substantially adverse to the City and that are approved by the Fiscal Officer, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement.

The Fiscal Officer is further authorized and directed to establish procedures in order to ensure compliance by the City with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Fiscal Officer shall consult with and obtain legal advice from, as appropriate, the Director of Law and/or bond or other qualified independent special counsel selected by the City. The Fiscal Officer, acting in the name and on behalf of the City, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the City of its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

(d) Municipal Advisor; Application for Rating or Bond Insurance; Financing Costs. If, in the judgment of the Fiscal Officer, the (i) engagement of the services of a municipal advisor or (ii) filing of an application for (A) a rating on the Bonds by one or more nationally-recognized rating agencies, or (B) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Bonds, is in the best interest of and financially advantageous to this City, the Fiscal Officer is authorized to engage a municipal advisor and prepare and to submit those applications, to provide to each such agency or company such information as may be required for the purpose, and to provide further for the payment of the fees of a municipal advisor or the cost of obtaining each such rating or policy from the proceeds of the Bonds, except to the extent paid by the Original Purchaser or the Bond Registrar in accordance with the Bond Registrar Agreement, to the extent available and otherwise from any other funds lawfully available and that are appropriated or to be appropriated for that purpose. The Fiscal Officer is hereby authorized, to the extent necessary or required, to enter into any agreements, in the name of and on behalf of the City, that the Fiscal Officer determines to be necessary in connection with the engagement of a municipal advisor or of obtaining that bond insurance.

The expenditure of the amounts necessary to engage a municipal advisor and/or secure those rating(s) and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Bonds, to the extent not paid by the Original Purchaser or the Bond Registrar, is authorized and approved, and the Fiscal Officer is authorized to provide for the payment of any such amounts and costs from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

Section 7: Provisions for Tax Levy. All special assessments collected for the improvement described in Section 2, and any unexpended balance remaining in the improvement fund after the cost of the improvement has been paid, shall be used for the payment of the debt charges on the Bonds until paid in full and shall be used for no other purpose. In the event and to the extent that those special assessments are not collected, there shall be levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and

collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due. In each year, to the extent the income from the collection of the special assessments for the improvement is available for the payment of the debt charges on the portion of the Bonds attributable to the property owners' portion of the cost thereof and is appropriated for that purpose, the amount of the tax shall be reduced by the amount of the income so available and appropriated. Nothing in this section in any way diminishes the irrevocable pledge of the full faith and credit and general property taxing power of the City to the prompt payment of the debt charges on the Bonds.

Section 8: Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (a) the Bonds will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Section 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the Code), or (ii) be treated other than as bonds to which Section 103 of the Code applies, and (b) the interest thereon will not be an item of tax preference under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Bonds to be and to remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Bonds to the governmental purposes of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Fiscal Officer, or any other officer of the City having responsibility for the issuance of the Bonds is hereby authorized (a) to make or effect any election, selection, designation (including specifically designation or treatment of the Bonds as "qualified tax-exempt obligations"), choice, consent, approval or waiver on behalf of the City with respect to the Bonds as the City is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting the favorable tax treatment or status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the City

regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Bonds.

Each covenant made in this section with respect to the Bonds is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this section to take with respect to the Bonds.

Section 9: Certification and Delivery of Ordinance and Certificate of Award. The Clerk of Council is directed to deliver or cause to be delivered a certified copy of this Ordinance and a signed copy of the Certificate of Award to the Wayne County Auditor.

Section 10: Retention of Bond and Disclosure Counsel. The legal services of Squire Patton Boggs (US) LLP, as bond and disclosure counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Bonds and the rendering of the necessary legal opinion upon the delivery of the Bonds. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services. The Fiscal Officer is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

Section 11: Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be performed by the City or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 7) of the City are pledged for the timely payment of the debt charges on the Bonds; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

Section 12: Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the passage of this Ordinance were taken in open meetings of this Council or committees, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

Section 13: Immediate Effect; Effective Date. This Ordinance is hereby declared to be necessary to the immediate preservation of the public health, peace, safety and welfare of the City and for the further reason that this Ordinance is required to be immediately effective so that the Bonds can be sold at the earliest possible date to enable the City to retire the Outstanding Notes and thereby preserve its credit; wherefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor; provided it receives the affirmative vote of at least three-fourths of the members of Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

1st reading _____ 2nd reading _____ 3rd reading _____

Passed: _____, 2024

Vote: _____

Attest: _____
Clerk of Council

President of Council

Approved: _____, 2024

Mayor

Introduced by: Michael Abernathy

FISCAL OFFICER'S CERTIFICATE

TO THE COUNCIL OF THE CITY OF WOOSTER, OHIO:

As fiscal officer of the City of Wooster, Ohio, I certify in connection with your proposed issue of bonds in the maximum principal amount of \$565,000 (the Bonds) for the purpose of paying the property owners' portion, in anticipation of the collection of special assessments heretofore levied, of the costs of improving Melrose Drive between certain termini by grading, draining, widening, paving, resurfacing, constructing curbs, gutters, a multi-use path, sidewalks and driveway approaches, installing storm sewers, catch basins, manholes, water mains, fire hydrants, and traffic control signs, and acquiring any real estate and interests therein required thereby, all together with the necessary appurtenances thereto (the improvement), that:

1. The estimated life or period of usefulness of the improvement is at least five years.
2. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, and not exceeding the period over which the special assessments in anticipation of the collection of which the Bonds to be issued will be payable, is 15 years.

Dated: March 18, 2024



Director of Finance
City of Wooster, Ohio

ORDINANCE NO. 2024-11

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$5,500,000 FOR THE PURPOSE OF PAYING COSTS OF CONSTRUCTING, FURNISHING, EQUIPPING AND OTHERWISE IMPROVING A MUNICIPAL SWIMMING POOL AND RELATED RECREATIONAL FACILITIES AND IMPROVING THE SITE THEREOF, AND TOGETHER WITH NECESSARY AND INCIDENTAL APPURTENANCES THERETO, AND ALLOWING FOR IMMEDIATE ENACTMENT.

WHEREAS, the Director of Finance, as fiscal officer of the City, has certified to this Council that the estimated life or period of usefulness of the improvement described in Section 2 is at least five years and the estimated maximum maturity of the Bonds described in Section 2 is 20 years;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WOOSTER, WAYNE COUNTY, OHIO, THAT:

Section 1: Definitions and Interpretation. In addition to the words and terms elsewhere defined in this Ordinance, unless the context or use clearly indicates another or different meaning or intent:

“Authorized Denominations” means (subject to any limitations in Section 3) the denomination of \$5,000 or any integral multiple thereof.

“Bond proceedings” means, collectively, this Ordinance, the Certificate of Award, the Continuing Disclosure Agreement and such other proceedings of the City, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds.

“Bond Register” means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

“Bond Registrar” means the bank or trust company appointed pursuant to Section 4 as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds under the Bond Registrar Agreement and until a successor Bond Registrar shall have become such pursuant to the provisions of the Bond Registrar Agreement and, thereafter, “Bond Registrar” shall mean the successor Bond Registrar.

“Bond Registrar Agreement” means the Bond Registrar Agreement between the City and the Bond Registrar, as it may be modified from the form on file with the Clerk of Council and signed by the Fiscal Officer in accordance with Section 4.

“Bonds” means, collectively, the Serial Bonds and the Term Bonds, each as is designated as such in the Certificate of Award.

“Book entry form” or “book entry system” means a form or system under which (a) the ownership of book entry interests in Bonds and the principal of and interest on the Bonds may be transferred only through a book entry and (b) physical Bond certificates in fully registered form are issued by the City only to a Depository or its nominee as registered owner, with the Bonds “immobilized” in the custody of the Depository or its agent. The book entry maintained by others than the City is the record that identifies the owners of book entry interests in those Bonds and that principal and interest.

“Certificate of Award” means the certificate authorized by Section 6(a), to be signed by the Fiscal Officer, setting forth and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Ordinance requires or authorizes to be set forth or determined therein.

“Closing Date” means the date of physical delivery of, and payment of the purchase price for, the Bonds.

“Code” means the Internal Revenue Code of 1986, the Regulations (whether temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a Section of the Code includes any applicable successor section or provision and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that Section.

“Continuing Disclosure Agreement” means the agreement authorized by Section 6(c), to be substantially in the form on file with the Clerk of Council, made by the City for the benefit of holders and beneficial owners of the Bonds in accordance with the Rule.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of book entry interests in Bonds or the principal of and interest on Bonds, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Fiscal Officer” means the Director of Finance of the City.

“Interest Payment Dates” means, unless otherwise determined by the Fiscal Officer in the Certificate of Award, June 1 and December 1 of each year that the Bonds are outstanding, commencing December 1, 2024.

“Original Purchaser” means the original purchaser of the Bonds designated by the Fiscal Officer in the Certificate of Award.

“Participant” means any participant contracting with a Depository under a book entry system and includes securities brokers and dealers, banks and trust companies, and clearing corporations.

“Principal Payment Dates” means, unless otherwise determined by the Fiscal Officer in the Certificate of Award, December 1 in each of the years from and including 2024 to and including 2043, provided that in no case shall the total number of Principal Payment Dates exceed the maximum maturity of the Bonds referred to in the preambles hereto.

“Rule” means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

“SEC” means the Securities and Exchange Commission.

“Serial Bonds” means those Bonds designated as such and maturing on the dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

“Term Bonds” means those Bonds designated as such and maturing on the date or dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

Section 2: Authorized Principal Amount and Purpose; Application of Proceeds. This Council determines that it is necessary and in the best interest of the City to issue bonds of the City in one lot in the maximum principal amount of \$5,500,000 (the Bonds) for the purpose of paying costs of constructing, furnishing, equipping and otherwise improving the municipal swimming pool and related recreational facilities and improving the site thereof, and together with necessary and incidental appurtenances thereto (the improvement), including the payment of expenses related to the issuance of the Bonds.

The aggregate principal amount of Bonds to be issued shall not exceed \$5,500,000 and shall be issued in an amount determined by the Fiscal Officer in the Certificate of Award to be the aggregate principal amount of Bonds required to be issued, taking into account any premium above or discount from the aggregate principal amount of the Bonds at which they are sold to the Original Purchaser, in order to effect the purpose for which the Bonds are to be issued, including the payment of any expenses properly allocable to the issuance of the Bonds.

The proceeds from the sale of the Bonds (except any premium and accrued interest) shall be paid into the proper fund or funds, and those proceeds are appropriated and shall be used for the purpose for which the Bonds are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

Section 3: Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be issued in one lot and only as fully registered bonds, in the Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The Bonds shall be dated as provided in the Certificate of Award, provided that their dated date shall not be more than 60 days prior to the Closing Date.

(a) Interest Rates and Interest Payment Dates. The Bonds shall bear interest at the rate or rates per year (computed on the basis of a 360-day year consisting of 12 30-day months) as shall be determined by the Fiscal Officer in the Certificate of Award. Interest on the Bonds shall be payable at such rate or rates on the Interest Payment Dates until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) Principal Payment Schedule. The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements (as hereinafter defined and described) on the Principal Payment Dates in principal amounts as shall be determined by the Fiscal Officer, subject to subsection (c) of this Section, in the Certificate of Award, consistent with the Fiscal Officer's determination of the best interest of and financial advantages to the City.

Consistent with the foregoing and in accordance with the Fiscal Officer's determination of the best interest of and financial advantages to the City, the Fiscal Officer shall specify in the Certificate of Award (i) the aggregate principal amount of Bonds to be issued as Serial Bonds, the Principal Payment Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date, and (ii) the aggregate principal amount of Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (Mandatory Redemption Dates) and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Mandatory Redemption Date.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Bonds, and the principal amount of Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date, shall be such that (i) the total principal and interest payments on the Bonds in any fiscal year in which principal is payable is not more than three times the amount of those payments in any other such fiscal year and (ii) the true interest cost of the Bonds does not exceed 8%.

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Bonds shall be payable when due upon presentation and surrender of the Bonds at the office of the Bond Registrar designated in the Certificate of Award or, if not so designated, then at the principal corporate trust office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day preceding that Interest Payment Date. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the Fiscal Officer, in the name and on behalf of the City, in connection with the book entry system.

(e) Redemption Provisions. The Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund requirements, at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those dates, for which provision is made in the Certificate of Award (such dates and amounts being the Mandatory Sinking Fund Redemption Requirements).

The aggregate of the money to be deposited with the Bond Registrar for payment of principal of and interest on any Term Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that date the principal amount of Term Bonds payable on that date pursuant to Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The City shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the City, as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so delivered. That option shall be exercised by the City on or before the 45th day preceding any Mandatory Redemption Date with respect to which the City wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Fiscal Officer, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date. If the certificate is not timely furnished to the Bond Registrar, the current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the Fiscal Officer, also shall be received by the City for any Term Bonds which prior thereto have been

redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. The Bonds of the maturities, if any, specified in the Certificate of Award shall be subject to redemption by and at the sole option of the City, in whole or in part in integral multiples of \$5,000, on the dates, in the years and at the redemption prices (expressed as a percentage of the principal amount to be redeemed), plus accrued interest to the redemption date, to be determined by the Fiscal Officer in the Certificate of Award; provided that (a) the earliest optional redemption date shall not be more than 10½ years after the Closing Date and (b) the redemption price for the earliest optional redemption date shall not be greater than 102%.

If optional redemption of Term Bonds at a redemption price exceeding 100% of the principal amount to be redeemed is to take place as of any Mandatory Redemption Date applicable to those Term Bonds, the Term Bonds, or portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Term Bonds of the same maturity to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements. Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the Fiscal Officer to the Bond Registrar, given upon the direction of this Council through a resolution or an ordinance. That notice shall specify the redemption date and the principal amount of each maturity of Bonds to be redeemed, and shall be given at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

(iii) Partial Redemption. If fewer than all of the outstanding Bonds are called for optional redemption at one time and Bonds of more than one maturity are then outstanding, the Bonds that are called shall be Bonds of the maturity or maturities selected by the City. If fewer than all of the Bonds of a single maturity are to be redeemed, the selection of Bonds of that maturity to be redeemed, or portions thereof in amounts of \$5,000 or any integral multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$5,000 are then outstanding, each \$5,000 unit of principal thereof shall be treated as if it were a separate Bond of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of principal amount represented by a Bond are to be called for redemption, then, upon notice of redemption of a \$5,000 unit or units, the registered owner of

that Bond shall surrender the Bond to the Bond Registrar (a) for payment of the redemption price of the \$5,000 unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (b) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (a) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (b) the redemption price to be paid, (c) the date fixed for redemption, and (d) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the City by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the fifteenth day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If money for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If that money shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All money held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds, provided that any interest earned on the money so held by the Bond Registrar shall be for the account of and paid to the City to the extent not required for the payment of the Bonds called for redemption.

Section 4: Execution and Authentication of Bonds; Appointment of Bond Registrar.

The Bonds shall be signed by the Mayor and the Fiscal Officer, in the name of the City and in their official capacities, provided that either or both of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer in order to distinguish each Bond from any other Bond, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to the provisions of Chapter 133 of the Revised Code and this Ordinance and the Certificate of Award.

The Huntington National Bank is appointed to act as the initial Bond Registrar; provided, however, that the Fiscal Officer is authorized to appoint a different Bond Registrar in the Certificate of Award after determining that such bank or trust company will not endanger the funds or securities of the City and that proper procedures and safeguards are available for that purpose. The Fiscal Officer shall sign and deliver, in the name and on behalf of the City, the Bond Registrar Agreement between the City and the Bond Registrar, in substantially the form as is now on file with the Clerk of Council. The Bond Registrar Agreement is approved, together with any changes or amendments that are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved by the Fiscal Officer on behalf of the City, all of which shall be conclusively evidenced by the signing of the Bond Registrar Agreement or amendments thereto. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Bond Registrar Agreement from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Fiscal Officer on behalf of the City. The same person need not sign the certificate of authentication on all of the Bonds.

Section 5: Registration; Transfer and Exchange; Book Entry System.

(a) Bond Registrar. So long as any of the Bonds remain outstanding, the City will cause the Bond Registrar to maintain and keep the Bond Register at the office satisfactory to the Fiscal Officer and the Bond Registrar. Subject to the provisions of Section 6, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the City nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge

the City's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the office of the Bond Registrar designated in the Certificate of Award or, if not so designated, then at the principal corporate trust office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the designated office of the Bond Registrar together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the City are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the City. In all cases of Bonds exchanged or transferred, the City shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the City and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the City, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings as the Bonds surrendered upon that exchange or transfer. Neither the City nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) Book Entry System. Notwithstanding any other provisions of this Ordinance, if the Fiscal Officer determines in the Certificate of Award that it is in the best interest of and financially advantageous to the City, the Bonds may be issued in book entry form in accordance with the following provisions of this Section.

The Bonds may be issued to a Depository for use in a book entry system and, if and so long as a book entry system is utilized, (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity and registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository or its designated agent which may be the Bond Registrar; (ii) the book entry interest owners of Bonds in book entry form shall not have any right to receive Bonds in the form of physical securities or certificates; (iii) ownership of book entry interests in Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and

transfers of the ownership of book entry interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book entry system, the Fiscal Officer may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, after making provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause Bond certificates in registered form to be authenticated by the Bond Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Fiscal Officer is hereby authorized and directed, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the City, that the Fiscal Officer determines to be necessary in connection with a book entry system for the Bonds.

Section 6: Award and Sale of the Bonds.

(a) Original Purchaser Designated in Certificate of Award. The Bonds shall be sold to the Original Purchaser at a purchase price, not less than 97% of their aggregate principal amount, to be determined by the Fiscal Officer in the Certificate of Award, plus accrued interest on the Bonds from their date to the Closing Date, and shall be awarded by the Fiscal Officer with and upon such other terms as are required or authorized by this Ordinance to be specified in the Certificate of Award, in accordance with law and the provisions of this Ordinance. The Fiscal Officer is authorized, if it is determined to be in the best interest of the City, to combine the issue of Bonds with one or more other bond issues of the City into a consolidated bond issue pursuant to Section 133.30(B) of the Revised Code in which case a single Certificate of Award may be utilized for the consolidated bond issue if appropriate and consistent with the terms of this Ordinance.

The Fiscal Officer shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price. The Mayor, the Fiscal Officer, the Director of Law, the Clerk of Council and other City officials, as appropriate, each are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance.

(b) Primary Offering Disclosure – Official Statement. The Mayor and the Fiscal Officer, on behalf of the City and in their official capacities, are authorized to (i) prepare or cause to be prepared, and make or authorize modifications, completions or changes of or supplements to, an official statement in connection with the original issuance of the Bonds, (ii) determine, and to certify

or otherwise represent, when the official statement is to be “deemed final” (except for permitted omissions) by the City or is a final official statement for purposes of SEC Rule 15c2-12(b)(1), (3) and (4), (iii) use and distribute, or authorize the use and distribution of, that official statement and any supplements thereto in connection with the original issuance of the Bonds and (iv) complete and sign that official statement as so approved together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of that official statement as they deem necessary or appropriate.

(c) Agreement to Provide Continuing Disclosure. For the benefit of the holders and beneficial owners from time to time of the Bonds, the City agrees to provide or cause to be provided such financial information and operating data, audited financial statements and notices of the occurrence of certain events, in such manner as may be required for purposes of the Rule. The Fiscal Officer is authorized and directed to complete, sign and deliver the Continuing Disclosure Agreement, in the name and on behalf of the City, in substantially the form as is now on file with the Clerk of Council. The Continuing Disclosure Agreement is approved, together with any changes or amendments that are not inconsistent with this ordinance and not substantially adverse to the City and that are approved by the Fiscal Officer, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement.

The Fiscal Officer is further authorized and directed to establish procedures in order to ensure compliance by the City with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Fiscal Officer shall consult with and obtain legal advice from, as appropriate, the Director of Law and/or bond or other qualified independent special counsel selected by the City. The Fiscal Officer, acting in the name and on behalf of the City, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the City of its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

(d) Municipal Advisor; Application for Rating or Bond Insurance; Financing Costs. If, in the judgment of the Fiscal Officer, the (i) engagement of the services of a municipal advisor or (ii) filing of an application for (A) a rating on the Bonds by one or more nationally-recognized rating agencies, or (B) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Bonds, is in the best interest of and financially advantageous to this City, the Fiscal Officer is authorized to engage a municipal advisor and prepare and to submit those applications, to provide to each such agency or company such information as may be required for the purpose, and to provide further for the payment of the fees of a municipal advisor or the cost of obtaining each such rating or policy from the proceeds of the Bonds, except to the extent paid by the Original Purchaser or the Bond Registrar in accordance with the Bond Registrar Agreement, to the extent available and otherwise from any other funds lawfully available and that are appropriated or to be appropriated for that purpose. The Fiscal Officer is hereby authorized, to the extent necessary or required, to enter into any agreements, in the name of and on behalf of the City, that the Fiscal Officer determines to be necessary in connection with the engagement of a municipal advisor or of obtaining that bond insurance.

The expenditure of the amounts necessary to engage a municipal advisor and/or secure those rating(s) and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Bonds, to the extent not paid by the Original Purchaser or the Bond Registrar, is authorized and approved, and the Fiscal Officer is authorized to provide for the payment of any such amounts and costs from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

Section 7: Provisions for Tax Levy. There shall be levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due. In each year to the extent the money from the municipal income tax is available for the payment of debt charges on the Bonds and are appropriated for that purpose, the amount of the tax shall be reduced by the amount of revenues and funds and/or moneys so available and appropriated. To the extent necessary, the debt charges on the Bonds shall be paid from municipal income taxes lawfully available therefor under the Constitution and laws of the State of Ohio and the Charter of the City, and the City covenants, subject and pursuant to such authority, including particularly Revised Code Sections 133.05(B)(7) and 5705.51(A)(5) and (D), to appropriate annually from those municipal income taxes such amount as is necessary to meet such annual debt charges. Nothing in this section in any way diminishes the irrevocable pledge of the full faith and credit and general property taxing power of the City to the prompt payment of the debt charges on the Bonds.

Section 8: Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (a) the Bonds will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Section 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the Code), or (ii) be treated other than as bonds to which Section 103 of the Code applies, and (b) the interest thereon will not be an item of tax preference under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Bonds to be and to remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Bonds to the governmental purposes of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain

from certain uses of those proceeds and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Fiscal Officer, or any other officer of the City having responsibility for the issuance of the Bonds is hereby authorized (a) to make or effect any election, selection, designation (including specifically designation of the Bonds as “qualified tax-exempt obligations”), choice, consent, approval or waiver on behalf of the City with respect to the Bonds as the City is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting the favorable tax treatment or status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Bonds.

Section 9: Certification and Delivery of Ordinance and Certificate of Award. The Clerk of Council is directed to deliver or cause to be delivered a certified copy of this Ordinance and a signed copy of the Certificate of Award to the Wayne County Auditor.

Section 10: Retention of Bond and Disclosure Counsel. The legal services of Squire Patton Boggs (US) LLP, as bond and disclosure counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Bonds and the rendering of the necessary legal opinion upon the delivery of the Bonds. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services. The Fiscal Officer is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

Section 11: Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be performed by the City or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general

FISCAL OFFICER'S CERTIFICATE

TO THE COUNCIL OF THE CITY OF WOOSTER, OHIO:

As fiscal officer of the City of Wooster, Ohio, I certify in connection with your proposed issue of bonds in the maximum principal amount of \$5,500,000 (the Bonds) for the purpose of paying costs of constructing, furnishing, equipping and otherwise improving a municipal swimming pool and related recreational facilities and improving the site thereof, and together with necessary and incidental appurtenances thereto (the improvement), that:

1. The estimated life or period of usefulness of the improvement is at least five years.
2. The estimated maximum maturity of the Bonds, calculated in accordance with Sections 133.19 and 133.20 of the Revised Code, is at least 20 years being my estimate of the life or period of usefulness of that improvement; if and to the extent a portion of the proceeds of the Bonds is to be allocated to a class or classes having a maximum maturity of less than 20 years but in excess of five years, then the maximum maturity of the Bonds would still be at least 20 years by reason of a sufficient portion of the proceeds of the Bonds allocated to a class or classes having a maximum maturity or an estimated period of usefulness in excess of 20 years.

Dated: March 18, 2024



Director of Finance
City of Wooster, Ohio

ORDINANCE NO. 2024-12

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$4,655,000 FOR THE PURPOSE OF PAYING COSTS OF IMPROVING STREETS AND ROADS IN THE CITY INCLUDING OAK HILL ROAD, MILLTOWN ROAD AND COMMERCE PARKWAY BY PURCHASING A RIGHT OF WAY, CONSTRUCTING, RECONSTRUCTING, WIDENING, GRADING, DRAINING, PAVING, CREATING A ROUNDABOUT AND OTHERWISE IMPROVING, TOGETHER WITH ALL NECESSARY RELATED IMPROVEMENTS AND APPURTENANCES THERETO, AND ALLOWING FOR IMMEDIATE ENACTMENT.

WHEREAS, pursuant to Ordinance No. 2023-14 passed April 3, 2023, there were issued \$155,000 of notes (the Outstanding Notes) issued in anticipation of bonds for the purposes stated in Section 2, as part of a consolidated issue of \$4,750,000 Various Purpose Improvement Notes, Series 2023, which Outstanding Notes mature on June 7, 2024; and

WHEREAS, this Council finds and determines that the City should retire the Outstanding Notes with the proceeds of the Bonds described in Section 2 to issue additional funds for the purpose in Section 2; and

WHEREAS, the Director of Finance, as fiscal officer of the City, has certified to this Council that the estimated life or period of usefulness of the improvement described in Section 2 is at least five years and the estimated maximum maturity of the Bonds described in Section 2 is 20 years;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WOOSTER, WAYNE COUNTY, OHIO, THAT:

Section 1: Definitions and Interpretation. In addition to the words and terms elsewhere defined in this Ordinance, unless the context or use clearly indicates another or different meaning or intent:

“Authorized Denominations” means (subject to any limitations in Section 3) the denomination of \$5,000 or any integral multiple thereof.

“Bond proceedings” means, collectively, this Ordinance, the Certificate of Award, the Continuing Disclosure Agreement and such other proceedings of the City, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds.

“Bond Register” means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

“Bond Registrar” means the bank or trust company appointed pursuant to Section 4 as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds under the Bond Registrar Agreement and until a successor Bond Registrar shall have become such pursuant to the provisions of the Bond Registrar Agreement and, thereafter, “Bond Registrar” shall mean the successor Bond Registrar.

“Bond Registrar Agreement” means the Bond Registrar Agreement between the City and the Bond Registrar, as it may be modified from the form on file with the Clerk of Council and signed by the Fiscal Officer in accordance with Section 4.

“Bonds” means, collectively, the Serial Bonds and the Term Bonds, each as is designated as such in the Certificate of Award.

“Book entry form” or “book entry system” means a form or system under which (a) the ownership of book entry interests in Bonds and the principal of and interest on the Bonds may be transferred only through a book entry and (b) physical Bond certificates in fully registered form are issued by the City only to a Depository or its nominee as registered owner, with the Bonds “immobilized” in the custody of the Depository or its agent. The book entry maintained by others than the City is the record that identifies the owners of book entry interests in those Bonds and that principal and interest.

“Certificate of Award” means the certificate authorized by Section 6(a), to be signed by the Fiscal Officer, setting forth and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Ordinance requires or authorizes to be set forth or determined therein.

“Closing Date” means the date of physical delivery of, and payment of the purchase price for, the Bonds.

“Code” means the Internal Revenue Code of 1986, the Regulations (whether temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a Section of the Code includes any applicable successor section or provision and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that Section.

“Continuing Disclosure Agreement” means the agreement authorized by Section 6(c), to be substantially in the form on file with the Clerk of Council, made by the City for the benefit of holders and beneficial owners of the Bonds in accordance with the Rule.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of book entry interests in Bonds or the principal of and interest on Bonds, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Fiscal Officer” means the Director of Finance of the City.

“Interest Payment Dates” means, unless otherwise determined by the Fiscal Officer in the Certificate of Award, June 1 and December 1 of each year that the Bonds are outstanding, commencing December 1, 2024.

“Original Purchaser” means the original purchaser of the Bonds designated by the Fiscal Officer in the Certificate of Award.

“Participant” means any participant contracting with a Depository under a book entry system and includes securities brokers and dealers, banks and trust companies, and clearing corporations.

“Principal Payment Dates” means, unless otherwise determined by the Fiscal Officer in the Certificate of Award, December 1 in each of the years from and including 2024 to and including 2043, provided that in no case shall the total number of Principal Payment Dates exceed the maximum maturity of the Bonds referred to in the preambles hereto.

“Rule” means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

“SEC” means the Securities and Exchange Commission.

“Serial Bonds” means those Bonds designated as such and maturing on the dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

“Term Bonds” means those Bonds designated as such and maturing on the date or dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

Section 2: Authorized Principal Amount and Purpose; Application of Proceeds. This Council determines that it is necessary and in the best interest of the City to issue bonds of the City in one lot in the maximum principal amount of \$4,655,000 (the Bonds) for the purpose of

paying costs of improving streets and roads in the City including Oak Hill Road, Milltown Road and Commerce Parkway by purchasing a right of way, constructing, reconstructing, widening, grading, draining, paving, creating a roundabout and otherwise improving, together with all necessary related improvements and appurtenances thereto, including the payment of expenses related to the issuance of the Bonds and to retire, together with other funds available to the City, the Outstanding Notes.

The aggregate principal amount of Bonds to be issued shall not exceed \$4,655,000 and shall be issued in an amount determined by the Fiscal Officer in the Certificate of Award to be the aggregate principal amount of Bonds required to be issued, taking into account any premium above or discount from the aggregate principal amount of the Bonds at which they are sold to the Original Purchaser, in order to effect the purpose for which the Bonds are to be issued, including the payment of any expenses properly allocable to the issuance of the Bonds.

The proceeds from the sale of the Bonds (except any premium and accrued interest) shall be paid into the proper fund or funds, and those proceeds are appropriated and shall be used for the purpose for which the Bonds are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

Section 3: Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be issued in one lot and only as fully registered bonds, in the Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The Bonds shall be dated as provided in the Certificate of Award, provided that their dated date shall not be more than 60 days prior to the Closing Date.

(a) Interest Rates and Interest Payment Dates. The Bonds shall bear interest at the rate or rates per year (computed on the basis of a 360-day year consisting of 12 30-day months) as shall be determined by the Fiscal Officer in the Certificate of Award. Interest on the Bonds shall be payable at such rate or rates on the Interest Payment Dates until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) Principal Payment Schedule. The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements (as hereinafter defined and described) on the Principal Payment Dates in principal amounts as shall be determined by the Fiscal Officer, subject to subsection (c) of this Section, in the Certificate of Award, consistent with the Fiscal Officer's determination of the best interest of and financial advantages to the City.

Consistent with the foregoing and in accordance with the Fiscal Officer's determination of the best interest of and financial advantages to the City, the Fiscal Officer shall specify in the Certificate of Award (i) the aggregate principal amount of Bonds to be issued as Serial Bonds, the Principal Payment Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date, and (ii) the aggregate principal amount of Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be

stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (Mandatory Redemption Dates) and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Mandatory Redemption Date.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Bonds, and the principal amount of Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date, shall be such that (i) the total principal and interest payments on the Bonds in any fiscal year in which principal is payable is not more than three times the amount of those payments in any other such fiscal year and (ii) the true interest cost of the Bonds does not exceed 8%.

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Bonds shall be payable when due upon presentation and surrender of the Bonds at the office of the Bond Registrar designated in the Certificate of Award or, if not so designated, then at the principal corporate trust office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day preceding that Interest Payment Date. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the Fiscal Officer, in the name and on behalf of the City, in connection with the book entry system.

(e) Redemption Provisions. The Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund requirements, at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those dates, for which provision is made in the Certificate of Award (such dates and amounts being the Mandatory Sinking Fund Redemption Requirements).

The aggregate of the money to be deposited with the Bond Registrar for payment of principal of and interest on any Term Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that date the principal amount of Term Bonds payable on that date pursuant to Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The City shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any

subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the City, as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so delivered. That option shall be exercised by the City on or before the 45th day preceding any Mandatory Redemption Date with respect to which the City wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Fiscal Officer, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date. If the certificate is not timely furnished to the Bond Registrar, the current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the Fiscal Officer, also shall be received by the City for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. The Bonds of the maturities, if any, specified in the Certificate of Award shall be subject to redemption by and at the sole option of the City, in whole or in part in integral multiples of \$5,000, on the dates, in the years and at the redemption prices (expressed as a percentage of the principal amount to be redeemed), plus accrued interest to the redemption date, to be determined by the Fiscal Officer in the Certificate of Award; provided that (a) the earliest optional redemption date shall not be more than 10½ years after the Closing Date and (b) the redemption price for the earliest optional redemption date shall not be greater than 102%.

If optional redemption of Term Bonds at a redemption price exceeding 100% of the principal amount to be redeemed is to take place as of any Mandatory Redemption Date applicable to those Term Bonds, the Term Bonds, or portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Term Bonds of the same maturity to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements. Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the Fiscal Officer to the Bond Registrar, given upon the direction of this Council through a resolution or an ordinance. That notice shall specify the redemption date and the principal amount of each maturity of Bonds to be redeemed, and shall be given at least 45

days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

(iii) Partial Redemption. If fewer than all of the outstanding Bonds are called for optional redemption at one time and Bonds of more than one maturity are then outstanding, the Bonds that are called shall be Bonds of the maturity or maturities selected by the City. If fewer than all of the Bonds of a single maturity are to be redeemed, the selection of Bonds of that maturity to be redeemed, or portions thereof in amounts of \$5,000 or any integral multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$5,000 are then outstanding, each \$5,000 unit of principal thereof shall be treated as if it were a separate Bond of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of principal amount represented by a Bond are to be called for redemption, then, upon notice of redemption of a \$5,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (a) for payment of the redemption price of the \$5,000 unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (b) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (a) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (b) the redemption price to be paid, (c) the date fixed for redemption, and (d) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the City by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the fifteenth day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If money for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the

redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If that money shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All money held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds, provided that any interest earned on the money so held by the Bond Registrar shall be for the account of and paid to the City to the extent not required for the payment of the Bonds called for redemption.

Section 4: Execution and Authentication of Bonds; Appointment of Bond Registrar.

The Bonds shall be signed by the Mayor and the Fiscal Officer, in the name of the City and in their official capacities, provided that either or both of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer in order to distinguish each Bond from any other Bond, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to the provisions of Chapter 133 of the Revised Code and this Ordinance and the Certificate of Award.

The Huntington National Bank is appointed to act as the initial Bond Registrar; provided, however, that the Fiscal Officer is authorized to appoint a different Bond Registrar in the Certificate of Award after determining that such bank or trust company will not endanger the funds or securities of the City and that proper procedures and safeguards are available for that purpose. The Fiscal Officer shall sign and deliver, in the name and on behalf of the City, the Bond Registrar Agreement between the City and the Bond Registrar, in substantially the form as is now on file with the Clerk of Council. The Bond Registrar Agreement is approved, together with any changes or amendments that are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved by the Fiscal Officer on behalf of the City, all of which shall be conclusively evidenced by the signing of the Bond Registrar Agreement or amendments thereto. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Bond Registrar Agreement from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by

the Fiscal Officer on behalf of the City. The same person need not sign the certificate of authentication on all of the Bonds.

Section 5: Registration; Transfer and Exchange; Book Entry System.

(a) Bond Registrar. So long as any of the Bonds remain outstanding, the City will cause the Bond Registrar to maintain and keep the Bond Register at the office satisfactory to the Fiscal Officer and the Bond Registrar. Subject to the provisions of Section 6, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the City nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the City's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the office of the Bond Registrar designated in the Certificate of Award or, if not so designated, then at the principal corporate trust office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the designated office of the Bond Registrar together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the City are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the City. In all cases of Bonds exchanged or transferred, the City shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the City and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the City, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings as the Bonds surrendered upon that exchange or transfer. Neither the City nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) Book Entry System. Notwithstanding any other provisions of this Ordinance, if the Fiscal Officer determines in the Certificate of Award that it is in the best interest of and financially advantageous to the City, the Bonds may be issued in book entry form in accordance with the following provisions of this Section.

The Bonds may be issued to a Depository for use in a book entry system and, if and so long as a book entry system is utilized, (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity and registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository or its designated agent which may be the Bond Registrar; (ii) the book entry interest owners of Bonds in book entry form shall not have any right to receive Bonds in the form of physical securities or certificates; (iii) ownership of book entry interests in Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of book entry interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book entry system, the Fiscal Officer may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, after making provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause Bond certificates in registered form to be authenticated by the Bond Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Fiscal Officer is hereby authorized and directed, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the City, that the Fiscal Officer determines to be necessary in connection with a book entry system for the Bonds.

Section 6: Award and Sale of the Bonds.

(a) Original Purchaser Designated in Certificate of Award. The Bonds shall be sold to the Original Purchaser at a purchase price, not less than 97% of their aggregate principal amount, to be determined by the Fiscal Officer in the Certificate of Award, plus accrued interest on the Bonds from their date to the Closing Date, and shall be awarded by the Fiscal Officer with and upon such other terms as are required or authorized by this Ordinance to be specified in the Certificate of Award, in accordance with law and the provisions of this Ordinance. The Fiscal Officer is authorized, if it is determined to be in the best interest of the City, to combine the issue of Bonds with one or more other bond issues of the City into a consolidated bond issue pursuant to Section 133.30(B) of the Revised Code in which case a single Certificate of Award may be utilized for the consolidated bond issue if appropriate and consistent with the terms of this Ordinance.

The Fiscal Officer shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price. The Mayor, the Fiscal Officer, the Director of Law, the Clerk of Council and other City officials, as appropriate, each are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance.

(b) Primary Offering Disclosure – Official Statement. The Mayor and the Fiscal Officer, on behalf of the City and in their official capacities, are authorized to (i) prepare or cause to be prepared, and make or authorize modifications, completions or changes of or supplements to, an official statement in connection with the original issuance of the Bonds, (ii) determine, and to certify or otherwise represent, when the official statement is to be “deemed final” (except for permitted omissions) by the City or is a final official statement for purposes of SEC Rule 15c2-12(b)(1), (3) and (4), (iii) use and distribute, or authorize the use and distribution of, that official statement and any supplements thereto in connection with the original issuance of the Bonds and (iv) complete and sign that official statement as so approved together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of that official statement as they deem necessary or appropriate.

(c) Agreement to Provide Continuing Disclosure. For the benefit of the holders and beneficial owners from time to time of the Bonds, the City agrees to provide or cause to be provided such financial information and operating data, audited financial statements and notices of the occurrence of certain events, in such manner as may be required for purposes of the Rule. The Fiscal Officer is authorized and directed to complete, sign and deliver the Continuing Disclosure Agreement, in the name and on behalf of the City, in substantially the form as is now on file with the Clerk of Council. The Continuing Disclosure Agreement is approved, together with any changes or amendments that are not inconsistent with this ordinance and not substantially adverse to the City and that are approved by the Fiscal Officer, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement.

The Fiscal Officer is further authorized and directed to establish procedures in order to ensure compliance by the City with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Fiscal Officer shall consult with and obtain legal advice from, as appropriate, the Director of Law and/or bond or other qualified independent special counsel selected by the City. The Fiscal Officer, acting in the name and on behalf of the City, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the City of its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

(d) Municipal Advisor; Application for Rating or Bond Insurance; Financing Costs. If, in the judgment of the Fiscal Officer, the (i) engagement of the services of a municipal advisor or (ii) filing of an application for (A) a rating on the Bonds by one or more nationally-recognized

rating agencies, or (B) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Bonds, is in the best interest of and financially advantageous to this City, the Fiscal Officer is authorized to engage a municipal advisor and prepare and to submit those applications, to provide to each such agency or company such information as may be required for the purpose, and to provide further for the payment of the fees of a municipal advisor or the cost of obtaining each such rating or policy from the proceeds of the Bonds, except to the extent paid by the Original Purchaser or the Bond Registrar in accordance with the Bond Registrar Agreement, to the extent available and otherwise from any other funds lawfully available and that are appropriated or to be appropriated for that purpose. The Fiscal Officer is hereby authorized, to the extent necessary or required, to enter into any agreements, in the name of and on behalf of the City, that the Fiscal Officer determines to be necessary in connection with the engagement of a municipal advisor or of obtaining that bond insurance.

The expenditure of the amounts necessary to engage a municipal advisor and/or secure those rating(s) and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Bonds, to the extent not paid by the Original Purchaser or the Bond Registrar, is authorized and approved, and the Fiscal Officer is authorized to provide for the payment of any such amounts and costs from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

Section 7: Provisions for Tax Levy. There shall be levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due. In each year to the extent the money from the municipal income tax is available for the payment of debt charges on the Bonds and are appropriated for that purpose, the amount of the tax shall be reduced by the amount of revenues and funds and/or moneys so available and appropriated. To the extent necessary, the debt charges on the Bonds shall be paid from municipal income taxes lawfully available therefor under the Constitution and laws of the State of Ohio and the Charter of the City, and the City covenants, subject and pursuant to such authority, including particularly Revised Code Sections 133.05(B)(7) and 5705.51(A)(5) and (D), to appropriate annually from those municipal income taxes such amount as is necessary to meet such annual debt charges. Nothing in this section in any way diminishes the irrevocable pledge of the full faith and credit and general property taxing power of the City to the prompt payment of the debt charges on the Bonds.

Section 8: Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as

may be necessary so that (a) the Bonds will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Section 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the Code), or (ii) be treated other than as bonds to which Section 103 of the Code applies, and (b) the interest thereon will not be an item of tax preference under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Bonds to be and to remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Bonds to the governmental purposes of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Fiscal Officer, or any other officer of the City having responsibility for the issuance of the Bonds is hereby authorized (a) to make or effect any election, selection, designation (including specifically designation or treatment of the Bonds as “qualified tax-exempt obligations”), choice, consent, approval or waiver on behalf of the City with respect to the Bonds as the City is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting the favorable tax treatment or status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Bonds.

Each covenant made in this section with respect to the Bonds is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this section to take with respect to the Bonds.

Section 9: Certification and Delivery of Ordinance and Certificate of Award. The Clerk of Council is directed to deliver or cause to be delivered a certified copy of this Ordinance and a signed copy of the Certificate of Award to the Wayne County Auditor.

Section 10: Retention of Bond and Disclosure Counsel. The legal services of Squire Patton Boggs (US) LLP, as bond and disclosure counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Bonds and the rendering of the necessary legal opinion upon the delivery of the Bonds. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services. The Fiscal Officer is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

Section 11: Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be performed by the City or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 7) of the City are pledged for the timely payment of the debt charges on the Bonds; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

Section 12: Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the passage of this Ordinance were taken in open meetings of this Council or committees, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

Section 13: Immediate Effect; Effective Date. This Ordinance is hereby declared to be necessary to the immediate preservation of the public health, peace, safety and welfare of the City and for the further reason that this Ordinance is required to be immediately effective in order to issue and sell the Bonds, which is necessary to enable the City to retire the Outstanding Notes and thereby preserve its credit; wherefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor; provided it receives the affirmative vote of at least three-fourths of the members of Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

1st reading _____ 2nd reading _____ 3rd reading _____

Passed: _____, 2024

Vote: _____

Attest: _____
Clerk of Council

President of Council

Approved: _____, 2024

Mayor

Introduced by: Michael Abernathy


FISCAL OFFICER'S CERTIFICATE

TO THE COUNCIL OF THE CITY OF WOOSTER, OHIO:

As fiscal officer of the City of Wooster, Ohio, I certify in connection with your proposed issue of bonds in the maximum principal amount of \$4,655,000 (the Bonds) for the purpose of paying costs of improving streets and roads in the City including Oak Hill Road, Milltown Road and Commerce Parkway by purchasing a right of way, constructing, reconstructing, widening, grading, draining, paving, creating a roundabout and otherwise improving, together with all necessary related improvements and appurtenances thereto, that:

1. The estimated life or period of usefulness of the improvement is at least five years.
2. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is 20 years.

Dated: March 18, 2024



Director of Finance
City of Wooster, Ohio

ORDINANCE NO. 2024-13

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$3,100,000 FOR THE PURPOSE OF PAYING COSTS OF IMPROVING AND MAINTAINING THE CITY'S SANITARY SEWERAGE SYSTEM PLANT INCLUDING UPGRADES TO THE BIOSOLIDS, BIOGAS AND HEADWORKS SYSTEMS, TOGETHER WITH ALL NECESSARY IMPROVEMENTS AND APPURTENANCES THERETO, AND ALLOWING FOR IMMEDIATE ENACTMENT.

WHEREAS, the Director of Finance, as fiscal officer of the City, has certified to this Council that the estimated life or period of usefulness of the improvement described in Section 2 is at least five years and the estimated maximum maturity of the Bonds described in Section 2 is 40 years;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WOOSTER, WAYNE COUNTY, OHIO, THAT:

Section 1: Definitions and Interpretation. In addition to the words and terms elsewhere defined in this Ordinance, unless the context or use clearly indicates another or different meaning or intent:

“Authorized Denominations” means (subject to any limitations in Section 3) the denomination of \$5,000 or any integral multiple thereof.

“Bond proceedings” means, collectively, this Ordinance, the Certificate of Award, the Continuing Disclosure Agreement and such other proceedings of the City, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds.

“Bond Register” means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

“Bond Registrar” means the bank or trust company appointed pursuant to Section 4 as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds under the Bond Registrar Agreement and until a successor Bond Registrar shall have become such pursuant to the provisions of the Bond Registrar Agreement and, thereafter, “Bond Registrar” shall mean the successor Bond Registrar.

“Bond Registrar Agreement” means the Bond Registrar Agreement between the City and the Bond Registrar, as it may be modified from the form on file with the Clerk of Council and signed by the Fiscal Officer in accordance with Section 4.

“Bonds” means, collectively, the Serial Bonds and the Term Bonds, each as is designated as such in the Certificate of Award.

“Book entry form” or “book entry system” means a form or system under which (a) the ownership of book entry interests in Bonds and the principal of and interest on the Bonds may be transferred only through a book entry and (b) physical Bond certificates in fully registered form are issued by the City only to a Depository or its nominee as registered owner, with the Bonds “immobilized” in the custody of the Depository or its agent. The book entry maintained by others than the City is the record that identifies the owners of book entry interests in those Bonds and that principal and interest.

“Certificate of Award” means the certificate authorized by Section 6(a), to be signed by the Fiscal Officer, setting forth and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Ordinance requires or authorizes to be set forth or determined therein.

“Closing Date” means the date of physical delivery of, and payment of the purchase price for, the Bonds.

“Code” means the Internal Revenue Code of 1986, the Regulations (whether temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a Section of the Code includes any applicable successor section or provision and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that Section.

“Continuing Disclosure Agreement” means the agreement authorized by Section 6(c), to be substantially in the form on file with the Clerk of Council, made by the City for the benefit of holders and beneficial owners of the Bonds in accordance with the Rule.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of book entry interests in Bonds or the principal of and interest on Bonds, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Fiscal Officer” means the Director of Finance of the City.

“Interest Payment Dates” means, unless otherwise determined by the Fiscal Officer in the Certificate of Award, June 1 and December 1 of each year that the Bonds are outstanding, commencing December 1, 2024.

“Original Purchaser” means the original purchaser of the Bonds designated by the Fiscal Officer in the Certificate of Award.

“Participant” means any participant contracting with a Depository under a book entry system and includes securities brokers and dealers, banks and trust companies, and clearing corporations.

“Principal Payment Dates” means, unless otherwise determined by the Fiscal Officer in the Certificate of Award, December 1 in each of the years from and including 2024 to and including 2043, provided that in no case shall the total number of Principal Payment Dates exceed the maximum maturity of the Bonds referred to in the preambles hereto.

“Rule” means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

“SEC” means the Securities and Exchange Commission.

“Serial Bonds” means those Bonds designated as such and maturing on the dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

“Term Bonds” means those Bonds designated as such and maturing on the date or dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

Section 2: Authorized Principal Amount and Purpose; Application of Proceeds. This Council determines that it is necessary and in the best interest of the City to issue bonds of the City in one lot in the maximum principal amount of \$3,100,000 (the Bonds) for the purpose of paying costs of improving and maintaining the City’s sanitary sewerage system plant including upgrades to the biosolids, biogas and headworks systems, together with all necessary improvements and appurtenances thereto (the improvement), including the payment of expenses related to the issuance of the Bonds.

The aggregate principal amount of Bonds to be issued shall not exceed \$3,100,000 and shall be issued in an amount determined by the Fiscal Officer in the Certificate of Award to be the aggregate principal amount of Bonds required to be issued, taking into account any premium above or discount from the aggregate principal amount of the Bonds at which they are sold to the Original Purchaser, in order to effect the purpose for which the Bonds are to be issued, including the payment of any expenses properly allocable to the issuance of the Bonds.

The proceeds from the sale of the Bonds (except any premium and accrued interest) shall be paid into the proper fund or funds, and those proceeds are appropriated and shall be used for the purpose for which the Bonds are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

Section 3: Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be issued in one lot and only as fully registered bonds, in the Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The Bonds shall be dated as provided in the Certificate of Award, provided that their dated date shall not be more than 60 days prior to the Closing Date.

(a) Interest Rates and Interest Payment Dates. The Bonds shall bear interest at the rate or rates per year (computed on the basis of a 360-day year consisting of 12 30-day months) as shall be determined by the Fiscal Officer in the Certificate of Award. Interest on the Bonds shall be payable at such rate or rates on the Interest Payment Dates until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) Principal Payment Schedule. The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements (as hereinafter defined and described) on the Principal Payment Dates in principal amounts as shall be determined by the Fiscal Officer, subject to subsection (c) of this Section, in the Certificate of Award, consistent with the Fiscal Officer's determination of the best interest of and financial advantages to the City.

Consistent with the foregoing and in accordance with the Fiscal Officer's determination of the best interest of and financial advantages to the City, the Fiscal Officer shall specify in the Certificate of Award (i) the aggregate principal amount of Bonds to be issued as Serial Bonds, the Principal Payment Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date, and (ii) the aggregate principal amount of Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (Mandatory Redemption Dates) and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Mandatory Redemption Date.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Bonds, and the principal amount of Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date, shall be such that (i) the total principal and interest payments on the Bonds in any fiscal year in which principal is payable is not more than three times the amount of those payments in any other such fiscal year and (ii) the true interest cost of the Bonds does not exceed 8%.

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Bonds shall be payable when due upon presentation and surrender of the Bonds at the office of the Bond Registrar designated in the Certificate of Award or, if not so designated, then at the principal corporate trust office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day preceding that Interest Payment Date. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the Fiscal Officer, in the name and on behalf of the City, in connection with the book entry system.

(e) Redemption Provisions. The Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund requirements, at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those dates, for which provision is made in the Certificate of Award (such dates and amounts being the Mandatory Sinking Fund Redemption Requirements).

The aggregate of the money to be deposited with the Bond Registrar for payment of principal of and interest on any Term Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that date the principal amount of Term Bonds payable on that date pursuant to Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The City shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the City, as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so delivered. That option shall be exercised by the City on or before the 45th day preceding any Mandatory Redemption Date with respect to which the City wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Fiscal Officer, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date. If the certificate is not timely furnished to the Bond Registrar, the current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the Fiscal Officer, also shall be received by the City for any Term Bonds which prior thereto have been

redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. The Bonds of the maturities, if any, specified in the Certificate of Award shall be subject to redemption by and at the sole option of the City, in whole or in part in integral multiples of \$5,000, on the dates, in the years and at the redemption prices (expressed as a percentage of the principal amount to be redeemed), plus accrued interest to the redemption date, to be determined by the Fiscal Officer in the Certificate of Award; provided that (a) the earliest optional redemption date shall not be more than 10½ years after the Closing Date and (b) the redemption price for the earliest optional redemption date shall not be greater than 102%.

If optional redemption of Term Bonds at a redemption price exceeding 100% of the principal amount to be redeemed is to take place as of any Mandatory Redemption Date applicable to those Term Bonds, the Term Bonds, or portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Term Bonds of the same maturity to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements. Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the Fiscal Officer to the Bond Registrar, given upon the direction of this Council through a resolution or an ordinance. That notice shall specify the redemption date and the principal amount of each maturity of Bonds to be redeemed, and shall be given at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

(iii) Partial Redemption. If fewer than all of the outstanding Bonds are called for optional redemption at one time and Bonds of more than one maturity are then outstanding, the Bonds that are called shall be Bonds of the maturity or maturities selected by the City. If fewer than all of the Bonds of a single maturity are to be redeemed, the selection of Bonds of that maturity to be redeemed, or portions thereof in amounts of \$5,000 or any integral multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$5,000 are then outstanding, each \$5,000 unit of principal thereof shall be treated as if it were a separate Bond of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of principal amount represented by a Bond are to be called for redemption, then, upon notice of redemption of a \$5,000 unit or units, the registered owner of

that Bond shall surrender the Bond to the Bond Registrar (a) for payment of the redemption price of the \$5,000 unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (b) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (a) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (b) the redemption price to be paid, (c) the date fixed for redemption, and (d) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the City by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the fifteenth day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If money for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If that money shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All money held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds, provided that any interest earned on the money so held by the Bond Registrar shall be for the account of and paid to the City to the extent not required for the payment of the Bonds called for redemption.

Section 4: Execution and Authentication of Bonds; Appointment of Bond Registrar.

The Bonds shall be signed by the Mayor and the Fiscal Officer, in the name of the City and in their official capacities, provided that either or both of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer in order to distinguish each Bond from any other Bond, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to the provisions of Chapter 133 of the Revised Code and this Ordinance and the Certificate of Award.

The Huntington National Bank is appointed to act as the initial Bond Registrar; provided, however, that the Fiscal Officer is authorized to appoint a different Bond Registrar in the Certificate of Award after determining that such bank or trust company will not endanger the funds or securities of the City and that proper procedures and safeguards are available for that purpose. The Fiscal Officer shall sign and deliver, in the name and on behalf of the City, the Bond Registrar Agreement between the City and the Bond Registrar, in substantially the form as is now on file with the Clerk of Council. The Bond Registrar Agreement is approved, together with any changes or amendments that are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved by the Fiscal Officer on behalf of the City, all of which shall be conclusively evidenced by the signing of the Bond Registrar Agreement or amendments thereto. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Bond Registrar Agreement from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Fiscal Officer on behalf of the City. The same person need not sign the certificate of authentication on all of the Bonds.

Section 5: Registration; Transfer and Exchange; Book Entry System.

(a) Bond Registrar. So long as any of the Bonds remain outstanding, the City will cause the Bond Registrar to maintain and keep the Bond Register at the office satisfactory to the Fiscal Officer and the Bond Registrar. Subject to the provisions of Section 6, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the City nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge

the City's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the office of the Bond Registrar designated in the Certificate of Award or, if not so designated, then at the principal corporate trust office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the designated office of the Bond Registrar together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmaturing principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the City are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the City. In all cases of Bonds exchanged or transferred, the City shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the City and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the City, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings as the Bonds surrendered upon that exchange or transfer. Neither the City nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) Book Entry System. Notwithstanding any other provisions of this Ordinance, if the Fiscal Officer determines in the Certificate of Award that it is in the best interest of and financially advantageous to the City, the Bonds may be issued in book entry form in accordance with the following provisions of this Section.

The Bonds may be issued to a Depository for use in a book entry system and, if and so long as a book entry system is utilized, (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity and registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository or its designated agent which may be the Bond Registrar; (ii) the book entry interest owners of Bonds in book entry form shall not have any right to receive Bonds in the form of physical securities or certificates; (iii) ownership of book entry interests in Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and

transfers of the ownership of book entry interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book entry system, the Fiscal Officer may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, after making provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause Bond certificates in registered form to be authenticated by the Bond Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Fiscal Officer is hereby authorized and directed, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the City, that the Fiscal Officer determines to be necessary in connection with a book entry system for the Bonds.

Section 6: Award and Sale of the Bonds.

(a) Original Purchaser Designated in Certificate of Award. The Bonds shall be sold to the Original Purchaser at a purchase price, not less than 97% of their aggregate principal amount, to be determined by the Fiscal Officer in the Certificate of Award, plus accrued interest on the Bonds from their date to the Closing Date, and shall be awarded by the Fiscal Officer with and upon such other terms as are required or authorized by this Ordinance to be specified in the Certificate of Award, in accordance with law and the provisions of this Ordinance. The Fiscal Officer is authorized, if it is determined to be in the best interest of the City, to combine the issue of Bonds with one or more other bond issues of the City into a consolidated bond issue pursuant to Section 133.30(B) of the Revised Code in which case a single Certificate of Award may be utilized for the consolidated bond issue if appropriate and consistent with the terms of this Ordinance.

The Fiscal Officer shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price. The Mayor, the Fiscal Officer, the Director of Law, the Clerk of Council and other City officials, as appropriate, each are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance.

(b) Primary Offering Disclosure – Official Statement. The Mayor and the Fiscal Officer, on behalf of the City and in their official capacities, are authorized to (i) prepare or cause to be prepared, and make or authorize modifications, completions or changes of or supplements to, an official statement in connection with the original issuance of the Bonds, (ii) determine, and to certify

or otherwise represent, when the official statement is to be “deemed final” (except for permitted omissions) by the City or is a final official statement for purposes of SEC Rule 15c2-12(b)(1), (3) and (4), (iii) use and distribute, or authorize the use and distribution of, that official statement and any supplements thereto in connection with the original issuance of the Bonds and (iv) complete and sign that official statement as so approved together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of that official statement as they deem necessary or appropriate.

(c) Agreement to Provide Continuing Disclosure. For the benefit of the holders and beneficial owners from time to time of the Bonds, the City agrees to provide or cause to be provided such financial information and operating data, audited financial statements and notices of the occurrence of certain events, in such manner as may be required for purposes of the Rule. The Fiscal Officer is authorized and directed to complete, sign and deliver the Continuing Disclosure Agreement, in the name and on behalf of the City, in substantially the form as is now on file with the Clerk of Council. The Continuing Disclosure Agreement is approved, together with any changes or amendments that are not inconsistent with this ordinance and not substantially adverse to the City and that are approved by the Fiscal Officer, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement.

The Fiscal Officer is further authorized and directed to establish procedures in order to ensure compliance by the City with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Fiscal Officer shall consult with and obtain legal advice from, as appropriate, the Director of Law and/or bond or other qualified independent special counsel selected by the City. The Fiscal Officer, acting in the name and on behalf of the City, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the City of its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

(d) Municipal Advisor; Application for Rating or Bond Insurance; Financing Costs. If, in the judgment of the Fiscal Officer, the (i) engagement of the services of a municipal advisor or (ii) filing of an application for (A) a rating on the Bonds by one or more nationally-recognized rating agencies, or (B) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Bonds, is in the best interest of and financially advantageous to this City, the Fiscal Officer is authorized to engage a municipal advisor and prepare and to submit those applications, to provide to each such agency or company such information as may be required for the purpose, and to provide further for the payment of the fees of a municipal advisor or the cost of obtaining each such rating or policy from the proceeds of the Bonds, except to the extent paid by the Original Purchaser or the Bond Registrar in accordance with the Bond Registrar Agreement, to the extent available and otherwise from any other funds lawfully available and that are appropriated or to be appropriated for that purpose. The Fiscal Officer is hereby authorized, to the extent necessary or required, to enter into any agreements, in the name of and on behalf of the City, that the Fiscal Officer determines to be necessary in connection with the engagement of a municipal advisor or of obtaining that bond insurance.

The expenditure of the amounts necessary to engage a municipal advisor and/or secure those rating(s) and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Bonds, to the extent not paid by the Original Purchaser or the Bond Registrar, is authorized and approved, and the Fiscal Officer is authorized to provide for the payment of any such amounts and costs from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

Section 7: Provisions for Tax Levy. There shall be levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due. In each year, to the extent that revenues and surplus funds from the City's sanitary sewerage system or other moneys are available for the payment of debt charges on the Bonds and are appropriated for that purpose, the amount of the tax shall be reduced by the amount of revenues and funds and/or moneys so available and appropriated. Nothing in this section in any way diminishes the irrevocable pledge of the full faith and credit and general property taxing power of the City to the prompt payment of the debt charges on the Bonds.

Section 8: Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (a) the Bonds will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Section 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the Code), or (ii) be treated other than as bonds to which Section 103 of the Code applies, and (b) the interest thereon will not be an item of tax preference under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Bonds to be and to remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Bonds to the governmental purposes of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Fiscal Officer, or any other officer of the City having responsibility for the issuance of the Bonds is hereby authorized (a) to make or effect any election, selection, designation (including specifically designation of the Bonds as "qualified tax-exempt obligations"), choice, consent,

approval or waiver on behalf of the City with respect to the Bonds as the City is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting the favorable tax treatment or status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Bonds.

Section 9: Certification and Delivery of Ordinance and Certificate of Award. The Clerk of Council is directed to deliver or cause to be delivered a certified copy of this Ordinance and a signed copy of the Certificate of Award to the Wayne County Auditor.

Section 10: Retention of Bond and Disclosure Counsel. The legal services of Squire Patton Boggs (US) LLP, as bond and disclosure counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Bonds and the rendering of the necessary legal opinion upon the delivery of the Bonds. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services. The Fiscal Officer is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

Section 11: Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be performed by the City or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 7) of the City are pledged for the timely payment of the debt charges on the Bonds; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.


FISCAL OFFICER'S CERTIFICATE

TO THE COUNCIL OF THE CITY OF WOOSTER, OHIO:

As fiscal officer of the City of Wooster, Ohio, I certify in connection with your proposed issue of bonds in the maximum principal amount of \$3,100,000 (the Bonds) for the purpose of paying costs of improving and maintaining the City's sanitary sewerage system plant including upgrades to the biosolids, biogas and headworks systems, together with the necessary appurtenances thereto (the improvement), that:

1. The estimated life or period of usefulness of the improvement is at least five years.
2. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is 40 years.

Dated: March 18, 2024



Director of Finance
City of Wooster, Ohio

ORDINANCE NO. 2024-08

AN ORDINANCE AMENDING CHAPTER 160, BIDDING PROCEDURES AND CONTRACT REQUIREMENTS, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, BY INCREASING THE AMOUNT OF THE LIMIT FOR COMPETITIVE BIDDING

WHEREAS, the Director of Administration has recommended that the City's bidding ordinance be amended to bring it into conformity with Ohio law regarding the threshold at which municipalities are required to competitively bid certain types of contracts.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WOOSTER, OHIO:

SECTION 1. That Chapter 160, Bidding Procedures and Contract Requirements, of the Codified Ordinances of the City of Wooster, Ohio, be amended at Section 160.03, BIDDING PROCEDURES, to read as follows:

160.03 BIDDING PROCEDURES.

(a) The Director of Administration, or the Wooster Community Hospital Chief Executive Officer, or their designees, may make any contract, purchase supplies or material or provide labor for any work under the supervision of various departments and divisions and agencies of the City involving not more than fifty thousand dollars (\$50,000.00).

(b) When an expenditure within the department, division, or agency, other than compensation of persons employed therein, exceeds fifty thousand dollars (\$50,000.00) but is less than seventy-five thousand dollars (\$75,000.00), such expenditure shall be authorized and directed by ordinance or resolution of Council without a requirement for bidding, or in the case of the Wooster Community Hospital, by resolution of the Board of Governors without a requirement for bidding.

(~~b~~c) When an expenditure within the department, division or agency, other than compensation of persons employed therein, exceeds ~~fifty thousand dollars (\$50,000.00)~~ **seventy-five thousand dollars (\$75,000.00)**, such expenditure shall first be authorized and directed by ordinance or resolution of Council, or in the case of the Wooster Community Hospital, by resolution of the Board of Governors. When so authorized or directed, the Director of Administration or Hospital Administrator or their designees, shall make a written contract in the name of the City with the lowest and best bidder after advertisement for not less than two, nor more than four consecutive weeks in a newspaper of general circulation within the City.

(~~e~~d) Upon the approval of an ordinance or resolution by Council, or the Board of Governors on behalf of the Hospital, the Director of Administration or Hospital Chief Executive Officer or their designees may enter into a contract without competitive bidding for any one of the following conditions:

- (1) When such purchase consists of supplies or a replacement or supplemental part or parts for a product or equipment owned by the City and the only source of supply for such supplies, part or parts is limited to a single source;
- (2) When only a single sole source **practically** exists for the purchase of a particular item of equipment, **supplies, or services. A single source exists when only one source is practically available due to an inability of other sources to meet specifications, availability requirements, time requirements, or any other restriction that makes additional sources practically unavailable to provide equipment, supplies, or services.**
- (3) When the contract is for a professional or technical service; or for the purchase of an item of specialized technology, provided that the Director of Administration or the Hospital Chief Executive Officer has first requested and reviewed proposals from qualified vendors;
- (4) When a General Services Administration (GSA) price and specification is certified to the City by the vendor, and the specification meets the needs of the City;
- (5) When the purchase is accomplished through participation in a State-sponsored cooperative purchasing program or a cooperative purchasing program sponsored by a professional organization with which the City or Hospital are affiliated;
- (6) When the purchase can be accomplished upon equivalent terms, conditions and specifications, but at a price which is equal to or lower than that which is available from a State-sponsored cooperative purchasing program;
- (7) When in the case of the Hospital, such purchases consist of medical and surgical supplies used in patient care, and food products used by the dietary department;
- (8) When the purchase is for natural gas, electric, telephone or other utility services for municipally-owned facilities.
- (9) **When the contract is for insurance pools as governed by sections 9.833 and 2744.081 of the Ohio Revised Code.**
- (910) When the contract is for services or the purchase of material, equipment or supplies from any department, division, agency, or political subdivision of the State.

(d e) In the case of a real and present emergency arising in connection with the operation and maintenance of various City departments, divisions and agencies, Council and the Board of Governors in the case of Wooster Community Hospital, may by a three-fourths vote of the members thereof, authorize the Director of Administration or Hospital Chief Executive Officer, or their designees, to enter into a contract for work to be done or for the purchase of supplies or material without formal bidding and advertising.

SECTION 2. That Chapter 160, Bidding Procedures and Contract Requirements, of the Codified Ordinances of the City of Wooster, Ohio, be amended at Section 160.062, PROCEDURES, to read as follows:

160.062 PROCEDURES.

Notwithstanding the provisions of Ohio R.C. 9.33, 9.331, 9.332 and 153.65 through 153.71, inclusive, and any other provisions of the Ohio Revised Code which may



538 N. Market Street * P.O. Box 1128
 Wooster, Ohio 44691-3406

Joel Montgomery, PE, ICMA-CM
 Director of Administration
 Phone (330) 263-5244
 Fax: (330) 263-5247
 Email: jmontgomery@woosteroh.com

MEMO

To: City Council
From: Joel Montgomery, Director of Administration
CC: Mayor, Finance Director, Law Director, Deputy Dir of Admin, City Engineer, Utility Manager, Police Chief, Fire Chief
Date: 03-19-2024
Re: Bid Limit Legislation

Bid Limit Legislation:

As part of the State of Ohio Budget passed in July 2023, the statutory competitive bidding thresholds (RC section 735.05) were increased from \$50,000 to \$75,000. As currently codified, the Ohio Revised Code authorizes any county, township, municipal corporation, library, or other political subdivision to award contracts without bidding for amounts less than \$75,000 (ORC 9.17).

In September of 2023, the Administration, in agreement with the City's divisional managers, requested that part 160.03 of the Wooster Codified Ordinances be revised to conform to the ORC language and the same law that applies to all other twps., counties, villages and statutory cities in the state of Ohio. That ordinance, as written, was not approved. Since then, we continue to have projects that fall within the \$50,000 and \$75,000 range, but have been subject to the \$50,000 bidding threshold, and have thus resulted in delays and increased costs for what are now smaller, regular budgeted items.

The Administration and managers would like to request an increase in the bidding threshold again, and conformance to the ORC language, but with the following exceptions:

1. Remove any reference to the ORC automatic increase of 3% per year. If any future increases are needed, we would seek Council approval at that time.
2. Council authorization will still be required for all expenditures over the current \$50,000 threshold. This language would not be changed.

By making these changes, Council authorization and oversight remain the same. The only change would be the dollar amount requiring bidding. An increase from \$50,000 to \$75,000 would help make adjustments due to the significant increases in inflation and the construction cost index over the last 11 years since the threshold was last increased.

Council would still approve the budget for all expenditures, and only Council would have the authority to suspend competitive bidding requirements for specific, isolated instances.

These changes would save time and money on the bid process for smaller, regular budgeted items, and allow for responding in a timely manner to market opportunities and emergencies.

The bid threshold increase from \$50,000 to \$75,000 would not preclude the need for Council to approve the budget for all expenditures. All known capital and related contract expenditures as

small as \$10,000 are always included in section 3 of the annual appropriations budget. Due to inflation, several items and contracts that were recently under \$50,000 are now over \$50,000. Some examples include:

- The Winkler Drive Storm Sewer project is estimated at just over \$50K but under \$75K.
- Our 3-year ESRI contract for GIS software and application just increased to \$51K.
- Several equipment and supply contracts for utilities have recently exceeded \$50K but will be under \$75K. These include Core & Main for water valves, pipes, hydrants, etc, and Orrville Ready Mix for concrete for street repairs. These items sometimes need to be purchased quickly to address leaks and repairs, and associated road repairs.
- PPM Landscape Maintenance Contract is approaching \$50K
- PPM Crack Filling Contract is approaching \$50K
- Line Striping Contract (US 30 and SR 83) is approaching \$50K
- Concrete Supplies could exceed \$50K depending on needs
- Concrete Replacements can easily exceed \$50K every year, but be less than \$75K
- Tree Removals can exceed \$50K if we experience a major storm event
- A limited number of vehicles may be under \$75K, but all would be included in the budget document, and many exceed \$75K when attachments are added, and must be bid.
- The Community Center flooring project was just over \$50K, and multiple requests for quotes went unanswered.
- Depending on EMS transport call volume/revenue, this could exceed the \$50K threshold. If this happens, under the current ordinance we will have to go out to bid for the service, which will impact pricing and our administrative processes with our current vendor that are efficient and effective.
- Our current Axon police camera contract will exceed \$50K for the multi-year contract.

Most of these items are required for normal operations and are expended every year. Inflation has simply pushed them over \$50K. Other items would be delayed if bidding is needed. Bidding of small projects not only delays the project, but also requires significantly more administrative steps and costs, including advertising fees. Raising the bid limit to \$75K for these would reduce costs and delays for regular operational items.

The remaining items need a quick turnaround for emergencies, limiting the disruption of services, and safety. We always make every attempt to secure at least 3 estimates for items that are not required to be formally bid.

Please don't hesitate to contact us with any questions or for additional information.

Joel Montgomery, PE, ICMA-CM

ORDINANCE NO. 2024-14

AN ORDINANCE AMENDING CHAPTER 539.04 LIQUOR PROHIBITED WITHOUT A PERMIT OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, AND ALLOWING FOR IMMEDIATE ENACTMENT

WHEREAS, it is necessary to amend the current ordinances regarding use of liquor at the Freedlander Chalet to accommodate the new outdoor patio.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WOOSTER, OHIO:

SECTION 1. That Chapter 539.04, Liquor Prohibited Without a Permit, of the Codified Ordinances of the City of Wooster, Ohio is hereby amended to read as follows:

539.04 LIQUOR PROHIBITED WITHOUT A PERMIT.

(a) No person shall possess or drink any intoxicating liquor or alcoholic beverage, including beer, or be under the influence of any intoxicating liquor or alcoholic beverage within any park or park and recreation facility except within the Freedlander Chalet **and the adjacent, designated outdoor area** with a valid permit granted by the Director of Administration or designee.

(b) The permit for the Freedlander Chalet shall allow beer, wine and other alcoholic beverages. All permit holders, in addition to complying with this section, must comply with any and all state statutes regarding the possession and consumption of alcohol. No alcoholic beverages shall be allowed outside of the Freedlander Chalet **except in the designated outdoor area.**

(c) **At all times when alcoholic beverages are present or being consumed within the designated outdoor area of the Freedlander Chalet, any and all exits leading from the designated outdoor area to undesignated outdoor areas shall be closed, except in cases of emergency.**

(ed) Violations of the terms and conditions for a permit authorized under divisions (a) or (b) above, or violation of any state statute governing the possession and consumption of alcoholic beverages may result in the immediate revocation of any permit authorized herein.

(de) Whoever violates this section is guilty of a misdemeanor of the third degree. (Ord. 2020-32. Passed 9-8-20.)

SECTION 2. This Council finds and declares that all formal actions concerning and relating to the adoption of this Ordinance occurred in an open meeting of this Council or its committees, in compliance with the law.

SECTION 3. . This Resolution is hereby declared to be necessary to the immediate preservation of the public health, peace, safety and welfare of the City, and for the further reason that prompt action is necessary to complete the acquisitions in accordance with the project schedule; wherefore, this Resolution shall be in full force and effect from and immediately after its passage and approval by the Mayor; provided it receives the affirmative vote of at least three-fourths of the members of the Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

1st reading _____ 2nd reading _____ 3rd reading _____

Passed: _____, 2024

Vote: _____

Attest: _____
Clerk of Council

President of Council

Approved: _____, 2024

Mayor

Introduced by: Barb Knapic

Ord
2024-14

2

Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division Recreation	Meeting Date Requested 4/1/2024
Project Name Chalet liquor permits	Estimated Total Funds/Costs \$0.00
Is Full Amount Budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No N/A If YES, three readings NOT REQUIRED	
If No, How is the Purchase to be Funded?	
Description of Request Persons renting the Freedlander Chalet for an event have the option to obtain a permit to consume alcohol within the Chalet. With the addition of the new patio area outside the Chalet, we would like to add the patio area as a space in which alcohol consumption is permitted, while specifying alcoholic beverages may not leave that designated outdoor space.	
Justification / Benefits These changes would create consistent rules for the entire rental space at the Chalet.	
Will this Project affect the City's Operating Costs No.	
What Alternatives Exist and what are the Implications of the Alternatives We can leave the Ordinance as-is, but it will make enforcement difficult as event attendees move from the Chalet to the patio area during events.	
Is this a Sole Source Bid or Non-Bid Situation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Explain The Circumstances:	
Is there a need for Suspension of the Rules or a Time Frame when this must be passed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Note Reasons We would like to have the Ordinance in effect before the busy wedding season begins.	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Ashley Hershberger	Date: 3/14/2024

Approved for Agenda Yes No

RESOLUTION NO. 2024-29

A RESOLUTION REQUESTING THAT THE PLANNING COMMISSION, PURSUANT TO WOOSTER CODIFIED ORDINANCE SECTION 1105.03, REVIEW AND CONSIDER PROPOSED TEXT AMENDMENTS TO THE PLANNING AND ZONING CODE SECTION 1109.02 AND 1135.02 AND ALLOWING FOR IMMEDIATE ENACTMENT

WHEREAS, the Planning and Zoning Code of the City of Wooster, at Section §1105.03(c)(3), provides that amendments to the code may be initiated by the passage of a resolution by the City Council, after which the proposed amendment will be reviewed and considered by the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WOOSTER, OHIO:

SECTION 1. That this Council hereby requests that the Planning Commission review and consider text amendments to the City’s Planning and Zoning Code, in particular Table 1109-1: PERMITTED PRINCIPAL USES and 1135.02 GENERAL DEFINITIONS, as

TABLE 1109-1: PERMITTED PRINCIPAL USES																
Use Type	P = Permitted					PS = Permitted with Standards					C = Conditional Use				X = Prohibited	Use-Specific Standards
	R-1	R-2	R-T	R-3	R-4	R-5	C-1	C-2	C-3	C-4	I-1	I-2	I-3	AG	CF [1]	
Commercial and Offices Uses																
Medical or recreational Marijuana Dispensaries	X	X	X	X	X	X	X	X	C	X	X	X	X	X	X	
Industrial Uses																
Medical or recreational Marijuana Testing, Cultivation, and Processing	X	X	X	X	X	X	X	X	X	X	C	P	X	X	X	

follows:

1135.02 GENERAL DEFINITIONS.

Medical Marijuana - Marijuana that is cultivated, processed, dispensed, tested, possessed, or used for a medical purpose.

Medical Marijuana Dispensary - A use owned and operated by a person holding a dispensary license as allowed and issued by the State of Ohio for the purposes of dispensing medical marijuana to clients with a medical marijuana prescription.

Medical or Recreational Marijuana Testing and Processing - A facility where medical or recreational marijuana is tested and or processed in accordance with all rules established for such facilities in the ORC.

Recreational Marijuana Dispensary - A use owned and operated by a person holding a dispensary license as allowed and issued by the State of Ohio for the purposes of dispensing recreational marijuana.

Recreational Marijuana - Marijuana that is cultivated, processed, dispensed, tested, possessed, or used for an adult-use recreational purpose.

To: City Council
From: Vince Marion, Manager, Planning and Zoning
Date: March 19, 2024

RE: Recreational Marijuana

The results of the November 2023 Ohio election authorized the dispensing of recreational marijuana. The state is currently in the process of developing rules and procedures for its implementation.

Currently, within Wooster, the dispensing of medical marijuana is conditionally permitted within the C-3 zoning district. Conditional uses require a review and a hearing in front of the Planning Commission. The C-3 zoning district is the city's most intense commercial district and is described as follows: *The C-3 General Commercial District is established to accommodate a broad range of commercial services and activities in locations adequately served by major streets and other facilities and to provide a wide range of goods and services to a large consumer population from the larger regional area.*

The current code permits the testing and processing of medical marijuana in an I-2 zoning district and conditionally permits it within an I-1 zoning district. The I-2 zoning district is the most intense industrial district and is described as follows: *The purpose of the I-2 General Industrial District is to provide for industrial and other uses that by virtue of their external effects, noise, glare, fumes, smoke, dust, odors, truck and/or rail traffic, should be isolated from residential and commercial uses. These uses perform essential functions for the City, including employment, and should be provided for in areas that are best suited for industrial development by reason of location, utilities and transportation systems.* The I-1 zoning district is as follows: *The I-1 Office/Limited Industrial District is established to provide for office and industrial uses in areas suitable for such development by reason of location, topography, soil conditions and the availability of adequate utilities and transportation systems. The intent is to permit office and other uses such as limited light industrial and warehouse activities that are office-like in physical appearance, service requirements, and operational characteristics; uses that can be carried on wholly within enclosed buildings and subject to those regulations necessary to reduce congestion and for the protection of adjacent residential and business activities. This district also permits accessory retail and service uses to serve as support services for the adjacent office/industrial uses. The uses allowed are those that because of their normally unobjectionable characteristics can be operated in relatively close proximity to residential districts.*

Since the current planning and zoning code specifically permits only medical marijuana, a text amendment is necessary if there is a desire to allow the dispensing of or the processing of recreational marijuana. Zoning code text amendments can only be initiated by City Council or Planning Commission. When initiated by City Council, a resolution that includes a draft of the text amendment must be passed. If the resolution receives the necessary required votes, the draft amendment is forwarded to Planning Commission for review and a recommendation. Planning Commission must hold a public hearing before making a recommendation. Following the hearing, Planning Commission has 60 days to forward a recommendation to City Council. The Planning Commission can forward either a recommendation for adoption, adoption with a modification, or a denial of the amendment.

Upon receipt of the recommendation and within 45 days, City Council is required to schedule a public hearing. Within 120 days, from the first City Council meeting following receipt of the recommendation, City Council can either adopt, modify, or deny the recommendation of the Planning Commission.

TABLE 1109-1: PERMITTED PRINCIPAL USES																	
Use Type	P = Permitted			PS = Permitted with Standards					C = Conditional Use				X = Prohibited				Use-Specific Standards
	R-1	R-2	R-1	R-3	R-4	R-5	C-1	C-2	C-3	C-4	I-1	I-2	I-3	AG	CF [1]		
Commercial and Offices Uses																	
Medical or recreational Marijuana Dispensaries	X	X	X	X	X	X	X	X	C	X	X	X	X	X	X		
Industrial Uses																	
Medical or recreational Marijuana Testing and Processing	X	X	X	X	X	X	X	X	X	X	C	P	X	X	X		

Below, you will find a draft text amendment that conditionally permits medical and recreational marijuana dispensaries in the C-3 zoning district. The testing and processing would be permitted within the I-2 district and conditionally permitted within the I-1 district. Per the definitions of the Planning and Zoning Code, there is an assumption that the state will create a licensing or certification for dispensing, testing, or processing. Without a proper state license/certification, applications will not be accepted.

Medical Marijuana - Marijuana that is cultivated, processed, dispensed, tested, possessed, or used for a medical purpose.

Medical Marijuana Dispensary - A use owned and operated by a person holding a dispensary license as allowed and issued by the State of Ohio for the purposes of dispensing medical marijuana to clients with a medical marijuana prescription.

Medical **or Recreational** Marijuana Testing and Processing - A facility where medical **or recreational** marijuana is tested and or processed in accordance with all rules established for such facilities in the ORC.

Recreational Marijuana Dispensary - A use owned and operated by a person holding a dispensary license as allowed and issued by the State of Ohio for the purposes of dispensing recreational marijuana.