

COUNCIL AGENDA

August 21, 2023

Committee and Council Meetings can be viewed by accessing YouTube

Council Chambers
7:00 P.M.

ROLL CALL

INVOCATION – Mr. Labutis

PLEDGE OF ALLEGIANCE

CAUCUS

Council Committee assignments as of August 16, 2023(after appointments)

FINANCE

Marmie, Chair
Lang, Vice Chair
Barker
Houser
Chute

SERVICE

Rath, Chair
Neely, Vice Chair
Barker
Bline
Chute

PERSONNEL

Lang, Chair
Chute, Vice Chair
Labutis
Barker
Rine

STREET

Houser, Chair
Labutis, Vice Chair
Rath

Rine
Bline
Lang
Marmie

ECONOMIC DEVELOPMENT

Barker, Chair
Houser, Vice Chair
Rine
Bline
Neely

CAPITAL IMPROVEMENTS

Chute, Chair
Rath, Vice Chair
Marmie
Labutis
Neely

SAFETY

Labutis, Chair
Barker, Vice Chair
Bline
Houser
Rath

RECREATION

Rine, Chair
Bline, Vice Chair
Neely

RULES

Neely, Chair
Rine, Vice Chair
Lang

WAYS AND MEANS

Bline, Chair
Chute, Vice Chair
Labutis

CHAPLAINS

Bline
Labutis
Houser

BUDGET REVIEW

Mayor, Chair
Marmie, Vice Chair
Auditor
Service Director
Neely
Treasurer
Houser
Lang

PRESIDENT PRO-TEM

Spencer Barker

MAJORITY LEADER

Doug Marmie

MINORITY LEADER

MINUTES of August 7, 2023

APPOINTMENTS

There are none this meeting.

REPORTS OF STANDING COMMITTEES

Finance
Economic Development

REPORTS FROM CITY OFFICIALS

City Auditor, Ryan T. Bubb – Operating report for period ending July 31, 2023

Brenda Cooper, Tax Administrator's Office – Income Tax Revenue Reports for period ending July 31, 2023

PROCLAMATION - Mayor Hall - Overdose Awareness Day on Thursday, August 31, 2023

COMMUNICATIONS

Chance Patznick, Superintendent, Parks and Cemetery Department - The City of Newark Parks Department will be hosting the annual T.J. Evans Catfish Derby on Friday, August 25th at T.J. Evans Park

Dennis Anderson, Member of Old Town West Neighborhood Watch and Awareness Group -
NPD Complaint

Todd Alexander, Earthworks Café and Lounge - New hours and Saturday and Sunday Brunch
Trish Perry - 9th Annual International Overdose Awareness Day, Thursday, August 31, 2023, 36
East Canal St. 5-7pm

COMMENTS FROM CITIZENS

ORDINANCES ON SECOND READING

23-21-A AN ORDINANCE CREATING A DOWNTOWN NEWARK TAX INCREMENT FINANCING INCENTIVE DISTRICT1 AND DOWNTOWN NEWARK TAX INCREMENT FINANCING DISTRICT 2; DECLARING IMPROVEMENTS TO THE PARCELS WITHIN THE INCENTIVE DISTRICTS TO BE A PUBLIC PURPOSE AND EXEMPT FROM REAL PROPERTY TAXATION; REQUIRING THE OWNERS OF THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THOSE SERVICE PAYMENTS; SPECIFYING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT DIRECTLY BENEFIT THE PARCEL, AND DECLARING AN EMERGENCY

ORDINANCES ON FIRST READING

23-33 TO PROVIDE FOR THE ISSUANCE OF NOT TO EXCEED \$720,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING A PORTION OF THE COST OF BURIAL OF OVERHEAD ELECTRIC, CABLE AND TELEPHONE LINES, INCLUDING EASEMENT ACQUISITION AND ALLEY REPAIRS, AND ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

23-34 TO PROVIDE FOR THE ISSUANCE OF NOT TO EXCEED \$910,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING A PORTION OF THE COST OF CONSTRUCTING A NEW 4TH AND MAIN ROUNDABOUT, AND ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

23-35 TO PROVIDE FOR THE ISSUANCE OF NOT TO EXCEED \$1,650,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING A PORTION OF THE COST OF ROAD, BRIDGE AND BIKE PATH IMPROVEMENTS, AND ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

23-36 TO PROVIDE FOR THE ISSUANCE OF NOT TO EXCEED \$850,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING A PORTION OF THE COST OF ICE RINK ROOF REPLACEMENT, AND ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

23-37 TO PROVIDE FOR THE ISSUANCE OF NOT TO EXCEED \$2,540,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING THE COST OF TAMARACK 40TH STREET UPGRADE STORMWATER IMPROVEMENTS, AND ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

23-38 TO PROVIDE FOR THE ISSUANCE OF NOT TO EXCEED \$3,110,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING THE COST OF WATER SYSTEM IMPROVEMENTS, AND ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

23-39 AN ORDINANCE CONSOLIDATING SIX BOND ANTICIPATION NOTE ISSUES OF THE CITY OF NEWARK, OHIO AND DECLARING AN EMERGENCY

23-42-A AN ORDINANCE AUTHORIZING THE COMPENSATION OF THE THREE CIVIL SERVICE COMMISSIONERS AND SECRETARY OF THE CIVIL SERVICE COMMISSION OF THE CITY OF NEWARK, OHIO.

23-43-A AN ORDINANCE AUTHORIZING THE PAYMENT OF A RATIFICATION BONUS TO FULL-TIME HOURLY NON-BARGAINING PERSONNEL, MANAGEMENT AND SUPERVISORY EMPLOYEES, AND CHIEFS AND DEPUTY CHIEFS OF THE CITY, AND DECLARING AN EMERGENCY.

23-44-A AN ORDINANCE SETTING COMPENSATION AND STATING POLICY WITH RESPECT TO CHIEFS AND DEPUTY CHIEFS OF THE CITY OF NEWARK, OHIO; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT WITH THIS ORDINANCE; AND DECLARING AN EMERGENCY

23-45-A AN ORDINANCE SETTING COMPENSATION AND STATING POLICY WITH RESPECT TO MANAGEMENT AND SUPERVISORY PERSONNEL OF THE CITY OF NEWARK, OHIO; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT WITH THIS ORDINANCE; AND DECLARING AN EMERGENCY.

23-46-A AN ORDINANCE SETTING COMPENSATION AND STATING POLICY WITH RESPECT TO HOURLY NON-BARGAINING EMPLOYEES OF THE CITY OF NEWARK, OHIO; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT WITH THIS ORDINANCE; AND DECLARING AN EMERGENCY.

23-47-A AN ORDINANCE ABOLISHING THE ADMINISTRATIVE TECHNICAL EXEMPT UNIT AND ABSORBING THREE POSITIONS CURRENTLY UNDER SAID UNIT INTO THE POLICIES AND PROVISIONS OF THE HOURLY NON-BARGAINING UNIT AND REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT WITH THIS ORDINANCE; AND DECLARING AN EMERGENCY.

RESOLUTIONS ON SECOND READING

There are none this meeting

RESOLUTIONS ON FIRST READING

23-70 Exp APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$405,754.88 -Approval of contract, salaries include wages and bonus, pension is on wages (not bonus) holiday and overtime) (\$6,664.00 -To pay invoice for outside Counsel)

23-71 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$184,254.50 -East side transmission water main construction project original \$3,250,000 funding through Ohio Builds Development of Developmental grant (total cost \$3,434,254.50)

23-72 A RESOLUTION AUTHORIZING AND DIRECTING THE AUDITOR OF THE CITY OF NEWARK TO PAY BILLS ON BEHALF OF THE CLERK OF COUNCIL PURSUANT TO SECTION 5705.41 (D), THEN AND NOW CERTIFICATION; AND DECLARING AN EMERGENCY.

23-73 A RESOLUTION CONSENTING TO AN ENTERPRISE ZONE ABATEMENT AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF LICKING COUNTY, OHIO AND THE HEATH-NEWARK-LICKING COUNTY PORT AUTHORITY AND AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO EXECUTE SUCH AGREEMENT ON BEHALF OF THE CITY OF NEWARK, OHIO AND DECLARING AN EMERGENCY.

COMMENTS FROM CITIZENS

MISCELLANEOUS

ADJOURNMENT

ORDINANCE NO. 23-21A

BY: _____

AN ORDINANCE CREATING A DOWNTOWN NEWARK TAX INCREMENT FINANCING INCENTIVE DISTRICT 1 AND DOWNTOWN NEWARK TAX INCREMENT FINANCING DISTRICT 2; DECLARING IMPROVEMENTS TO THE PARCELS WITHIN THE INCENTIVE DISTRICTS TO BE A PUBLIC PURPOSE AND EXEMPT FROM REAL PROPERTY TAXATION; REQUIRING THE OWNERS OF THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THOSE SERVICE PAYMENTS; SPECIFYING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT DIRECTLY BENEFIT THE PARCEL, AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code Sections 5709.40, 5709.42 and 5709.43 (collectively, the "Tax Increment Financing TIF Statutes") authorize a City Council, by ordinance, to declare the improvement to each parcel of real property to be a public purpose and exempt from taxation, require the owner of each parcel to make service payments in lieu of taxes, establish a redevelopment tax equivalent fund for the deposit of those service payments to be used to make payments to school districts affected by that exemption from taxation or to pay costs of constructing or repairing the public infrastructure improvements benefiting the parcels subject to that exemption from taxation, and specify public infrastructure improvements made or to be made or in the process of being made that directly benefit, or that once made will directly benefit, each parcel; and

WHEREAS, Ohio Revised Code Section 5709.40 (A) (5) permits a municipal corporation to adopt a TIF ordinance in an "Incentive district", which means an area not more than three hundred acres in size enclosed by a continuous boundary in which a project is being, or will be, undertaken, and at least fifty-one per cent of the residents of the district have incomes of less than eighty per cent of the median income of residents of the political subdivision in which the district is located, as determined in the same manner specified under section 119(b) of the "Housing and Community Development Act of 1974," 88 Stat. 633, 42 U.S.C. 5318, as amended, and; at least twenty per cent of the people residing in the district live at or below the poverty level as defined in the federal Housing and Community Development Act of 1974, 42 U.S.C. 5301, as amended, and regulations adopted pursuant to that act; and

WHEREAS, the Ohio Revised Code Section 5709.40 (C)(1) permits the legislative authority of a municipal corporation to adopt an ordinance creating an incentive district, delineate the boundary of the proposed district and specifically identify each parcel within the district, and declaring improvements to parcels within the district to be a public purpose unless the population of the municipal corporation exceeds twenty-five thousand, as shown by the most recent federal decennial census or includes a parcel that has been exempted from taxation under Ohio Rev. Code Sec. 5709.40 (B) or that is or has been within another district created under this

division, and permits the municipal corporation to adopt an ordinance that creates an incentive district if the sum of the taxable value of real property in the proposed district for the preceding tax year and the taxable value of all real property in the municipal corporation that would have been taxable in the preceding year were it not for the fact that the property was in an existing incentive district and therefore exempt from taxation exceeds twenty-five per cent of the taxable value of real property in the municipal corporation for the preceding tax year; and

WHEREAS, the Newark, Ohio City Council has determined to create the Downtown Newark Tax Incentive District 1 (the "Incentive District 1"), and the Downtown Newark Tax Incentive District 2 (the "Incentive District 2") the boundaries of which will be coextensive with the boundaries of, and will include, the parcels of real property specifically identified and depicted in **EXHIBIT A** attached hereto (as currently or subsequently configured, the "Parcels", with each of those parcels referred to herein individually as a "Parcel"); and

WHEREAS, this Council has determined to provide for the construction of the public infrastructure improvements described in **EXHIBIT B** attached hereto (the "Public Infrastructure Improvements"), which, once made, will directly benefit the Property; and

WHEREAS, the City Engineer has certified to the City that Incentive District 1 and Incentive District 2 are each less than 300 acres in size and enclosed by a contiguous boundary, as described in **EXHIBIT C** attached hereto; and

WHEREAS, the per capita income of Newark is \$27,845, which is 74% of the US per capita income of \$39,638 as of the 2016 American Community Survey making it a distressed area; and

WHEREAS, the poverty rate of Newark is 16.8% which is 30% higher than the US poverty rate of 11.6% making it a distressed area; and

WHEREAS, the Board of Education of the Newark City School District (the "School District"), has approved this Ordinance and waived their right to future notice as prescribed in Sections 5709.40(D)(3) of the Ohio Revised Code; and

WHEREAS, the Licking County Commissioners have certified this legislation by way of resolution _____ and approve the term of the exemption period proposed under the TIF; and

WHEREAS, the City conducted a public hearing on July 17, 2023 on this proposed ordinance, and notice has been given of the public hearing and the proposed ordinance by first class mail to every real property owner whose property is located within the boundaries of the proposed incentive district that is the subject of the proposed ordinance pursuant to section 5709.40(C)(2)(a) of the Revised Code; and

WHEREAS, this matter is declared to be an emergency for the immediate preservation of the public peace, health, safety, or welfare of the citizens of Newark in order to meet the project and contractor deadlines.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newark, Licking County, State of Ohio, that:

Section 1. Incentive District Projects: Creation of Incentive District. This Council finds and determines that forthcoming construction projects, including the renovation of the Historic Newark Arcade and a potential future development of the area known locally as the “Old Advocate Building,” will place additional demand on the Public Infrastructure Improvements. These multi-use plans include residential, commercial, and retail components which will significantly expand the City’s infrastructure needs and necessitate the construction of an off-street parking facility. This Council further finds that the sum of the taxable value of real property in the Incentive District for tax year 2022 and the taxable value of all real property in the City that would have been taxable in tax year 2022 were it not for the fact that the property was in an existing incentive district and therefore exemption from taxation, does not exceed twenty-five percent of the taxable value of real property within the City for tax year 2022. Pursuant to the TIF Statutes, this Council creates Incentive District 1 and Incentive District 2, the boundaries of which are coextensive with the boundaries of, and include, the Parcels specifically identified and depicted in **EXHIBIT A**.

Section 2. Public Infrastructure Improvements. This Council designates the Public Infrastructure Improvements described in **EXHIBIT B** attached hereto, and any other public infrastructure improvements hereafter designated by ordinance, as public infrastructure improvements made, to be made or in the process of being made by the City that benefit or serve, or that once made will benefit or serve, the Parcels.

Section 3. Authorization of Tax Exemption: Life of Incentive District. Pursuant to and in accordance with the provisions of Section 5709.40(C) of the Ohio Revised Code, this Council hereby declares that seventy-five percent 75% of the increase in assessed value of each Parcel subsequent to the effective date of this Ordinance (which increase in assessed value is hereinafter referred to as the "Improvement," as defined in Section 5709.40(A) of the Ohio Revised Code) is a public purpose and exempt from taxation for a period coextensive with the life of Incentive District 1 and Incentive District 2. The life of Incentive District 1 and Incentive District 2 commences with the first tax year that begins after the effective date of this Ordinance and in which an Improvement attributable to a new structure would first appear on the tax list and duplicate of real and public utility property for any Parcel within Incentive District 1 and Incentive District 2 were it not for the exemption granted in this Ordinance and ends on the earlier of (a) 30 years after such commencement or (b) the date on which the City can no longer require service payments in lieu of taxes, all in accordance with the requirements of the TIF Statutes. The City agrees that if the costs of financing the public infrastructure improvements are paid off prior to the TIF being in place for 30 years, it will apply Service Payments, not used to pay principal and interest payments on the City’s TIF Bond (the “Excess Service Payments”) as prescribed by the Newark City School Compensation Agreement marked as **EXHIBIT E** which was adopted by resolution marked as **EXHIBIT D**. Notwithstanding any other provision of this Ordinance, the exemption granted pursuant to this Section 3 and the payment obligations established pursuant to Section 4 of this Ordinance are subject and subordinate to any tax exemption applicable to the Improvement approved by the City pursuant to Sections 3735.65 through 3735.70 of the Ohio Revised Code.

Section 4. Service Payments and Property Tax Rollback Payments. Subject to any tax exemption applicable to the Improvement approved by the City pursuant to Sections 3735.65 through 3735.70 of the Ohio Revised Code, and pursuant to Section 5709.42 of the Ohio Revised Code, the owner of each Parcel is hereby required to make annual service payments in lieu of taxes with respect to the Improvement to that Parcel to the Treasurer of Licking County, Ohio (the "County Treasurer") on or before the final dates for payment of real property taxes. Each service payment in lieu of taxes, including any penalties and interest at the then current rate established for real property taxes (collectively, the "Service Payments"), will be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and payable against the Improvement if it were not exempt from taxation pursuant to Section 3 of this Ordinance. The Service Payments, and any other payments with respect to each Improvement that are received by the County Treasurer in connection with the reduction required by Sections 319.302, 321.24, 323.152 and 323.156 of the Ohio Revised Code, as the same may be amended from time to time, or any successor provisions thereto as the same may be amended from time to time (the "Property Tax Rollback Payments"), will be deposited and distributed in accordance with Section 6 of this Ordinance.

Section 5. TIF Fund. This City Council establishes, pursuant to and in accordance with the provisions of Ohio Revised Code Section 5709.43, the Downtown Newark Incentive District Municipal Public Improvement Tax Increment Equivalent Fund (the "TIF Fund"). The TIF Fund shall be maintained in the custody of the City and shall receive all distributions to be made to the City pursuant to Section 6 of this Ordinance. Those Service Payments and Property Tax Rollback Payments received by the City with respect to the Improvement of each Parcel and so deposited pursuant to Ohio Revised Code Section 5709.42 shall be used solely for the purposes authorized in the TIF Statutes or this Ordinance (as it may be amended or supplemented). The TIF Fund shall remain in existence so long as such Service Payments and Property Tax Rollback Payments are collected and used for the aforesaid purposes, after which time the TIF Fund shall be dissolved and any incidental surplus funds remaining therein transferred to the City's General Fund, all in accordance with Ohio Revised Code Section 5709.43.

Section 6. Distribution of Service Payments and Property Tax Rollback Payments. Pursuant to the TIF Statutes, the County Treasurer is requested to distribute the Service Payments and the Property Tax Rollback Payments to the City for deposit into the TIF Fund to be used to pay costs of the Public Infrastructure Improvements. All distributions required under this Section 6 are to be made at the same time and in the same manner as real property tax distributions.

Section 7. Non-Discriminatory Hiring Policy. In accordance with Section 5709.823 of the Ohio Revised Code, this Board hereby determines that no employer located upon the Parcel shall deny any individual employment based solely on the basis of race, religion, sex, disability, color, national origin or ancestry.

Section 8. Further Authorizations. This Council hereby authorizes and directs any of the Mayor, Safety-Service Director, Law Director and City Auditor or other appropriate officers of the City, to make such arrangements as are necessary and proper for collection of the Service Payments. This Council further hereby authorizes and directs the Mayor, Safety-Service

Director, Law Director and City Auditor or other appropriate officers of the City to prepare and sign all agreements and instruments and to take any other actions as may be appropriate to implement this Ordinance.

Section 9. Filings with Ohio Development Services Agency. Pursuant to Section 5709.40(I) of the Ohio Revised Code, the Clerk of this Council is hereby directed to deliver a copy of this Ordinance to the Director of the Ohio Department of Development within fifteen (15) days after its effective date. Further, and on or before March 31 of each year that the Exemption set forth in this Ordinance remains in effect, an authorized officer of the City shall prepare and submit to the Director of Development of the State of Ohio the status report required under Ohio Revised Code Section 5709.40(I).

Section 10. Tax Incentive Review Council. The Tax Incentive Review Council established by the County shall review annually all exemptions from taxation resulting from the declarations set forth in this Ordinance and any other such matters as may properly come before that Council, all in accordance with Section 5709.85 of the Ohio Revised Code.

Section 11. Open Meetings. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council or committees, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law, including Section 121.22 of the Ohio Revised Code.

Section 12. Effective Date. This matter is declared to be an emergency for the immediate preservation of the public peace, health, safety, or welfare of the citizens of Newark in order to meet the project and contractor deadlines. This Ordinance shall be in full force and effect immediately upon its adoption.

ADOPTED THIS _____ DAY OF _____, 2023.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

DATE FILED WITH MAYOR: _____

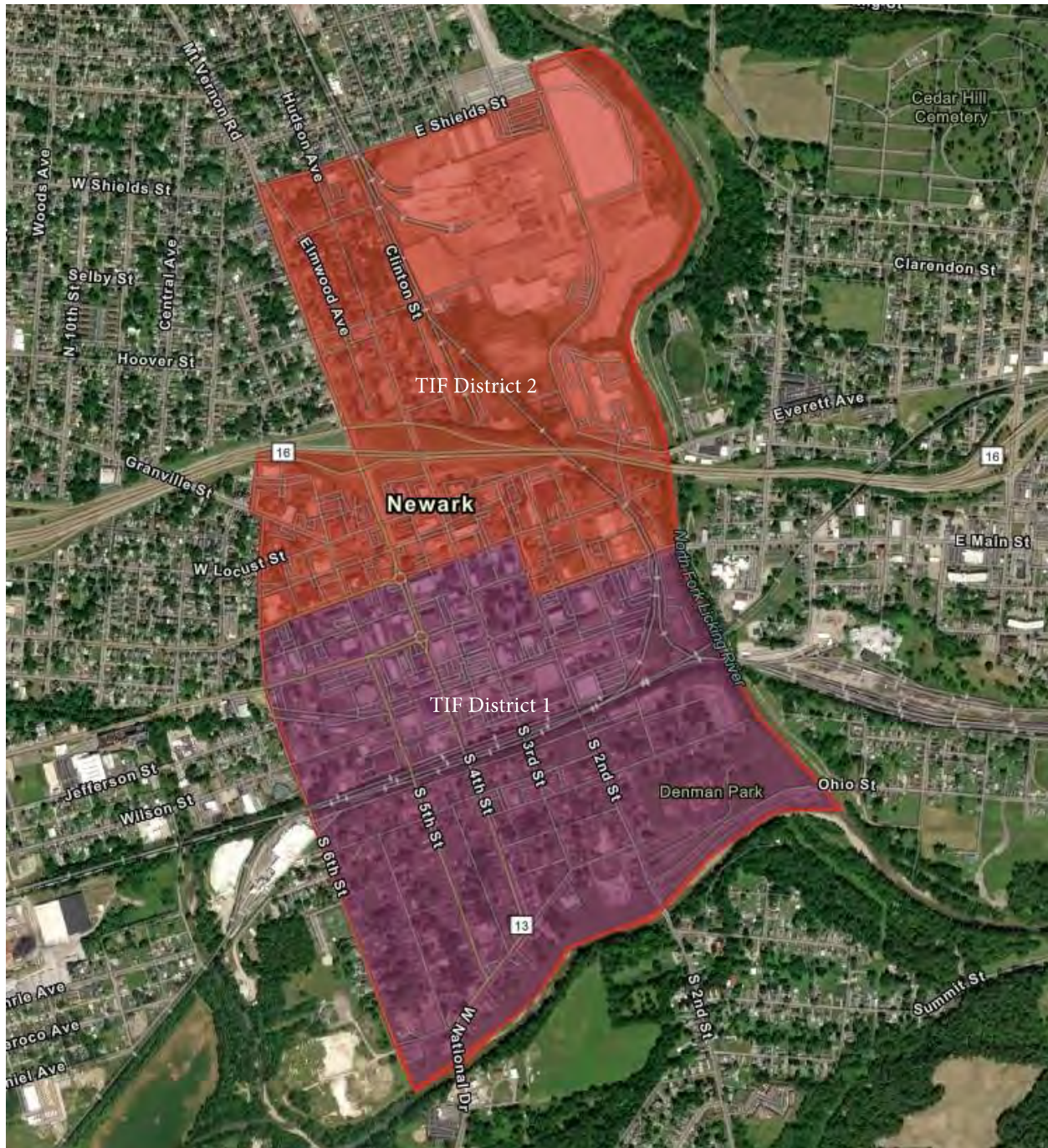
DATE APPROVED BY MAYOR: _____

MAYOR

APPROVED AS TO FORM:

TRICIA M. MOORE
DIRECTOR OF LAW

EXHIBIT A
IDENTIFICATION AND MAP OF TIF DISTRICT 1 AND 2 PARCELS



TIF DISTRICT 1 PARCELS

<u>054-201828-00.000</u>	<u>054-202914-00.000</u>	<u>054-205776-00.000</u>	<u>054-203478-00.000</u>	<u>054-202752-00.000</u>	<u>054-207954-00.000</u>
<u>054-211692-00.000</u>	<u>054-202866-00.000</u>	<u>054-207948-00.000</u>	<u>054-215166-00.000</u>	<u>054-202752-00.001</u>	<u>054-206748-00.000</u>
<u>054-216066-00.000</u>	<u>054-202308-00.000</u>	<u>054-203358-00.000</u>	<u>054-202590-00.000</u>	<u>054-202320-00.000</u>	<u>054-214638-00.000</u>
<u>054-202134-00.000</u>	<u>054-201678-00.000</u>	<u>054-202986-00.000</u>	<u>054-202560-00.000</u>	<u>054-201474-00.000</u>	<u>054-206388-00.000</u>
<u>054-209070-00.000</u>	<u>054-212880-00.000</u>	<u>054-202992-00.000</u>	<u>054-202098-00.000</u>	<u>054-202428-00.000</u>	<u>054-216576-00.000</u>
<u>054-282048-00.001</u>	<u>054-201750-00.000</u>	<u>054-203424-00.000</u>	<u>054-203310-00.001</u>	<u>054-187012-00.000</u>	<u>054-205278-00.000</u>
<u>054-203256-00.000</u>	<u>054-201444-00.000</u>	<u>054-211050-00.000</u>	<u>054-202200-00.000</u>	<u>054-202182-00.000</u>	<u>054-205290-00.000</u>
<u>054-201780-00.000</u>	<u>054-202254-00.000</u>	<u>054-213522-00.000</u>	<u>054-202056-00.000</u>	<u>054-211284-00.000</u>	<u>054-208560-00.000</u>
<u>054-282048-00.004</u>	<u>054-202260-00.000</u>	<u>054-209772-00.000</u>	<u>054-202188-00.000</u>	<u>054-202338-00.000</u>	<u>054-207450-00.000</u>
<u>054-203556-00.000</u>	<u>054-202266-00.000</u>	<u>054-211776-00.000</u>	<u>054-208152-00.000</u>	<u>054-202344-00.000</u>	<u>054-216582-00.000</u>
<u>054-202152-00.000</u>	<u>054-202524-00.000</u>	<u>054-203130-00.000</u>	<u>054-284362-30.000</u>	<u>054-214224-00.000</u>	<u>054-208164-00.000</u>
<u>054-211038-00.000</u>	<u>054-202530-00.000</u>	<u>054-202332-00.000</u>	<u>054-284362-31.000</u>	<u>054-202146-00.000</u>	<u>054-215340-00.000</u>
<u>054-203142-00.000</u>	<u>054-201768-00.000</u>	<u>054-201096-00.000</u>	<u>054-202746-00.000</u>	<u>054-210756-00.000</u>	<u>054-215346-00.000</u>
<u>054-282042-72.001</u>	<u>054-202434-00.000</u>	<u>054-203586-00.000</u>	<u>054-202554-00.000</u>	<u>054-202848-00.000</u>	<u>054-213720-00.000</u>
<u>054-201036-00.000</u>	<u>054-201942-00.000</u>	<u>054-215034-00.000</u>	<u>054-204156-00.000</u>	<u>054-203526-00.000</u>	<u>054-211068-00.000</u>
<u>054-214470-00.000</u>	<u>054-202674-00.000</u>	<u>054-202176-00.000</u>	<u>054-202098-00.000</u>	<u>054-204150-00.000</u>	<u>054-210876-00.000</u>
<u>054-201216-00.001</u>	<u>054-202980-00.000</u>	<u>054-204702-00.000</u>	<u>054-203532-00.000</u>	<u>054-205572-00.000</u>	<u>054-209532-00.000</u>
<u>054-203604-00.000</u>	<u>054-201504-00.000</u>	<u>054-187006-00.001</u>	<u>054-206502-00.000</u>	<u>054-202548-00.000</u>	<u>054-210102-00.000</u>
<u>054-201702-00.000</u>	<u>054-201798-00.000</u>	<u>054-209256-00.000</u>	<u>054-202044-00.000</u>	<u>054-203292-00.000</u>	<u>054-206184-00.000</u>
<u>054-201492-00.000</u>	<u>054-202032-00.000</u>	<u>054-204528-00.000</u>	<u>054-202014-00.000</u>	<u>054-202566-00.000</u>	<u>054-204144-00.000</u>
<u>054-202710-</u>	<u>054-202386-</u>	<u>054-201684-</u>	<u>054-205650-</u>	<u>054-203538-</u>	<u>054-209490-</u>

00.000	00.000	00.000	00.000	00.000	00.000
054-203466-00.000	054-202788-00.000	054-201498-00.000	054-201870-00.000	054-201618-00.000	054-205794-00.000
054-203094-00.000	054-203304-00.000	054-201690-00.000	054-202818-00.000	054-201834-00.000	054-209148-00.000
054-201894-00.000	054-202398-00.000	054-202212-00.000	054-202908-00.000	054-201840-00.000	054-214176-00.000
054-202062-00.000	054-201468-00.000	054-201810-00.000	054-203388-00.000	054-201642-00.000	054-216432-00.000
054-201540-00.000	054-201948-00.000	054-282098-02.000	054-205998-00.000	054-202158-00.000	054-204888-00.000
054-202500-00.000	054-215592-00.000	054-206916-00.000	054-211482-00.000	054-201654-00.000	054-205854-00.000
054-202734-00.000	054-211434-00.000	054-206538-00.000	054-211938-00.000	054-215334-00.000	054-203802-00.000
054-203448-00.000	054-214182-00.000	054-201270-00.000	054-201672-00.000	054-207912-00.000	054-211782-00.000
054-202092-00.000	054-213978-00.000	054-202674-00.007	054-212694-00.000	054-210168-00.000	054-213114-00.000
054-201624-00.000	054-206508-00.000	054-201288-00.000	054-214674-00.000	054-209862-00.000	054-210828-00.000
054-201630-00.000	054-213984-00.000	054-201360-00.000	054-209340-00.000	054-205338-00.000	054-208326-00.000
054-282098-00.000	054-214188-00.000	054-201396-00.000	054-216492-00.000	054-207018-00.000	054-208332-00.000
054-212454-01.000	054-205128-00.000	054-201348-00.000	054-210030-00.000	054-202674-00.003	054-211158-00.000
054-207282-00.000	054-213516-00.000	054-201030-00.000	054-211014-00.000	054-202674-00.006	054-212700-00.000
054-201738-00.000	054-215808-00.000	054-186932-00.000	054-212610-00.000	054-215280-01.000	054-212472-00.000
054-206178-00.000	054-208752-00.000	054-202674-00.000	054-206808-00.000	054-207978-00.000	054-205884-00.000
054-213852-00.000	054-205158-00.000	054-202674-00.002	054-210840-00.000	054-205626-00.000	054-206196-00.000
054-209424-00.000	054-216198-00.000	054-201162-00.000	054-211446-00.000	054-204570-00.000	054-216006-00.000
054-215436-00.000	054-207702-00.000	054-201024-00.000	054-210744-00.000	054-205260-00.000	054-216438-00.000
054-206286-00.000	054-209388-00.000	054-201000-00.000	054-204810-00.000	054-207024-00.000	054-216510-00.000
054-205560-00.000	054-213252-00.000	054-201006-00.000	054-204720-00.000	054-205044-00.000	054-204312-00.000

054-212166-00.000	054-208422-00.000	054-200886-00.000	054-209682-00.000	054-206886-00.000	054-215682-00.000
054-207714-00.000	054-205686-00.000	054-207978-01.000	054-214722-00.000	054-214422-00.000	054-212268-00.000
054-211668-00.000	054-212922-00.000	054-207978-02.000	054-215292-00.000	054-214680-00.000	054-209664-00.000
054-216564-00.000	054-207924-00.000	054-210426-00.000	054-215964-00.000	054-207168-00.000	054-216354-00.000
054-210822-00.000	054-207360-00.000	054-207438-00.000	054-204228-00.000	054-206040-00.000	054-208110-00.000
054-215760-00.000	054-214050-00.000	054-214794-00.000	054-209592-00.000	054-206154-00.000	054-205932-00.000
054-215526-00.000	054-186700-00.000	054-215094-00.000	054-209442-00.000	054-209844-00.000	054-216042-00.000
054-215568-00.000	054-206484-00.000	054-206874-00.000	054-201084-00.000	054-214212-00.000	054-213120-00.000
054-215658-00.000	054-186986-00.000	054-207978-04.000	054-206418-00.000	054-210270-00.000	054-208392-00.000
054-215700-00.000	054-204744-00.000	054-204096-00.000	054-213156-00.000	054-212436-00.000	054-206172-00.000
054-210918-00.000	054-212412-00.000	054-205206-00.000	054-206952-00.000	054-210126-00.000	054-204276-00.000
054-210024-00.000	054-208866-00.000	054-206370-00.000	054-205170-00.000	054-216348-00.000	054-212766-00.000
054-214476-00.000	054-211008-00.000	054-214086-00.000	054-214122-00.000	054-203826-00.000	054-215646-00.000
054-210018-00.000	054-208566-00.000	054-208770-00.000	054-213108-00.000	054-211164-00.000	054-206568-00.000
054-215742-00.000	054-215382-00.000	054-209316-00.000	054-203106-00.000	054-214596-00.000	054-210702-00.000
054-213144-00.000	054-201186-00.000	054-214446-00.000	054-208614-00.000	054-215046-00.000	054-204354-00.000
054-211380-00.000	054-201192-00.000	054-207054-00.000	054-213804-00.000	054-207330-00.000	054-207102-00.000
054-210912-00.000	054-215388-00.000	054-212424-00.000	054-212100-00.000	054-214566-00.000	054-206406-00.000
054-205014-00.000	054-213090-00.000	054-209304-00.000	054-211560-00.000	054-207414-00.000	054-212256-00.000
054-216228-00.000	054-201090-00.000	054-209322-00.000	054-211152-00.000	054-210768-00.000	054-216216-00.000
054-208446-00.000	054-204816-00.000	054-210162-00.000	054-207654-00.000	054-209790-00.000	054-204846-00.000
054-216222-	054-201126-	054-208206-	054-210054-	054-216210-	054-205182-

00.000	00.000	00.000	00.000	00.000	00.000
054-210042-00.000	054-206352-00.000	054-216504-00.000	054-213042-00.000	054-211860-00.000	054-215394-00.000
054-210456-00.000	054-214170-00.000	054-206892-00.000	054-206004-00.000	054-215454-00.000	054-210972-00.000
054-208950-00.000	054-210450-00.000	054-208848-00.000	054-209952-00.000	054-209820-00.000	054-209094-00.000
054-205320-00.000	054-206340-00.000	054-213672-00.000	054-200934-00.000	054-212400-00.000	054-211110-00.000
054-204624-00.000	054-202464-00.000	054-213678-00.000	054-200940-00.000	054-212742-00.000	054-209622-00.000
054-204204-00.000	054-211704-00.000	054-201462-00.000	054-201264-00.000	054-216306-00.000	054-205722-00.000
054-215370-00.000	054-209406-00.000	054-216048-00.000	054-200874-00.000	054-206736-00.000	054-208710-00.000
054-209670-00.000	054-210132-00.000	054-206802-00.000	054-201072-00.000	054-207846-00.000	054-215358-00.000
054-214464-00.000	054-204564-00.000	054-208044-00.000	054-202674-00.001	054-203484-00.000	054-211476-00.000
054-206574-00.000	054-214620-00.000	054-211758-00.000	054-200964-00.000	054-215058-00.000	054-209964-00.000
054-214044-00.000	054-206436-00.000	054-213006-00.000	054-200970-00.000	054-216330-00.000	054-208098-00.000
054-204936-00.000	054-216390-00.000	054-207894-00.000	054-201264-00.001	054-211464-00.000	054-214692-00.000
054-212640-00.000	054-213618-00.000	054-209328-00.000	054-200898-00.000	054-212454-00.000	054-216552-00.000
054-215364-00.000	054-216102-00.000	054-213396-00.000	054-187010-00.000	054-208242-00.000	054-207480-00.000
054-210750-00.000	054-213690-00.000	054-212418-00.000	054-204906-00.000	054-205458-00.000	054-207084-00.000
054-213756-00.000	054-212274-00.000	054-207888-00.000	054-204864-00.000	054-203486-00.000	054-211752-00.000
054-208860-00.000	054-212616-00.000	054-206118-00.000	054-216060-00.000	054-214896-00.000	054-215274-00.000
054-207900-00.000	054-205692-00.000	054-210228-00.000	054-216060-00.001	054-214974-00.000	054-209034-00.000
054-216486-00.000	054-211968-00.000	054-208182-00.000	054-206034-00.000	054-209286-00.000	054-214356-00.000
054-201216-00.000	054-214602-00.000	054-209712-00.000	054-210942-00.000	054-210966-00.000	054-210276-00.000
054-215280-00.000	054-204828-00.000	054-215802-00.000	054-205008-00.000	054-205902-00.000	054-206640-00.000

054-209082-00.000	054-204516-00.000	054-214650-00.000	054-206244-00.000	054-209160-00.000	054-214956-00.000
054-214062-00.000	054-211092-00.000	054-205026-00.000	054-204882-00.000	054-208248-00.000	054-207966-00.000
054-215604-00.000	054-207180-00.000	054-214362-00.000	054-212676-00.000	054-205062-00.000	054-203406-00.000
054-215622-00.000	054-212070-00.000	054-204012-00.000	054-207300-00.000	054-214782-00.000	054-215142-00.000
054-214230-00.000	054-215598-00.000	054-211512-00.000	054-212580-00.000	054-204672-00.000	054-205188-00.000
054-208158-00.000	054-214458-00.000	054-206382-00.000	054-214626-00.000	054-206130-00.000	054-212316-00.000
054-206148-00.000	054-204438-00.000	054-204024-00.000	054-211116-00.000	054-210606-00.000	054-214518-00.000
054-204786-00.000	054-215586-00.000	054-213204-00.000	054-203022-00.000	054-209436-00.000	054-209274-00.000
054-212280-00.000	054-210138-00.000	054-212148-00.000	054-203040-00.000	054-212928-00.000	054-209628-00.000
054-210864-00.000	054-204930-00.000	054-206316-00.000	054-282098-05.000	054-204288-00.000	054-206712-00.000
054-206544-00.000	054-214452-00.000	054-214962-00.000	054-204606-00.000	054-211566-00.000	054-206700-00.000
054-206550-00.000	054-208866-00.001	054-207216-00.000	054-208104-00.000	054-209796-00.000	054-206706-00.000
054-211140-00.000	054-214248-00.000	054-215850-00.000	054-204300-00.000	054-209856-00.000	054-214374-00.000
054-205968-00.000	054-214866-00.000	054-203010-00.000	054-206880-00.000	054-204066-00.000	
054-208170-00.000	054-214416-00.000	054-203004-00.000	054-186880-00.000	054-215982-00.000	
054-204030-00.000	054-208722-00.000	054-203082-00.000	054-206220-00.000	054-209736-00.000	
054-210510-00.000	054-210936-00.000	054-204126-00.000	054-210396-00.000	054-212088-00.000	
054-207984-00.000	054-205356-00.000	054-207246-00.000	054-201132-00.000	054-209016-00.000	
054-208344-00.000	054-214656-00.000	054-204660-00.000	054-215334-00.001	054-204918-00.000	
054-207078-00.000	054-206646-00.000	054-204654-00.000	054-209688-00.000	054-216114-00.000	
054-216318-00.000	054-210486-00.000	054-214752-00.000	054-214404-00.000	054-204552-00.000	
054-214536-	054-205998-	054-211056-	054-209940-	054-203808-	

00.000	00.000	00.000	00.000	00.000	
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TIF DISTRICT 2 PARCELS

<u>054-201762-</u> <u>00.000</u>	<u>054-264408-</u> <u>00.000</u>	<u>054-275454-</u> <u>00.000</u>	<u>054-275046-</u> <u>00.000</u>	<u>054-261438-</u> <u>00.000</u>	<u>054-281562-</u> <u>00.001</u>
<u>054-206556-</u> <u>00.000</u>	<u>054-264504-</u> <u>00.000</u>	<u>054-275472-</u> <u>00.000</u>	<u>054-279096-</u> <u>00.000</u>	<u>054-261438-</u> <u>01.000</u>	<u>054-277146-</u> <u>00.000</u>
<u>054-203364-</u> <u>00.000</u>	<u>054-264978-</u> <u>00.001</u>	<u>054-275850-</u> <u>00.000</u>	<u>054-273366-</u> <u>00.000</u>	<u>054-261438-</u> <u>00.000</u>	<u>054-280764-</u> <u>00.000</u>
<u>054-201882-</u> <u>00.000</u>	<u>054-202008-</u> <u>00.000</u>	<u>054-281232-</u> <u>00.000</u>	<u>054-281070-</u> <u>00.000</u>	<u>054-268812-</u> <u>00.000</u>	<u>054-281832-</u> <u>00.000</u>
<u>054-202662-</u> <u>00.000</u>	<u>054-186508-</u> <u>00.000</u>	<u>054-274926-</u> <u>00.000</u>	<u>054-279900-</u> <u>00.000</u>	<u>054-268812-</u> <u>00.000</u>	<u>054-274704-</u> <u>00.000</u>
<u>054-186868-</u> <u>00.000</u>	<u>054-208284-</u> <u>00.000</u>	<u>054-280914-</u> <u>00.000</u>	<u>054-279114-</u> <u>00.000</u>	<u>054-269772-</u> <u>00.000</u>	<u>054-281274-</u> <u>00.000</u>
<u>054-202536-</u> <u>00.000</u>	<u>054-186536-</u> <u>00.000</u>	<u>054-279600-</u> <u>00.000</u>	<u>054-271740-</u> <u>00.000</u>	<u>054-269772-</u> <u>00.000</u>	<u>054-276798-</u> <u>00.000</u>
<u>054-202884-</u> <u>00.000</u>	<u>054-202800-</u> <u>00.000</u>	<u>054-271728-</u> <u>00.000</u>	<u>054-281970-</u> <u>00.000</u>	<u>054-268560-</u> <u>00.000</u>	<u>054-270078-</u> <u>00.000</u>
<u>054-212880-</u> <u>00.000</u>	<u>054-245410-</u> <u>00.000</u>	<u>054-280122-</u> <u>00.000</u>	<u>054-272364-</u> <u>00.000</u>	<u>054-202812-</u> <u>00.000</u>	<u>054-267646-</u> <u>00.000</u>
<u>054-186802-</u> <u>00.000</u>	<u>054-202800-</u> <u>00.000</u>	<u>054-275988-</u> <u>00.000</u>	<u>054-281106-</u> <u>00.000</u>	<u>054-201564-</u> <u>00.000</u>	<u>054-270804-</u> <u>00.000</u>
<u>054-202308-</u> <u>00.000</u>	<u>054-186982-</u> <u>00.000</u>	<u>054-276924-</u> <u>00.000</u>	<u>054-278916-</u> <u>00.000</u>	<u>054-202920-</u> <u>00.000</u>	<u>054-274782-</u> <u>00.000</u>
<u>054-202476-</u> <u>00.001</u>	<u>054-201180-</u> <u>00.000</u>	<u>054-274812-</u> <u>00.000</u>	<u>054-274710-</u> <u>00.000</u>	<u>054-264708-</u> <u>00.001</u>	<u>054-273246-</u> <u>00.000</u>
<u>054-202770-</u> <u>00.000</u>	<u>054-208974-</u> <u>00.000</u>	<u>054-277410-</u> <u>00.000</u>	<u>054-279942-</u> <u>00.000</u>	<u>054-268914-</u> <u>00.000</u>	<u>054-273486-</u> <u>00.000</u>
<u>054-202476-</u> <u>00.001</u>	<u>054-186980-</u> <u>00.000</u>	<u>054-276456-</u> <u>00.000</u>	<u>054-271818-</u> <u>00.000</u>	<u>054-186518-</u> <u>00.000</u>	<u>054-274290-</u> <u>00.000</u>
<u>054-202770-</u> <u>00.000</u>	<u>054-268272-</u> <u>00.000</u>	<u>054-279060-</u> <u>00.000</u>	<u>054-273600-</u> <u>00.000</u>	<u>054-201564-</u> <u>00.000</u>	<u>054-272142-</u> <u>00.000</u>
<u>054-203430-</u> <u>00.000</u>	<u>054-201756-</u> <u>00.000</u>	<u>054-278850-</u> <u>00.000</u>	<u>054-270582-</u> <u>00.000</u>	<u>054-202812-</u> <u>00.000</u>	<u>054-280524-</u> <u>00.000</u>
<u>054-203430-</u> <u>00.001</u>	<u>054-263670-</u> <u>00.000</u>	<u>054-278178-</u> <u>00.000</u>	<u>054-279828-</u> <u>00.000</u>	<u>054-202920-</u> <u>00.000</u>	<u>054-275622-</u> <u>00.000</u>
<u>054-203430-</u> <u>00.002</u>	<u>054-186908-</u> <u>00.000</u>	<u>054-278190-</u> <u>00.000</u>	<u>054-270672-</u> <u>00.000</u>	<u>054-253242-</u> <u>00.001</u>	<u>054-276372-</u> <u>00.000</u>
<u>054-203430-</u> <u>00.003</u>	<u>054-203982-</u> <u>00.000</u>	<u>054-278184-</u> <u>00.000</u>	<u>054-276384-</u> <u>00.000</u>	<u>054-264708-</u> <u>00.001</u>	<u>054-271572-</u> <u>00.000</u>
<u>054-203430-</u> <u>00.004</u>	<u>054-208704-</u> <u>00.000</u>	<u>054-276888-</u> <u>00.000</u>	<u>054-279978-</u> <u>00.000</u>	<u>054-268914-</u> <u>00.000</u>	<u>054-278172-</u> <u>00.000</u>

<u>054-203430-00.005</u>	<u>054-211488-00.000</u>	<u>054-279612-00.000</u>	<u>054-279792-00.000</u>	<u>054-276120-00.000</u>	<u>054-273288-00.000</u>
<u>054-203430-00.006</u>	<u>054-215016-00.000</u>	<u>054-271992-00.000</u>	<u>054-278784-00.000</u>	<u>054-279384-00.000</u>	<u>054-273318-00.000</u>
<u>054-203430-00.007</u>	<u>054-210798-00.000</u>	<u>054-275394-00.000</u>	<u>054-270654-00.000</u>	<u>054-277848-00.000</u>	<u>054-274920-00.000</u>
<u>054-203430-00.000</u>	<u>054-215022-00.000</u>	<u>054-277476-00.000</u>	<u>054-277056-00.000</u>	<u>054-281586-00.000</u>	<u>054-279432-00.000</u>
<u>054-203430-00.001</u>	<u>054-215130-00.000</u>	<u>054-281550-00.000</u>	<u>054-279918-00.000</u>	<u>054-272766-00.000</u>	<u>054-278274-00.000</u>
<u>054-203430-00.002</u>	<u>054-202644-00.000</u>	<u>054-279360-00.000</u>	<u>054-276984-00.000</u>	<u>054-278202-00.000</u>	<u>054-280452-00.000</u>
<u>054-203430-00.003</u>	<u>054-203976-00.000</u>	<u>054-273660-00.000</u>	<u>054-273162-00.000</u>	<u>054-277920-00.000</u>	<u>054-270516-00.000</u>
<u>054-203430-00.004</u>	<u>054-202050-00.000</u>	<u>054-279426-00.000</u>	<u>054-270222-00.000</u>	<u>054-279570-00.000</u>	<u>054-270942-00.000</u>
<u>054-203430-00.005</u>	<u>054-202380-00.000</u>	<u>054-272370-00.000</u>	<u>054-276282-00.000</u>	<u>054-277656-00.000</u>	<u>054-270942-00.003</u>
<u>054-203430-00.006</u>	<u>054-202776-00.000</u>	<u>054-274212-00.000</u>	<u>054-276660-00.000</u>	<u>054-279108-00.000</u>	<u>054-270942-00.008</u>
<u>054-203430-00.007</u>	<u>054-259530-00.001</u>	<u>054-277878-00.000</u>	<u>054-274452-00.000</u>	<u>054-279102-00.000</u>	<u>054-270942-00.010</u>
<u>054-186500-00.000</u>	<u>054-276786-00.000</u>	<u>054-275562-00.000</u>	<u>054-277596-00.000</u>	<u>054-271566-00.000</u>	<u>054-278802-00.000</u>
<u>054-202506-00.000</u>	<u>054-273570-00.000</u>	<u>054-277896-00.000</u>	<u>054-276522-00.000</u>	<u>054-279810-00.000</u>	<u>054-279168-00.000</u>
<u>054-202614-00.000</u>	<u>054-271218-00.000</u>	<u>054-279666-00.000</u>	<u>054-272178-00.000</u>	<u>054-279816-00.000</u>	<u>054-281316-00.000</u>
<u>054-202614-00.000</u>	<u>054-271734-00.000</u>	<u>054-273654-00.000</u>	<u>054-274668-00.000</u>	<u>054-274200-00.000</u>	<u>054-272412-00.000</u>
<u>054-202476-00.000</u>	<u>054-271914-00.000</u>	<u>054-273876-00.000</u>	<u>054-282024-00.000</u>	<u>054-274020-00.000</u>	<u>054-279912-00.000</u>
<u>054-202476-00.000</u>	<u>054-272508-00.000</u>	<u>054-281022-00.000</u>	<u>054-275334-00.000</u>	<u>054-278736-00.000</u>	<u>054-273072-00.000</u>
<u>054-201258-00.000</u>	<u>054-280368-00.000</u>	<u>054-277116-00.000</u>	<u>054-272160-00.000</u>	<u>054-280938-00.000</u>	<u>054-278904-00.000</u>
<u>054-201768-00.000</u>	<u>054-279354-00.000</u>	<u>054-273126-00.000</u>	<u>054-275166-00.000</u>	<u>054-274524-00.000</u>	<u>054-280338-00.000</u>
<u>054-200994-00.000</u>	<u>054-270630-00.000</u>	<u>054-278742-00.000</u>	<u>054-275724-00.000</u>	<u>054-277716-00.000</u>	<u>054-280002-00.000</u>
<u>054-200964-00.000</u>	<u>054-272460-00.000</u>	<u>054-277728-00.000</u>	<u>054-278784-00.001</u>	<u>054-276768-00.000</u>	<u>054-272922-00.000</u>
<u>054-202674-00.001</u>	<u>054-272448-00.000</u>	<u>054-279510-00.000</u>	<u>054-279774-00.000</u>	<u>054-273834-00.000</u>	<u>054-280884-00.000</u>
<u>054-202674-00.002</u>	<u>054-272430-00.000</u>	<u>054-202416-00.000</u>	<u>054-280021-00.000</u>	<u>054-272208-00.000</u>	<u>054-277032-00.000</u>

<u>054-202674-00.003</u>	<u>054-272436-00.000</u>	<u>054-206442-00.000</u>	<u>054-281406-00.000</u>	<u>054-280098-00.000</u>	<u>054-275820-00.000</u>
<u>054-202674-00.004</u>	<u>054-273966-00.000</u>	<u>054-213768-00.000</u>	<u>054-276240-00.000</u>	<u>054-274398-00.000</u>	<u>054-273336-00.000</u>
<u>054-202674-00.005</u>	<u>054-273354-00.000</u>	<u>054-207708-00.000</u>	<u>054-276240-00.000</u>	<u>054-272022-00.000</u>	<u>054-273804-00.000</u>
<u>054-202674-00.006</u>	<u>054-272472-00.000</u>	<u>054-208014-00.000</u>	<u>054-201252-00.000</u>	<u>054-271446-00.000</u>	<u>054-273330-00.000</u>
<u>054-202854-00.000</u>	<u>054-272478-00.000</u>	<u>054-206430-00.000</u>	<u>054-206742-00.000</u>	<u>054-274008-00.000</u>	<u>054-277506-00.000</u>
<u>054-202452-00.001</u>	<u>054-276648-00.000</u>	<u>054-206298-00.000</u>	<u>054-206742-00.000</u>	<u>054-274002-00.000</u>	<u>054-272874-00.000</u>
<u>054-202452-00.001</u>	<u>054-281856-00.000</u>	<u>054-259446-00.000</u>	<u>054-212124-00.000</u>	<u>054-280608-00.000</u>	<u>054-273360-00.000</u>
<u>054-201900-00.000</u>	<u>054-272442-00.000</u>	<u>054-259740-00.000</u>	<u>054-212124-00.000</u>	<u>054-279534-00.000</u>	<u>054-281784-00.000</u>
<u>054-201210-00.000</u>	<u>054-274674-00.000</u>	<u>054-264918-00.000</u>	<u>054-270258-00.000</u>	<u>054-270120-00.000</u>	<u>054-277206-00.000</u>
<u>054-186616-00.000</u>	<u>054-275052-00.000</u>	<u>054-264390-00.000</u>	<u>054-279660-01.000</u>	<u>054-270006-00.000</u>	<u>054-271542-00.000</u>
<u>054-259668-00.000</u>	<u>054-276480-00.000</u>	<u>054-263682-00.000</u>	<u>054-270258-00.000</u>	<u>054-270186-00.000</u>	<u>054-280824-00.000</u>
<u>054-282084-01.000</u>	<u>054-273906-00.000</u>	<u>054-264384-00.000</u>	<u>054-279660-01.000</u>	<u>054-269958-00.000</u>	<u>054-273372-00.000</u>
<u>054-259524-00.000</u>	<u>054-281376-00.000</u>	<u>054-267546-00.000</u>	<u>054-201450-00.000</u>	<u>054-269964-00.000</u>	<u>054-274068-00.000</u>
<u>054-201582-00.000</u>	<u>054-278718-00.000</u>	<u>054-262428-00.000</u>	<u>054-201450-00.000</u>	<u>054-276084-00.000</u>	<u>054-277956-00.000</u>
<u>054-200970-00.000</u>	<u>054-280716-00.000</u>	<u>054-186626-00.000</u>	<u>054-208944-00.000</u>	<u>054-277266-00.000</u>	<u>054-273378-00.000</u>
<u>054-201570-00.000</u>	<u>054-276774-00.000</u>	<u>054-259758-00.000</u>	<u>054-201588-00.000</u>	<u>054-277272-00.000</u>	<u>054-280188-00.000</u>
<u>054-201576-00.000</u>	<u>054-274956-00.000</u>	<u>054-259716-00.000</u>	<u>054-201588-00.000</u>	<u>054-281904-00.000</u>	-
<u>054-201582-00.000</u>	<u>054-273252-00.000</u>	<u>054-186610-00.000</u>	<u>054-208944-00.000</u>	<u>054-277278-00.000</u>	-
<u>054-202650-00.000</u>	<u>054-275664-00.000</u>	<u>054-263688-00.000</u>	<u>054-259560-00.000</u>	<u>054-278658-00.000</u>	-
<u>054-203358-00.000</u>	<u>054-279624-00.000</u>	<u>054-186622-01.001</u>	<u>054-267792-00.000</u>	<u>054-275178-00.000</u>	-
<u>054-259770-00.000</u>	<u>054-272466-00.000</u>	<u>054-270228-00.000</u>	<u>054-259560-00.000</u>	<u>054-278790-00.000</u>	-
<u>054-265674-00.000</u>	<u>054-280440-00.000</u>	<u>054-274752-00.000</u>	<u>054-268554-00.000</u>	<u>054-275304-00.000</u>	-
<u>054-266670-00.000</u>	<u>054-280326-00.000</u>	<u>054-273468-00.000</u>	<u>054-261984-00.000</u>	<u>054-280362-00.000</u>	-

<u>054-186620-</u> <u>00.000</u>	<u>054-280032-</u> <u>00.000</u>	<u>054-270096-</u> <u>00.000</u>	<u>054-261984-</u> <u>00.000</u>	<u>054-274026-</u> <u>00.000</u>	-
<u>054-186622-</u> <u>00.000</u>	<u>054-271710-</u> <u>00.000</u>	<u>054-279090-</u> <u>00.000</u>	<u>054-261870-</u> <u>00.000</u>	<u>054-270942-</u> <u>00.001</u>	-
<u>054-263568-</u> <u>00.000</u>	<u>054-276678-</u> <u>00.000</u>	<u>054-269970-</u> <u>00.000</u>	<u>054-261870-</u> <u>00.000</u>	<u>054-272190-</u> <u>00.000</u>	-
-	<u>054-279930-</u> <u>00.000</u>	<u>054-280410-</u> <u>00.000</u>	<u>054-264288-</u> <u>00.000</u>	<u>054-279882-</u> <u>00.000</u>	-
-	<u>054-274038-</u> <u>00.000</u>	<u>054-272880-</u> <u>00.000</u>	<u>054-264288-</u> <u>00.000</u>	<u>054-277794-</u> <u>00.000</u>	-
-	<u>054-280770-</u> <u>00.000</u>	<u>054-281412-</u> <u>00.000</u>	<u>054-269214-</u> <u>00.000</u>	<u>054-271578-</u> <u>00.000</u>	-
-	<u>054-274344-</u> <u>00.000</u>	<u>054-279774-</u> <u>00.001</u>	<u>054-264396-</u> <u>00.000</u>	<u>054-272130-</u> <u>00.001</u>	-
-	<u>054-281466-</u> <u>00.000</u>	<u>054-275880-</u> <u>00.000</u>	<u>054-264396-</u> <u>00.000</u>	<u>054-272550-</u> <u>00.000</u>	-

EXHIBIT B
TAX INCREMENT FINANCING DISTRICT
PUBLIC INFRASTRUCTURE IMPROVEMENTS

The Public Infrastructure Improvements include any of the following improvements that will directly benefit the District(s) and all related financing costs of those permanent improvements: includes, but is not limited to, public roads and highways; water and sewer lines; the continued maintenance of those public roads and highways and water and sewer lines; environmental remediation; land acquisition, including acquisition in aid of industry, commerce, distribution, or research; demolition, including demolition on private property when determined to be necessary for economic development purposes; stormwater and flood remediation projects, including such projects on private property when determined to be necessary for public health, safety, and welfare; the provision of gas, electric, and communications service facilities, including the provision of gas or electric service facilities owned by nongovernmental entities when such improvements are determined to be necessary for economic development purposes; the enhancement of public waterways through improvements that allow for greater public access; and off-street parking facilities, including those in which all or a portion of the parking spaces are reserved for specific uses when determined to be necessary for economic development purposes.

CITY OF NEWARK, OHIO

ORDINANCE NO. 23-33

TO PROVIDE FOR THE ISSUANCE OF NOT TO EXCEED \$720,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING A PORTION OF THE COST OF BURIAL OF OVERHEAD ELECTRIC, CABLE AND TELEPHONE LINES, INCLUDING EASEMENT ACQUISITION AND ALLEY REPAIRS, AND ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

WHEREAS, the fiscal officer of the City of Newark has heretofore estimated that the life of the project hereinafter described is at least five (5) years, and certified that the maximum maturity of the bonds issued therefor is twenty (20) years, and of the notes to be issued in anticipation thereof as twenty (20) years; and

WHEREAS, notes heretofore issued in anticipation of such bonds in the amount of \$305,000 are about to mature and should be renewed in a principal amount not to exceed \$720,000;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newark (hereinafter called the "City" or the "Municipality"), Licking County, Ohio:

SECTION 1. That it is necessary to issue bonds in the principal amount of not to exceed \$720,000 for the purpose of paying a portion of the cost of burial of overhead electric, cable and telephone lines, including easement acquisition and alley repairs, and all necessary appurtenances thereto. Said bonds shall be dated approximately September 1, 2024, shall bear interest at the rate now estimated at six per centum (6.00%) per annum and shall mature in substantially equal annual or semiannual installments over a period not exceeding twenty (20) years after their issuance.

SECTION 2. That it is hereby determined that renewal notes (hereinafter called the "Notes") in the principal amount of not to exceed \$720,000 shall be issued in anticipation of the issuance of said bonds to pay for outstanding notes maturing and to provide additional project funds.

SECTION 3. That the Notes shall be dated their date of issuance, shall bear interest at a rate of interest not to exceed six per centum (6.00%) per annum, without further action of this Council, to be evidenced by the execution and delivery of the Notes as herein provided, payable at maturity, and until the principal sum is paid, and shall mature not more than one year from date of issuance, and shall be of the denominations of \$100,000 and integral multiples of \$1,000 in excess thereof; and shall be sold only to sophisticated investors.

SECTION 4. That for purposes of this ordinance, the following terms shall have the following meanings:

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

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

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

"Ordinance" means this ordinance.

All or any portion of the notes may be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply to such notes, notwithstanding any other provision of this Ordinance. If and as long as a book entry system is utilized with respect to any of such notes: (i) there shall be a single note of each maturity; (ii) those notes shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners of notes in book entry form shall have no right to receive notes in the form of physical securities or certificates; (iv) ownership of beneficial interests in any notes 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 beneficial interests shall be made only by book entry by the Depository and its Participants; and (v) the notes 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 this Council. Debt service charges on notes in book entry form registered in the name of a Depository or its nominee shall be payable in the manner provided in this Council's agreement with the Depository to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of notes as provided in this Ordinance.

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

The City Auditor is authorized and directed without further action of this Council to execute, acknowledge and deliver, in the name of and on behalf of this Council, a blanket letter agreement between this Council and The Depository Trust Company, as Depository, to be delivered in connection with the issuance of the notes to the Depository for use in a book entry system, and to take all other actions the City Auditor deems appropriate in issuing the notes under a book entry system.

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

SECTION 5. That the Notes shall be executed by the Mayor and City Auditor, provided that one of such signatures may be a facsimile signature, and may bear the seal of the Municipality. The Notes shall be designated "Downtown Overhead Utility Burial Project Bond Anticipation Notes (Second Renewal)" and shall be payable at the office of a financial institution approved by the City Auditor and shall express upon their faces the purpose for which they are issued and that they are issued in pursuance of this Ordinance and the City Charter.

SECTION 6. That the Notes shall be sold by the City Auditor to Northland Securities, Inc., Powell, Ohio, such sale to be made at not less than par and accrued interest. The City Auditor is authorized to execute a certificate awarding the notes with terms conforming to the terms of this Ordinance. The proceeds from such sale, except any premium or accrued interest thereon, shall be paid into the proper fund and used for the purpose aforesaid and for no other purpose, and for which purpose said proceeds are hereby appropriated. Any premium and accrued interest received by the City shall be transferred to the bond retirement fund to be applied to the payment of principal and interest of the Notes in the manner provided by law.

SECTION 7. That the Notes shall be the full general obligations of the Municipality, and the full faith, credit and revenue of the Municipality are hereby pledged for the prompt payment of the same. The par value received from the sale of bonds anticipated by the Notes, and any excess fund resulting from the issuance of the Notes, shall to the extent necessary be used only for the retirement of the Notes at maturity, together with interest thereon and is hereby pledged for such purpose.

SECTION 8. That during the period while the Notes run there shall be levied upon all of the taxable property in the Municipality within applicable limitations, in addition to all other taxes, a direct tax annually, not less than that which would have been levied if bonds had been issued without the prior issue of the Notes; said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof.

SECTION 9. The funds derived from said tax levy hereby required shall be placed in a separate and distinct fund and, together with interest collected on the same, shall be irrevocably pledged for the payment of the principal and interest of the Notes, or the bonds in anticipation of which they are issued, when and as the same fall due; provided, however, that if bonds or renewal notes are authorized and issued, or available funds appropriated and applied to the payment of the Notes (the anticipated repayment revenues), to that extent, said tax need not be levied.

SECTION 10. That the City Auditor is authorized to apply for municipal bond credit rating(s) for the Notes and to accept said rating(s) on behalf of the Municipality.

SECTION 11. That this Council, for and on behalf of the City of Newark, hereby covenants that it will restrict the use of the proceeds of the Notes hereby authorized in such manner and to such extent, if any, and take such other action as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute obligations the interest on which is subject to federal income taxation or "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations prescribed thereunder. The City Auditor or any other officer having responsibility with respect to the issuance of the Notes is authorized and directed to give an appropriate certificate on behalf of the Municipality, on the date of delivery of the Notes for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 regulations thereunder.

The Notes are hereby designated or deemed designated "qualified tax-exempt obligations" for the purpose set forth in Section 265(b)(3)(B) of the Code. The City does not anticipate the issuance of more than \$10,000,000 of obligations with such designation, and not otherwise so deemed designated, this calendar year.

SECTION 12. That the Clerk of Council is hereby directed to forward a certified copy of this Ordinance to the County Auditor.

SECTION 13. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 14. That this Ordinance is hereby declared to be an emergency measure for the preservation of the public peace, health, safety and welfare of the inhabitants of the City to promptly proceed with renewing outstanding notes issued for project construction and providing additional project funds, therefore, this Ordinance shall take effect immediately upon its passage and approval by the Mayor.

PASSED: September ____, 2023

Presiding Officer

ATTEST:

Clerk of Council

Date filed with Mayor: September ____, 2023

Date approved by Mayor: September ____, 2023

Mayor

Form Approved: _____
Director of Law

Prepared By: Dinsmore & Shohl LLP

31454103

CERTIFICATE

The undersigned hereby certifies the foregoing to be a true and correct copy of Ordinance
No. _____.

Clerk of Council

CERTIFICATE

I hereby certify that a copy of the foregoing Ordinance was filed with the County
Auditor, County of Licking, Ohio, on September ____, 2023.

Clerk of Council

RECEIPT

The undersigned hereby acknowledges receipt of a copy of the foregoing ordinance.

County Auditor

Dated: September ____, 2023

31454303

EXTRACT FROM MINUTES OF MEETING

The Council of the City of Newark, Ohio, met in regular session, at _____ p.m., on the _____ day of September, 2023, at _____, Newark, Ohio, with the following members present:

There was presented and read to Council Ordinance No. _____, entitled:

TO PROVIDE FOR THE ISSUANCE OF NOT TO EXCEED \$720,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING A PORTION OF THE COST OF BURIAL OF OVERHEAD ELECTRIC, CABLE AND TELEPHONE LINES, INCLUDING EASEMENT ACQUISITION AND ALLEY REPAIRS, AND ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

_____ moved to suspend the rule requiring an ordinance or resolution of a general or permanent nature to be read on three different days.

_____ seconded the motion and, the roll being called upon the question, the vote resulted as follows:

AYES:

NAYS:

_____ then moved that Ordinance No. _____ be passed as read.

_____ seconded the motion and, the roll being called upon the question, the vote resulted as follows:

AYES:

NAYS:

The ordinance was declared passed September ____, 2023.

CERTIFICATE

The undersigned, Clerk of Council of said City, hereby certifies that the foregoing is a true and correct extract from the minutes of a meeting of the Council of said City, held on the _____ day of September, 2023, to the extent pertinent to consideration and passage of the above-entitled legislation.

Clerk of Council

CERTIFICATE OF MEMBERSHIP

The undersigned, City Auditor of the City of Newark, Ohio, hereby certifies that the following were the officers and members of Council during the period proceedings were taken authorizing the issuance of not to exceed \$720,000 Downtown Overhead Utility Burial Project Bond Anticipation Notes (Second Renewal):

(Please Type Names Here)

Mayor	_____
City Auditor	_____
Treasurer	_____
Director of Safety	_____
Director of Public Service	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Director of Law	_____

City Auditor

TRANSCRIPT CERTIFICATE

The undersigned, Clerk of Council of said Municipality, hereby certifies that the following is a true and complete transcript of all proceedings relating to the authorization and issuance of the above-identified obligations.

Clerk of Council

CERTIFICATE AS TO MAXIMUM MATURITY OF
BONDS AND BOND ANTICIPATION NOTES

The undersigned, being the City Auditor of the City of Newark, Ohio, hereby certifies that the life of the proposed Downtown Overhead Utility Burial Project Improvements is at least five (5) years and that estimated life of the improvements financed with the proceeds of the sale of not to exceed \$720,000 of notes, for the purpose of paying a portion of the City's cost for burial of overhead electric, cable and telephone lines, including easement acquisition and alley repairs, is at least twenty (20) years and that the maximum maturity of bonds issued for said purpose, in accordance with Section 133.20 of the Ohio Revised Code, is twenty (20) years and the maximum maturity of notes issued in anticipation thereof is twenty (20) years.

IN WITNESS THEREOF, I have hereunto set my hand this 7th day of August, 2023.

City Auditor

CITY OF NEWARK, OHIO

ORDINANCE NO. 23-34

TO PROVIDE FOR THE ISSUANCE OF NOT TO EXCEED \$910,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING A PORTION OF THE COST OF CONSTRUCTING A NEW 4TH AND MAIN ROUNDABOUT, AND ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

WHEREAS, the fiscal officer of the City of Newark has heretofore estimated that the life of the project hereinafter described is at least five (5) years, and certified that the maximum maturity of the bonds issued therefor is twenty (20) years, and of the notes to be issued in anticipation thereof as twenty (20) years; and

WHEREAS, notes heretofore issued in anticipation of such bonds in the amount of \$860,000 are about to mature and should be renewed in a principal amount not to exceed \$910,000;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newark (hereinafter called the "City" or the "Municipality"), Licking County, Ohio:

SECTION 1. That it is necessary to issue bonds in the principal amount of not to exceed \$910,000 for the purpose of paying a portion of the cost of constructing a new 4th and Main roundabout, and all necessary appurtenances thereto. Said bonds shall be dated approximately September 1, 2024, shall bear interest at the rate now estimated at six per centum (6.00%) per annum and shall mature in substantially equal annual or semiannual installments over a period not exceeding twenty (20) years after their issuance.

SECTION 2. That it is hereby determined that renewal notes (hereinafter called the "Notes") in the principal amount of not to exceed \$910,000 shall be issued in anticipation of the issuance of said bonds.

SECTION 3. That the Notes shall be dated their date of issuance, shall bear interest at a rate of interest not to exceed six per centum (6.00%) per annum, without further action of this Council, to be evidenced by the execution and delivery of the Notes as herein provided, payable at maturity, and until the principal sum is paid, and shall mature not more than one year from date of issuance, and shall be of the denominations of \$100,000 and integral multiples of \$1,000 in excess thereof; and shall be sold only to sophisticated investors.

SECTION 4. That for purposes of this ordinance, the following terms shall have the following meanings:

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

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

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

"Ordinance" means this ordinance.

All or any portion of the notes may be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply to such notes, notwithstanding any other provision of this Ordinance. If and as long as a book entry system is utilized with respect to any of such notes: (i) there shall be a single note of each maturity; (ii) those notes shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners of notes in book entry form shall have no right to receive notes in the form of physical securities or certificates; (iv) ownership of beneficial interests in any notes 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 beneficial interests shall be made only by book entry by the Depository and its Participants; and (v) the notes 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 this Council. Debt service charges on notes in book entry form registered in the name of a Depository or its nominee shall be payable in the manner provided in this Council's agreement with the Depository to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of notes as provided in this Ordinance.

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

The City Auditor is authorized and directed without further action of this Council to execute, acknowledge and deliver, in the name of and on behalf of this Council, a blanket letter agreement between this Council and The Depository Trust Company, as Depository, to be delivered in connection with the issuance of the notes to the Depository for use in a book entry system, and to take all other actions the City Auditor deems appropriate in issuing the notes under a book entry system.

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

SECTION 5. That the Notes shall be executed by the Mayor and City Auditor, provided that one of such signatures may be a facsimile signature, and may bear the seal of the Municipality. The Notes shall be designated "4th and Main Roundabout Project Bond Anticipation Notes (Second Renewal)" and shall be payable at the office of a financial institution approved by the City Auditor and shall express upon their faces the purpose for which they are issued and that they are issued in pursuance of this Ordinance and the City Charter.

SECTION 6. That the Notes shall be sold by the City Auditor to Northland Securities, Inc., Powell, Ohio, such sale to be made at not less than par and accrued interest. The City Auditor is authorized to execute a certificate awarding the notes with terms conforming to the terms of this Ordinance. The proceeds from such sale, except any premium or accrued interest thereon, shall be paid into the proper fund and used for the purpose aforesaid and for no other purpose, and for which purpose said proceeds are hereby appropriated. Any premium and accrued interest received by the City shall be transferred to the bond retirement fund to be applied to the payment of principal and interest of the Notes in the manner provided by law.

SECTION 7. That the Notes shall be the full general obligations of the Municipality, and the full faith, credit and revenue of the Municipality are hereby pledged for the prompt payment of the same. The par value received from the sale of bonds anticipated by the Notes, and any excess fund resulting from the issuance of the Notes, shall to the extent necessary be used only for the retirement of the Notes at maturity, together with interest thereon and is hereby pledged for such purpose.

SECTION 8. That during the period while the Notes run there shall be levied upon all of the taxable property in the Municipality within applicable limitations, in addition to all other taxes, a direct tax annually, not less than that which would have been levied if bonds had been issued without the prior issue of the Notes; said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof.

SECTION 9. The funds derived from said tax levy hereby required shall be placed in a separate and distinct fund and, together with interest collected on the same, shall be irrevocably pledged for the payment of the principal and interest of the Notes, or the bonds in anticipation of which they are issued, when and as the same fall due; provided, however, that if bonds or renewal notes are authorized and issued, or available revenues of the City are appropriated and applied to the payment of the Notes (the anticipated repayment revenues), to that extent, said tax need not be levied.

SECTION 10. That the City Auditor is authorized to apply for municipal bond credit rating(s) for the Notes and to accept said rating(s) on behalf of the Municipality.

SECTION 11. That this Council, for and on behalf of the City of Newark, hereby covenants that it will restrict the use of the proceeds of the Notes hereby authorized in such manner and to such extent, if any, and take such other action as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute obligations the interest on which is subject to federal income taxation or "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations prescribed thereunder. The City Auditor or any other officer having responsibility with respect to the issuance of the Notes is authorized and directed to give an appropriate certificate on behalf of the Municipality, on the date of delivery of the Notes for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 regulations thereunder.

The Notes are hereby designated or deemed designated "qualified tax-exempt obligations" for the purpose set forth in Section 265(b)(3)(B) of the Code. The City does not anticipate the issuance of more than \$10,000,000 of obligations with such designation, and not otherwise so deemed designated, this calendar year.

SECTION 12. That the Clerk of Council is hereby directed to forward a certified copy of this Ordinance to the County Auditor.

SECTION 13. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 14. That this Ordinance is hereby declared to be an emergency measure for the preservation of the public peace, health, safety and welfare of the inhabitants of the City to promptly proceed with renewing outstanding notes issued for project construction, therefore, this Ordinance shall take effect immediately upon its passage and approval by the Mayor.

PASSED: September ____, 2023

Presiding Officer

ATTEST:

Clerk of Council

Date filed with Mayor: September ____, 2023

Date approved by Mayor: September ____, 2023

Mayor

Form Approved: _____
Director of Law

Prepared By: Dinsmore & Shohl LLP

31454303

CERTIFICATE

The undersigned hereby certifies the foregoing to be a true and correct copy of Ordinance
No. _____.

Clerk of Council

CERTIFICATE

I hereby certify that a copy of the foregoing Ordinance was filed with the County
Auditor, County of Licking, Ohio, on September ____, 2023.

Clerk of Council

RECEIPT

The undersigned hereby acknowledges receipt of a copy of the foregoing ordinance.

County Auditor

Dated: September ____, 2023

31454303

EXTRACT FROM MINUTES OF MEETING

The Council of the City of Newark, Ohio, met in regular session, at _____ p.m., on the _____ day of September, 2023, at _____, Newark, Ohio, with the following members present:

There was presented and read to Council Ordinance No. _____, entitled:

TO PROVIDE FOR THE ISSUANCE OF NOT TO EXCEED \$910,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING A PORTION OF THE COST OF CONSTRUCTING A NEW 4TH AND MAIN ROUNDABOUT, AND ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

_____ moved to suspend the rule requiring an ordinance or resolution of a general or permanent nature to be read on three different days.

_____ seconded the motion and, the roll being called upon the question, the vote resulted as follows:

AYES:

NAYS:

_____ then moved that Ordinance No. _____ be passed as read.

_____ seconded the motion and, the roll being called upon the question, the vote resulted as follows:

AYES:

NAYS:

The ordinance was declared passed September _____, 2023.

CERTIFICATE

The undersigned, Clerk of Council of said City, hereby certifies that the foregoing is a true and correct extract from the minutes of a meeting of the Council of said City, held on the _____ day of September, 2023, to the extent pertinent to consideration and passage of the above-entitled legislation.

Clerk of Council

CERTIFICATE OF MEMBERSHIP

The undersigned, City Auditor of the City of Newark, Ohio, hereby certifies that the following were the officers and members of Council during the period proceedings were taken authorizing the issuance of not to exceed \$910,000 4th and Main Roundabout Project Bond Anticipation Notes (Second Renewal):

(Please Type Names Here)

Mayor	_____
City Auditor	_____
Treasurer	_____
Director of Safety	_____
Director of Public Service	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Director of Law	_____

City Auditor

TRANSCRIPT CERTIFICATE

The undersigned, Clerk of Council of said Municipality, hereby certifies that the following is a true and complete transcript of all proceedings relating to the authorization and issuance of the above-identified obligations.

Clerk of Council

CERTIFICATE AS TO MAXIMUM MATURITY OF
BONDS AND BOND ANTICIPATION NOTES

The undersigned, being the City Auditor of the City of Newark, Ohio, hereby certifies that the life of the proposed 4th and Main Roundabout Project is at least five (5) years and that estimated life of the improvements financed with the proceeds of the sale of not to exceed \$910,000 of notes, for the purpose of paying a portion of the City's cost for constructing the 4th and Main roundabout, is at least twenty (20) years and that the maximum maturity of bonds issued for said purpose, in accordance with Section 133.20 of the Ohio Revised Code, is twenty (20) years and the maximum maturity of notes issued in anticipation thereof is twenty (20) years.

IN WITNESS THEREOF, I have hereunto set my hand this 7th day of August, 2023.

City Auditor

CITY OF NEWARK, OHIO
ORDINANCE NO. 23-35

TO PROVIDE FOR THE ISSUANCE OF NOT TO EXCEED \$1,650,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING A PORTION OF THE COST OF ROAD, BRIDGE AND BIKE PATH IMPROVEMENTS, AND ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

WHEREAS, the fiscal officer of the City of Newark has heretofore estimated that the life of the project hereinafter described is at least five (5) years, and certified that the maximum maturity of the bonds issued therefor is ten (10) years, and of the notes to be issued in anticipation thereof as fifteen (15) years; and

WHEREAS, notes heretofore issued in anticipation of such bonds in the amount of \$1,565,000 are about to mature and should be renewed in a principal amount not to exceed \$1,650,000;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newark (hereinafter called the "City" or the "Municipality"), Licking County, Ohio:

SECTION 1. That it is necessary to issue bonds in the principal amount of not to exceed \$1,650,000 for the purpose of paying a portion of the cost of multiple road, bridge and bike path improvements, including Moull and Jefferson Road Bridges, Granville Road bike path, West Church Street roadway, Granville Road Bridge, Baller Boulevard roadway extension and Horns Hill Road improvements, and all necessary appurtenances thereto. Said bonds shall be dated approximately September 1, 2024, shall bear interest at the rate now estimated at six per centum (6.00%) per annum and shall mature in substantially equal annual or semiannual installments over a period not exceeding ten (10) years after their issuance.

SECTION 2. That it is hereby determined that renewal notes (hereinafter called the "Notes") in the principal amount of not to exceed \$1,650,000 shall be issued in anticipation of the issuance of said bonds.

SECTION 3. That the Notes shall be dated their date of issuance, shall bear interest at a rate of interest not to exceed six per centum (6.00%) per annum, without further action of this Council, to be evidenced by the execution and delivery of the Notes as herein provided, payable at maturity, and until the principal sum is paid, and shall mature not more than one year from date of issuance, and shall be of the denominations of \$100,000 and integral multiples of \$1,000 in excess thereof; and shall be sold only to sophisticated investors.

SECTION 4. That for purposes of this ordinance, the following terms shall have the following meanings:

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

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

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

"Ordinance" means this ordinance.

All or any portion of the notes may be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply to such notes, notwithstanding any other provision of this Ordinance. If and as long as a book entry system is utilized with respect to any of such notes: (i) there shall be a single note of each maturity; (ii) those notes shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners of notes in book entry form shall have no right to receive notes in the form of physical securities or certificates; (iv) ownership of beneficial interests in any notes 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 beneficial interests shall be made only by book entry by the Depository and its Participants; and (v) the notes 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 this Council. Debt service charges on notes in book entry form registered in the name of a Depository or its nominee shall be payable in the manner provided in this Council's agreement with the Depository to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of notes as provided in this Ordinance.

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

The City Auditor is authorized and directed without further action of this Council to execute, acknowledge and deliver, in the name of and on behalf of this Council, a blanket letter agreement between this Council and The Depository Trust Company, as Depository, to be delivered in connection with the issuance of the notes to the Depository for use in a book entry system, and to take all other actions the City Auditor deems appropriate in issuing the notes under a book entry system.

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

SECTION 5. That the Notes shall be executed by the Mayor and City Auditor, provided that one of such signatures may be a facsimile signature, and may bear the seal of the Municipality. The Notes shall be designated "Road and Bridge Improvement Bond Anticipation Notes (Second Renewal)" and shall be payable at the office of a financial institution approved by the City Auditor and shall express upon their faces the purpose for which they are issued and that they are issued in pursuance of this Ordinance and the City Charter.

SECTION 6. That the Notes shall be sold by the City Auditor to Northland Securities, Inc., Powell, Ohio, such sale to be made at not less than par and accrued interest. The City Auditor is authorized to execute a certificate awarding the notes with terms conforming to the terms of this Ordinance. The proceeds from such sale, except any premium or accrued interest thereon, shall be paid into the proper fund and used for the purpose aforesaid and for no other purpose, and for which purpose said proceeds are hereby appropriated. Any premium and accrued interest received by the City shall be transferred to the bond retirement fund to be applied to the payment of principal and interest of the Notes in the manner provided by law.

SECTION 7. That the Notes shall be the full general obligations of the Municipality, and the full faith, credit and revenue of the Municipality are hereby pledged for the prompt payment of the same. The par value received from the sale of bonds anticipated by the Notes, and any excess fund resulting from the issuance of the Notes, shall to the extent necessary be used only for the retirement of the Notes at maturity, together with interest thereon and is hereby pledged for such purpose.

SECTION 8. That during the period while the Notes run there shall be levied upon all of the taxable property in the Municipality within applicable limitations, in addition to all other taxes, a direct tax annually, not less than that which would have been levied if bonds had been issued without the prior issue of the Notes; said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof.

SECTION 9. The funds derived from said tax levy hereby required shall be placed in a separate and distinct fund and, together with interest collected on the same, shall be irrevocably pledged for the payment of the principal and interest of the Notes, or the bonds in anticipation of which they are issued, when and as the same fall due; provided, however, that if bonds or renewal notes are authorized and issued, or available funds of the City are appropriated and applied to the payment of the Notes (the anticipated repayment revenues), to that extent, said tax need not be levied.

SECTION 10. That the City Auditor is authorized to apply for municipal bond credit rating(s) for the Notes and to accept said rating(s) on behalf of the Municipality.

SECTION 11. That this Council, for and on behalf of the City of Newark, hereby covenants that it will restrict the use of the proceeds of the Notes hereby authorized in such manner and to such extent, if any, and take such other action as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute obligations the interest on which is subject to federal income taxation or "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations prescribed thereunder. The City Auditor or any other officer having responsibility with respect to the issuance of the Notes is authorized and directed to give an appropriate certificate on behalf of the Municipality, on the date of delivery of the Notes for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 regulations thereunder.

The Notes are hereby designated or deemed designated "qualified tax-exempt obligations" for the purpose set forth in Section 265(b)(3)(B) of the Code. The City does not anticipate the issuance of more than \$10,000,000 of obligations with such designation, and not otherwise so deemed designated, this calendar year.

SECTION 12. That the Clerk of Council is hereby directed to forward a certified copy of this Ordinance to the County Auditor.

SECTION 13. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 14. That this Ordinance is hereby declared to be an emergency measure for the preservation of the public peace, health, safety and welfare of the inhabitants of the City to promptly proceed with renewing outstanding notes issued for said improvements, therefore, this Ordinance shall take effect immediately upon its passage and approval by the Mayor.

PASSED: September ____, 2023

Presiding Officer

ATTEST:

Clerk of Council

Date filed with Mayor: September ____, 2023

Date approved by Mayor: September ____, 2023

Mayor

Form Approved: _____
Director of Law

Prepared By: Dinsmore & Shohl LLP

31454303

CERTIFICATE

The undersigned hereby certifies the foregoing to be a true and correct copy of Ordinance
No. _____.

Clerk of Council

CERTIFICATE

I hereby certify that a copy of the foregoing Ordinance was filed with the County
Auditor, County of Licking, Ohio, on September ____, 2023.

Clerk of Council

RECEIPT

The undersigned hereby acknowledges receipt of a copy of the foregoing ordinance.

County Auditor

Dated: September ____, 2023

31454303

EXTRACT FROM MINUTES OF MEETING

The Council of the City of Newark, Ohio, met in regular session, at _____ p.m., on the _____ day of September, 2023, at _____, Newark, Ohio, with the following members present:

There was presented and read to Council Ordinance No. _____, entitled:

TO PROVIDE FOR THE ISSUANCE OF NOT TO EXCEED \$1,650,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING A PORTION OF THE COST OF ROAD, BRIDGE AND BIKE PATH IMPROVEMENTS, AND ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

_____ moved to suspend the rule requiring an ordinance or resolution of a general or permanent nature to be read on three different days.

_____ seconded the motion and, the roll being called upon the question, the vote resulted as follows:

AYES:

NAYS:

_____ then moved that Ordinance No. _____ be passed as read.

_____ seconded the motion and, the roll being called upon the question, the vote resulted as follows:

AYES:

NAYS:

The ordinance was declared passed September _____, 2023.

CERTIFICATE

The undersigned, Clerk of Council of said City, hereby certifies that the foregoing is a true and correct extract from the minutes of a meeting of the Council of said City, held on the _____ day of September, 2023, to the extent pertinent to consideration and passage of the above-entitled legislation.

Clerk of Council

CERTIFICATE OF MEMBERSHIP

The undersigned, City Auditor of the City of Newark, Ohio, hereby certifies that the following were the officers and members of Council during the period proceedings were taken authorizing the issuance of not to exceed \$1,650,000 Road and Bridge Improvement Bond Anticipation Notes (Second Renewal):

(Please Type Names Here)

Mayor	_____
City Auditor	_____
Treasurer	_____
Director of Safety	_____
Director of Public Service	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Director of Law	_____

City Auditor

TRANSCRIPT CERTIFICATE

The undersigned, Clerk of Council of said Municipality, hereby certifies that the following is a true and complete transcript of all proceedings relating to the authorization and issuance of the above-identified obligations.

Clerk of Council

CERTIFICATE AS TO MAXIMUM MATURITY OF
BONDS AND BOND ANTICIPATION NOTES

The undersigned, being the City Auditor of the City of Newark, Ohio, hereby certifies that the life of the proposed Road and Bridge Improvements is at least five (5) years and that estimated life of the improvements financed with the proceeds of the sale of not to exceed \$1,650,000 of notes, for the purpose of paying a portion of the City's cost for the proposed multiple road, bridge and bike path improvements, is at least ten (10) years and that the maximum maturity of bonds issued for said purpose, in accordance with Section 133.20 of the Ohio Revised Code, is ten (10) years and the maximum maturity of notes issued in anticipation thereof is fifteen (15) years.

IN WITNESS THEREOF, I have hereunto set my hand this 7th day of August, 2023.

City Auditor

CITY OF NEWARK, OHIO

ORDINANCE NO. 23-36

TO PROVIDE FOR THE ISSUANCE OF NOT TO EXCEED \$850,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING A PORTION OF THE COST OF ICE RINK ROOF REPLACEMENT, AND ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

WHEREAS, the fiscal officer of the City of Newark has heretofore estimated that the life of the project hereinafter described is at least five (5) years, and certified that the maximum maturity of the bonds issued therefor is thirty (30) years, and of the notes to be issued in anticipation thereof as twenty (20) years; and

WHEREAS, notes heretofore issued in anticipation of such bonds in the amount of \$810,000 are about to mature and should be renewed in a principal amount not to exceed \$850,000;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newark (hereinafter called the "City" or the "Municipality"), Licking County, Ohio:

SECTION 1. That it is necessary to issue bonds in the principal amount of not to exceed \$850,000 for the purpose of paying a portion of the cost of ice rink roof replacement, and all necessary appurtenances thereto. Said bonds shall be dated approximately September 1, 2024, shall bear interest at the rate now estimated at six per centum (6.00%) per annum and shall mature in substantially equal annual or semiannual installments over a period not exceeding thirty (30) years after their issuance.

SECTION 2. That it is hereby determined that renewal notes (hereinafter called the "Notes") in the principal amount of not to exceed \$850,000 shall be issued in anticipation of the issuance of said bonds.

SECTION 3. That the Notes shall be dated their date of issuance, shall bear interest at a rate of interest not to exceed six per centum (6.00%) per annum, without further action of this Council, to be evidenced by the execution and delivery of the Notes as herein provided, payable at maturity, and until the principal sum is paid, and shall mature not more than one year from date of issuance, and shall be of the denominations of \$100,000 and integral multiples of \$1,000 in excess thereof; and shall be sold only to sophisticated investors.

SECTION 4. That for purposes of this ordinance, the following terms shall have the following meanings:

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

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

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

"Ordinance" means this ordinance.

All or any portion of the notes may be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply to such notes, notwithstanding any other provision of this Ordinance. If and as long as a book entry system is utilized with respect to any of such notes: (i) there shall be a single note of each maturity; (ii) those notes shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners of notes in book entry form shall have no right to receive notes in the form of physical securities or certificates; (iv) ownership of beneficial interests in any notes 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 beneficial interests shall be made only by book entry by the Depository and its Participants; and (v) the notes 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 this Council. Debt service charges on notes in book entry form registered in the name of a Depository or its nominee shall be payable in the manner provided in this Council's agreement with the Depository to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of notes as provided in this Ordinance.

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

The City Auditor is authorized and directed without further action of this Council to execute, acknowledge and deliver, in the name of and on behalf of this Council, a blanket letter agreement between this Council and The Depository Trust Company, as Depository, to be delivered in connection with the issuance of the notes to the Depository for use in a book entry system, and to take all other actions the City Auditor deems appropriate in issuing the notes under a book entry system.

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

SECTION 5. That the Notes shall be executed by the Mayor and City Auditor, provided that one of such signatures may be a facsimile signature, and may bear the seal of the Municipality. The Notes shall be designated "Ice Rink Roof Replacement Bond Anticipation Notes (Second Renewal)" and shall be payable at the office of a financial institution approved by the City Auditor and shall express upon their faces the purpose for which they are issued and that they are issued in pursuance of this Ordinance and the City Charter.

SECTION 6. That the Notes shall be sold by the City Auditor to Northland Securities, Inc., Powell, Ohio, such sale to be made at not less than par and accrued interest. The City Auditor is authorized to execute a certificate awarding the notes with terms conforming to the terms of this Ordinance. The proceeds from such sale, except any premium or accrued interest thereon, shall be paid into the proper fund and used for the purpose aforesaid and for no other purpose, and for which purpose said proceeds are hereby appropriated. Any premium and accrued interest received by the City shall be transferred to the bond retirement fund to be applied to the payment of principal and interest of the Notes in the manner provided by law.

SECTION 7. That the Notes shall be the full general obligations of the Municipality, and the full faith, credit and revenue of the Municipality are hereby pledged for the prompt payment of the same. The par value received from the sale of bonds anticipated by the Notes, and any excess fund resulting from the issuance of the Notes, shall to the extent necessary be used only for the retirement of the Notes at maturity, together with interest thereon and is hereby pledged for such purpose.

SECTION 8. That during the period while the Notes run there shall be levied upon all of the taxable property in the Municipality within applicable limitations, in addition to all other taxes, a direct tax annually, not less than that which would have been levied if bonds had been issued without the prior issue of the Notes; said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof.

SECTION 9. The funds derived from said tax levy hereby required shall be placed in a separate and distinct fund and, together with interest collected on the same, shall be irrevocably pledged for the payment of the principal and interest of the Notes, or the bonds in anticipation of which they are issued, when and as the same fall due; provided, however, that if bonds or renewal notes are authorized and issued, or available funds of the City are appropriated and applied to the payment of the Notes (the anticipated repayment revenues), to that extent, said tax need not be levied.

SECTION 10. That the City Auditor is authorized to apply for municipal bond credit rating(s) for the Notes and to accept said rating(s) on behalf of the Municipality.

SECTION 11. That this Council, for and on behalf of the City of Newark, hereby covenants that it will restrict the use of the proceeds of the Notes hereby authorized in such manner and to such extent, if any, and take such other action as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute obligations the interest on which is subject to federal income taxation or "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations prescribed thereunder. The City Auditor or any other officer having responsibility with respect to the issuance of the Notes is authorized and directed to give an appropriate certificate on behalf of the Municipality, on the date of delivery of the Notes for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 regulations thereunder.

The Notes are hereby designated or deemed designated "qualified tax-exempt obligations" for the purpose set forth in Section 265(b)(3)(B) of the Code. The City does not anticipate the issuance of more than \$10,000,000 of obligations with such designation, and not otherwise so deemed designated, this calendar year.

SECTION 12. That the Clerk of Council is hereby directed to forward a certified copy of this Ordinance to the County Auditor.

SECTION 13. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 14. That this Ordinance is hereby declared to be an emergency measure for the preservation of the public peace, health, safety and welfare of the inhabitants of the City to promptly proceed with renewing outstanding notes issued for project construction, therefore, this Ordinance shall take effect immediately upon its passage and approval by the Mayor.

PASSED: September ____, 2023

Presiding Officer

ATTEST:

Clerk of Council

Date filed with Mayor: September ____, 2023

Date approved by Mayor: September ____, 2023

Mayor

Form Approved: _____
Director of Law

Prepared By: Dinsmore & Shohl LLP

31454303

CERTIFICATE

The undersigned hereby certifies the foregoing to be a true and correct copy of Ordinance
No. _____.

Clerk of Council

CERTIFICATE

I hereby certify that a copy of the foregoing Ordinance was filed with the County
Auditor, County of Licking, Ohio, on September ____, 2023.

Clerk of Council

RECEIPT

The undersigned hereby acknowledges receipt of a copy of the foregoing ordinance.

County Auditor

Dated: September ____, 2023

31454303

EXTRACT FROM MINUTES OF MEETING

The Council of the City of Newark, Ohio, met in regular session, at _____ p.m., on the _____ day of September, 2023, at _____, Newark, Ohio, with the following members present:

There was presented and read to Council Ordinance No. _____, entitled:

TO PROVIDE FOR THE ISSUANCE OF NOT TO EXCEED \$850,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING A PORTION OF THE COST OF ICE RINK ROOF REPLACEMENT, AND ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

_____ moved to suspend the rule requiring an ordinance or resolution of a general or permanent nature to be read on three different days.

_____ seconded the motion and, the roll being called upon the question, the vote resulted as follows:

AYES:

NAYS:

_____ then moved that Ordinance No. _____ be passed as read.

_____ seconded the motion and, the roll being called upon the question, the vote resulted as follows:

AYES:

NAYS:

The ordinance was declared passed September _____, 2023.

CERTIFICATE

The undersigned, Clerk of Council of said City, hereby certifies that the foregoing is a true and correct extract from the minutes of a meeting of the Council of said City, held on the _____ day of September, 2023, to the extent pertinent to consideration and passage of the above-entitled legislation.

Clerk of Council

CERTIFICATE OF MEMBERSHIP

The undersigned, City Auditor of the City of Newark, Ohio, hereby certifies that the following were the officers and members of Council during the period proceedings were taken authorizing the issuance of not to exceed \$850,000 Ice Rink Roof Replacement Bond Anticipation Notes (Second Renewal):

(Please Type Names Here)

Mayor	_____
City Auditor	_____
Treasurer	_____
Director of Safety	_____
Director of Public Service	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Director of Law	_____

City Auditor

TRANSCRIPT CERTIFICATE

The undersigned, Clerk of Council of said Municipality, hereby certifies that the following is a true and complete transcript of all proceedings relating to the authorization and issuance of the above-identified obligations.

Clerk of Council

CERTIFICATE AS TO MAXIMUM MATURITY OF
BONDS AND BOND ANTICIPATION NOTES

The undersigned, being the City Auditor of the City of Newark, Ohio, hereby certifies that the life of the proposed Ice Rink Roof Replacement is at least five (5) years and that estimated life of the improvements financed with the proceeds of the sale of not to exceed \$850,000 of notes, for the purpose of paying a portion of the City's cost for the proposed roof replacement, is at least thirty (30) years and that the maximum maturity of bonds issued for said purpose, in accordance with Section 133.20 of the Ohio Revised Code, is thirty (30) years and the maximum maturity of notes issued in anticipation thereof is twenty (20) years.

IN WITNESS THEREOF, I have hereunto set my hand this 7th day of August, 2023.

City Auditor

CITY OF NEWARK, OHIO

ORDINANCE NO. 23-37

TO PROVIDE FOR THE ISSUANCE OF NOT TO EXCEED \$2,540,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING THE COST OF TAMARACK 40TH STREET UPGRADE STORMWATER IMPROVEMENTS, AND ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

WHEREAS, the fiscal officer of the City of Newark has heretofore estimated that the life of the project hereinafter described is at least five (5) years, and certified that the maximum maturity of the bonds issued therefor is twenty (20) years, and of the notes to be issued in anticipation thereof as twenty (20) years; and

WHEREAS, notes heretofore issued in anticipation of such bonds in the amount of \$2,515,000 are about to mature and should be renewed in a principal amount not to exceed \$2,540,000;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newark (hereinafter called the "City" or the "Municipality"), Licking County, Ohio:

SECTION 1. That it is necessary to issue bonds in the principal amount of not to exceed \$2,540,000 for the purpose of paying the cost of Tamarack 40th Street upgrade stormwater sewer improvements, comprised of property and/or easement acquisition, utility relocation, storm sewer installation, replacement and repair, together with pavement, sidewalk and grading improvements, and all necessary appurtenances thereto. Said bonds shall be dated approximately September 1, 2024, shall bear interest at the rate now estimated at six per centum (6.00%) per annum and shall mature in substantially equal annual or semiannual installments over a period not exceeding twenty (20) years after their issuance.

SECTION 2. That it is hereby determined that renewal notes (hereinafter called the "Notes") in the principal amount of not to exceed \$2,540,000 shall be issued in anticipation of the issuance of said bonds.

SECTION 3. That the Notes shall be dated their date of issuance, shall bear interest at a rate of interest not to exceed six per centum (6.00%) per annum, without further action of this Council, to be evidenced by the execution and delivery of the Notes as herein provided, payable at maturity, and until the principal sum is paid, shall mature not more than one year from date of issuance, and shall be of the denominations of \$100,000 and integral multiples of \$1,000 in excess thereof, and shall be sold only to sophisticated investors.

SECTION 4. That for purposes of this ordinance, the following terms shall have the following meanings:

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

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

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

"Ordinance" means this ordinance.

All or any portion of the notes may be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply to such notes, notwithstanding any other provision of this Ordinance. If and as long as a book entry system is utilized with respect to any of such notes: (i) there shall be a single note of each maturity; (ii) those notes shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners of notes in book entry form shall have no right to receive notes in the form of physical securities or certificates; (iv) ownership of beneficial interests in any notes 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 beneficial interests shall be made only by book entry by the Depository and its Participants; and (v) the notes 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 this Council. Debt service charges on notes in book entry form registered in the name of a Depository or its nominee shall be payable in the manner provided in this Council's agreement with the Depository to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of notes as provided in this Ordinance.

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

The City Auditor is authorized and directed without further action of this Council to execute, acknowledge and deliver, in the name of and on behalf of this Council, a blanket letter agreement between this Council and The Depository Trust Company, as Depository, to be delivered in connection with the issuance of the notes to the Depository for use in a book entry system, and to take all other actions the City Auditor deems appropriate in issuing the notes under a book entry system.

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

SECTION 5. That the Notes shall be executed by the Mayor and City Auditor, provided that one of such signatures may be a facsimile signature, and may bear the seal of the Municipality. The Notes shall be designated "Tamarack 40th Street Upgrade Stormwater Improvement Bond Anticipation Notes (Fourth Renewal)" and shall be payable at the office of a financial institution approved by the City Auditor and shall express upon their faces the purpose for which they are issued and that they are issued in pursuance of this Ordinance and the City Charter.

SECTION 6. That the Notes shall be sold by the City Auditor to Northland Securities, Inc., Powell, Ohio, such sale to be made at not less than par and accrued interest. The City Auditor is authorized to execute a certificate awarding the notes with terms conforming to the terms of this Ordinance. The proceeds from such sale, except any premium or accrued interest thereon, shall be paid into the proper fund and used for the purpose aforesaid and for no other purpose, and for which purpose said proceeds are hereby appropriated. Any premium and accrued interest received by the City shall be transferred to the bond retirement fund to be applied to the payment of principal and interest of the Notes in the manner provided by law.

SECTION 7. That the Notes shall be the full general obligations of the Municipality, and the full faith, credit and revenue of the Municipality are hereby pledged for the prompt payment of the same. The par value received from the sale of bonds anticipated by the Notes, and any excess fund resulting from the issuance of the Notes, shall to the extent necessary be used only for the retirement of the Notes at maturity, together with interest thereon and is hereby pledged for such purpose.

SECTION 8. That during the period while the Notes run there shall be levied upon all of the taxable property in the Municipality within applicable limitations, in addition to all other taxes, a direct tax annually, not less than that which would have been levied if bonds had been issued without the prior issue of the Notes; said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof.

SECTION 9. The funds derived from said tax levy hereby required shall be placed in a separate and distinct fund and, together with interest collected on the same, shall be irrevocably pledged for the payment of the principal and interest of the Notes, or the bonds in anticipation of which they are issued, when and as the same fall due; provided, however, that if bonds or renewal notes are authorized and issued, or surplus storm water system revenues of the City are appropriated and applied to the payment of the Notes (the anticipated repayment revenues), to that extent, said tax need not be levied.

SECTION 10. That the City Auditor is authorized to apply for municipal bond credit rating(s) for the Notes and to accept said rating(s) on behalf of the Municipality.

SECTION 11. That this Council, for and on behalf of the City of Newark, hereby covenants that it will restrict the use of the proceeds of the Notes hereby authorized in such manner and to such extent, if any, and take such other action as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute obligations the interest on which is subject to federal income taxation or "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations prescribed thereunder. The City Auditor or any other officer having responsibility with respect to the issuance of the Notes is authorized and directed to give an appropriate certificate on behalf of the Municipality, on the date of delivery of the Notes for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 regulations thereunder.

The Notes are hereby designated or deemed designated "qualified tax-exempt obligations" for the purpose set forth in Section 265(b)(3)(B) of the Code. The City does not anticipate the issuance of more than \$10,000,000 of obligations with such designation, and not otherwise so deemed designated, this calendar year.

SECTION 12. That the Clerk of Council is hereby directed to forward a certified copy of this Ordinance to the County Auditor.

SECTION 13. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 14. That this Ordinance is hereby declared to be an emergency measure for the preservation of the public peace, health, safety and welfare of the inhabitants of the City to promptly proceed with payment of outstanding notes, therefore, this Ordinance shall take effect immediately upon its passage and approval by the Mayor.

PASSED: September ____, 2023

Presiding Officer

ATTEST:

Clerk of Council

Date filed with Mayor: September ____, 2023

Date approved by Mayor: September ____, 2023

Mayor

Form Approved: _____
Director of Law

Prepared By: Dinsmore & Shohl LLP

31454303

CERTIFICATE

The undersigned hereby certifies the foregoing to be a true and correct copy of Ordinance
No. _____.

Clerk of Council

CERTIFICATE

I hereby certify that a copy of the foregoing Ordinance was filed with the County
Auditor, County of Licking, Ohio, on September ____, 2023.

Clerk of Council

RECEIPT

The undersigned hereby acknowledges receipt of a copy of the foregoing ordinance.

County Auditor

Dated: September ____, 2023

31454303

EXTRACT FROM MINUTES OF MEETING

The Council of the City of Newark, Ohio, met in regular session, at _____ p.m., on the _____ day of September, 2023, at _____, Newark, Ohio, with the following members present:

There was presented and read to Council Ordinance No. _____, entitled:

TO PROVIDE FOR THE ISSUANCE OF NOT TO EXCEED \$2,540,000
OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE
ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING THE COST
OF TAMARACK 40TH STREET UPGRADE STORMWATER
IMPROVEMENTS, AND ALL NECESSARY APPURTENANCES
THERETO, AND DECLARING AN EMERGENCY.

_____ moved to suspend the rule requiring an ordinance or resolution of a general or permanent nature to be read on three different days.

_____ seconded the motion and, the roll being called upon the question, the vote resulted as follows:

AYES:

NAYS:

_____ then moved that Ordinance No. _____ be passed as read.

_____ seconded the motion and, the roll being called upon the question, the vote resulted as follows:

AYES:

NAYS:

The ordinance was declared passed September _____, 2023.

CERTIFICATE

The undersigned, Clerk of Council of said City, hereby certifies that the foregoing is a true and correct extract from the minutes of a meeting of the Council of said City, held on the _____ day of September, 2023, to the extent pertinent to consideration and passage of the above-entitled legislation.

Clerk of Council

CERTIFICATE OF MEMBERSHIP

The undersigned, City Auditor of the City of Newark, Ohio, hereby certifies that the following were the officers and members of Council during the period proceedings were taken authorizing the issuance of not to exceed \$2,540,000 Tamarack 40th Street Upgrade Stormwater Improvement Bond Anticipation Notes (Fourth Renewal):

(Please Type Names Here)

Mayor	_____
City Auditor	_____
Treasurer	_____
Director of Safety	_____
Director of Public Service	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Director of Law	_____

City Auditor

TRANSCRIPT CERTIFICATE

The undersigned, Clerk of Council of said Municipality, hereby certifies that the following is a true and complete transcript of all proceedings relating to the authorization and issuance of the above-identified obligations.

Clerk of Council

CERTIFICATE AS TO MAXIMUM MATURITY OF
BONDS AND BOND ANTICIPATION NOTES

The undersigned, being the City Auditor of the City of Newark, Ohio, hereby certifies that the life of the proposed project is at least five (5) years and that estimated life of the improvements financed with the proceeds of the sale of not to exceed \$2,540,000 of notes, for the purpose of paying the cost of Tamarack 40th Street upgrade stormwater sewer improvements, comprised of property and/or easement acquisition, utility relocation, storm sewer installation, replacement and repair, together with pavement, sidewalk and grading improvements, and all necessary appurtenances thereto, is at least twenty (20) years and that the maximum maturity of bonds issued for said purpose, in accordance with Section 133.20 of the Ohio Revised Code, is twenty (20) years and the maximum maturity of notes issued in anticipation thereof is twenty (20) years.

IN WITNESS THEREOF, I have hereunto set my hand this 7th day of August, 2023.

City Auditor

CITY OF NEWARK, OHIO

ORDINANCE NO. 23-38

TO PROVIDE FOR THE ISSUANCE OF NOT TO EXCEED \$3,110,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING THE COST OF WATER SYSTEM IMPROVEMENTS, AND ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

WHEREAS, the fiscal officer of the City of Newark has heretofore estimated that the life of the project hereinafter described is at least five (5) years, and certified that the maximum maturity of the bonds issued therefor is twenty-five (25) years, and of the notes to be issued in anticipation thereof as twenty (20) years; and

WHEREAS, notes heretofore issued in anticipation of such bonds in the amount of \$2,835,000 are about to mature and should be renewed in a principal amount not to exceed \$3,110,000;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newark (hereinafter called the "City" or the "Municipality"), Licking County, Ohio:

SECTION 1. That it is necessary to issue bonds in the principal amount of not to exceed \$3,110,000 for the purpose of paying the cost of initial water system improvements and providing additional funds for water projects, and all necessary appurtenances thereto. Said bonds shall be dated approximately September 1, 2024, shall bear interest at the rate now estimated at six per centum (6.00%) per annum and shall mature in substantially equal annual or semiannual installments over a period not exceeding twenty-five (25) years after their issuance.

SECTION 2. That it is hereby determined that renewal notes (hereinafter called the "Notes") in the principal amount of not to exceed \$3,110,000 shall be issued in anticipation of the issuance of said bonds to pay for outstanding notes maturing and to provide additional project funds.

SECTION 3. That the Notes shall be dated their date of issuance, shall bear interest at a rate of interest not to exceed six per centum (6.00%) per annum, without further action of this Council, to be evidenced by the execution and delivery of the Notes as herein provided, payable at maturity, and until the principal sum is paid, shall mature not more than one year from date of issuance, and shall be of the denominations of \$100,000 and integral multiples of \$1,000 in excess thereof, and shall be sold only to sophisticated investors.

SECTION 4. That for purposes of this ordinance, the following terms shall have the following meanings:

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

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

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

"Ordinance" means this ordinance.

All or any portion of the notes may be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply to such notes, notwithstanding any other provision of this Ordinance. If and as long as a book entry system is utilized with respect to any of such notes: (i) there shall be a single note of each maturity; (ii) those notes shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners of notes in book entry form shall have no right to receive notes in the form of physical securities or certificates; (iv) ownership of beneficial interests in any notes 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 beneficial interests shall be made only by book entry by the Depository and its Participants; and (v) the notes 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 this Council. Debt service charges on notes in book entry form registered in the name of a Depository or its nominee shall be payable in the manner provided in this Council's agreement with the Depository to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of notes as provided in this Ordinance.

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

The City Auditor is authorized and directed without further action of this Council to execute, acknowledge and deliver, in the name of and on behalf of this Council, a blanket letter agreement between this Council and The Depository Trust Company, as Depository, to be delivered in connection with the issuance of the notes to the Depository for use in a book entry system, and to take all other actions the City Auditor deems appropriate in issuing the notes under a book entry system.

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

SECTION 5. That the Notes shall be executed by the Mayor and City Auditor, provided that one of such signatures may be a facsimile signature, and may bear the seal of the Municipality. The Notes shall be designated "Water System Improvement Bond Anticipation Notes (Fourth Renewal)" and shall be payable at the office of a financial institution approved by the City Auditor and shall express upon their faces the purpose for which they are issued and that they are issued in pursuance of this Ordinance and the City Charter.

SECTION 6. That the Notes shall be sold by the City Auditor to Northland Securities, Inc., Powell, Ohio, such sale to be made at not less than par and accrued interest. The City Auditor is authorized to execute a certificate awarding the notes with terms conforming to the terms of this Ordinance. The proceeds from such sale, except any premium or accrued interest thereon, shall be paid into the proper fund and used for the purpose aforesaid and for no other purpose, and for which purpose said proceeds are hereby appropriated. Any premium and accrued interest received by the City shall be transferred to the bond retirement fund to be applied to the payment of principal and interest of the Notes in the manner provided by law.

SECTION 7. That the Notes shall be the full general obligations of the Municipality, and the full faith, credit and revenue of the Municipality are hereby pledged for the prompt payment of the same. The par value received from the sale of bonds anticipated by the Notes, and any excess fund resulting from the issuance of the Notes, shall to the extent necessary be used only for the retirement of the Notes at maturity, together with interest thereon and is hereby pledged for such purpose.

SECTION 8. That during the period while the Notes run there shall be levied upon all of the taxable property in the Municipality within applicable limitations, in addition to all other taxes, a direct tax annually, not less than that which would have been levied if bonds had been issued without the prior issue of the Notes; said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof.

SECTION 9. The funds derived from said tax levy hereby required shall be placed in a separate and distinct fund and, together with interest collected on the same, shall be irrevocably pledged for the payment of the principal and interest of the Notes, or the bonds in anticipation of which they are issued, when and as the same fall due; provided, however, that if bonds or renewal notes are authorized and issued, or surplus water system revenues of the City are appropriated and applied to the payment of the Notes (the anticipated repayment revenues), to that extent, said tax need not be levied.

SECTION 10. That the City Auditor is authorized to apply for municipal bond credit rating(s) for the Notes and to accept said rating(s) on behalf of the Municipality.

SECTION 11. That this Council, for and on behalf of the City of Newark, hereby covenants that it will restrict the use of the proceeds of the Notes hereby authorized in such manner and to such extent, if any, and take such other action as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute obligations the interest on which is subject to federal income taxation or "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations prescribed thereunder. The City Auditor or any other officer having responsibility with respect to the issuance of the Notes is authorized and directed to give an appropriate certificate on behalf of the Municipality, on the date of delivery of the Notes for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 regulations thereunder.

The Notes are hereby designated or deemed designated "qualified tax-exempt obligations" for the purpose set forth in Section 265(b)(3)(B) of the Code. The City does not anticipate the issuance of more than \$10,000,000 of obligations with such designation, and not otherwise so deemed designated, this calendar year.

SECTION 12. That the Clerk of Council is hereby directed to forward a certified copy of this Ordinance to the County Auditor.

SECTION 13. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 14. That this Ordinance is hereby declared to be an emergency measure for the preservation of the public peace, health, safety and welfare of the inhabitants of the City to promptly pay outstanding notes and provide additional funds for the water projects, therefore, this Ordinance shall take effect immediately upon its passage and approval by the Mayor.

PASSED: September ____, 2023

Presiding Officer

ATTEST:

Clerk of Council

Date filed with Mayor: September ____, 2023

Date approved by Mayor: September ____, 2023

Mayor

Form Approved: _____
Director of Law

Prepared By: Dinsmore & Shohl LLP

31454303

CERTIFICATE

The undersigned hereby certifies the foregoing to be a true and correct copy of Ordinance
No. _____.

Clerk of Council

CERTIFICATE

I hereby certify that a copy of the foregoing Ordinance was filed with the County
Auditor, County of Licking, Ohio, on September ____, 2023.

Clerk of Council

RECEIPT

The undersigned hereby acknowledges receipt of a copy of the foregoing ordinance.

County Auditor

Dated: September ____, 2023

31454303

EXTRACT FROM MINUTES OF MEETING

The Council of the City of Newark, Ohio, met in regular session, at _____ p.m., on the _____ day of September, 2023, at _____, Newark, Ohio, with the following members present:

There was presented and read to Council Ordinance No. _____, entitled:

TO PROVIDE FOR THE ISSUANCE OF NOT TO EXCEED \$3,110,000
OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE
ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING THE COST
OF WATER SYSTEM IMPROVEMENTS, AND ALL NECESSARY
APPURTENANCES THERETO, AND DECLARING AN
EMERGENCY.

_____ moved to suspend the rule requiring an ordinance or resolution of a general or permanent nature to be read on three different days.

_____ seconded the motion and, the roll being called upon the question, the vote resulted as follows:

AYES:

NAYS:

_____ then moved that Ordinance No. _____ be passed as read.

_____ seconded the motion and, the roll being called upon the question, the vote resulted as follows:

AYES:

NAYS:

The ordinance was declared passed September _____, 2023.

CERTIFICATE

The undersigned, Clerk of Council of said City, hereby certifies that the foregoing is a true and correct extract from the minutes of a meeting of the Council of said City, held on the _____ day of September, 2023, to the extent pertinent to consideration and passage of the above-entitled legislation.

Clerk of Council

CERTIFICATE OF MEMBERSHIP

The undersigned, City Auditor of the City of Newark, Ohio, hereby certifies that the following were the officers and members of Council during the period proceedings were taken authorizing the issuance of not to exceed \$3,110,000 Water System Improvement Bond Anticipation Notes (Fourth Renewal):

(Please Type Names Here)

Mayor	_____
City Auditor	_____
Treasurer	_____
Director of Safety	_____
Director of Public Service	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Director of Law	_____

City Auditor

TRANSCRIPT CERTIFICATE

The undersigned, Clerk of Council of said Municipality, hereby certifies that the following is a true and complete transcript of all proceedings relating to the authorization and issuance of the above-identified obligations.

Clerk of Council

CERTIFICATE AS TO MAXIMUM MATURITY OF
BONDS AND BOND ANTICIPATION NOTES

The undersigned, being the City Auditor of the City of Newark, Ohio, hereby certifies that the life of the proposed project is at least five (5) years and that estimated life of the improvements financed with the proceeds of the sale of not to exceed \$3,110,000 of notes, for the purpose of paying the cost of initial water system improvements and providing additional funds for water projects, and all necessary appurtenances thereto, is at least twenty-five (25) years and that the maximum maturity of bonds issued for said purpose, in accordance with Section 133.20 of the Ohio Revised Code, is twenty-five (25) years and the maximum maturity of notes issued in anticipation thereof is twenty (20) years.

IN WITNESS THEREOF, I have hereunto set my hand this 7th day of August, 2023.

City Auditor

CITY OF NEWARK, OHIO

ORDINANCE NO. 23-39

AN ORDINANCE CONSOLIDATING SIX BOND
ANTICIPATION NOTE ISSUES OF THE CITY OF
NEWARK, OHIO AND DECLARING AN EMERGENCY

WHEREAS, this Council of the City of Newark, Ohio has passed six Ordinances (collectively, the "Note Ordinances"), which authorized six bond anticipation note issues in an aggregate principal amount of not to exceed \$9,780,000 (collectively, the "Note") as follows: (1) not to exceed \$720,000 Downtown Overhead Utility Burial Project Bond Anticipation Notes (Second Renewal); (2) not to exceed \$910,000 4th and Main Roundabout Project Bond Anticipation Notes (Second Renewal); (3) not to exceed \$1,650,000 Road and Bridge Improvement Bond Anticipation Notes (Second Renewal); and (4) not to exceed \$850,000 Ice Rink Roof Replacement Bond Anticipation Notes (Second Renewal); (5) not to exceed \$2,540,000 Tamarack 40th Street Upgrade Stormwater Improvement Bond Anticipation Notes (Fourth Renewal); and (6) not to exceed \$3,110,000 Water System Improvement Bond Anticipation Notes (Fourth Renewal); and

WHEREAS, this Council desires to consolidate the six issues of Notes into a single bond anticipation note issue to achieve certain cost savings;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newark (hereinafter called the "City"), County of Licking, Ohio, two-thirds of the members elected thereto concurring:

SECTION 1. That, pursuant to the provisions of Section 133.30 of the Ohio Revised Code (the "Revised Code"), the six separate issues of Note shall be consolidated into a single issue, which shall be known as "Various Purpose General Obligation Bond Anticipation Notes, Series 2023" (the "2023 Notes").

SECTION 2. That the 2023 Notes shall be issued in said principal sum of not to exceed \$9,780,000 for the above-described purposes under authority of the general laws of the State of Ohio, particularly the Uniform Public Securities Law of the Revised Code. The provisions of the Note Ordinances are incorporated herein by reference. The 2023 Notes shall be issued in authorized denominations of \$100,000 and integral multiples of \$1,000 in excess thereof. The 2023 Notes shall only be resold to sophisticated investors as certified by the original purchaser thereof.

SECTION 3. That the proceeds of the sale of the 2023 Notes shall be apportioned, deposited and credited in accordance with Section 133.32 of the Revised Code, to the respective purposes and funds in accordance with the amounts of each of the issues of Note authorized by the appropriate Note Ordinance.

SECTION 4. The City covenants that it will not take any action, or fail to take any action, if any such action or failure to take action would adversely affect the exclusion from gross income of the interest on the 2023 Notes under Section 103(a) of the Internal Revenue Code of 1986, as amended (the "Code"). The City will not directly or indirectly use or permit the use of any proceeds of the 2023 Notes or any other funds of the City, or take or omit to take any action that would cause the 2023 Notes to be "arbitrage bonds" within the meaning of Sections 103(b)(2) and 148 of the Code. To that end, the City will comply with all requirements of Sections 103(b)(2) and 148 of the Code to the extent applicable to the 2023 Notes. In the event that at any time the City is of the opinion that for purposes of this Section 4 it is necessary to restrict or limit the yield on the investment of any moneys, the City shall take such action as may be necessary. The Council of the City, or any other officer having responsibility with respect to the issuance of the 2023 Notes, is authorized and directed to give an appropriate certificate on behalf of the City, on the date of delivery of said 2023 Notes for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 and regulations thereunder, and to execute and deliver on behalf of the City an IRS Form 8038-G in connection with the issuance of the 2023 Notes.

The Notes are hereby designated or deemed designated "qualified tax-exempt obligations" for the purpose set forth in Section 265(b)(3)(B) of the Code. The City does not anticipate the issuance of more than \$10,000,000 of obligations with such designation, and not otherwise so deemed designated, this calendar year.

SECTION 5. That the Clerk of Council is hereby directed to forward a copy of this ordinance and the Note Ordinances to the County Auditor.

SECTION 6. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were passed in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 7. That this Ordinance is declared to be an emergency measure for the preservation of the public peace, health, safety and welfare of the inhabitants of the City, in order to timely proceed with renewal of outstanding notes issued for the planned improvements. Therefore, this Ordinance shall take effect immediately upon its passage and approval by the Mayor.

PASSED September ____, 2023

Presiding Officer

ATTEST:

Clerk of Council

Date filed with Mayor: September ____, 2023

Date approved by Mayor: September ____, 2023

Mayor

Form Approved: _____
Director of Law

Prepared By: Dinsmore & Shohl LLP

31454303

CERTIFICATE

The undersigned hereby certifies that the foregoing is a true and correct copy of Ordinance No. _____.

Clerk of Council

CERTIFICATE

The undersigned hereby certifies that a copy of the foregoing ordinance was certified this day to the County Auditor.

Clerk of Council

Dated: September ____, 2023

RECEIPT

The undersigned hereby acknowledges receipt of a certified copy of the foregoing ordinance.

County Auditor
Licking County, Ohio

Dated: September ____, 2023

31454303

EXTRACT FROM MINUTES OF MEETING

The Council of the City of Newark, Ohio, met in regular session at _____ p.m. on the _____ day of September, 2023, at _____, Newark, Ohio with the following members present:

There was presented and read to Council Ordinance No. _____, entitled:

AN ORDINANCE CONSOLIDATING SIX BOND
ANTICIPATION NOTE ISSUES OF THE CITY OF
NEWARK, OHIO AND DECLARING AN EMERGENCY

_____ moved to suspend the rule requiring each ordinance or resolution to be read on different days. _____ seconded the motion and, the roll being called on the question, the vote resulted as follows:

AYES:

NAYS:

_____ then moved that Ordinance No. _____ be adopted. _____ seconded the motion and, the roll being called upon the question, the vote resulted as follows:

AYES:

NAYS:

The Ordinance was declared passed September _____, 2023.

CERTIFICATE

The undersigned, Clerk of Council, hereby certifies that the foregoing is a true and correct extract from the minutes of a meeting of the Council of said City, held on the _____ day of September, 2023, to the extent pertinent to consideration and adoption of the above-entitled legislation.

Clerk of Council

CERTIFICATE OF MEMBERSHIP

The undersigned, City Auditor of the City of Newark, County of Licking, Ohio, hereby certifies that the following were the officers and members of Council during the period proceedings were taken authorizing the issuance of not to exceed \$9,780,000 Various Purpose General Obligation Bond Anticipation Notes, Series 2023:

(Please Type Names Here)

Mayor	_____
City Auditor	_____
Treasurer	_____
Director of Safety	_____
Director of Public Service	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Director of Law	_____

City Auditor

TRANSCRIPT CERTIFICATE

The undersigned, Clerk of Council of said Municipality, hereby certifies that the following is a true and complete transcript of all proceedings relating to the authorization and issuance of the above-identified Obligation.

Clerk of Council

ORDINANCE NO. 23-42-A

BY: _____

AN ORDINANCE AUTHORIZING THE COMPENSATION OF THE THREE CIVIL SERVICE COMMISSIONERS AND SECRETARY OF THE CIVIL SERVICE COMMISSION OF THE CITY OF NEWARK, OHIO.

WHEREAS, the City of Newark is a charter city organized and operated under the City Charter and the laws of the State of Ohio; and

WHEREAS, the Civil Service Commission consists of three appointed Commissioners and a secretary who is a licensed attorney-at-law authorized to practice in the State of Ohio; and

WHEREAS, Section 124.40 of the Ohio Revised Code provides in part that “the expenses and salaries of a municipal Civil Service Commission shall be determined by the legislative authority of the city and a sufficient sum of money shall be appropriated each year to carry out this chapter in the city”; and

WHEREAS, the salaries of said appointees have not been altered since 1985; and

WHEREAS, at a meeting of the Finance Committee of the Newark City Council conducted on August 7, 2023, the Committee determined upon consideration and review that the current compensation of the appointees to the Newark Civil Service Commission is no longer sufficient.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING AND STATE OF OHIO, THAT:

SECTION 1: Effective January 1, 2024, the appointed members of the Civil Service Commission shall be entitled to and shall be paid in accordance with the attached schedule in which compensation shall be applicable to any appointee or replacement for the current person(s) occupying such position(s).

SECTION 2: All other legislation in conflict herewith is hereby repealed.

SECTION 3: As no emergency exists, this Ordinance shall take effect at the earliest time permitted by Article 4.07 of the Charter of the City of Newark, Ohio.

Adopted this _____ day of _____, 2023.

President of Council

ATTEST: _____
Clerk of Council

DATE FILED WITH THE MAYOR: _____

DATE APPROVED BY THE MAYOR: _____

Mayor

FORM APPROVED:

Tricia M. Moore
Director of Law

ORDINANCE NO. 23-43A

BY: _____

AN ORDINANCE AUTHORIZING THE PAYMENT OF A RATIFICATION BONUS TO FULL-TIME HOURLY NON-BARGAINING PERSONNEL, MANAGEMENT AND SUPERVISORY EMPLOYEES, AND CHIEFS AND DEPUTY CHIEFS OF THE CITY, AND DECLARING AN EMERGENCY.

WHEREAS, this Council previously provided by ordinance that the Hourly Non-Bargaining Personnel, Management and Supervisory employees, and Chiefs and Deputy Chiefs salary rates and wages shall be annually increased in parity with the increase received by employees of the City's bargaining units; and,

WHEREAS, in lieu of retroactivity, the City's bargaining unit contracts, agreed to a one-time ratification bonus; and,

WHEREAS, in parity and for sake of consistency, Council wishes to authorize the payment of a one-time ratification bonus to all full-time Hourly Non-Bargaining Personnel, Management and Supervisory employees, and Chiefs and Deputy Chiefs of the City employed as of September 1, 2023; and,

WHEREAS, the ratification bonus will be determined for each unit of Hourly Non-Bargaining Personnel, Management and Supervisory, and Chiefs and Deputy Chiefs based on salaries for each individual said unit; and,

WHEREAS, this Ordinance is declared to be an emergency measure necessary for the immediate preservation for the public peace, health, and safety of the citizens of the City of Newark, Ohio to provide for the prompt resolution of the City financial affairs and it shall be in full force and effect immediately upon its passage by Council and execution by the Mayor; and,

WHEREAS, the Finance Committee of the Newark City Council met on August 7, 2023, and voted to forward the matter to the full Council for its further consideration;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, AND STATE OF OHIO, THAT:

Section 1: This Council hereby authorizes the payment of a one-time ratification bonus to all full-time Hourly Non-Bargaining Personnel, Management and Supervisory, and Chiefs and Deputy Chiefs of the City employed as of September 1, 2023 commensurate with the salaries of each individual unit as listed in attached Exhibit A.

Section 2: The Council hereby authorizes the City Auditor to take such actions as shall be necessary to implement payment of the ratification bonus to the City's Hourly Non-Bargaining Personnel, Management and Supervisory, and Chiefs and Deputy Chiefs in accordance with this Ordinance.

Section 3: All formal actions of this Council related to this Ordinance and all deliberations of the Council and of any of its Committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including section 121.22 of the Ohio Revised Code.

Section 4: An emergency is hereby declared to exist due to the fact that it is immediately necessary to provide for the prompt resolution of the City's financial affairs in order to preserve the public health, safety, and welfare of the citizens of the City of Newark. Therefore, this Ordinance shall become effective immediately with Council approval and execution by the Mayor.

Passed this _____ day of _____ 2023.

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

DATE FILED WITH MAYOR: _____

DATE APPROVED BY MAYOR: _____

MAYOR

FORM APPROVED: _____
DIRECTOR OF LAW

ORDINANCE NO. 23-44A

BY: _____

AN ORDINANCE SETTING COMPENSATION AND STATING POLICY WITH RESPECT TO CHIEFS AND DEPUTY CHIEFS OF THE CITY OF NEWARK, OHIO; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT WITH THIS ORDINANCE; AND DECLARING AN EMERGENCY.

WHEREAS, it has become necessary to set the annual salary schedules for the Chiefs and Deputy Chiefs of the City of Newark in order to provide for appropriate compensation for services performed; and,

WHEREAS, by virtue of Article 4.06 of the City Charter, the legislative authority of a city is required, by ordinance or resolution, to determine and fix the salaries and compensation of municipal employees; and,

WHEREAS, an emergency is hereby declared to exist due to the fact that it is immediately necessary to establish the policies and terms herein in order to preserve the public health, safety, and welfare of the citizens of the City of Newark; and,

WHEREAS, the Finance Committee of the Newark City Council met on August 7, 2023, and voted to forward the matter to the full Council for its further consideration;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, AND STATE OF OHIO, THAT:

Section 1: The legislation affects the Police and Fire Chiefs and Deputy Chiefs.

Section 2: With respect to employees and positions referred to in Section 1, the annual salary table attached hereto and marked Article 9 Wages, shall apply January 1, 2023 through December 31, 2025.

Section 3: In addition to the compensation set forth in Article 9, those individuals and positions listed as Police and Fire Chiefs and Deputy Chiefs, shall be entitled to the protection and benefits set forth in the Statement of Policy for Chiefs and Deputy Chiefs dated January 1, 2023 through December 31, 2025. A copy of this document shall be attached to the original ordinance and shall be on file with the Clerk of Council for public inspection.

Section 4: An emergency is hereby declared to exist due to the fact that it is immediately necessary to establish the policies and terms herein in order to preserve the public health, safety, and welfare of the citizens of the City of Newark. Therefore, this Ordinance shall become effective immediately upon Council approval and execution by the Mayor.

Passed this _____ day of _____ 2023.

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

DATE FILED WITH MAYOR: _____

DATE APPROVED BY MAYOR: _____

MAYOR

FORM APPROVED: _____
DIRECTOR OF LAW

ORDINANCE NO. 23-45-A

BY: _____

AN ORDINANCE SETTING COMPENSATION AND STATING POLICY WITH RESPECT TO MANAGEMENT AND SUPERVISORY PERSONNEL OF THE CITY OF NEWARK, OHIO; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT WITH THIS ORDINANCE; AND DECLARING AN EMERGENCY.

WHEREAS, it has become necessary to set the annual salary schedules for the Management and Supervisory Employees of the City of Newark in order to provide for appropriate compensation for services performed; and,

WHEREAS, by virtue of Article 4.06 of the City Charter, the legislative authority of a city is required, by ordinance or resolution, to determine and fix the salaries and compensation of municipal employees; and,

WHEREAS, the Finance Committee of the Newark City Council met on August 7, 2023, and voted unanimously to forward the matter to the full Council for its further consideration;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, AND STATE OF OHIO, THAT:

- Section 1: The legislation affects those individuals and positions as listed in Exhibit A. This legislation also affects replacements for those individuals listed and for new hires and the positions listed.
- Section 2: With respect to employees and positions referred to in Section 1, the annual salary table attached hereto and marked Exhibit "A" shall apply January 1, 2023 through December 31, 2025 and beyond unless modified or repealed by future legislation.
- Section 3: In addition to the compensation set forth in Section 2, those individuals and positions listed as Management and Supervisory Employees, shall be entitled to the protection and benefits set forth in the Statement of Policy for Management and Supervisory Employees dated January 1, 2023 through December 31, 2025. A copy this document shall be attached to the original ordinance and shall be on file with the Clerk of Council for public inspection.
- Section 4: An emergency is hereby declared to exist due to the fact that it is immediately necessary to establish the policies and terms herein in order to preserve the public health, safety, and welfare of the citizens of the City of Newark. Therefore, this Ordinance shall become effective immediately be Council approval and execution by the Mayor.

Passed this _____ day of _____ 2023.

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

DATE FILED WITH MAYOR: _____

DATE APPROVED BY MAYOR: _____

MAYOR

FORM APPROVED: _____
DIRECTOR OF LAW

ORDINANCE NO. 23-46-A

BY: _____

AN ORDINANCE SETTING COMPENSATION AND STATING POLICY WITH RESPECT TO HOURLY NON-BARGAINING EMPLOYEES OF THE CITY OF NEWARK, OHIO; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT WITH THIS ORDINANCE; AND DECLARING AN EMERGENCY.

WHEREAS, it has become necessary to set the annual salary schedules for the Hourly Non-Bargaining employees of the City of Newark in order to provide for appropriate compensation for services performed; and,

WHEREAS, by virtue of Article 4.06 of the City Charter, the legislative authority of a city is required, by ordinance or resolution, to determine and fix the salaries and compensation of municipal employees; and,

WHEREAS, an emergency is hereby declared to exist due to the fact that it is immediately necessary to establish the policies and terms herein in order to preserve the public health, safety, and welfare of the citizens of the City of Newark; and,

WHEREAS, the Finance Committee of the Newark City Council met on August 7, 2023 and voted unanimously to forward the matter to the full Council for its further consideration;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, AND STATE OF OHIO, THAT:

Section 1: The legislation affects those individuals and positions as listed in Exhibit A. This legislation also affects replacements for those individuals listed and for new hires and the positions listed.

Section 2: With respect to employees and positions referred to in Section 1, the annual salary table attached hereto and marked Exhibit "A" shall apply January 1, 2023 through December 31, 2025 and beyond unless modified or repealed by future legislation.

Section 3: In addition to the compensation set forth in Section 2, those individuals and positions listed as Hourly Non-Bargaining Personnel, shall be entitled to the protection and benefits set forth in the Statement of Policy for Hourly Non-Bargaining Personnel dated January 1, 2023 through December 31, 2025. A copy of this document shall be attached to the original ordinance and shall be on file with the Clerk of Council for public inspection.

Section 4: An emergency is hereby declared to exist due to the fact that it is immediately necessary to establish the policies and terms herein in order to preserve the public health, safety, and welfare of the citizens of the City of Newark.

Therefore, this Ordinance shall become effective immediately with Council approval and execution by the Mayor.

Passed this _____ day of _____ 2023.

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

DATE FILED WITH MAYOR: _____

DATE APPROVED BY MAYOR: _____

MAYOR

FORM APPROVED: _____
DIRECTOR OF LAW

ORDINANCE NO. 23-47A

BY: _____

AN ORDINANCE ABOLISHING THE ADMINISTRATIVE TECHNICAL EXEMPT UNIT AND ABSORBING THREE POSITIONS CURRENTLY UNDER SAID UNIT INTO THE POLICIES AND PROVISIONS OF THE HOURLY NON-BARGAINING UNIT AND REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT WITH THIS ORDINANCE; AND DECLARING AN EMERGENCY.

WHEREAS, the Administrative Technical Exempt Unit is made up of only three employees and the policies, but for only a few additional benefits, mirror the hourly non-bargaining policy of the City; and,

WHEREAS, it is the desire of the City to move the current three employees in the Administrative Technical Exempt Unit to the Hourly Non-Bargaining Unit for ease of administration and abolish the Administrative Technical Unit; and,

WHEREAS, the Directors of the three employees in the Administrative Technical Exempt Unit have no objection to the change in units with the agreement that employees will be grandfathered in with all benefits and wages currently in place including any benefits not offered in the Hourly Non-bargaining Unit Policy; and,

WHEREAS, an emergency is hereby declared to exist due to the fact that it is immediately necessary to establish the policies and terms herein in order to preserve the public health, safety, and welfare of the citizens of the City of Newark; and,

WHEREAS, the Finance Committee of the Newark City Council met on August 7, 2023, and voted to forward the matter to the full Council for its further consideration;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, AND STATE OF OHIO, THAT:

Section 1: The Administrative Technical Exempt Unit is hereby abolished. The current positions listed in Exhibit A under the former unit are absorbed into the Hourly Non-Bargaining Unit.

Section 2: This legislation also affects replacements for those individuals listed and for new hires in the positions listed.

Section 3: With respect to the current employees in the positions listed in Exhibit A only, they shall carry with them all benefits obtained under the Administrative Technical Exempt Unit of which are not offered under the Hourly Non-Bargaining Unit upon and after the consolidation of the units.

Section 4: Upon consolidation of the Administrative Technical Exempt Unit and the Hourly Non-Bargaining Unit, the policies set forth in the Hourly Non-Bargaining Contract will include and apply to the positions set forth in Exhibit A with the exception of any benefits grandfathered in for current employees.

Section 5: The listed positions shall be entitled to the protection and benefits set forth in the Statement of Policy for the Hourly Non-Bargaining Unit beginning with the new contract dated January 1, 2023 through December 31, 2025.

Section 6: An emergency is hereby declared to exist due to the fact that it is immediately necessary to establish the policies and terms herein in order to preserve the public health, safety, and welfare of the citizens of the City of Newark. Therefore, this Ordinance shall become effective immediately upon Council approval and execution by the Mayor.

Passed this _____ day of _____ 2023.

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

DATE FILED WITH MAYOR: _____

DATE APPROVED BY MAYOR: _____

MAYOR

FORM APPROVED: _____
DIRECTOR OF LAW

Resolution No.23-70 Exp

BY: _____

A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

WHEREAS, to properly, efficiently and expeditiously conduct business of the City of Newark in the best interest of its citizens, there is an immediate requirement for a certain financial transaction as indicated.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, STATE OF OHIO.

Section 1. There is hereby an appropriation of the unappropriated balance of the 100 General Fund, in the amount of \$405,754.88 (Approval of contract, salaries include wages and bonus, pension is on wages (not bonus) holiday and overtime)

100.202.5111	Salaries	326,107.54
100.202.5117	Holiday	2,015.42
100.202.5118	Overtime	21,336.66
100.202.5121	Pension	41,102.31
100.202.5126	Medicare	5,133.14
100.202.5127	Workers Comp	5,509.81
100.202.5147	Sick Leave Conversion	4,550.00

Section 2. There is hereby an appropriation of the unappropriated balance of the 100 General Fund, in the amount of \$6,664.00 (To pay invoice for outside Counsel)

100.102.5238	Services General	6,664.00
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This resolution is a measure providing for an appropriation for current expenses of the municipal corporation; it shall go into effect pursuant to Section 4.07 of the Charter of the City of Newark, Ohio.

Adopted this _____ day of _____, 2023.

President of Council _____

Attest Clerk of Council _____

Date filed with Mayor _____

Date approved by Mayor _____

Mayor _____

Approved as to form Director of Law _____, _____

Resolution No.23-71

BY: _____

A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

WHEREAS, to properly, efficiently and expeditiously conduct business of the City of Newark in the best interest of its citizens, there is an immediate requirement for a certain financial transaction as indicated.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, STATE OF OHIO.

Section 1. There is hereby an appropriation of the unappropriated balance of the 623 Water Projects Fund, in the amount of \$184,254.50 (East side transmission water main construction project original \$3,250,000 funding through Ohio Builds Development of Developmental grant (total cost \$3,434,254.50)

623.706.5521603	Water Lines East Side Transmission Line	184,254.50
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This resolution is a measure providing for an appropriation for current expenses of the municipal corporation; it shall go into effect pursuant to Section 4.07 of the Charter of the City of Newark, Ohio.

Adopted this _____ day of _____, 2023.

President of Council _____

Attest Clerk of Council _____

Date filed with Mayor _____

Date approved by Mayor _____

Mayor _____

Approved as to form Director of Law _____, _____

BY _____

A RESOLUTION AUTHORIZING AND DIRECTING THE AUDITOR OF THE CITY OF NEWARK TO PAY BILLS ON BEHALF OF THE CLERK OF COUNCIL PURSUANT TO SECTION 5705.41 (D), THEN AND NOW CERTIFICATION; AND DECLARING AN EMERGENCY.

WHEREAS, the Council President for the City of Newark did make the necessary inquiries that these billed amounts as indicated are legitimate and proper and did approve payment in the amounts shown; and

WHEREAS, at the time of the making of such contract or order and at the time of the execution of such certificate a sufficient sum appropriated for the pur-pose of such contract or order was in the treasury or in the process of collection to the credit of an appropriate fund free from any previous encumbrances as indicated by the attached Auditor's certification.

NOW, THEREFORE, BE IT RESOLVED BY COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, AND STATE OF OHIO THAT:

SECTION 1: That the Auditor for the City of Newark be, and he herewith is, authorized and directed to pay bills as follows:

1. To, Baker, Dublikar, dated July 25, 2023, in the amount of \$6,664.00, for legal council State ex rel. Marcia J Phelps, Clerk of Courts..

SECTION 2: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public, peace, health and safety, and for the further reason that an emergency exists in the usual daily operation of the various departments of the municipal government, and said Resolution shall, therefore, become effective upon its date of passage and approval by the Mayor, provided that it receives the affirmative vote of two-thirds (2/3) of the members elected to the Council of the City of Newark; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed this _____ day of _____, _____.

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

DATE FILED WITH MAYOR: _____

DATE APPROVED BY MAYOR: _____

MAYOR

FORM APPROVED _____
DIRECTOR OF LAW

Prepared by the Auditor's Office

RESOLUTION NO. 23-73

BY: _____

A RESOLUTION CONSENTING TO AN ENTERPRISE ZONE ABATEMENT AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF LICKING COUNTY, OHIO AND THE HEATH-NEWARK-LICKING COUNTY PORT AUTHORITY AND AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO EXECUTE SUCH AGREEMENT ON BEHALF OF THE CITY OF NEWARK, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Newark, Ohio by Resolution No.88-62 adopted on July 5, 1988 and amended by Resolution19-72 adopted on October 21, 2019, designated the area as an "Enterprise Zone" pursuant to Chapter 5709 of the Ohio Revised Code; and

WHEREAS, the State of Ohio, by and through the Director of Development has determined that effective August 16, 1988 the City of Newark exhibits the characteristics set forth in ORC Section 5709.61 to qualify as an Enterprise Zone and did certify the City of Newark as an Enterprise Zone under ORC Section 5709.63; and

WHEREAS, Enterprise Zone Abatement Agreements are negotiated between the applicant and the Board of County Commissioners though the agreement must be approved by this Council before the agreement can be approved by the Board of County Commissioners; and

WHEREAS, The Heath-Newark-Licking County Port Authority has submitted an Enterprise Zone Abatement proposal in the manner prescribed by the Director of Development of the State of Ohio setting forth a plan to establish and occupy a facility in the City of Newark Enterprise Zone and to hire new employees or to preserve employment opportunities for existing employees within such Zone and has requested that it be granted one or more of the tax abatement incentives set forth in ORC Section 5709.62 in exchange for implementation of the proposed plan; and,

WHEREAS, the Enterprise Zone Abatement proposal submitted by Heath-Newark-Licking County Port Authority includes a plan to establish, expand, renovate, and/or occupy a facility with a total New Project Investment of approximately \$800,000.00 - \$1,500,000 to renovate existing buildings and land; and,

WHEREAS, the investment intended to be made by Heath-Newark-Licking County Port Authority pursuant to the proposed Enterprise Zone Abatement plan represents a significant and eligible investment within the City of Newark, Ohio pursuant to ORC Section 5709.63; and,

WHEREAS, Heath-Newark-Licking County Port Authority appears to be qualified by financial responsibility and business experience to create and preserve employment

opportunities within the Enterprise Zone and to improve the economic climate within the City of Newark, Ohio; and,

WHEREAS, the Resolution was addressed in a regular session of the Economic Development Committee of this Council which voted to forward the same on to full Council for consideration and adoption.

WHEREAS, due to the timeline for this project and for the immediate preservation of the public peace, health, safety, or welfare, this legislation must be expedited as an emergency pursuant to Article 4.06 of the Charter of the City of Newark;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING AND STATE OF OHIO, THAT:

Section 1: This Council does consent to the proposed Enterprise Zone Abatement Agreement and hereby authorizes the Mayor and the Director of Public Service to execute such agreement to be negotiated between Heath-Newark-Licking County Port Authority and the Board of County Commissioners of Licking County, Ohio, based upon the terms and conditions as set forth in the proposed agreement attached hereto and marked Exhibit "A".

Section 2: The Clerk of Council is hereby directed to transmit a certified copy of this Resolution along with the attached proposed Enterprise Zone Agreement to the Board of County Commissioners of Licking County, Ohio.

Section 3: This Resolution shall become effective immediately as an emergency pursuant to Article 4.07 of the Charter of the City of Newark, Ohio for the immediate preservation of the public peace, health, safety, and welfare

Adopted this ____ day of _____, 2023.

President of Council

ATTEST:

Clerk of Council

DATE FILED WITH THE MAYOR: _____

DATE APPROVED BY MAYOR: _____

MAYOR

APPROVED AS TO FORM:

DIRECTOR OF LAW