City Council - Regular Meeting
345 High Street

Hamilton, OH, 45011

1. Call To Order

2. Offering Of Prayer - Council Member Rob Wile

3. Pledge Of Allegiance

4. Special Presentations By City Council Or The City Manager/ Proclamations/ Verbal Reports

   4.I. Butler County Visitors Bureau GOBA Presentation

5. Audience Of Citizens

   Individuals who wish to make comments regarding items scheduled on the Agenda may speak during this part of the agenda or may reserve the right to speak specifically when that item is up for a vote on Council floor. Individuals who wish to speak regarding items not specifically scheduled may by do so at this time. All individuals who intend to address City Council are required to sign in at the table in the back of the room. Each speaker is allowed 5 minutes.

6. Caucus Agenda June 8, 2016

   6.I. Recommendation Relative To An Application For A Liquor Permit Transfer From Vaibhava Laxmi, Inc. Dba Rosa Grocery, 1st Fl. Only, 1202 Hanover St., Hamilton, OH 45011 To HVSL, Inc. Dba Rosa's Groceries, 1st Fl. Only, 1202 Hanover St., Hamilton, OH 45011.

   Documents: 6-8-16 CAUCUS REPORT - ROSAS GROCERIES LIQUOR PERMIT.PDF

   6.II. Recommendation Relative To A Amending The City Of Hamilton Community Reinvestment Area (CRA).

   Documents: 6-8-16 CAUCUS REPORT - CRA AMENDMENT.PDF

7. Pending Legislation

   7.I. An Ordinance Amending Zoning Ordinance No. 7503 By Changing The Zoning Of Property Located At 1401 NW Washington Boulevard, (City Lot No. 23727), Located In The City Of Hamilton, First Ward North Side, From R-4 Multi-Family Residence District To R-O Multi-Family Residence/Office District. (AurGroup Financial Credit Union, Applicant/Owner). (Second Reading).

   Documents: 16 STAFF REPORT - 1401 NW WASHINGTON REZONING.PDF, 16.1 STAFF REPORT ATTACHMENT - 1401 NW WASHINGTON.PDF, 16.2 ORDINANCE - REZONE 1401 NW WASHINGTON - REVISED.PDF

   7.II. An Emergency Ordinance Determining To Proceed With The Improvements And Plan Of Services For The Special Improvement District Created For The Hamilton Central Business District, And Levying The Special Assessments Therefore. (Second Reading).

Documents: 17 STAFF REPORT.CENTRAL BUSINESS DISRICT SID - LEVY ASESSMENTS - SR.PDF, 17.1 ORDINANCE - CENTRAL BUSINESS DISTRICT SID - LEVY ASSESSMENTS.PDF, 17.2 ORDINANCE EXHIBIT - SID EXHIBIT A.PDF, 17.3 ORDINANCE EXHIBIT - SID EXHIBIT B.PDF

8. New Legislation

8.I. An Ordinance Authorizing And Directing The City Manager To Execute An Agreement For The Lease Of Fiber Optic Facilities Between The City Of Hamilton, Ohio, Department Of Utilities And Southwest Ohio Computer Association. (First Reading)

Documents: 4 STAFF REPORT - SWOCA.PDF, 4.1 ORDINANCE - SWOCA ORDINANCE.PDF

8.II. An Ordinance Amending Subparagraph 935.02 (E)(1)(2) Of Chapter 935 – Sewer Rates, Of The Codified Ordinances Of The City Of Hamilton, Ohio, Relative To Sewer Service Rates, And Repealing Said Subparagraphs As They Currently Exist. (First Reading).

Documents: 5 STAFF REPORT - AMEND CO SUBSECTIONS 935 02 SEWER RATES.PDF, 5.1 WASTEWATER COST OF SERVICE AND RATE PLAN PRESENTATION JUNE 2016 - FINAL.PDF, 5.2 ORDINANCE - SEWER RATES.PDF

8.III. A Ordinance Supporting A Property Assessed Clean Energy (PACE) Program In The City Of Hamilton And The Willingness To Establish An Energy Special Improvement District (ESID) To Assist Hamilton Business In Their Energy Savings Investment Projects.

Documents: 6-8-16 STAFF REPORT - PACE.PDF, 6-8-16 STAFF REPORT ATTACHMENT - GC PACE FLYER.PDF, 6.2 STAFF REPORT ATTACHMENT - CASE STUDY IVYKNOLL KY FINAL 2016.PDF, 6.3 STAFF REPORT ATTACHMENT - PACE SPECIAL ASSESSMENT EXAMPLE 1.PDF, 6-8-16 ORDINANCE - PACE.PDF

8.IV. An Emergency Ordinance Amending Schedule "A" Of The City's Classification And Compensation Plan, As Set Forth In Emergency Ordinance No. EOR2016-1-4, Adopted January 13, 2016 And As Amended From Time To Time, Relative To The Classification Of Economic Development Director, And Repealing Ordinance No. OR2016-5-39, Adopted May 11, 2016. (Two Readings).

Documents: 6-8-16 STAFF REPORT - AMEND SCHEDULE A - ECONOMIC DEVELOPMENT DIRECTOR.PDF, 6-8-16 ORDINANCE - AMEND SCHEDULE A - ECONOMIC DEVELOPMENT DIRECTOR.PDF

8.V. An Emergency Ordinance Amending Schedule "A" Of The City's Classification And Compensation Plan, As Set Forth In Emergency Ordinance No. EOR2016-1-4, Adopted January 13, 2016 And As Amended From Time To Time, Relative To The Classification Of Executive Secretary To The City Manager, And Repealing Ordinance No. OR2016-5-40, Adopted May 11, 2016. (Two Readings).

Documents: 6-8-16 STAFF REPORT - AMEND SCHEDULE A - EXECUTIVE SECRETARY TO THE CITY MANAGER.PDF, 6-8-16 ORDINANCE - AMEND SCHEDULE A - EXECUTIVE SECRETARY TO THE CITY MANAGER.PDF

8.VI. An Ordinance Making Supplemental Appropriations For Current Expenditures Of The City Of Hamilton, During The Fiscal Year Ending December 31, 2016. (Two Readings).

Documents: 6-8-16 STAFF REPORT - FOURTH SUPPLEMENTAL.PDF, 6-8-16 ORDINANCE - FOURTH SUPPLEMENTAL.PDF

9. Audience Of City Manager

10. Audience Of City Council
11. Executive Session
12. Adjournment

City of Hamilton
BUTLER COUNTY OHIO

Caucus Report
June 8, 2016

City Council Meeting Caucus Report

TO: The Honorable Mayor and Members of the City Council

RE: Application for a Liquor Permit Transfer from Vaibhava Laxmi, Inc. dba Rosa Grocery, 1st Fl. Only, 1202 Hanover St., Hamilton, OH 45011 to HVSL, Inc. dba Rosa's Groceries, 1st Fl. Only, 1202 Hanover St., Hamilton, OH 45011

Dear Mayor and Members of Council:

Notification has been received from the Ohio Department of Liquor Control relative to a request for a C1-C2 liquor permit transfer from Vaibhava Laxmi, Inc. dba Rosa Grocery, 1st Fl. Only, 1202 Hanover St., Hamilton, OH 45011 to HVSL, Inc. dba Rosa's Groceries, 1st Fl. Only, 1202 Hanover St., Hamilton, OH 45011.

The holder of this type of permit is the owner or operator of a retail food establishment to sell beer, wine and prepared and bottled cocktails, cordials, and other mixed beverages in original packages and not for consumption on the premises where sold. Under such permit, this also allows sales between the hours of ten a.m. and midnight on Sunday.

The appropriate city departments have investigated this request and have no objections to this request. I recommend that Council direct the City Clerk to notify the Ohio Department of Liquor Control that the City has no objection to the transfer.

It is the recommendation of this office that Council receives this report and concurs in the recommendation.

Sincerely,

Joshua A. Smith
City Manager

Caucus Report Prepared By:

Amy K. Bach
City Manager's Office

Choose Strategic Goal(s)

- [ ] R *Realize $150 million of new private industrial/commercial investment*
- [ ] A *Add 2,000 new jobs*
- [ ] I *Increase residential property values by CPI + 5%*
- [ ] D *Decrease vacant residential structures by 30% (1,000 total)*
- [ ] G *Generate $20 M in investment for recreational amenities with $10 M around the Great Miami River*
- [ ] E *Engage 50,000 participants annually in special events, arts and recreation activities*
- [x] O *General Operations/ Government Business*

City of Hamilton
BUTLER COUNTY OHIO

Caucus Report
June 8, 2016

City Council Meeting Caucus Report

TO: The Honorable Mayor and Members of the City Council

RE: Amending the City of Hamilton Community Reinvestment Area (CRA)

- [x] 1st Reading Date: 6/22/16
- [x] 2nd Reading Date: 7/13/16
- [ ] Public Hearing Date:

Dear Mayor and Members of Council:

A Community Reinvestment Area (CRA) offers tax incentives on real property for eligible businesses and residences. The City Council adopted EOR2012-7-57 and EOR2013-2-25 to create and amend the Community Reinvestment Area, which was confirmed by the Ohio Development Services Agency on May 14, 2013. Through discussions with staff, attorneys and potential project developers regarding the City's CRA several amendments to the existing CRA are being proposed.

1. An amendment to the existing City-wide CRA ordinance removing property from the existing CRA and authorizing an additional 10 years of abatement for certain historical structures.
2. An ordinance creating the Main-High Corridor CRA that would include new residential construction projects as an eligible abatement under the Main-High Corridor CRA.
3. An ordinance creating the University Commerce Park CRA that would include new residential construction projects as an eligible abatement under the University Commerce Park CRA.

It is the recommendation of this office that Council receives this report, concurs in the recommendation, and directs the preparation of the necessary legislation.

Sincerely,

Joshua A. Smith
City Manager

Caucus Report Prepared By:

Jody T. Gunderson
Economic Development Director

Choose Strategic Goal(s)

- [ ] R *Realize $150 million of new private industrial/commercial investment*
- [ ] A *Add 2,000 new jobs*
- [x] I *Increase residential property values by CPI + 5%*
- [x] D *Decrease vacant residential structures by 30% (1,000 total)*
- [ ] G *Generate $20 M in investment for recreational amenities with $10 M around the Great Miami River*
- [ ] E *Engage 50,000 participants annually in special events, arts and recreation activities*
- [ ] O *General Operations/ Government Business*

City of Hamilton
BUTLER COUNTY OHIO

Staff Report
May 25, 2016

City Council Meeting Staff Report

Report To: The Honorable Mayor Patrick Moeller & Members of the City Council

Report From: John Creech, Senior Planner

Agenda Item: Request to Rezone 1401 NW Washington Boulevard (City Lot No. 23727), located in the City of Hamilton, First Ward North Side, from R-4 Multi-Family Residence District to R-O Multi-Family Residence/Office District. (AurGroup Financial Credit Union, Applicant/Owner).

Approvals/Reviews *To be checked by the Office of the City Manager once approvals received from Departments. All other boxes to be checked by the Report author*	☑ Department Head ☑ Finance Department ☑ Director of Law ☑ Office of the City Manager	**Related Strategic Goal(s)** ☐ I *Increase property values* ☐ D *Decrease vacant structures* ☐ A *Add new jobs* ☑ R *Realize new investments* ☐ G *Generate recreational investments* ☐ E *Engage citizens in activities* ☑ O *General operations*
Ordinance or Resolution *Ordinance*	☑ 1st Reading Date: 5-25-2016 ☑ 2nd Reading Date: 6-8-2016 ☑ Public Hearing Date: 5-25-2016	
Prior Action/Review *Please note if this item was discussed on a prior Council or other agenda*	**City Council** *(or other):* Planning Commission: 4-18-2016	
Contract	☐ Contract Required	☑ Additional Document(s) Attached
Fiscal Impact	Budgeted: No General Fund: $200.00 Other Funds: $ 0.00	*Please see further, more detailed information regarding the fiscal impact in the summary section of this report*

Policy Issue

Does City Council wish to rezone 1401 NW Washington Boulevard (City Lot No. 23727), located in the City of Hamilton, First Ward North Side, from R-4 Multi-Family Residence District to R-O Multi-Family Residence/Office District?

Policy Alternatives

Council may choose to not rezone 1401 NW Washington Boulevard (City Lot No. 23727), located in the City of Hamilton, First Ward North Side, from R-4 Multi-Family Residence District to R-O Multi-Family Residence/Office District.

Staff Recommendation

It is the recommendation of this office that Council receives this report, concurs in the Recommendation of the Planning Commission, and adopts the necessary legislation to rezone 1401 NW Washington Boulevard (City Lot No. 23727), located in the City of Hamilton, First Ward North Side, from R-4 Multi-Family Residence District to R-O Multi-Family Residence/Office District.

Statutory/Policy Authority

- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton

Fiscal Impact Summary

The City's current fiscal impact includes any staff time allotted to the request to rezone 1401 NW Washington Boulevard (City Lot No. 23727), located in the City of Hamilton, First Ward North Side, from R-4 Multi-Family Residence District to R-O Multi-Family Residence/Office District estimated at approximately $200.00.

Background Information

AurGroup Financial Credit Union is requesting to rezone 1401 NW Washington Boulevard (City Lot No. 23727) in order to combine the two parcels into a single parcel to allow for a canopy expansion onto the existing bank's Drive Thru. There are two parcels of land that make up the AurGroup property and the two properties are currently zoned differently. The property where the bank building is located is currently zoned R-O Multi-Family Residence/Office District and the parking lot parcel to the east is zoned R-4 Multi-Family Residence District. A zoning map is attached to this application as Attachment 2. This rezoning is the first necessary step in order to permit the canopy extension for the AurGroup Financial Credit Union. Plans for the proposed canopy extension are attached as Attachment 3.

Plan/Proposal Analysis

Zoning

There are two parcels of land that make up the AurGroup property located at 1401 NW Washington Boulevard and the two properties are currently zoned differently. The property where the bank building is located is currently zoned R-O Multi-Family Residence/Office District and the adjacent parking lot parcel associated is currently zoned R-4 Multi-Family Residence District. AurGroup has submitted an application to rezone the parking lot parcel from R-4 Multi-Family Residence District and R-O Multi- Family Residence/Office District.

Surrounding zoning includes R-O Multi- Family Residence/Office District to the north, R-O Multi- Family Residence/Office District to the West, R-1 Single Family Residence District to the South, and R-4 Multi-Family Residence District to the east. The subject property has a total of approximately 83 feet of frontage along NW Washington Boulevard.

Building

Plans have been submitted for an expansion to the existing Credit Union Building drive-through canopy. The proposed canopy expansion would be built across lot lines, therefore a lot combination is necessary – the lots can only be combined if they have the same zoning classification. If the proposed rezoning is approved and the two lots combined the submitted canopy extension plans would go through the City of Hamilton Departmental Review process. The plans must adhere to all applicable building and zoning regulations.

Public Notification

A total of fifty four (54) public hearing notices were mailed to property owners within 500 feet of the subject property prior to the Planning Commission meeting. The Department received a number of phone calls with questions about the rezoning request. There were no objections expressed to the rezoning of 1401 NW Washington Boulevard.

Recommendation

The Planning Commission held a public hearing and reviewed the proposed rezoning regarding 1401 NW Washington, First Ward North Side, City Lot No. 23727, from R-4 Multi-Family Residence District to R-O Multi-Family Residence/Office District on April 18, 2016 and recommend approval by City Council.

It is the recommendation of this office that Council receives this report, concurs in the Recommendation of the Planning Commission, and adopts the necessary legislation to rezone 1401 NW Washington Boulevard (City Lot No. 23727), located in the City of Hamilton, First Ward North Side, from R-4 Multi-Family Residence District to R-O Multi-Family Residence/Office District.

Attached Information

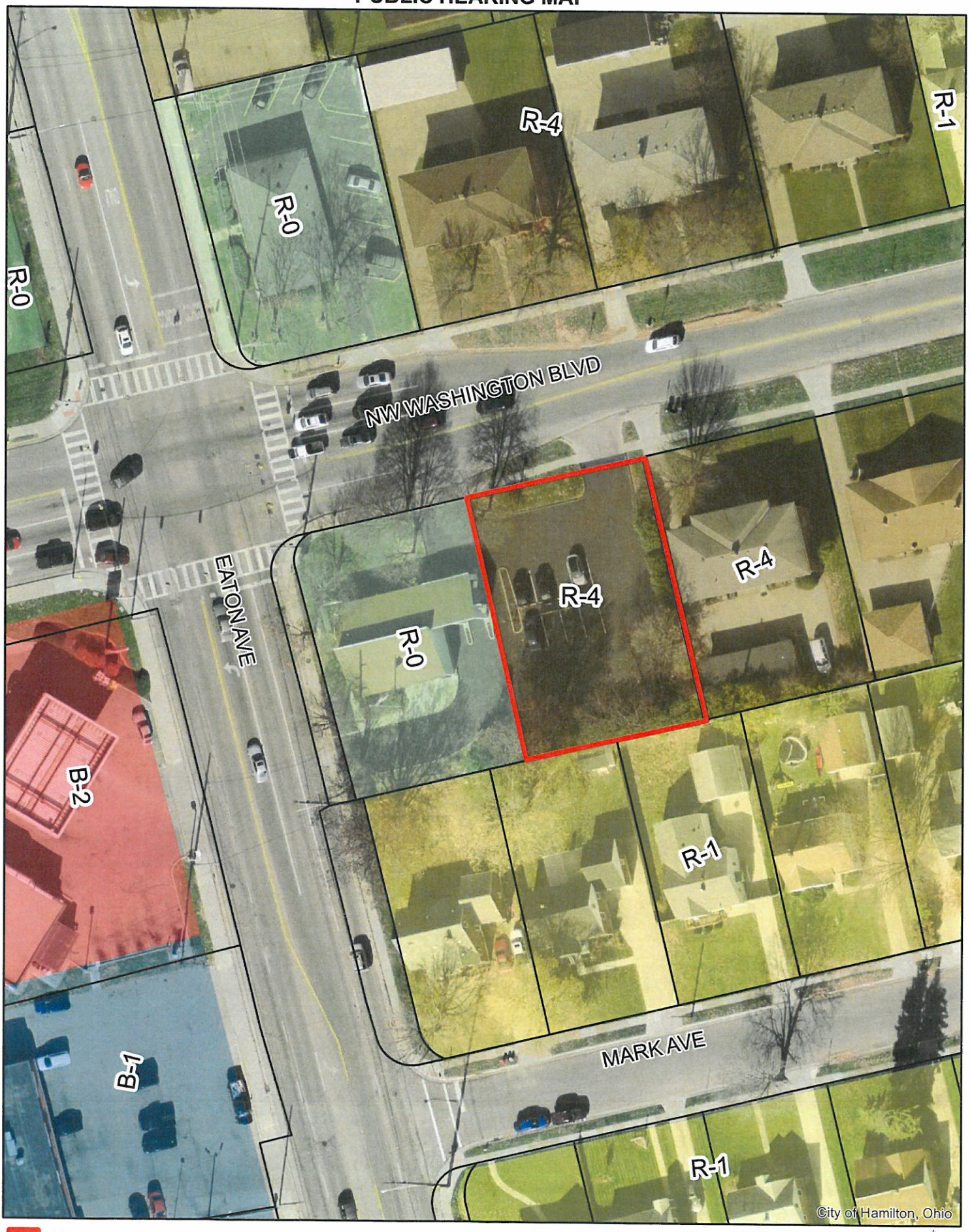
1. Public Hearing Map
2. Zoning Map
3. Application and Submitted Plans

1401 N.W. WASHINGTON BLVD.
PUBLIC HEARING MAP

1401 N.W. Washington Blvd.

0 25 50 100 Feet

1401 N.W. WASHINGTON BLVD.
PUBLIC HEARING MAP



1401 N.W. Washington Blvd.

0 20 40 80 Feet

A160852
A160853

City of Hamilton
BUTLER COUNTY OHIO

Community Development
345 High Street, Suite 370
Hamilton, Ohio 45011

PLANNING DIVISION APPLICATION

Site Address:	1401 NW Washington Blvd.			**Project Name:**	Aurgroup - Drive thru
Lot #	P6411052000117	**Zoning:**	R-4 Multi-Family	**Subdivision:**	

	OWNER / DEVELOPER	AGENT / APPLICANT	ARCHITECT / ENGINEER
Name	Green Building Solution LLC	Mary Lee Jones / Aurgroup Credit Union	Almangio and Associates
Street Address	5810 Brown Rd	8811 Holden Blvd.	
City, State, Zip	Oxford, OH 45056	Fairfield, OH 45014	
Phone# / Fax#	513-497-2014 / Fax	513-305-4366 / Fax	937-231-4605 / Fax
Cell			
Email	ahicks@greenbuildingsolutions.biz	mjones@aurgroup.org	mr.amangio@gmail.com

☒ **ZONING** ($300 application fee) $ 300.00

Existing property use: Credit Union parking lot
Present Zoning District: R-4 Multi-Family residentia
Proposed use: Lot combination of Credit Union and Parking lot
Requested Zoning District: R-O Residential Office

☐ **LOT SPLIT / COMBINATION** (Fee $100, except if non-buildable lot split $20) $ _____

☐ **PRELIMINARY PLAT / FINAL PLAT APPROVAL** (Fee as below) $ _____

☐ Sketch ($100 fee) ☒ Preliminary ($300 fee) ☐ Construction Plans (No Fee)
☐ Final ($500 fee) ____ $40 / lot _____ ☐ Sewer Impact Fee $1,875 / lot _____

☐ **PLANNED DEVELOPMENT APPROVAL** (Fee as below) $ _____

☐ Sketch ($100 fee) ☐ Preliminary ($300 fee) ☐ Final ($500 fee)

Revision to Final Planned Development Plan

☐ Major ($500 fee) ☐ Moderate ($250 fee) ☐ Minor ($150 fee)

☐ Certificate of Zoning Compliance ($50.00 fee) $

☐ Home Occupation Approval ($50.00 fee) $

☐ Telecommunication Registration Fee ($300.00 fee) $

TOTAL AMOUNT OF FEE---------- $ 300.00

City of Hamilton
Office of FMST
Date: 4/6/2016
Acct: 0855555
Cashier: Conys
Name:
Credit Card Tendered: $300.00
Credit Card Number: 4/6/2016 4:05 PM
$300.00

SIGNATURE OF APPLICANT	4/6/2016 DATE	Anthony Hicks PRINT NAME
SIGNATURE OF OWNER	4/6/2016 DATE	Mary Lee Jones PRINT NAME

NEW DRIVE THRU CANOPY EXTENSION FOR:

AURGROUP CREDIT UNION

1401 N. W. WASHINGTON STREET
HAMILTON, OHIO 45012

Architect
Alwin J. Mangio
RA BO MPE BI
109 Bellbrook Avenue
Spring Valley, OH 45370
937-231-4605

DESIGN group ARCHITECTS

CODE NOTES

DESIGNED UNDER 2011 OHIO BUILDING CODE AND REFERENCED STANDARDS.

CONSTRUCTION TYPE - VB
EXISTING OCCUPANCY IN BUILDING IS 'B' USE GROUPS
OCCUPANCY IS UNCHANGED
EXISTING BUILDING AREA IS 2,420 S.F. (UNCHANGED)
NEW CANOPY AREA IS 252 S.F. (UNCHANGED)
NEW BUILDING AREA IS 2,672 S.F. (CHANGED)
ALLOWABLE BUILDING AREA IS 9000 SF AND ONE STORY HEIGHT FOR B, (PERIMETER INCREASE NOT NEEDED)
NO FIRE SUPPRESSION SYSTEM REQUIRED OR PROVIDED
NEW OCCUPANT LOAD 'B' = 2,672/100 OCCT= 27

THE SCOPE OF THIS PROJECT IS TO OBTAIN THE REQUIRED BUILDING PERMITS FOR A BUSINESS AREA EXPANDED INTO A NEW COVERED TELLER LANE
THE USE OF THIS BUILDING IS UNCHANGED.

THE EXISTING BUILDING IS UNCHANGED.
THE NEW ADDITION INCREASES THE AREA AND THEREFORE THE OCCUPANT LOAD SLIGHTLY. HOWEVER, SINCE THE TOTAL OCCUPANT LOAD IS LESS THAN 50, SEPARATE TOILET FACILITIES ARE NOT REQUIRED.

THERE WILL BE THE ADDITION OF ELECTRICAL CIRCUITS AND LIGHTING FIXTURES
THERE WILL BE NO NEW HVAC WORK.

Index to Drawings

RECEIVED
MAR 3 1 2016

REVISIONS

NEW DRIVE THRU
CANOPY EXTENSION FOR:
Aurgroup Credit Union
1401 N. W. WASHINGTON STREET
HAMILTON, OHIO 45012

DESIGN group ARCHITECTS
109 BELLBROOK AVE
Spring Valley
Ohio 45370
937-231-4605

STATE OF OHIO ALWIN J. MANGIO 9348 REGISTERED ARCHITECT

Alwin James Mangio
#9348
Expires 12-31-17

DATE: 03-11-16

SHEET NUMBER
C1

North
W E
S

SMALL SCALE
SITE PLAN
NO SCALE

REVISIONS

NEW DRIVE THRU
CANOPY EXTENSION FOR:
Aurgroup Credit Union
1401 N. W. WASHINGTON STREET
HAMILTON, OHIO 45012

DESIGN group
ARCHITECTS

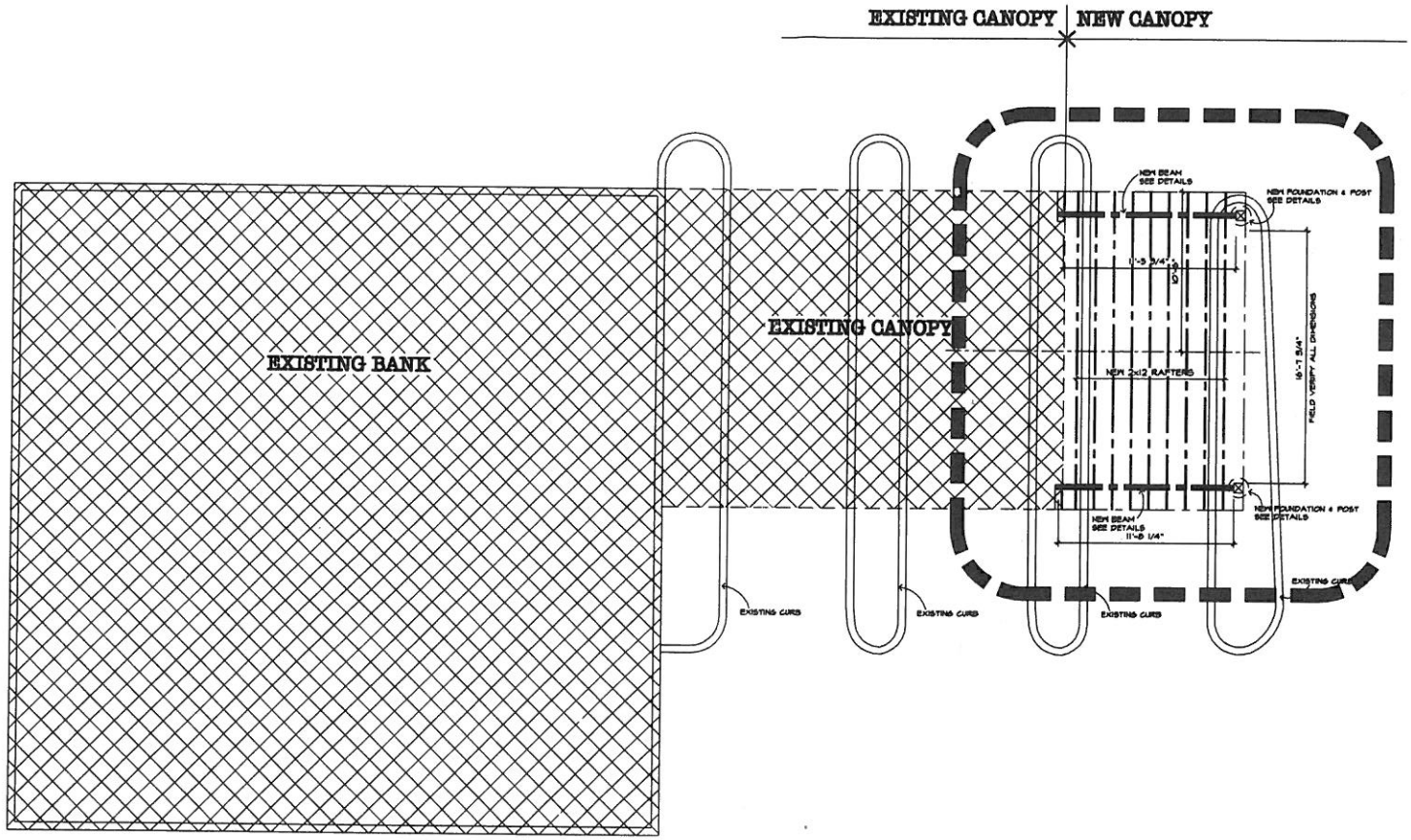
109 BELLBROOK AVE
Spring Valley
Ohio 45370
937-951-4608

STATE OF OHIO
ALWIN J. MANGIO 9348
REGISTERED ARCHITECT

Alwin James Mangio
#9348
Expires 12-31-17

DATE: 03-11-16

SHEET NUMBER
C2



North
W E
S

SMALL SCALE
FLOOR PLAN
SCALE - 1/8"=1'-0"

REVISIONS

NEW DRIVE THRU
CANOPY EXTENSION FOR:
Aurgroup Credit Union
1401 N. W. WASHINGTON STREET
HAMILTON, OHIO 45012

DESIGN group
ARCHITECTS

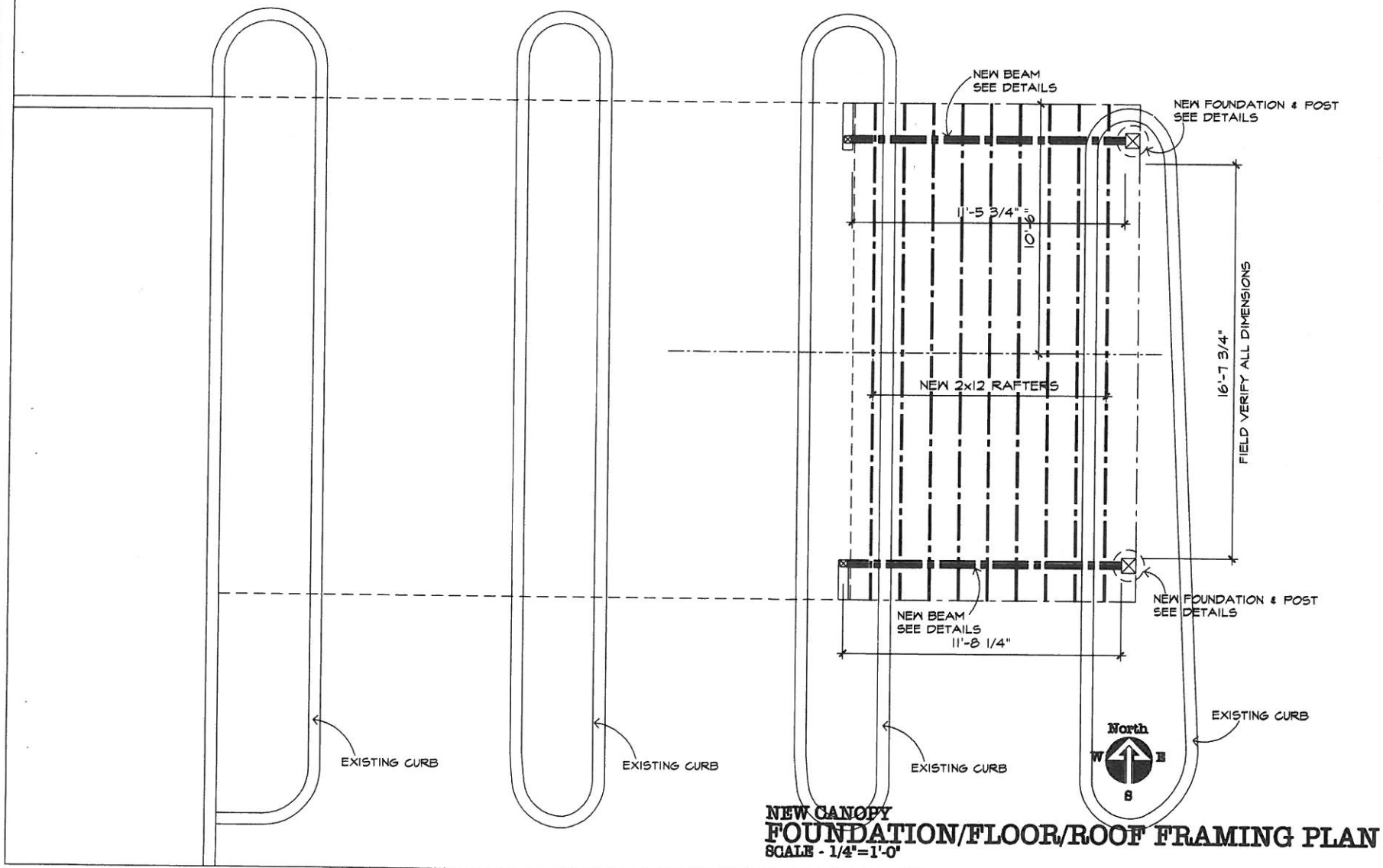
109 BELLBROOK AVE
Spring Valley
Ohio 45370
937-351-4608

STATE OF OHIO
ALWIN J. MANGIO 9348
REGISTERED ARCHITECT

Alwin James Mangio
#9348
Expires 12-31-17

DATE: 03-11-16

SHEET NUMBER
A0



NEW CANOPY
FOUNDATION/FLOOR/ROOF FRAMING PLAN
SCALE - 1/4"=1'-0"

REVISIONS

NEW DRIVE THRU
CANOPY EXTENSION FOR:
Aurgroup Credit Union
1401 N. W. WASHINGTON STREET
HAMILTON, OHIO 45012

DESIGN group
ARCHITECTS

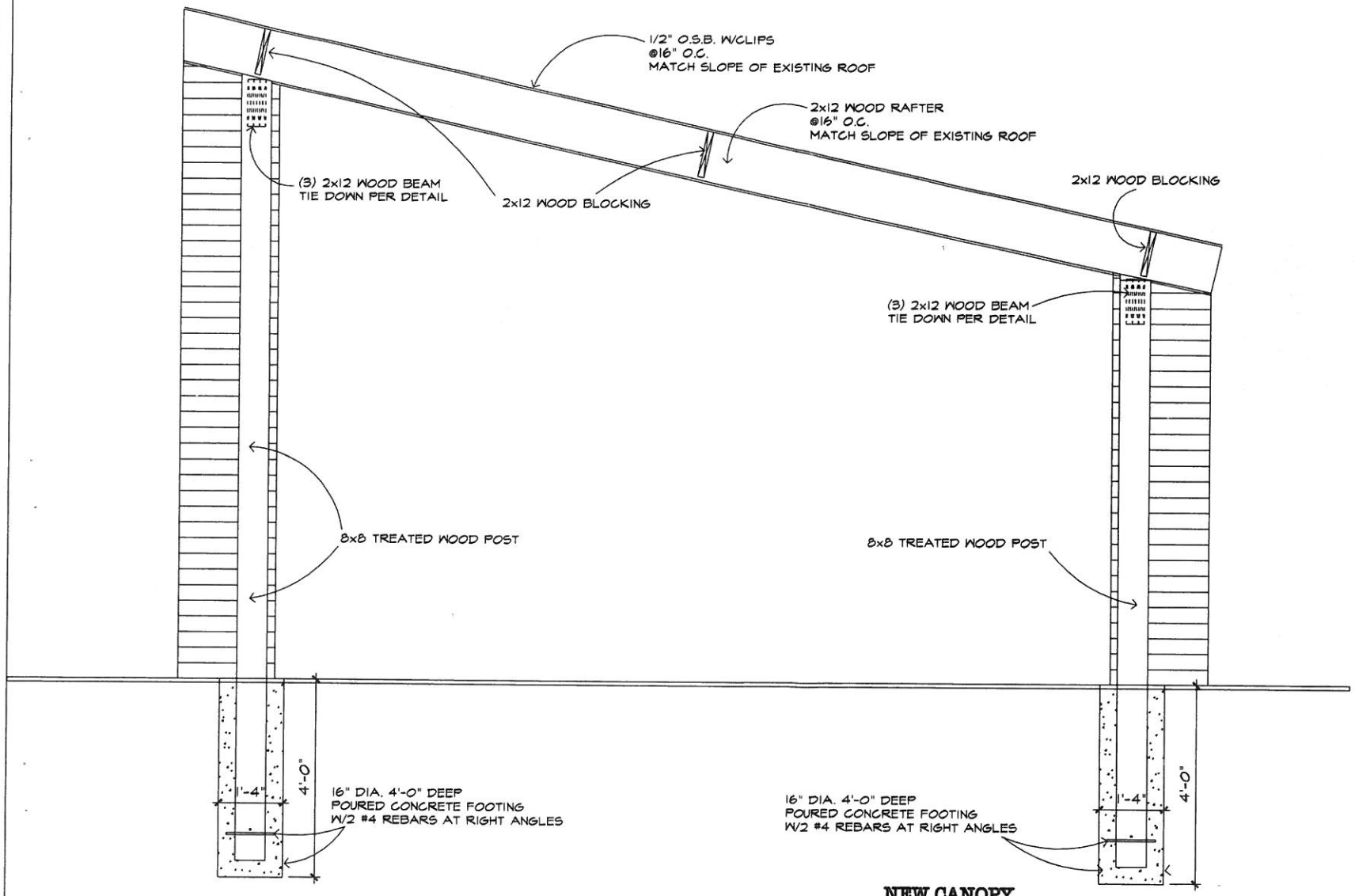
109 BELLBROOK AVE
Spring Valley
Ohio 45370
937-501-4608

STATE OF OHIO
ALWIN J. MANGIO
9348
REGISTERED ARCHITECT

Alwin James Mangio
#9348
Expires 12-31-17

DATE: 03-11-16

SHEET NUMBER
A1



NEW CANOPY
SECTION DETAIL
SCALE - 1/2"=1'-0"

REVISIONS

NEW DRIVE THRU
CANOPY EXTENSION FOR:
Aurgroup Credit Union
1401 N. W. WASHINGTON STREET
HAMILTON, OHIO 45012

DESIGN group
ARCHITECTS

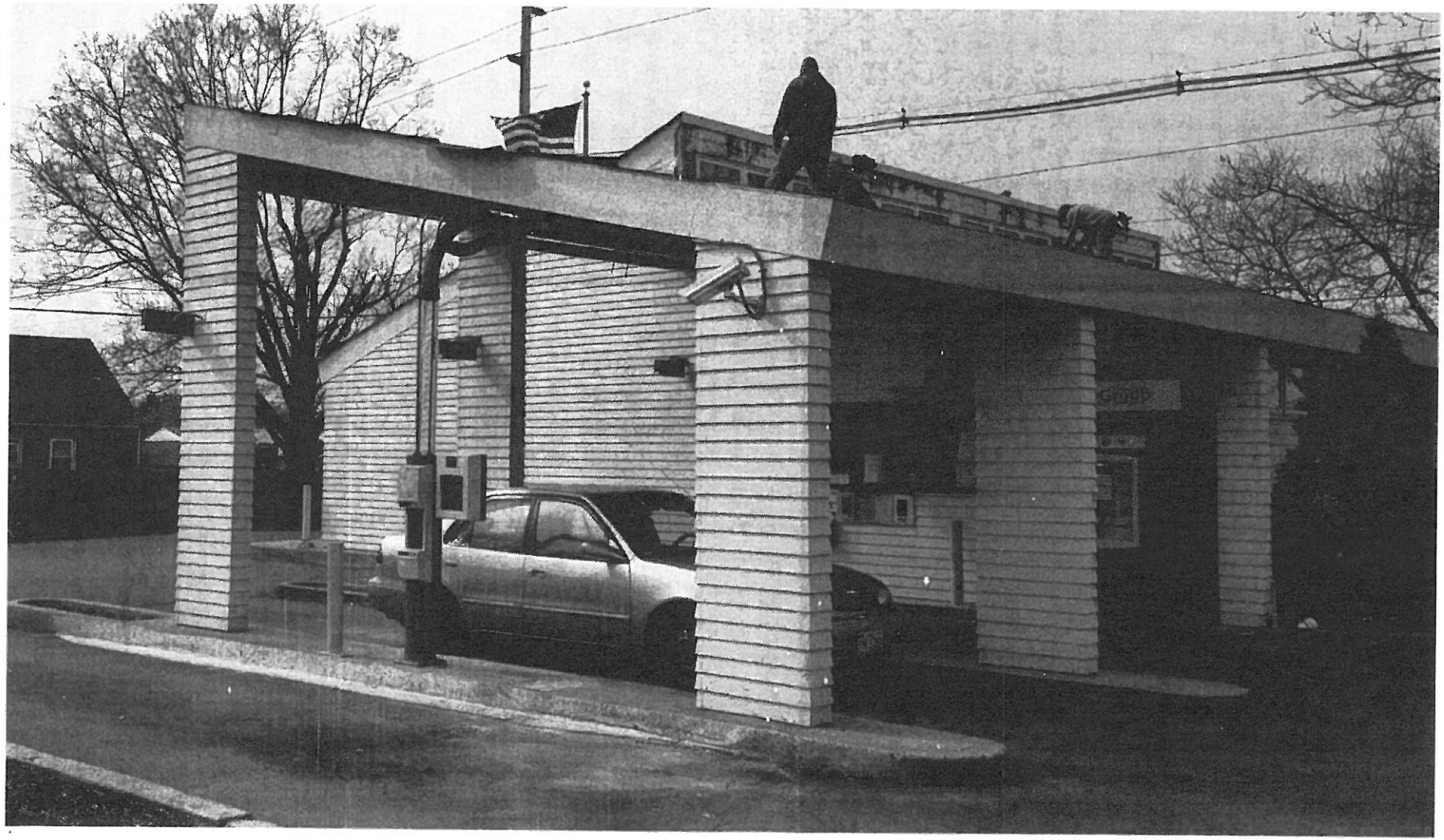
109 BELLBROOK AVE
Spring Valley
Ohio 45370
937-231-4605

STATE OF OHIO
ALWIN J. MANGO 9348
REGISTERED ARCHITECT

Alwin James Mangio
#9348
Expires 12-31-17

DATE: 03-11-16

SHEET NUMBER
A2



NEW CANOPY
SITE PHOTOGRAPH
SCALE - 1/2"=1'-0"

REVISIONS

NEW DRIVE THRU
CANOPY EXTENSION FOR:
Aurgroup Credit Union
1401 N. W. WASHINGTON STREET
HAMILTON, OHIO 45012

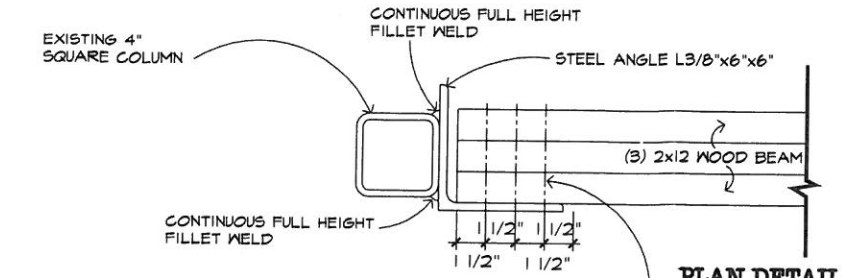
DESIGN group
ARCHITECTS
109 BELLBROOK AVE
Spring Valley
Ohio 45370
937-251-4605

STATE OF OHIO
ALWIN J. MANGO
9348
REGISTERED ARCHITECT

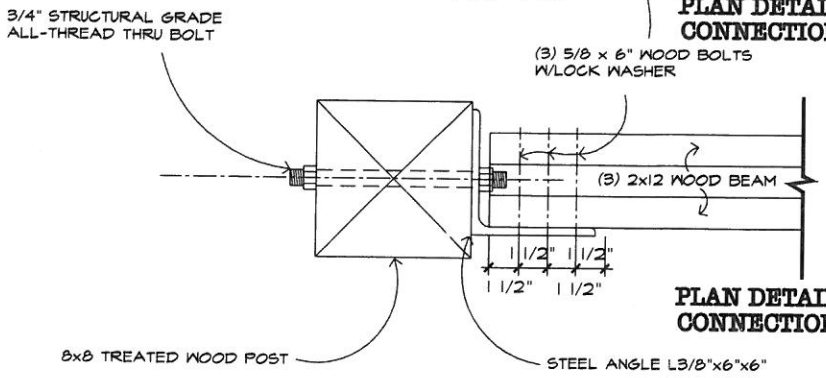
Alwin James Mangio
#9348
Expires 12-31-17

DATE: 03-11-16

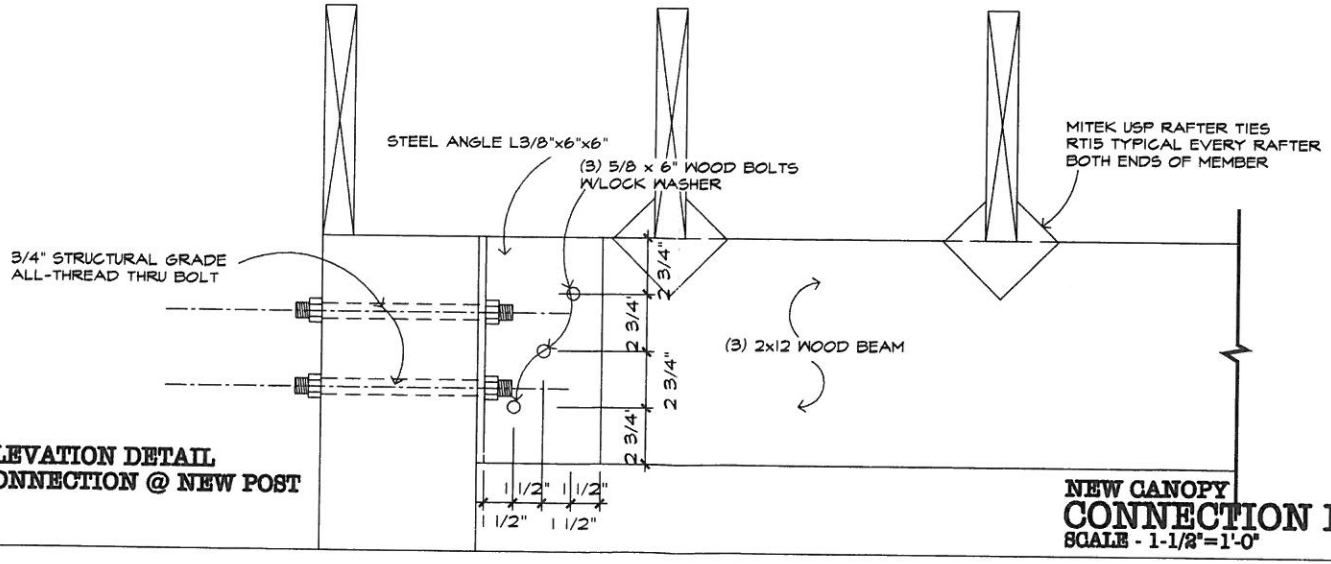
SHEET NUMBER
A3



PLAN DETAIL
CONNECTION @ EXISTING STEEL POST



PLAN DETAIL
CONNECTION @ NEW POST



ELEVATION DETAIL
CONNECTION @ NEW POST

NEW CANOPY
CONNECTION DETAILS
SCALE - 1-1/2"=1'-0"

REVISIONS

NEW DRIVE THRU
CANOPY EXTENSION FOR:
Aurgroup Credit Union
1401 N. W. WASHINGTON STREET
HAMILTON, OHIO 45012

DESIGN group ARCHITECTS
109 BELLBROOK AVE
Spring Valley
Ohio, 45370
937-251-4605

STATE OF OHIO
ALWIN J. MANGIO
9348
REGISTERED ARCHITECT

Alwin James Mangio
#9348
Expires 12-31-17

DATE: 03-11-16

SHEET NUMBER
A4

ORDINANCE NO. _____

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 7503 BY CHANGING THE ZONING OF PROPERTY LOCATED AT 1401 NW WASHINGTON BOULEVARD, (CITY LOT NO. 23727), LOCATED IN THE CITY OF HAMILTON, FIRST WARD NORTH SIDE, FROM "R-4" MULTI-FAMILY RESIDENCE DISTRICT TO "R-O" MULTI-FAMILY RESIDENCE/OFFICE DISTRICT. (AurGroup Financial Credit Union, Applicant/Owner)

WHEREAS, the Administration of the City of Hamilton, Ohio has received a request from AurGroup Financial Credit Union, owner of 1401 NW Washington Boulevard (City Lot No. 23727), for a change in the zoning designation for said property, located in the First Ward North Side, from "R-4" Multi-Family Residence District to "R-O" Multi-Family Residence/Office District; and

WHEREAS, AurGroup Financial Credit Union has proposed the rezoning from "R-4" to "R-O" in order to combine the two parcels into a single parcel to allow for a canopy expansion onto the existing bank's Drive Thru on the property; and

WHEREAS, the City Planning Commission held a public hearing and reviewed the rezoning request at their April 18, 2016 meeting and property owners within 500 feet of the subject property were notified by mail of the public hearing before the City Planning Commission and there were no objections expressed to the proposed rezoning; and

WHEREAS, after holding a public hearing and reviewing the rezoning request, the City Planning Commission approved the request to rezone property located at 1401 NW Washington Boulevard (City Lot No. 23727) from "R-4" to "R-O"; and

WHEREAS, the City Planning Commission reviewed the proposed rezoning on April 18, 2016 and after holding a public hearing and consideration, the Planning Commission approved the rezoning request and recommended that City Council approve the request to rezone property located at 1401 NW Washington Boulevard (City Lot No. 23727), located in the First Ward North Side, City of Hamilton, Butler County, Ohio.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hamilton, Ohio:

SECTION I: That the zoning of the following described lot, to-wit:

(1) property located at 1401 NW Washington Boulevard (City Lot No. 23727), located in the First Ward North Side, City of Hamilton, Butler County, Ohio

as the same are known and designated on the revised list of lots in the First Ward of the City of Hamilton, Butler County, Ohio, and as set forth in detail in Exhibit No. 1, attached hereto, made a part hereof and incorporated herein by reference, be and are hereby changed from "R-4" Multi-Family Residence District to "R-O" Multi-Family Residence/Office District, and the District Map provided by Section 1103.00 of the Zoning Ordinance No. 7503 shall be altered to show such changes.

SECTION II: This ordinance shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: _____

Effective Date: _____ _____
Mayor

ATTEST: _____
City Clerk

Ordinance No. _____ (cont'd)

CERTIFICATE

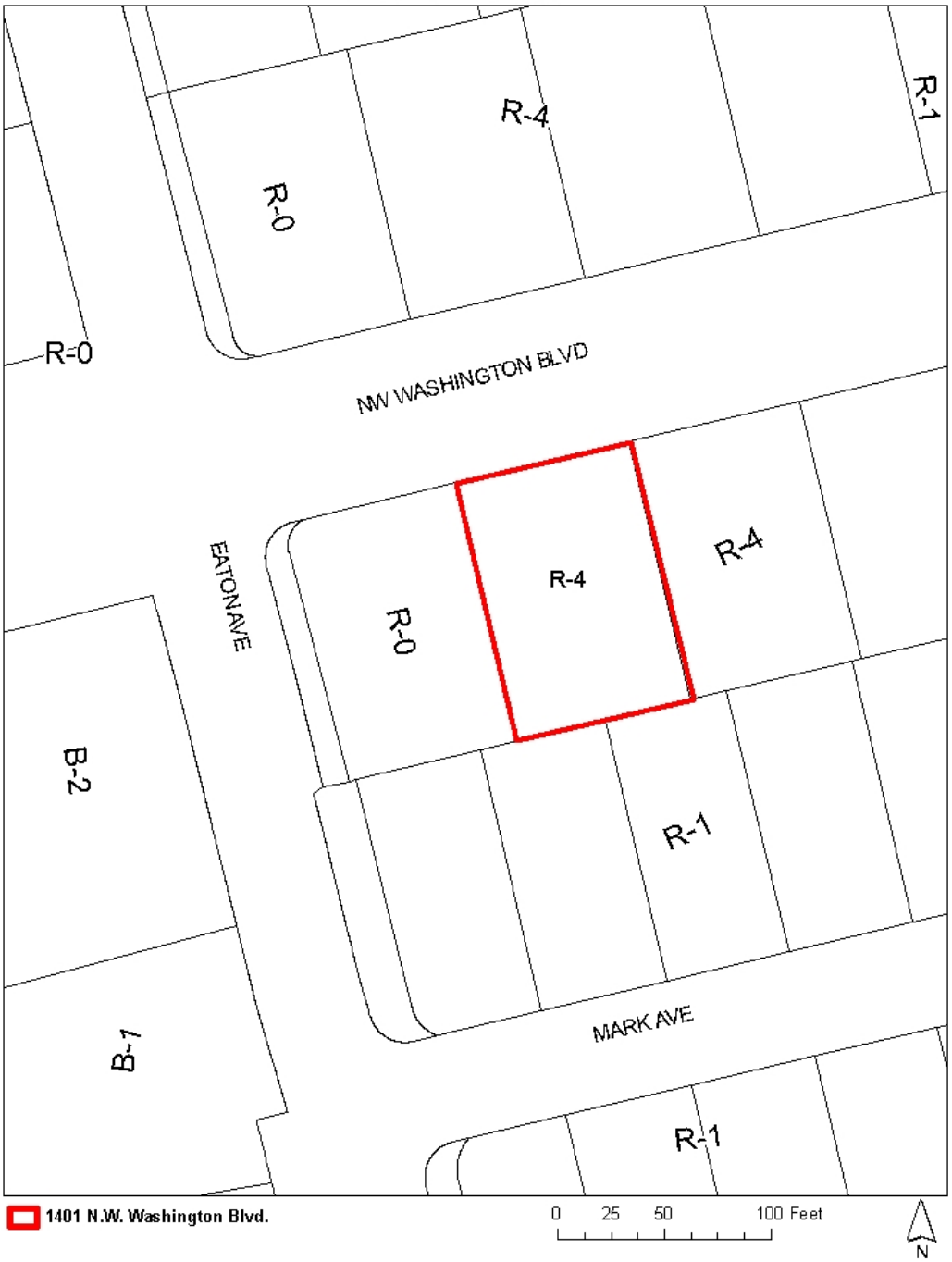
I, Nick Garuckas, City Clerk of the City of Hamilton, State of Ohio, hereby certify that the foregoing Ordinance No. _____ was duly published as provided in Section 113.01 of the Codified Ordinances of the City of Hamilton, Ohio, by posting ten days after passage, a copy thereof in each fire station within the City for a period of ten days. POSTED: _____

_____
Nick Garuckas, City Clerk
CITY OF HAMILTON, OHIO

Ordinance No. _____ (cont'd)

EXHIBIT NO. 1

1401 N.W. WASHINGTON BLVD.
PUBLIC HEARING MAP



City of Hamilton
BUTLER COUNTY OHIO

Staff Report
May 25, 2016

City Council Meeting Staff Report

Report To: The Honorable Mayor Patrick Moeller & Members of the City Council

Report From: Deborah J. Hymer, Treasurer

Agenda Item: An Ordinance Determining to Proceed with the Improvements and Plan of Services for the Special Improvement District Created for the Hamilton Central Business District, and Levying the Special Assessments therefore.

Approvals/Reviews *To be checked by the Office of the City Manager once approvals received from Departments. All other boxes to be checked by the Report author*	☑ Department Head ☑ Finance Department ☑ Director of Law ☑ Office of the City Manager	**Related Strategic Goal(s)** ☐ R *Realize new investments* ☐ A *Add new jobs* ☑ I *Increase property values* ☐ D *Decrease vacant structures* ☐ G *Generate recreational investments* ☐ E *Engage citizens in activities* ☑ O *General operations*
Ordinance or Resolution *Emergency Ordinance*	1st Reading Date: 5-25-16 2nd Reading Date: 5-25-16 Public Hearing Date:	
Prior Action/Review *Please note if this item was discussed on a prior Council or other agenda*	**City Council** *(or other):*	
Contract	☐ Contract Required	☐ Additional Document(s) Attached
Fiscal Impact	Budgeted: Yes Expenditure: $39,000 (approx.) Source Funds: General Fund (100)	*Please see further, more detailed information regarding the fiscal impact in the summary section of this report*

Policy Issue

Does City Council wish to adopt an Ordinance to proceed with the improvements and plan of services for the Special Improvement District created for the Hamilton Central Business District, and levying the special assessments therefore?

Policy Alternative(s)

If Council chooses to not adopt the Ordinance, the improvements and planned services will be cancelled and special assessments will not be levied.

Staff Recommendation

It is the recommendation of this office that Council receive this report and adopt the Ordinance as set forth below:

An ordinance determining to proceed with the improvements and plan of services for the Special Improvement District created for the Hamilton Central Business District, and levying the special assessments therefore.

Statutory/Policy Authority

- Chapter 168 of the Codified Ordinances of the City of Hamilton – Procedures for Special Assessment Projects and the Board of Revision of Assessments.

- Chapter 727 of the Ohio Revised Code - Assessments Generally

Fiscal Impact Summary

Approximately $39,000 expense per year for the city-owned properties that fall within the SID District. The yearly expenses will come from the General Fund (100.198.850.162).

Background Information

Pursuant to Resolution No. R2016-1-3, adopted January 13, 2016, the Council of the City of Hamilton, Ohio approved the Petition for Renewal of the Plan of Services for the Special Improvement District created for the Hamilton Central Business District (HCBD) and declared the necessity to levy special assessments to implement said Plan of Services.

A Board of Revision of Assessments meeting was held April 7, 2016 to receive objections to the proposed assessments. Proper notice was published in the Journal News, April 3, 2016. Certified letters were mailed to the property owners. No written objections were received and no one appeared at the April 7, 2016 meeting to voice any objections.

A Board of Revision of Assessments meeting was held May 11, 2016. Proper notice was published in the Journal News on May 8, 2016. No one appeared at the May 11, 2016 meeting. The Board of Revision of Assessments recommended to City Council that they proceed with the approval of the Plan of Services and levy special assessments to implement said Plan of Services.

The Final Assessment Rolls, as reported by the Board of Revision of Assessments, setting forth the final assessments against the properties affected by these improvements and plan of services has been prepared and it is now necessary to levy the assessments to pay the cost and expense of such improvements and plan of services.

Attached Information

N/A

Copies Provided to:

N/A

EMERGENCY ORDINANCE NO. _____

AN EMERGENCY ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENTS AND PLAN OF SERVICES FOR THE SPECIAL IMPROVEMENT DISTRICT CREATED FOR THE HAMILTON CENTRAL BUSINESS DISTRICT, AND LEVYING THE SPECIAL ASSESSMENTS THEREFORE.

WHEREAS, the subject matter herein constitutes an emergency measure in that it provides for the immediate preservation of the public health, safety and welfare of the community by providing for the continuous operation of the municipal government in that such emergency measure shall allow for immediate renewal of the Plan of Services for the Special Improvement District for the Hamilton Central Business District (HCBD) and allow for the immediate levy of special assessments to implement said Plan of Services; and

WHEREAS, pursuant to Resolution No. R2016-1-3, adopted January 13, 2016, the Council of the City of Hamilton, Ohio approving the Petition for Renewal of the Plan of Services for the Special Improvement District created for the Hamilton Central Business District (HCBD) and declaring the necessity to levy special assessments to implement said Plan of Services; and

WHEREAS, the plans, specifications, estimates and profiles for the aforesaid proposed Plan of Services are on file with the City Clerk and include, but are not limited to: sidewalk sweeping/vacuuming; litter and debris removal; seasonal plantings, street tree and landscaping; snow removal; promotion of image of downtown area; planning, packaging and advertising for special events; and preparation of promotional brochures for, and advertising of, downtown area; and

WHEREAS, the estimated cost of the aforesaid Plan of Services is the sum of approximately Nine and Eighty-Two-Hundredths Dollars ($9.82) per front foot, plus an escalator clause beginning in the year 2017 for the term of a period of ten (10) years commencing on September 1, 2016, based upon the local Consumer Price Index with a cap not to exceed three percent (3%) annually; and

WHEREAS, Council has determined that a portion of the costs of the aforesaid improvements shall be paid by and assessed, on a benefit basis, against those property owners whose real property benefits from such improvements; and

WHEREAS, pursuant the provisions of Chapter 1710 of the Ohio Revised Code and Article XIII of the Hamilton City Charter, Council has determined to proceed with the project and to levy the special assessments upon the lots and lands specially benefited by the aforesaid improvements;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hamilton, Ohio:

SECTION I: That Council hereby determines to proceed with the improvements for the Special Improvement District created for the Hamilton Central Business District (HCBD) in accordance with the plans, specifications and profiles therefore on file in the Office of the Director of Public Works.

SECTION II: That Council does hereby find that no claims for damage resulting from the aforesaid streetscape improvements have been filed with the Director of Finance.

SECTION III: That the entire cost of the aforesaid services shall be assessed on a front footage basis in proportion to the front footage of the lots and lands benefiting therefrom.

SECTION IV: That the final assessments set forth in Exhibit A, attached hereto and incorporated herein by reference, for the improvements for the Special Improvement District created for the Hamilton Central Business District, approved by the Board of Revision of Assessments on May 11, 2016 and received by Council on January 13, 2016, be and the same are hereby determined to be in proportion to the benefits resulting from said improvements and are not in excess of any applicable limitation; and further, such final assessments, together with interest thereon, shall be levied against the lots and lands identified in said Exhibit No. 1 in the manner and in the number of installments provided in Resolution No. R2016-1-3, adopted January 13, 2016. Said Report of the Board of Revision of Assessments is also hereby confirmed. Minutes of the Board of Revision of Assessments are attached as Exhibit B.

SECTION V: That the plans, specifications, estimates and profiles for the aforesaid proposed Plan of Services are on file with the City Clerk and include but are not limited to: sidewalk

sweeping/vacuuming; litter and debris removal; seasonal plantings, street tree and landscaping; snow removal; promotion of image of downtown area; planning, packaging and advertising for special events; and preparation of promotional brochures for, and advertising of, downtown area.

SECTION VI: That the estimated cost of the aforesaid Plan of Services is the sum of approximately Nine and Eighty-Two-Hundredths Dollars ($9.82) per front foot, plus an escalator clause beginning in the year 2017 for the term of a period of ten (10) years commencing on September 1, 2016, based upon the local Consumer Price Index with a cap not to exceed three percent (3%) annually.

SECTION VII: That the lots and lands benefiting from the aforesaid Plan of Services which shall be assessed such costs are set forth in the preliminary assessment roll which is on file with the City Clerk.

SECTION VIII: That the Council of the City of Hamilton, Ohio, finds and determines that said Plan of Services is conducive to the public health, convenience and welfare of this City and the inhabitants thereof, and that the lots and lands to be assessed are specially benefited by the aforesaid services in amounts equal to or greater than the assessed amounts.

SECTION IX: That the entire cost of the aforesaid services shall be assessed on a front footage basis in proportion to the front footage of the lots and lands benefiting therefrom.

SECTION X: That the Council of the City of Hamilton hereby further determines that said assessment for such Plan of Services for all property within the entire HCBD shall be Nine and Eighty-Two-Hundredths Dollars ($9.82) per front foot, plus an escalator clause beginning in the year 2017 based upon the local Consumer Price Index with a cap not to exceed three percent (3%) annually. Said front footage shall be computed as determined pursuant to Chapter 1710 of the Ohio Revised Code. That the preliminary assessment roll for the aforesaid lots and lands to be assessed, together with the front footage of each parcel or portion thereof is on file with the City Clerk. That Council hereby determines that all property owned by the United States Post Office, and all property owned by churches and used for worshiping purposes or as worshiping centers, which may benefit from the Plan of Services and who have not submitted a petition for inclusion within the Special Improvement District are hereby exempt from any assessments.

SECTION XI: Where a political subdivision has limited the scope of its inclusion in the district's public improvement or public service plan or plans, the political subdivision shall be included only to the extent, if any, of its requested inclusion and no assessment for special benefits for public improvements or public service plans shall exceed the scope of such political subdivision's requested inclusion in the special improvement district. Political subdivision requests for inclusion in a special improvement district which limit the scope of inclusion in the district to a year-to-year basis in a way which is inconsistent with the multi-year financial commitment necessary to accomplish such district's multi-year public improvement or public service plan or plans, shall be treated as a request to be excluded from such district's multi-year public improvement or public service plan and be considered only a request to be included in the district's public service plan or plans which occur or recur annually.

SECTION XII: That the Director of Finance shall annually certify to the County Auditor the aforesaid escalator amount which shall be added to total for the Nine and Eighty-Two-Hundredths Dollars ($9.82) per front foot for the implementation of the Plan of Services.

SECTION XIII: That the City Clerk is hereby directed to deliver a certified copy of this ordinance to the Auditor of Butler County, Ohio, within fifteen (15) days after its passage.

SECTION XIV: This ordinance is hereby declared to be an emergency measure for the reasons set forth in the preamble and shall take effect and be in full force from and after its passage.

PASSED: _____ _____

Emergency Ordinance No. _____ (cont'd)

Mayor

Effective Date: _____

ATTEST: _____
City Clerk

CERTIFICATE

I, Nick Garuckas, City Clerk of the City of Hamilton, State of Ohio, hereby certify that the foregoing Ordinance No. _____ was duly published as provided by Section 113.01 of the Codified Ordinances of the City of Hamilton, Ohio, by posting ten days after passage, a copy thereof in each fire station within the City for a period of ten days. POSTED: _____

_____
Nick Garuckas, City Clerk
CITY OF HAMILTON, OHIO

Exhibit A

Hamilton Central Business District

Petition for Renewal of the Hamilton Central Business Special Improvement District, Inc. and for Renewal for the Plan of Services and Budget to be provided by the Hamilton Central Business Special Improvement District, Inc.

To: The Council of the City of Hamilton, Ohio Date:_____

We the undersigned, owners of the property set opposite our names, being the owners of 60% or more of the front footage of property abutting upon the streets hereinafter described

Core Area

- High Street from Monument Avenue to Martin Luther King, Jr. Boulevard
- Court Street (north side) from Front Street to Second Street
- Monument Avenue from Court Street to Market Street
- Front Street / Riverfront Plaza from Court Street to Market Street
- Second Street from Court Street to Market Street
- Third Street from Court Street to Market Street
- Journal Square Street from Court Street to High Street

Expanded Area

- Market Street from Monument Avenue to Martin Luther King, Jr. Boulevard, excluding the north side of Market Street between Monument Avenue and Riverfront and excluding the north side of Market Street between Third Street and Martin Luther King, Jr. Boulevard
- Dayton Street, south side from Riverfront Plaza to Second Street
- Riverfront Plaza from Market Street to Dayton Street
- Second Street from Market Street to Dayton Street
- Court Street from Monument Avenue to Martin Luther King, Jr. Boulevard, excluding the north side of Court Street from Front Street to Second Street, and excluding the north and south side between Monument Avenue and Front Street
- Monument Avenue (east side) from Ludlow Street to Court Street
- Front Street from Ludlow Street to Court Street
- Second Street from Ludlow Street to Court Street
- Third Street from Ludlow Street to Court Street
- Martin Luther King, Jr. Boulevard (west side) from Ludlow Street to Court Street

do hereby respectfully petition your honorable body for the renewal of the Hamilton Central Business Special Improvement District, Inc. (the District) pursuant to ORC Chapter 1710 and for the renewal of the Plan of Services to be provided by the Hamilton Central Business Special Improvement District, Inc. adopted by the Board of Trustees on May 6, 2015 pursuant to ORC Chapter 1710. A copy of the Plan of Services is attached

to this petition and is incorporated herein as Exhibit 1 and subject to the following exceptions as set forth in Article V of the Articles of Incorporation relative to district boundaries:

The "Expanded Area" will be a part of the Hamilton Central Business Special Improvement District only if owners representing 60% or more of the front footage of the property abutting upon the above described streets of the "Expanded Area" sign the petition for the creation of the Hamilton Central Business Special Improvement District pursuant to ORC Chapter 1710. In the event sufficient signatures are not obtained for the "Expanded Area", but signatures of owners representing 60% or more of the front footage of the property abutting upon the above-described streets of the "Core Area" only will be created and the boundaries of the Hamilton Central Business Special Improvement District will match the "Core Area" description. Failure to obtain signatures from owners representing 60% or more of the front footage of the property abutting upon the above-described streets of the "Expanded Area" will not nullify the formation of the Hamilton Central Business Special Improvement District.

A map generally showing the above described district boundaries is attached as Exhibit A.

The District shall be administered by the Hamilton Central Business Special Improvement District, Inc., an Ohio non profit corporation. The Hamilton Central Business Special Improvement District, Inc. shall use its best efforts to accomplish the goals described in the Articles of Incorporation attached hereto as Exhibit B.

The undersigned and each of the further consent to the creation of the District as aforesaid, and request the Council of the city of Hamilton to proceed expeditiously with said renewal and hereby waive any and all irregularities and defects in any proceedings undertaken in connection therewith.

This petition may be executed in several counterparts each of which shall be an original and all of which shall constitute but one and the same instrument.

SID Property Owners Petitioned for
2016 Renewal

Property Owner Name	Total FF	SIGNED	
246 HIGH PRT %D DAVIDSON	91.5	91.5	
2507 LTD	170		
ALEA COMMERCIAL PROPERTIES LLC	578.5	578.5	
ANAGNOSTOU ELIAS & HELEN	32.42		
ANAGNOSTOU GEORGE ELIAS	70.92		
BUTLER COUNTY COMMUNITY HEALTH CONSORTIUM	298.12	298.12	
CHACO CREDIT UNION INC	284.96	284.96	
CIN &SUB BELL%ROBT HORINE	99.5		
COMMUNITY FIRST SOLUTIONS	120.83	120.83	
CONCORD HAMILTONIAN HOTEL	636.06	636.06	
CORE	1234.01	1234.01	
DALLIS FAMILY I LLC	168.75		
DAVIDSON LYNN C&DAVID TRS	30	30	
CLONG LLC	28	28	
FIRST FINANCL FACILITIES	979.13	979.13	
FRONT ST CH OF GOD	80		
FRONT ST PRESBY CH HAM	250.56	250.56	
GPM ENTERPRISES LTD	120	120	
GREATER HAM CHAMBER COMMR	100	100	
HAMILTON ARTSPACE LOFTS LTD PRTS	162	162	
HAMILTON CIVIC THEATER	81.1	81.1	
HAMILTON LODGE #17 IOOF	37.25		
HAMILTON ORTHOPAEDIC ASSC	50	50	
HAMILTON RIVERSIDE LLC	100	100	
HARDEN ALFRED & SYLVIA	25		
HISTORIC DEVELOPERS LLC	191.15	191.15	
HISTORIC JOURNAL NEWS LLC	363	363	
HISTORIC ROBINSON SCHWENN LLC	184	184	
HOME FURNITURE HOLDNG LTD	145	145	
JKJC PROPERTIES LLC	129	129	
KONCIUS PROPERTIES-KEY #6	190	190	
KUMARDOVIC LLC	58	58	
LJ PROPERTY HOLDINGS LLC	289.33	289.33	
LOFTIS SOUTHWEST OHIO LLC	50		
MASANA LYNEDA A	95	95	
MATT COMBS	18.5		
MCDONALDS REAL ESTATES CO	178.63	178.63	
MOELLER PATRICK&DUDLEY M	32	32	
PALATCHI MARTHA TR & DANIEL CONNAUGHTON	28.5	28.5	
PYRAMID HILL SCULPTURE PK	70.2		
S N B NATL %TAX DEPT	413.7	413.7	
SCHWARZ JOSEPH W TR	103	103	
TRAUB ANTHONY G	35	35	
WILKS BARBARA	65		
Y M C A	395	395	
ZETTLER JACK A	86.69		
TOTAL PRIVATE	8949.31	7975.08	89.1%
TOTAL CORE	3511.11	3248.67	92.5%
TOTAL EXPANDED	5438.2	4726.41	86.9%

11/17/2015

SID PROPERTY OWNER PARCELS AND
SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-002.000-079	246 HIGH PRT %D DAVIDSON	246 HIGH ST	HAMILTON OH 45011	0246	HIGH ST	45.75	A
P6421-002.000-079	246 HIGH PRT %D DAVIDSON	246 HIGH ST	HAMILTON OH 45011	0246	HIGH ST	45.75	A
				TOTAL FF		91.5	
				ASSESSMENT PER FF		$9.82	
				ANNUAL ASSESSMENT		$898.53	

PROPERTY OWNER'S SIGNATURE 246 High Partnership

DATE 8/31/15 By Officer Agent by Proxy

SID PROPERTY OWNER PARCELS AND
SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-003.000-075	ALEA COMMERCIAL PROPERTIES LLC	5725 DRAGON WAY SUITE 320	CINCINNATI OH 45245	0201	HIGH ST	87	C6
P6421-003.000-075	ALEA COMMERCIAL PROPERTIES LLC	5725 DRAGON WAY SUITE 320	CINCINNATI OH 45245	0201	HIGH ST	110	C6
P6421-003.000-078	ALEA COMMERCIAL PROPERTIES LLC	5725 DRAGON WAY SUITE 320	CINCINNATI OH 45245	0018	SO SECOND ST	10.08	C7
P6421-003.000-079	ALEA COMMERCIAL PROPERTIES LLC	5725 DRAGON WAY SUITE 320	CINCINNATI OH 45245	0018	SO SECOND ST	90	C8
					TOTAL FF	297.08	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$2,917.33	
PROPERTY OWNER'S SIGNATURE							
DATE 10/30/15							

SID PROPERTY OWNER PARCELS AND
SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-003.000-060	ALEA COMMERCIAL PROPERTIES LLC	5725 DRAGON WAY SUITE 320	CINCINNATI OH 45245	0215	COURT ST	21.5	C1
P6421-003.000-070	ALEA COMMERCIAL PROPERTIES LLC	5725 DRAGON WAY SUITE 320	CINCINNATI OH 45245	0201	COURT ST	20	C2
P6421-003.000-071	ALEA COMMERCIAL PROPERTIES LLC	5725 DRAGON WAY SUITE 320	CINCINNATI OH 45245	0209	COURT ST	40	C3
P6421-003.000-072	ALEA COMMERCIAL PROPERTIES LLC	5725 DRAGON WAY SUITE 320	CINCINNATI OH 45245	0207	COURT ST	21.17	C4
P6421-003.000-073	ALEA COMMERCIAL PROPERTIES LLC	5725 DRAGON WAY SUITE 320	CINCINNATI OH 45245	0203	COURT ST	65	C5
P6421-003.000-073	ALEA COMMERCIAL PROPERTIES LLC	5725 DRAGON WAY SUITE 320	CINCINNATI OH 45245	0205	COURT ST	38.75	C5
P6421-003.000-079	ALEA COMMERCIAL PROPERTIES LLC	5725 DRAGON WAY SUITE 320	CINCINNATI OH 45245	0018	SO SECOND ST	75	C8
					TOTAL FF	281.42	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$2,763.54	

PROPERTY OWNER'S SIGNATURE

DATE 10/30/15

ALEA 7/15/2015
EXPANDED

SID PROPERTY OWNER PARCELS AND
SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-003.000-032	BUTLER COUNTY COMMUNITY HEALTH CONSORTIUM	210 S 2ND ST	HAMILTON OH 45011 2812	0160	LUDLOW ST	198	D1
P6421-003.000-033	BUTLER COUNTY COMMUNITY HEALTH CONSORTIUM	210 S 2ND ST	HAMILTON OH 45011 2812	0202	SO. SECOND ST	50.06	D2
P6421-003.000-034	BUTLER COUNTY COMMUNITY HEALTH CONSORTIUM	210 S 2ND ST	HAMILTON OH 45011 2812	0210	SO. SECOND ST	50.06	D3
					TOTAL FF	298.12	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$2,927.54	

PROPERTY OWNER'S SIGNATURE

DATE 8-5-15

SID PROPERTY OWNER PARCELS AND SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6441-018.000-002	CHACO CREDIT	601 PARK AVE	HAMILTON	0331	COURT ST	106.96	T1
P6441-018.000-002	CHACO CREDIT	601 PARK AVE	HAMILTON	0100	SO. THIRD ST	178	T1
					TOTAL FF	284.96	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$2,798.31	

PROPERTY OWNER'S SIGNATURE

DATE 9-29-15

SID PROPERTY OWNER PARCELS AND
SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-003-000-048	COMMUNITY FIRST SOLUTIONS	230 Ludlow	HAMILTON OH 45011	0223	SO. THIRD ST.	50	E1
					TOTAL FF	50	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$491.00	
PROPERTY OWNER'S SIGNATURE							
DATE							

President/CEO 9/2/15

SID PROPERTY OWNER PARCELS AND SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-003.000-051	COMMUNITY FIRST SOLUTIONS	230 Ludlow	HAMILTON OH 45011	0207	SO. THIRD ST.	20.83	W1
					TOTAL FF	20.83	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$204.55	
PROPERTY OWNER'S SIGNATURE							
DATE							

Pres/CEO 9/2/15

COMMUNITY FIRST formerly CIC 8/31/2015
EXPANDED

SID PROPERTY OWNER PARCELS AND SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-003.000-052	COMMUNITY FIRST SOLUTIONS	230 Ludlow	HAMILTON OH 45011	0201	SO. THIRD ST.	50	K1
					TOTAL FF	50	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$491.00	
PROPERTY OWNER'S SIGNATURE							
DATE							

Pres/CEO 9/2/15

COMMUNITY FIRST formerly Historic Journal News 8/31/2015
EXPANDED

SID PROPERTY OWNER PARCELS AND
SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-001.000-054	CONCORD HAMILTONIAN HOTEL	11410 COMMON OAKS DR	RALEIGH NC 27614	0001	RIVERFRONT PLAZA	405.17	F1
P6421-001.000-054	CONCORD HAMILTONIAN HOTEL	11410 COMMON OAKS DR	RALEIGH NC 27614	0001	RIVERFRONT PLAZA	35.15	F1
P6421-001.000-054	CONCORD HAMILTONIAN HOTEL	11410 COMMON OAKS DR	RALEIGH NC 27614	0001	RIVERFRONT PLAZA	193.74	F1
					TOTAL FF	636.06	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$6,246.11	

PROPERTY OWNER'S SIGNATURE Julie L Richter, VP

DATE 8/12/15

SIGN HERE

CONCORD 5/30/2015
EXPANDED

SID PROPERTY OWNER PARCELS AND
SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-003.000-054	CONSORTIUM FOR ONGOING REINVESTMENT EFFORTS	236 HIGH ST	HAMILTON OH 45011 2711	0115	SO. THIRD ST.	37.83	Q3
P6441-010.000-026	CONSORTIUM FOR ONGOING REINVESTMENT EFFORTS	236 HIGH ST	HAMILTON OH 45011 2711	0002	SO. THIRD ST	20.7	Q6
P6441-010.000-026	CONSORTIUM FOR ONGOING REINVESTMENT EFFORTS	236 HIGH ST	HAMILTON OH 45011 2711	0002	SO. THIRD ST	65	Q6
P6441-010.000-027	CONSORTIUM FOR ONGOING REINVESTMENT EFFORTS	236 HIGH ST	HAMILTON OH 45011 2711	0010	SO. THIRD ST	39	Q7
P6441-010.000-028	CONSORTIUM FOR ONGOING REINVESTMENT EFFORTS	236 HIGH ST	HAMILTON OH 45011 2711	0012	SO. THIRD ST	20.5	Q8
P6441-010.000-029	CONSORTIUM FOR ONGOING REINVESTMENT EFFORTS	236 HIGH ST	HAMILTON OH 45011 2711	0014	SO. THIRD ST	20	Q9
P6441-010.000-030	CONSORTIUM FOR ONGOING REINVESTMENT EFFORTS	236 HIGH ST	HAMILTON OH 45011 2711	0016	SO. THIRD ST	18.5	Q10
					TOTAL FF	221.53	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$2,175.42	

PROPERTY OWNER'S SIGNATURE

DATE 8-12-15

CORE TO BE HISTORIC JOURNAL NEWS 7/15/2015
CORE

SID PROPERTY OWNER PARCELS AND
SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-003.000-055	CONSORTIUM FOR ONGOING REINVESTMENT EFFORTS	236 HIGH ST	HAMILTON OH 45011 2711	0109	SO. THIRD ST.	36.23	Q4
P6421-003.000-056	CONSORTIUM FOR ONGOING REINVESTMENT EFFORTS	236 HIGH ST	HAMILTON OH 45011 2711	0107	SO. THIRD ST.	100.14	Q5
P6421-003.000-056	CONSORTIUM FOR ONGOING REINVESTMENT EFFORTS	236 HIGH ST	HAMILTON OH 45011 2711	0107	SO. THIRD ST	75.96	Q5
					TOTAL FF	212.33	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$2,085.08	
PROPERTY OWNER'S SIGNATURE							
DATE	8-12-15						

CORE TO BE TRANSFERRED TO HISTORIC JOURNAL NEWS 7/15/2015

EXPANDED

SID PROPERTY OWNER PARCELS AND
SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-002.000-036	CORE 150 HIGH LLC	236 HIGH ST	HAMILTON OH 45011 2711	0150	HIGH ST	212.58	Q1
P6421-002.000-036	CORE 150 HIGH LLC	236 HIGH ST	HAMILTON OH 45011 2711	0150	HIGH ST	200.03	Q1
P6421-002.000-083	CONSORTIUM FOR ONGOING REINVESTMENT EFFORTS	236 HIGH ST	HAMILTON OH 45011 2711	0252	HIGH ST	65	Q2
P6421-002.000-083	CONSORTIUM FOR ONGOING REINVESTMENT EFFORTS	236 HIGH ST	HAMILTON OH 45011 2711	0252	HIGH ST	25	Q2
					TOTAL FF	502.61	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$4,935.63	

PROPERTY OWNER'S SIGNATURE

DATE 8-17-15

SID PROPERTY OWNER PARCELS AND
SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-002.000-036	CORE 150 HIGH LLC	236 HIGH ST	HAMILTON OH 45011 2711	0150	HIGH ST	212.54	Q1
P6441-018.000-035	CONSORTIUM FOR ONGOING REINVESTMENT EFFORTS	236 HIGH ST	HAMILTON OH 45011 2711	0214	SO. THIRD ST.	50	Q11
P6441-018.000-036	CONSORTIUM FOR ONGOING REINVESTMENT EFFORTS	236 HIGH ST	HAMILTON OH 45011 2711	0300	LUDLOW	35	Q12
					TOTAL FF	297.54	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$2,921.84	
PROPERTY OWNER'S SIGNATURE							
DATE	8-12-15						

SID PROPERTY OWNER PARCELS AND SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-002.000-032	DAVIDSON LYNN C & DAVID TRS	127 N 2ND ST	HAMILTON OH 45011	0127	NO. SECOND ST	30	Y1
					TOTAL FF	30	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$294.60	
PROPERTY OWNER'S SIGNATURE							
DATE		10/13/15					

DAVIDSON 7/17/2015
EXPANDED

SID PROPERTY OWNER PARCELS AND
SIGNATURE PAGE

Parcel	Owner_Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-002.000-082	CLONG LLC	250 HIGH ST	HAMILTON OH 45011	0250	HIGH ST	28	Z1
					TOTAL FF	28	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$274.96	

PROPERTY OWNER'S SIGNATURE

DATE 9/9/15

SIGN HERE

SID PROPERTY OWNER PARCELS AND
SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6441-010.000-020	FIRST FINANCL FACILITIES	255 EAST 5TH ST STE 700	CINCINNATI, OH 45202	0351	MARKET ST	95	G1
P6441-010.000-075	FIRST FINANCL FACILITIES	255 EAST 5TH ST STE 700	CINCINNATI, OH 45202	0350	HIGH ST	47.77	G2
P6441-010.000-076	FIRST FINANCL FACILITIES	255 EAST 5TH ST STE 700	CINCINNATI, OH 45202	0340	HIGH ST	66.57	G3
P6441-010.000-077	FIRST FINANCL FACILITIES	255 EAST 5TH ST STE 700	CINCINNATI, OH 45202	0300	HIGH	194.7	G4
P6441-010.000-077	FIRST FINANCL FACILITIES	255 EAST 5TH ST STE 700	CINCINNATI, OH 45202	0006	NO. THIRD ST.	94	G4
P6441-010.000-078	FIRST FINANCL FACILITIES	255 EAST 5TH ST STE 700	CINCINNATI, OH 45202	0014	NO THIRD ST	94	G5
					TOTAL FF	592.04	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$5,813.83	

PROPERTY OWNER'S SIGNATURE

DATE 8-13-15

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6441-010.000-020	FIRST FINANCL FACILITIES	255 EAST 5TH ST STE 700	CINCINNATI, OH 45202	0351	MARKET ST	94	G1
P6441-010.000-078	FIRST FINANCL FACILITIES	255 EAST 5TH ST STE 700	CINCINNATI, OH 45202	0014	NO. THIRD ST	293.09	G5
					TOTAL FF	387.09	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$3,801.22	

PROPERTY OWNER'S SIGNATURE

DATE 8-13-15

FIRST 7/20/2015
EXPANDED

SID PROPERTY OWNER PARCELS AND
SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-004.000-003	FRONT ST PRESBY CH HAM	19 S FRONT ST	HAMILTON OH 45011 2819	0023	SO. FRONT ST	36	H1
P6421-004.000-004	FRONT ST PRESBY CH HAM	19 S FRONT ST	HAMILTON OH 45011 2819	0023	SO. FRONT ST	8	H2
P6421-004.000-004	FRONT ST PRESBY CH HAM	19 S FRONT ST	HAMILTON OH 45011 2819	0023	S FRONT ST	12	H2
P6421-004.000-006	FRONT ST PRESBY CH HAM	19 S FRONT ST	HAMILTON OH 45011 2819	0031	HIGH ST	14.4	H3
P6421-004.000-007	FRONT ST PRESBY CH HAM	19 S FRONT ST	HAMILTON OH 45011 2819	0031	HIGH ST	20.25	H4
P6421-004.000-009	FRONT ST PRESBY CH HAM	19 S FRONT ST	HAMILTON OH 45011 2819	0031	HIGH ST	110	H5
P6421-004.000-009	FRONT ST PRESBY CH HAM	19 S FRONT ST	HAMILTON OH 45011 2819	0031	HIGH ST	49.91	H5
					TOTAL FF	250.56	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$2,460.50	

PROPERTY OWNER'S SIGNATURE [signature] trustee

DATE 8-12-15

SID PROPERTY OWNER PARCELS AND SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-003.000-089	GPM ENTERPRISES LTD	245 HIGH ST	HAMILTON OH 45011	0243	HIGH ST	20	BB1
P6421-003.000-089	GPM ENTERPRISES LTD	245 HIGH ST	HAMILTON OH 45011	0245	HIGH ST	25	BB1
P6421-003.000-089	GPM ENTERPRISES LTD	245 HIGH ST	HAMILTON OH 45011	0245	HIGH ST	75	BB1
					TOTAL FF	120	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$1,178.40	
PROPERTY OWNER'S SIGNATURE							
DATE 9-10-2015							

GPM 7/17/2015
CORE

SID PROPERTY OWNER PARCELS AND
SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-002.000-048	GREATER HAM CHAMBER COMMR	201 DAYTON ST	HAMILTON OH 45011 1633	0201	DAYTON ST	100	1
					TOTAL FF	100	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$982.00	

PROPERTY OWNER'S SIGNATURE Kenny Craig

DATE 8-5-2015

CHAMBER 6/30/2015
EXPANDED

SID PROPERTY OWNER PARCELS AND
SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-002.000-061	HAMILTON ARTSPACE LOFTS LTD PRTS	250 THIRD AVENUE NORTH Suite 500	MINNEAPOLIS MN 55401	0216	HIGH ST	70	R1
P6421-002.000-061	HAMILTON ARTSPACE LOFTS LTD PRTS	250 THIRD AVENUE NORTH Suite 500	MINNEAPOLIS MN 55401	0222	HIGH ST	92	R1
					TOTAL FF	162	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$1,590.84	

PROPERTY OWNER'S SIGNATURE

DATE 9/2/2015

SID PROPERTY OWNER PARCELS AND
SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage ft	MAP
P6421-002-000-061	HAMILTON ARTSPACE LOFTS LTD PRTS	250 THIRD AVENUE NORTH Suite 500	MINNEAPOLIS MN 55401	0216	HIGH ST	70	R1
					TOTAL FF	70	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$687.40	
PROPERTY OWNER'S SIGNATURE							
DATE	9/2/2015						

ARTSPACE 7/20/2015
EXPANDED

SID PROPERTY OWNER PARCELS AND SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-003.000-049	HAMILTON CIVIC THEATER	PO BOX 482	HAMILTON OH 45011	0219	SO. THIRD ST	50.06	CC1
P6421-003.000-050	HAMILTON CIVIC THEATER	PO BOX 482	HAMILTON OH 45011	0209	SO. THIRD ST.	31.04	CC2
					TOTAL FF	81.1	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$796.40	
PROPERTY OWNER'S SIGNATURE							
ATE	9-10-15						

HAM CIVIC THEATER 7/17/2015
EXPANDED

SID PROPERTY OWNER PARCELS AND SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-002.000-008	HAMILTON ORTHOPAEDIC ASSC	50 RIVERFRONT PLZ	HAMILTON OH 45011	0128	NO. FRONT ST	50	GG1
					TOTAL FF	50	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$491.00	

Walter L. Duncan VP
PROPERTY OWNER'S SIGNATURE

DATE 9/11/15

HAM ORTHO 7/20/2015
EXPANDED

SID PROPERTY OWNER PARCELS AND SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-002.000-044	HAMILTON RIVERSIDE LLC	16125 WATERBURY BEND	GRANGER IN 46530	0112	NO. SECOND ST	50	HH1
P6421-002.000-045	HAMILTON RIVERSIDE LLC	16125 WATERBURY BEND	GRANGER IN 46530	0120	NO. SECOND ST	50	HH2
					TOTAL FF	100	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$982.00	
PROPERTY OWNER'S SIGNATURE							
DATE		10-2-15					

SID PROPERTY OWNER PARCELS AND
SIGNATURE PAGE

Parcel		Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-002	000-094	HISTORIC DEVELOPERS LLC	7349 RAVENNA NE AVE	LOUISVILLE OH 44641 9788	0228	HIGH ST	95.52	J1
						TOTAL FF	95.52	
						ASSESSMENT PER FF	$9.82	
						TOTAL ANNUAL ASSESSMENT	$938.01	
PROPERTY OWNER'S SIGNATURE			David Musick					
DATE			9-17-15					

SID PROPOERTY OWNER PARCELS AND
SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-002.000-094	HISTORIC DEVELOPERS LLC	7349 RAVENNA NE AVE	LOUISVILLE OH 44641 9788	0236	HIGH ST	95.63	J1
					TOTAL FF	95.63	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$939.09	
PROPERTY OWNER'S SIGNATURE		David Grant					
DATE		9-17-13					

HISTORIC DEVELOPERS 7/21/2015
EXPANDED

SID PROPERTY OWNER PARCELS AND
SIGNATURE PAGE

Parcel	Owner_Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-003.000-084	HISTORIC JOURNAL NEWS LLC	% HISTORIC DEVELOPERS PO BOX 259	LOUISVILLE OH 44641	0228	COURT ST	56.88	K4
P6421-003.000-094	HISTORIC JOURNAL NEWS LLC	% HISTORIC DEVELOPERS PO BOX 259	LOUISVILLE OH 44641	0228	COURT ST	3.12	K5
					TOTAL FF	60	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$589.20	
PROPERTY OWNER'S SIGNATURE		David R Jensen					
DATE		9-17-15					

SID PROPERTY OWNER PARCELS AND
SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-003.000-080	HISTORIC JOURNAL NEWS LLC	% HISTORIC DEVELOPERS PO BOX 259	LOUISVILLE OH 44641	0228	COURT ST	88	K2
P6421-003.000-080	HISTORIC JOURNAL NEWS LLC	% HISTORIC DEVELOPERS PO BOX 259	LOUISVILLE OH 44641	0228	COURT ST	7	K2
P6421-003.000-080	HISTORIC JOURNAL NEWS LLC	% HISTORIC DEVELOPERS PO BOX 259	LOUISVILLE OH 44641	0228	COURT ST	46	K2
P6421-003.000-080	HISTORIC JOURNAL NEWS LLC	% HISTORIC DEVELOPERS PO BOX 259	LOUISVILLE OH 44641	0228	COURT ST	20	K2
P6421-003.000-083	HISTORIC JOURNAL NEWS LLC	% HISTORIC DEVELOPERS PO BOX 259	LOUISVILLE OH 44641	0228	COURT ST	2	K3
P6421-003.000-083	HISTORIC JOURNAL NEWS LLC	% HISTORIC DEVELOPERS PO BOX 259	LOUISVILLE OH 44641	0228	COURT ST	40	K3
P6421-003.000-083	HISTORIC JOURNAL NEWS LLC	% HISTORIC DEVELOPERS PO BOX 259	LOUISVILLE OH 44641	0228	COURT ST	100	K3
					TOTAL FF	303	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUA ASSESSMENT	$2,975.46	
PROPERTY OWNER'S SIGNATURE		David A Jurst					
DATE		9-17-15					

HISTORIC JOURNAL NEWS 8/31/2015
EXPANDED

SID PROPERTY OWNER PARCELS AND
SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-003.000-085	HISTORIC ROBINSON SCHWENN LLC	7349 RAVENNA AVE	LOUISVILLE OH 44641	0221	HIGH ST	72	L1
P6421-003.000-085	HISTORIC ROBINSON SCHWENN LLC	7349 RAVENNA AVE	LOUISVILLE OH 44641	0010	JOURNAL SQUA	112	L1
					TOTAL FF	184	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$1,806.88	
PROPERTY OWNER'S SIGNATURE		David A Jurosk					
DATE		9-17-15					

SID PROPERTY OWNER PARCELS AND SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-003.000-005	HOME FURNITURE HOLDNG LTD	665 SHULTZ DR	HAMILTON OH 45013	0143	COURT ST	89	DD1
P6421-003.000-005	HOME FURNITURE HOLDNG LTD	665 SHULTZ DR	HAMILTON OH 45013	0143	COURT ST	56	DD1
					TOTAL FF	145	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$1,423.90	

PROPERTY OWNER'S SIGNATURE

ATE 9/8/15

SID PROPERTY OWNER PARCELS AND
SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6441-010.000-032	JKJC PROPERTIES LLC	% J BIRCH 4491 SW 102 AVE	DAVIE FL 33328	0020	SO. THIRD ST	47	EE1
P6441-010.000-033	JKJC PROPERTIES LLC	% J BIRCH 4491 SW 102 AVE	DAVIE FL 33328	0026	S THIRD ST	65	EE2
P6441-010.000-033	JKJC PROPERTIES LLC	% J BIRCH 4491 SW 102 AVE	DAVIE FL 33328	0026	SO. THIRD ST	17	EE2
					TOTAL FF	129	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$1,266.78	

PROPERTY OWNER'S SIGNATURE Kathleen C. Buck

10-23-2015

JKJC 7/17/2015
EXPANDED

SID PROPERTY OWNER PARCELS AND SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-003.000-074	KONCIUS PROPERTIES-KEY #6	4340 WILLOW HILLS LANE	CINCINNATI OH 45243	0018	SO. SECOND ST.	90	JJ1
P6421-003.000-074	KONCIUS PROPERTIES-KEY #6	4340 WILLOW HILLS LANE	CINCINNATI OH 45243	0024	SO. SECOND ST.	100	JJ1
					TOTAL FF	190	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$1,865.80	
PROPERTY OWNER'S SIGNATURE							
DATE 9/5/15							

SID PROPERTY OWNER PARCELS AND
SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-003.000-099	KUMARDOVIC LLC	PO BOX 156	HAMILTON OH 45012 0156	0235	HIGH ST	58	M1
					TOTAL FF	58	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$569.56	
PROPERTY OWNER'S SIGNATURE		Arnold V. Ryan					
DATE	9/21/15						

RYAN'S 6/30/2015
CORE

SID PROPERTY OWNER PARCELS AND
SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-004.000-001	LJ PROPERTY HOLDINGS LLC	445 MILAN DR UNIT 101	SAN JOSE, CA 95134	0003	HIGH ST	99.83	KK1
P6421-004.000-001	LJ PROPERTY HOLDINGS LLC	445 MILAN DR UNIT 101	SAN JOSE, CA 95134	0003	HIGH ST	44.92	KK1
P6421-004.000-002	LJ PROPERTY HOLDINGS LLC	445 MILAN DR UNIT 101	SAN JOSE, CA 95134	0003	HIGH ST	44.92	KK2
P6421-004.000-020	LJ PROPERTY HOLDINGS LLC	445 MILAN DR UNIT 101	SAN JOSE, CA 95134	0002	SO MONUMENT AVE	49.83	KK3
P6421-004.000-021	LJ PROPERTY HOLDINGS LLC	445 MILAN DR UNIT 101	SAN JOSE, CA 95134	0006	COURT ST	49.83	KK4
					TOTAL FF	289.33	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$2,841.22	

PROPERTY OWNER'S SIGNATURE

DATE 9.25.15

LJ PROPERTY 7/20/2015
EXPANDED

SID PROPERTY OWNER PARCELS AND SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-004.000-037	MASANA LYNEDA A	530 OAKWOOD AVE	HAMILTON OH 45013	0220	SO. MONUMENT AVE	95	LL1
					TOTAL FF	95	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$932.90	
PROPERTY OWNER'S SIGNATURE							
DATE 9/23/15							

MASANA 7/20/2015
EXPANDED

SID PROPERTY OWNER PARCELS AND SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6441-010.000-074	MCDONALDS REAL ESTATES CO	82 WILLIAMS AVE	HAMILTON OH 45015	0401	HIGH ST	178.63	NN1
					TOTAL FF	178.63	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$1,754.15	
PROPERTY OWNER'S SIGNATURE		George F. Schmidt					
DATE					8/26/15		

SID PROPERTY OWNER PARCELS AND SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-004.000-031	MOELLER PATRICK & DUDLEY M	223 S FRONT	HAMILTON OH 45011	0223	SO. FRONT ST	32	PP1
					TOTAL FF	32	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$314.24	
PROPERTY OWNER'S SIGNATURE							
DATE	10/5/15		10/6/15				

MOELLER 7/20/2015
EXPANDED

SID PROPERTY OWNER PARCELS AND SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-002.000-047	PALATCHI MARTHA TR & DANIEL CONNAUGHTON	2500 GULF BLVD APT 203B	BELLEAIR BEACH FL 33786	0134	NO. SECOND ST	28.5	QQ1
					TOTAL FF	28.5	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$279.87	

PROPERTY OWNER'S SIGNATURE [signature]

Martha L. Palatchi

DATE 8/12/2015

PALATCHI CONNAUGHTON 7/20/2015
EXPANDED

SID PROPERTY OWNER PARCELS AND
SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-003.000-053	S N B NATL %TAX DEPT	2800 E LAKE ST	MINNEAPOLIS MN 55406 1930	0231	COURT	47.98	N1
P6421-003.000-053	S N B NATL %TAX DEPT	2800 E LAKE ST	MINNEAPOLIS MN 55406 1930	0225	COURT	93.5	N1
P6421-003.000-076	S N B NATL %TAX DEPT	2800 E LAKE ST	MINNEAPOLIS MN 55406 1930	0217	HIGH ST	12.3	N2
P6421-003.000-077	S N B NATL %TAX DEPT	2800 E LAKE ST	MINNEAPOLIS MN 55406 1930	0219	HIGH ST	75	N3
P6421-003.000-077	S N B NATL %TAX DEPT	2800 E LAKE ST	MINNEAPOLIS MN 55406 1930	0219	HIGH ST	99.92	N3
					TOTAL FF	328.7	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$3,227.83	

PROPERTY OWNER'S SIGNATURE

DATE 8-5-15

SID PROPERTY OWNER PARCELS AND
SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6441-018.000-024	S N B NATL %TAX DEPT	2800 E LAKE ST	MINNEAPOLIS MN 55406 1930	0309	MAPLE AVE	33	N4
P6441-018.000-025	S N B NATL %TAX DEPT	2800 E LAKE ST	MINNEAPOLIS MN 55406 1930	0206	SO. THIRD ST.	52	N5
					TOTAL FF	85	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$834.70	
PROPERTY OWNER'S SIGNATURE							
DATE 8-5-15							

USBANK 7/21/2015
EXPANDED

SID PROPERTY OWNER PARCELS AND SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-002.000-080	SCHWARZ JOSEPH W TR	500 WESSEL DR SUITE 2B	FAIRFIELD OH 45014	0021	NO. THIRD ST	53	SS1
					TOTAL FF	53	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$520.46	
PROPERTY OWNER'S SIGNATURE		Joseph W. Schwarz					
DATE		Aug 13, 2015					

SCHWARZ E 7/20/2015
EXPANDED

SID PROPERTY OWNER PARCELS AND SIGNATURE PAGE

Parcel	Owner_Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-002.000-080	SCHWARZ JOSEPH W TR	500 WESSEL DR SUITE 2B	FAIRFIELD OH 45014	0021	NO. THIRD ST	50	SS1
					TOTAL FF	50	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$491.00	
PROPERTY OWNER'S SIGNATURE							
DATE August 13, 2015							

SID PROPERTY OWNER PARCELS AND
SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-004.000-038	TRAUB ANTHONY G	210 S. MONUMENT ST.	HAMILTON OH 45011 2836	0210	SO. MONUMENT	5	01
P6421-004.000-039	TRAUB ANTHONY G	210 S. MONUMENT ST.	HAMILTON OH 45011 2836	0210	SO. MONUMENT	30	02
					TOTAL FF	35	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$343.70	
PROPERTY OWNER'S SIGNATURE							
DATE 8-19-15							

TRAUB 8/5/2015
EXPANDED

SID PROPERTY OWNER PARCELS AND
SIGNATURE PAGE

Parcel	Owner Name	Address1	City	NO	Address	Frontage Ft	MAP
P6421-002.000-019	Y M C A	105 N SECOND ST	HAMILTON OH 45011	0105	NO. SECOND ST	95	P1
P6421-002.000-034	Y M C A	105 N SECOND ST	HAMILTON OH 45011 2701	0105	NO. SECOND ST	72	P2
P6421-002.000-035	Y M C A	105 N SECOND ST	HAMILTON OH 45011 2701	0105	NO. SECOND ST	80	P3
P6421-002.000-036	Y M C A	105 N SECOND ST	HAMILTON OH 45011 2701	0121	NO. SECOND ST	100	P3
P6421-002.000-033	YOUNG MENS CHRISTIAN ASSN	105 N SECOND ST	HAMILTON OH 45011 2701	0121	NO. SECOND ST	48	P4
					TOTAL FF	395	
					ASSESSMENT PER FF	$9.82	
					TOTAL ANNUAL ASSESSMENT	$3,878.90	
PROPERTY OWNER'S SIGNATURE							
DATE	8/20/15						

YMCA 6/30/2015
EXPANDED

Exhibit 1

~~Hamilton Central Business District~~
Special Improvement District (SID)
(Maintenance, Marketing and Promotion)

The Services Package

Maintenance of the District in the Public Right of Way

Sidewalk Sweeping / Vacuuming	multiple – weekly schedule
Litter and Debris Removal	multiple – weekly schedule
Seasonal Planters & Beds: Water and Care	multiple – weekly schedule and as seasonally needed
Street Trees and Landscaping Maintenance	seasonal schedule
Prunings, fertilization, weed and landscape pest control	seasonal schedule
Replacement of damaged streetscape elements	as needed
Snow Removal and Salting Services	as needed

Marketing and Promotion of the District

Partner with the City of Hamilton, Butler County and the Greater Hamilton Chamber of Commerce for the retention / expansion of existing businesses.

Partner with the City of Hamilton, Butler County and the Greater Hamilton Chamber of Commerce and other community groups to promote positive image of the downtown as the City's center and to provide support of downtown special event programming.

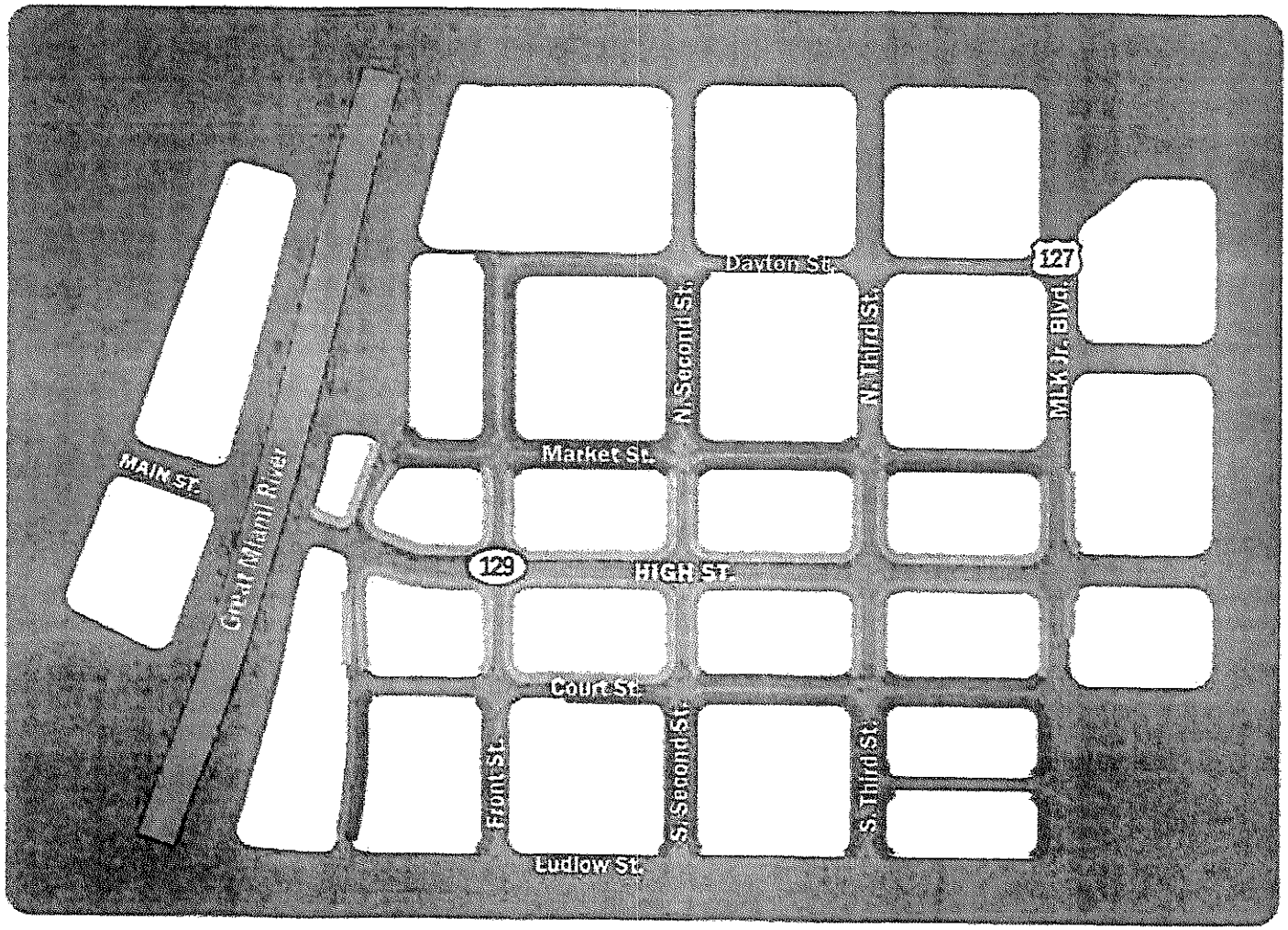
Partner with the property owners and businesses to implement the IMPROVE Program.

Provide connectivity and a gateway to the City's Economic Development Department.

Provide a voice for property owners and businesses for their concerns.

Hamilton Central Business District

Special Improvement District



Core SID Area

Expanded SID Area

Exhibit A

Exhibit B

05616-0450

9/6/96
9609061970

ARTICLES OF INCORPORATION

OF

HAMILTON CENTRAL BUSINESS
SPECIAL IMPROVEMENT DISTRICT, INC.

The undersigned, desiring to form a nonprofit corporation under Chapter 1702 of the Ohio Revised Code ("ORC"), adopt the following Articles of Incorporation.

I: The name of this corporation is HAMILTON CENTRAL BUSINESS SPECIAL IMPROVEMENT DISTRICT, INC. (hereafter referred to as the "Corporation").

II: The place in Ohio where its principal office will be located is the City of Hamilton, Butler County, Ohio.

III: The corporation is formed for the following purposes:

A. To govern a special improvement district created pursuant to ORC Chapter 1710.

B. To encourage and participate in programs that will maintain, improve and expand the central business district of the City of Hamilton as a viable business, cultural and recreational community.

C. To assist the City of Hamilton, Butler County and other agencies and groups in providing programming which will preserve the economic well-being and employment opportunities in the central business district of the City of Hamilton.

D. To encourage and participate in programs to preserve the aesthetic, architectural and historic character of the central business district of the City of Hamilton.

E. To engage in any lawful act or activity for which corporations may be formed under ORC Chapter 1702 and amendments thereto, as may be deemed appropriate by the trustees of the Corporation, and to exercise any powers or rights now or hereafter conferred on nonprofit corporations under the laws of the State of Ohio which are in furtherance of any of the purposes for which the Corporation is formed.

F To engage in any lawful act or activity for which corporations may be formed under ORC Chapter 1710 and amendments thereto, as may be deemed appropriate by the trustees of the Corporation.

G. The above enumerated purposes shall be interpreted in connection with the limitation that the Corporation is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code").

IV: The name of the special improvement district formed by the Corporation under ORC Chapter 1710 shall be the "Hamilton Central Business Special Improvement District" (the District").

V: The District boundary is defined as containing the following described "Core Area" and "Expanded Area", subject to the exceptions noted below. Certain property within this area may be excluded in accordance with ORC Chapter 1710.

Core Area

- High Street from Monument Avenue to Martin Luther King, Jr. Boulevard
- Court Street (north side) from Front Street to Second Street
- Monument Avenue from Court Street to Market Street
- Front Street / Riverfront Plaza from Court Street to Market Street
- Second Street from Court Street to Market Street
- Third Street from Court Street to Market Street
- Journal Square Street from Court Street to High Street
- Martin Luther King, Jr. Blvd. from Court Street to Market Street

Expanded Area

- Market Street from Monument Avenue to Martin Luther King, Jr. Blvd.
- Dayton Street from Riverfront Plaza to Second Street
- Riverfront Plaza from Market Street to Dayton Street
- Second Street from Market Street to Dayton Street
- Court Street from Monument Avenue to Martin Luther King, Jr. Blvd., excluding the north side of Court Street from Front Street to Second Street
- Ludlow Street from Monument Avenue to Martin Luther King, Jr. Blvd./4th Street
- Monument Avenue (east side) from Ludlow Street to Court Street
- Front Street from Ludlow Street to Court Street
- Second Street from Ludlow Street to Court Street
- Third Street from Ludlow Street to Court Street
- Martin Luther King, Jr. Blvd./4th Street (west side) from Ludlow Street to Court Street

Exceptions

The "Expanded Area" will be a part of the Hamilton Central Business Special Improvement District only if owners representing 60% or more of the front footage of the property abutting upon the above-described streets of the "Expanded Area" sign the petition for the creation of the Hamilton Central Business Special Improvement District pursuant to ORC

Chapter 1710. In the event sufficient signatures are not obtained for the "Expanded Area", but signatures of owners representing 60% or more of the front footage of the property abutting upon the above-described streets of the "Core Area" are obtained, a Special Improvement District with boundaries conforming to the "Core Area" only will be created and the boundaries of the Hamilton Central Business Special Improvement District will match the "Core Area" description. Failure to obtain signatures from owners representing 60% or more of the front footage of the property abutting upon the above-described streets of the "Expanded Area" will not nullify the formation of the Hamilton Central Business Special Improvement District.

VI: Each owner of real property within the District, other than the State of Ohio and the United States of America, will be a member of the District ("Members"). Members shall have such voting rights as are described in the By-Laws of the Corporation.

VII: The Board of Trustees of the Corporation shall consist of five (5) individuals, one of whom shall be the Chief Executive of the City of Hamilton, or alternatively an employee of the City of Hamilton involved with its planning or economic development functions who shall serve at the pleasure of such Chief Executive, and the remainder of whom shall be Members or executive representatives of Members elected by the Members.

VIII: These Articles may be amended only (A) by the vote of Members entitling them to exercise a majority of the voting power on such proposal, and (B) after receipt of approval of such amendment or amended articles by resolution of the legislative authority of the City of Hamilton, and (C) upon filing of such amendment or amended articles and a certified copy of such resolution with the Ohio Secretary of State.

IX: The District is being created by concerned central business district property owners in an effort to strengthen the economic vitality, livability and commerce in the Hamilton central business district community. The District is intended to increase the utilization of the Hamilton central business district by businesses and individuals in the Butler County area, thereby better establishing the central business district as a livable center of commerce and entertainment which will in turn be conducive to the public health, safety, peace, convenience and welfare of the District.

X: No part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article III hereof. No substantial part of the activities of the Corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these articles, the Corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt

from federal income tax under Section 501(c)(3) of the Code or (b) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Code.

XI: Upon the dissolution of the Corporation, all assets remaining after paying or making provision for the payment of all of the liabilities of the Corporation shall be distributed for one or more exempt purposes within the meaning of Section 5d1(c)(3) of the Code or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the Corporation is then located, exclusively for such purposes or to such organization or organizations as said Court shall determine, which are organized and operated exclusively for such purposes.

IN WITNESS WHEREOF, the undersigned have executed this instrument on this 27 day of JUNE, 1996.

Incorporators

Certificate

I, Marcos Nichols, Acting City Clerk, hereby certifies the petition for renewal of the Hamilton Central Business Special Improvement District together with the Plan of Services therefore and Articles of Incorporation are on file in the City Clerk's Office and contain the signatures of owners of more than 60% of the front footage of the property located in the Hamilton Central Business Special Improvement District.

Marcos Nichols,
Acting City Clerk

Exhibit B

BOARD OF REVISION OF ASSESSMENTS
Minutes of Meeting
April 7, 2016

The meeting was called to order by Mayor Moeller at 12:15 p.m. Mayor Moeller asked for and received confirmation that the proper notice had been published in the Journal News. Treasurer, Deborah Hymer also stated that certified letters had been sent to all property owners.

The roll was called and Board members present were Mayor Pat Moeller, Finance Director Tom Vanderhorst and Purchasing Agent John Hoskinson, as the City Manager's designee.

Mayor Moeller stated that, as this was a public hearing, anyone that would like to come to the podium to discuss the issue of renewal of the Downtown Special Improvement District could do so. He then stated that there was no one in the audience and that the public had been provided with proper notice.

John Hoskinson made a motion to adjourn the meeting. Tom Vanderhorst seconded the motion. The motion passed 3-0. The meeting adjourned at 12:17 p.m.

Respectfully submitted,

Mayor Pat Moeller

Tom Vanderhorst, Finance Director

John Hoskinson, Purchasing Agent

BOARD OF REVISION OF ASSESSMENTS
Minutes of Meeting
May 11, 2016

The meeting was called to order by Mayor Moeller at 3:01 p.m. The roll was called and Board members present were Mayor Pat Moeller, Finance Director Tom Vanderhorst and Purchasing Agent John Hoskinson, as the City Manager's designee.

Proper notice was published in the Journal News on Sunday, May 8, 2016. There were no attendees to the meeting.

Tom Vanderhorst made a motion that the Board of Revision of Assessments does recommend to the Council of the City of Hamilton that they proceed with the approval of the Plan of Services and levy special assessments to implement the Plan of Services of the Hamilton Central Business District Special Improvement District listed as Resolution 2016-1-3. Motion Seconded by John Hoskinson. Roll call vote was taken:

Vanderhorst: Yes
Hoskinson: Yes
Moeller: Abstain

Motion passed 2-0.

Pat Moeller made a motion to adjourn the meeting. Tom Vanderhorst seconded the motion. The motion passed 3-0. The meeting adjourned at 3:07 p.m.

Respectfully submitted,

Mayor Pat Moeller

Tom Vanderhorst, Finance Director

John Hoskinson, Purchasing Agent

City of Hamilton
BUTLER COUNTY OHIO

Staff Report
June 8, 2016

City Council Meeting Staff Report

Report To: The Honorable Mayor Patrick Moeller & Members of the City Council

Report From: Kevin Maynard, Director of Public Utilities

Agenda Item: City of Hamilton-Southwest Ohio Computer Association Fiber Optic Lease Agreement

Approvals/Reviews *To be checked by the Office of the City Manager once approvals received from Departments. All other boxes to be checked by the Report author*	☑ Department Head ☑ Finance Department ☑ Director of Law ☑ Office of the City Manager	**Related Strategic Goal(s)** ☑ R *Realize new investments* ☐ A *Add new jobs* ☐ I *Increase property values* ☐ D *Decrease vacant structures* ☐ G *Generate recreational investments* ☐ E *Engage citizens in activities* ☑ O *General operations*
Ordinance or Resolution *Ordinance*	1st Reading Date: 6-8-16 2nd Reading Date: 6-22-16 Public Hearing Date:	
Prior Action/Review *Please note if this item was discussed on a prior Council or other agenda*	**City Council** *(or other):*	
Contract	☐ Contract Required	☐ Additional Document(s) Attached
Fiscal Impact	Budgeted: $ Expenditure: $ Source Funds: Electric Utility Funds	*Please see further, more detailed information regarding the fiscal impact in the summary section of this report*

Policy Issue

Does City Council wish to adopt legislation to authorize the execution of a Fiber Optic Lease Agreement with Southwest Ohio Computer Association?

Policy Alternative(s)

Council may choose not to adopt such legislation to authorize execution of a Fiber Optic Lease Agreement with Southwest Ohio Computer Association. Alternatively, Council may choose to authorize execution of a Fiber Optic Lease Agreement with Southwest Ohio Computer Association.

Staff Recommendation

Staff recommends that Council receive this report and adopt the necessary legislation to authorize execution of a Fiber Optic Lease Agreement with Southwest Ohio Computer Association. Entering into this Agreement will provide local schools access to an additional provider of telecommunications services, leveraging the City's investment in our fiber optic infrastructure.

Statutory/Policy Authority

- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.

Fiscal Impact Summary

The fiscal impact of the proposed Fiber Optic Lease Agreement is projected additional revenue of $779.61 monthly for the lease of existing dark fiber optic strands. Capital investment to connect their facilities with the municipal fiber optic system is required; however, under the terms of this agreement Southwest Ohio Computer Association has agreed to re-pay the City of Hamilton for its capital investment over the term of this agreement.

Background Information

Southwest Ohio Computer Association is interested in leasing existing City dark fiber cable to connect its facilities and possible future facilities. These connections would provide an additional telecommunication option for their facilities. The initial term of the agreement is three years with annual renewals thereafter by mutual agreement. The lease is anticipated to generate additional estimated monthly revenue of $779.61.

Attached Information

N/A

Copies Provided to:

N/A

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR THE LEASE OF FIBER OPTIC FACILITIES BETWEEN THE CITY OF HAMILTON, OHIO, DEPARTMENT OF UTILITIES AND SOUTHWEST OHIO COMPUTER ASSOCIATION

WHEREAS, the Administration of the City of Hamilton, Ohio, has recommended that the City enter into an Agreement for the Lease of Fiber Optic Facilities with Southwest Ohio Computer Association (hereinafter referred to as "SWOCA"), relative to the use of certain surplus fiber optic filaments owned by the City, pursuant to the terms, conditions, and rates of the attached Agreement; and

WHEREAS, the Administration recommends that Council waive any requirements as set forth in Chapter 173.06 of the Codified Ordinances of the City of Hamilton, Ohio, and enter into an Agreement for the Lease of Fiber Optic Facilities with SWOCA; and

WHEREAS, said Agreement would provide an additional telecommunications option to local schools and generate additional monthly revenue for the lease of existing municipal fiber optic filaments;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hamilton, Ohio:

SECTION I: Council hereby waives the requirements of Chapter 173.06 of the Codified Ordinances of the City of Hamilton, Ohio.

SECTION II: That the City Manager is hereby authorized and directed to execute an Agreement for the Lease of Fiber Optic Facilities with SWOCA, relative to the use of certain fiber optic filaments owned by the City, pursuant to the terms, conditions, and rates of the attached Agreement. Said agreement shall be and read substantially in the form of Exhibit No. 1, attached hereto, incorporated herein by reference and made a part hereof, subject to any amendments recommended to the City Manager by the Law Director and the Public Utility Director.

SECTION III: This ordinance shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: _____ _____
Mayor

Effective Date: _____

ATTEST: _____
City Clerk

CERTIFICATE

I, Nicholas Garuckas, City Clerk of the City of Hamilton, Ohio, State of Ohio, hereby certify that the foregoing Ordinance No. _____ was duly published as provided by Section 113.01 of the Codified Ordinances of the City of Hamilton, Ohio, by posting ten days after passage, a copy thereof in each fire station within the City for a period of ten days. POSTED:_____

_____
Nicholas Garuckas, City Clerk
CITY OF HAMILTON, OHIO

AGREEMENT FOR THE LEASE

OF FIBER OPTIC FACILITIES

BETWEEN THE

CITY OF HAMILTON, OHIO, DEPARTMENT OF UTILITIES

AND

SOUTHWEST OHIO COMPUTER ASSOCIATION

This Agreement for the Lease of Fiber Optic Facilities ("Agreement") is entered into on this ____ day of _____, 2016, ("Effective Date") between the City of Hamilton, Ohio, acting through its Department of Utilities, a municipal utility organized and existing under the provisions of Article XVIII of the Ohio Constitution, and the applicable provisions of the Ohio Revised Code and the Charter of the City of Hamilton, as amended from time to time, having its principal place of business at 345 High Street, 4th Floor, Hamilton, Ohio 45011 ("Hamilton"), and Southwest Ohio Computer Association (SWOCA), having a place of business at 3611 Hamilton Middletown Road, Hamilton, Ohio 45011

RECITALS

WHEREAS, Hamilton is the full or joint owner of utility poles and conduit ("Structures") and has rights to use the Structures as part of the Hamilton's electric utility and utility operations generally;

WHEREAS, SWOCA seeks use of certain fiber optic filaments owned by Hamilton, pursuant to the terms, conditions, and rates of this Agreement; and

WHEREAS, Hamilton is willing to grant the use of the fiber optic filaments along the Route described in Exhibit A-1 in exchange for the payment of certain lease payments by SWOCA, pursuant to the terms, conditions, and rates of this Agreement.

AGREEMENT

NOW THEREFORE, in consideration of the mutual promises set forth below, and for other good and valuable consideration, the adequacy of which is acknowledged, Hamilton and SWOCA agree as follows:

ARTICLE 1
SCOPE AND PURPOSE OF AGREEMENT

Scope and Purpose of Agreement. This Agreement sets forth the terms and conditions under which Hamilton will own and operate the SWOCA Leased Fibers for use by SWOCA. For purposes of this Agreement the term " SWOCA Leased fibers" shall mean fiber optic filaments, contained in any suitable jacketing or sheath ("Cable"), which have been accepted or which are deemed to have been accepted by SWOCA as meeting the Fiber Acceptance Testing Procedures and Standards attached to this Agreement as Exhibit B. For aerial installations, the Hamilton Cable includes any internal or external strength member, whether entirely dielectric or not. The SWOCA Leased Fibers shall consist of those described in Exhibit A-1 to this Agreement, which traverse the route(s) shown in the map attached as Exhibit A-2 to this Agreement.

ARTICLE 2
TERM AND TERMINATION

2.1 Term. The Term of this Agreement shall extend for Three (3) years from the Effective Date and any one- (1) year extension period mutually agreed to in writing by the Parties.

2.2 Renewals and Termination. This Agreement may be terminated at the end of the initial three (3) year period, or at the end of any one (1) year extension period agreed to by the Parties, by either Party providing written notice to the other Party of its intent to terminate this Agreement. Such notice shall be given at least one hundred eighty (180) days prior to the stated expiration date.

2.3 Early Termination of Agreement. This Agreement may be terminated prior the end of the Term upon any one of the following events:

(a) by either Party following an Event of Default, by the other Party, as set forth in Article 9 below;

(b) by either Party if the other Party consents to the appointment of, or taking possession by, a receiver, trustee, custodian or liquidator of a substantial part of its assets, files a bankruptcy petition in any bankruptcy court proceeding or answers, consents or seeks relief under any bankruptcy or similar law or fails to obtain a dismissal of an involuntary petition within 60 days of filing; or

(c) by either Party if the other Party makes any material representation or warranty in this Agreement, which is incorrect and has a material and adverse effect on the other Party (as reasonably determined by such non-breaching Party), and such incorrect representation or warranty shall continue uncured for a period of thirty (30) days after written notice of such incorrect representation or warranty (except only where this Agreement specifically provides additional time and/or other options or remedies for any such failure; or, with respect to an obligation that is susceptible of cure within a reasonable time period so long as such Party is using its best efforts to promptly cure).

ARTICLE 3
OWNERSHIP AND RIGHT TO USE

3.1 Ownership. At all times, the ownership and possession rights to the Cable, and the ownership rights to SWOCA Leased Fibers, shall remain in Hamilton and SWOCA shall have no ownership interest therein.

3.2 Grant of Right to Use. Hamilton grants to SWOCA for the Term of this Agreement the exclusive right to use the SWOCA Leased Fibers along the routes as set forth in Exhibit A-1 ("Route"), which may occupy portions of Hamilton's electric distribution or transmission system, subject to the terms and conditions of this Agreement. SWOCA's right to use the Cable along the Route at all times shall be subordinate to Hamilton's obligation to provide a safe and reliable supply of electricity and other utility services to its customers. Nothing in this Agreement shall give SWOCA any right to sublease or assign in any way the SWOCA Leased Fibers or any portion thereof except with the express written approval of Hamilton. Nothing in this Agreement shall give SWOCA any right to use any Structure or other facility of Hamilton's except for the SWOCA Leased Fibers along the Route as covered by the terms and conditions of this Agreement. The grant in this Article 3.2 does not give SWOCA the right to splice the SWOCA Leased Fibers; provided, however, that upon reasonable request Hamilton agrees to splice SWOCA Leased Fibers at SWOCA's request at cost-based time and materials rate.

ARTICLE 4
INSTALLATION, OPERATION AND MAINTENANCE

4.1 Installation, Operation and Maintenance. Hamilton shall install, construct, operate, and maintain the Cable as defined in Article 1 and Exhibit A-1 along the Route, in accordance with the terms and conditions set forth in this Agreement.

Any rerouting of fiber at the request of SWOCA will result in revisions to per mile monthly charge and any associated costs involved.

4.2 Casualty. If any portion of the Cable or the SWOCA Leased Fibers is damaged or destroyed by casualty at any time during the Term of this Agreement, the repairs and/or replacement will be performed in accordance with this Article 4.

4.3 Hamilton's Right to Maintain Service. Hamilton shall have the right to take all action necessary to maintain and repair Hamilton's property and maintain Hamilton's provision of utility services to its customers, provided that Hamilton shall take reasonable precautions to protect the Cable against damage. In the event of any service outage affecting the Cable, Hamilton shall have the right to repair its electric facilities first. If conditions permit, Hamilton may repair its utility facilities concurrently with the Cable or the SWOCA Leased Fibers. SWOCA acknowledges that a portion of the Cable containing SWOCA Leased Fibers will be placed on Structures that are part of Hamilton's electric distribution or transmission system and that at all times the safe and continuous operation of such system and the provision of electric service is Hamilton's foremost priority.

4.4 Relocations. In the event that, during the term of this Agreement, Hamilton is required by public authorities or by lawful order or decree of a regulatory agency or court to relocate or modify any or all Structures upon which the SWOCA Leased Fibers or any part thereof are located, Hamilton shall provide notice to SWOCA within forty-five (45) days after Hamilton is notified and prior to beginning such relocation. In any such an event, the costs of relocating, modifying or replacing the Cable and any SWOCA Leased Fibers thereby affected shall be paid by Hamilton. The Parties shall cooperate in performing such relocation or modifications of the Structures so as to minimize any interference with the use of the SWOCA Leased Fibers by SWOCA.

In the event of an emergency affecting Hamilton's Structures, Hamilton's provision of utility service to its customers, any of Hamilton's facilities or public safety, Hamilton shall be permitted to replace, remove and relocate the Cable or any portion thereof without prior notice to SWOCA, when such notice is not possible. Notice will be provided at the earliest possible time and Hamilton shall incur no liability to SWOCA or its customers for service interruptions in connection with any such removal or relocation.

4.5 Rights of Way. Subject to the provisions of Article 4.4, above, Hamilton's obligations to install and maintain the Cable and the SWOCA Leased Fibers along the Route(s) is limited by the rights of way, easements, locations, licenses, or other land rights currently held by Hamilton or made available to Hamilton by SWOCA. SWOCA shall not be responsible to obtain any additional easements, rights of way, permits, licenses, or other permissions for the installation of the Cable along the Routes or for any modifications or extensions thereof. Hamilton shall be responsible to acquire any additional rights of way, easements or other land rights necessary to install the Cable along the Route(s) or for any modification or extension thereof, and any costs incurred by Hamilton in so doing shall be for SWOCA account.

4.6 Rights to Locate Structures. Hamilton represents that, to the best of its knowledge, Hamilton has sufficient legal rights (whether contractual, pursuant to applicable law, arising from Hamilton's relationship with the underlying property owner or otherwise) authorizing it to locate its Structures and the Cable on the Route and that it is not aware of any prohibitions or restrictions in any of the rights that it may have to its leasing the SWOCA Leased Fibers to SWOCA. In the event that Hamilton should intend in the future to abandon any Structure bearing the Cable, Hamilton shall notify SWOCA of its intent to abandon the Structure(s) and the Cable located on the Route as soon as is reasonably possible following Hamilton's decision to abandon the Structure(s) and the Cable but in no event less than ninety (90) days prior to the effective date of such abandonment.

ARTICLE 5
COSTS AND CHARGES

5.1 Lease Payment. SWOCA shall pay Hamilton, annually in advance, per fiber optic pair for the first fiber optic mile, a monthly lease rate of $44.96 (annual rate, $539.57). SWOCA shall pay Hamilton, annually in advance, per fiber optic pair for additional fiber optic miles on the same pair, a monthly lease rate of $29.98 (annual rate, $359.71), per mile for the SWOCA Leased Fibers as defined in Article 1 and Exhibit A-1, for a total monthly lease rate of $779.61.

5.2 Extensions**.** As part of this Agreement, SWOCA has requested that the City extend its fiber optic facilities as described in Exhibit A-2 at an estimated cost of $12,344.00. SWOCA agrees to reimburse the City for the cost of said facilities extension in 36 equal installment payments of approximately $342.88 per month during the initial term of this Agreement. This monthly facilities extension

installment payment is in addition to the monthly fiber optic lease rate in Section 5.1 above. Said fiber optic facilities extension shall become part of and included in the SWOCA Leased Fibers as defined in Article 1 and Exhibit A-1.

In the event that additional extensions of Hamilton facilities are required under this Agreement, the terms, conditions and pricing governing the installation and implementation of each such extension shall be separately negotiated by the parties.

5.3 Performance Conditioned on Payment. Payment in full of all costs due hereunder shall be a condition precedent to Hamilton's obligations under this Agreement. Payments not received within 30 days are subject to a 1.5% per month late fee.

ARTICLE 6
REPRESENTATIONS AND WARRANTIES

6.1 Work Clearances and Related Delays. SWOCA acknowledges that, with respect to contingency line operating conditions and all other issues affecting clearance to work on the Cable by the City, such work shall be subordinate to Hamilton's obligation to provide a safe and reliable supply of electricity and other utility services to its customers.

6.2 Interruption of Service. Hamilton makes no representations or warranties for continuous service. The Parties acknowledge that service interruptions may occur from time to time in which case Hamilton will use reasonable efforts in accordance with Good Utility Operating Practice to restore service in a prompt manner. Hamilton's obligation to restore service, however, is subordinate to its obligation to provide utility services to its customers. For purposes of this Agreement "Good Utility Operating Practice" means the practices, methods and acts engaged in or approved by a significant portion of the electric power industry during the relevant time period, or the practices, methods and acts which in the exercise of reasonable judgment in light of the facts known at the time the decision was made, could have been expected to accomplish the desired result consistent with reliability, safety, expedition, the requirements of governmental agencies having jurisdiction; such term is not intended to be limited to the optimum practice, method or act to the exclusion of all others, but rather to constitute a spectrum of acceptable practices, methods or acts.

ARTICLE 7

FORCE MAJEURE

Force Majeure. Neither Party shall be liable for any costs, losses or damages incurred by the other Party for any failure to perform its obligations hereunder where such failures arise from or are in consequence of any event of Force Majeure, including but not limited to an act of God, natural disaster, war, civil disturbance, fire, explosion, failure of electrical distribution equipment, any federal, state or local law or any rule, regulation or order of a court or other governmental agency, labor disputes, inability to secure materials, or any other cause or causes, whether similar or dissimilar to the causes enumerated above, beyond the reasonable control and without the fault or negligence of the party asserting Force Majeure. In no event shall a claim of Force Majeure excuse the timely payment of amounts due and owing under this Lease. The Party asserting Force Majeure must give notice in writing to the other Party as soon as practicable after the occurrence of the cause relied on and such cause shall be remedied with all reasonable dispatch.

ARTICLE 8
LIMITATION OF LIABILITY

8.1 Limitation of Hamilton's Liability. Except for gross negligence, willful misconduct, or as otherwise provided for herein, Hamilton shall not be liable to SWOCA with respect to any action, claim, damages or expense, brought on or incurred by SWOCA in connection with the occupancy of the space or installation, provision, preemption, termination, maintenance, repair or restoration of services hereunder. Hamilton disclaims any and all loss or liability resulting for access delays or interruptions in service. IN NO EVENT SHALL HAMILTON BE LIABLE TO SWOCA OR TO ITS CUSTOMERS, WHETHER IN CONTRACT, TORT, OR OTHERWISE, INCLUDING STRICT LIABILITY, FOR ANY SPECIAL, INDIRECT, INCIDENTAL OR CONSEQUENTIAL DAMAGES OR ANY LOST BUSINESS DAMAGES IN THE NATURE OF LOST REVENUES OR PROFITS. IN NO EVENT SHALL HAMILTON's LIABILITY IN TORT EXCEED THAT PROVIDED BY THE OHIO POLITICAL SUBDIVISION TORT CLAIMS ACT, OHIO REVISED CODE CHAPTER 2744.

8.2 Limitation of SWOCA's Liability. IN NO EVENT SHALL SWOCA BE LIABLE TO HAMILTON OR TO ITS CUSTOMERS, WHETHER IN CONTRACT, TORT, OR OTHERWISE, INCLUDING STRICT LIABILITY, FOR ANY SPECIAL, INDIRECT, INCIDENTAL OR CONSEQUENTIAL DAMAGES OR ANY LOST BUSINESS DAMAGES IN THE NATURE OF LOST REVENUES OR PROFITS.

8.3 Waiver of Jury Trial. EACH PARTY WAIVES ITS RESPECTIVE RIGHT TO ANY JURY TRIAL WITH RESPECT TO ANY LITIGATION ARISING UNDER OR IN CONNECTION WITH THIS AGREEMENT.

ARTICLE 9
DEFAULT

9.1 Events of Default. Unless excused by an Event of Force Majeure as defined in Article 7, a Party shall be considered in default of this Agreement should one or more of the following events occur:

(a) Admission in writing of the Party's inability to pay its debts when due; making a general assignment for the benefit of creditors; the institution of any proceeding, whether voluntary or involuntary, seeking to adjudicate that Party bankrupt or insolvent; seeking reorganization, arrangement, adjustment, or composition of it or its debt under any law relating to bankruptcy, insolvency or reorganization or relief of debtors, seeking appointment of a receiver, trustee, or other similar official for it or for any substantial part of its property; or taking any action to authorize any of the actions set forth above;

(b) Failure of that Party to perform, in a material respect, any other obligation under this Agreement in accordance with the terms hereof. For purposes of this Agreement a material breach shall mean a failure to perform (whether any such failure shall arise as the result of the voluntary or involuntary action or inaction of such Party), in any material respect, any of its obligations set forth in this Agreement, including without limitation failure to make payments when due, and any violation of law (which is material and which adversely affects either Party's obligations under the Agreement) and such failure shall continue uncured for a period of 30 days following written notice from the non-breaching Party or such shorter period of 30 days following written notice from the non-breaching Party or such shorter period as may apply under law (the "Cure Period"). The sublease or assignment of SWOCA's right to use the SWOCA Leased Fibers without Hamilton's prior written consent (other than a conditional assignment by SWOCA to a lender or lenders in connection with the creation of a collateral security interest to secure a loan or other extension of credit by such lender to SWOCA in accordance with Section 10.1 of this Agreement) shall constitute a material breach of this Agreement. A Party's exercise of its right to terminate this Agreement as provided herein shall not affect its ability to pursue

any and all rights it may have against the breaching Party now or hereafter under the law, subject to the limitations in this Agreement.

9.2 If either Party shall remain in default under any material provision of this Agreement for a period of thirty (30) days after notice by the other Party of such default, the Party so notifying the other Party may, at its option, terminate this Agreement as provided in Article 3. Upon such termination the terminating Party shall have no further obligations or liability to the other Party.

ARTICLE 10
MISCELLANEOUS PROVISIONS

10.1 Assignment. This Agreement shall be binding upon and inure to the benefit of the Parties hereto and their respective successors and assigns where permitted by this Agreement. Neither Party shall assign, transfer, delegate or in any other manner dispose of, any of its rights, privileges or obligations under this Agreement without the other Party's written consent, which will not be unreasonably withheld; except a Party may assign this Agreement (the "Assignor") without consent: (i) to an affiliated entity controlling, controlled by or under common control of their respective parents; (ii) in connection with a transaction pursuant to which the Assignor sells all or substantially all of its business, assets or equity interests; and (iii) a transfer, pledge or assignment of its rights to receive performance under a transaction as security for any financing with financial institutions, as long as such assignee has the same technical and financial ability as the Assignor to perform all of Assignor's obligations under the Agreement, such assignee undertakes the legal obligations to perform all of Assignor's obligations under the Agreement and Assignor shall remain jointly and severally liable for all of its obligations under the Agreement, and any attempt to make any such assignment, transfer or disposition without consent shall be null and void.

10.2 Notices.

(a) Form and Address. All notices, invoices and other communications from either Party to the other hereunder shall be in writing and shall be deemed received (1) upon actual receipt when personally delivered, (ii) upon acknowledgment of receipt if sent by facsimile, (iii) upon the expiration of the third business day after being deposited in the United States mails, postage prepaid, certified or registered mail, or (iv) upon the expiration of one business

day after being deposited during the regular business hours for next-day delivery and prepaid for overnight delivery with a national overnight courier company, addressed to the other Party as follows:

(1) **As to Hamilton**
Director of Public Utilities
City of Hamilton Utilities
345 High Street, Fourth Floor
Hamilton, Ohio 45011
FAX: (513) 785-7230

(2) **As to SWOCA**
Southwest Ohio Computer Association
3611 Hamilton Middletown Road
Hamilton, Ohio 45011

With a copy to:
Southwest Ohio Computer Association
3611 Hamilton Road
Hamilton, Ohio 45011

Each Party shall provide the other Party in writing with 24-hour, 7 days per week emergency notification numbers. Each Party may change its addresses and emergency numbers by giving the other Party notice thereof in conformity with this Article.

10.3 Waiver. No failure or delay on the part of either Party hereto in exercising any right, power or privilege hereunder and no course of dealing between the Parties shall operate as a waiver thereof; nor shall any single or partial exercise of any right, power or privilege hereunder preclude any other or further exercise thereof or the exercise of any other right, power or privilege.

10.4 No Joint Venture. This Agreement is not intended to create nor shall it be construed to create any partnership, joint venture, employment or agency relationship between SWOCA and Hamilton.

10.5 Severability. Nothing contained in this Agreement shall be construed so as to require the commission of any act contrary to law, and wherever there is any conflict between any provision of this Agreement and any law, such law shall

prevail; provided, however, that in such event, necessary to permit compliance with the minimum legal requirement, and no other provisions of this Agreement shall be affected thereby and all such other provisions of this Agreement shall be affected thereby and all such other provisions shall continue in full force and effect.

10.6 Counterparts. This Agreement may be executed in several counterparts, each of which shall be deemed an original, and all such counterparts together shall constitute but one and the same instrument.

10.7 Applicable Law. This Agreement shall be construed under and in accordance with the Constitution and laws of the State of Ohio. Venue for any action related to this Agreement shall be in Butler County, Ohio.

10.8 Entire Agreement. The Exhibits referenced in and attached to this Agreement shall be deemed an integral part hereof to the same extent as if written in whole herein. This Agreement supersedes any prior written or oral agreements by the Parties concerning the Cable. In the event that any inconsistency exists between the provisions of this Agreement and any Exhibits attached hereto, the provisions of this Agreement shall supersede the provisions of any such Exhibits.

10.9 Amendments. This Agreement may not be amended or modified in any way except by a writing signed by an authorized representative of the Party against whom the amendment, modification or waiver is sought to be enforced.

(SIGNATURE PAGE TO FOLLOW)

IN WITNESS WHEREOF, the undersigned have executed this Agreement as of the date first set forth above.

City of Hamilton Department of Utilities

By: _____
Title: Public Utilities Director

Southwest Ohio Computer Association

By: _____
Title: Network Service Manager

Approved as to form

By:_____
Title: City Law Director

Exhibit A-1

The Project and Route

Route: Hamilton will lease approximately 13.8 miles total of fiber optic cable, described as set forth below and as shown on the attached sketch.

Segment No.	Segment End Point	Segment End Point	Fiber Count
1995 Dixie Highway	1995 Dixie Highway	1165 Eaton Ave. HHS	2
Hamilton High School	ORC Building	1165 Eaton Ave. HHS	2

The foregoing segments constitute the "SWOCA Leased Fibers" referenced in this Agreement.

Exhibit A-2

SWOCA Extensions Build-Out Cost Calculation

Location Point to Point: 1995 Dixie Hwy to splice point located at Lincoln Ave and 12th St.

Labor and Materials Cost: $7,544.00

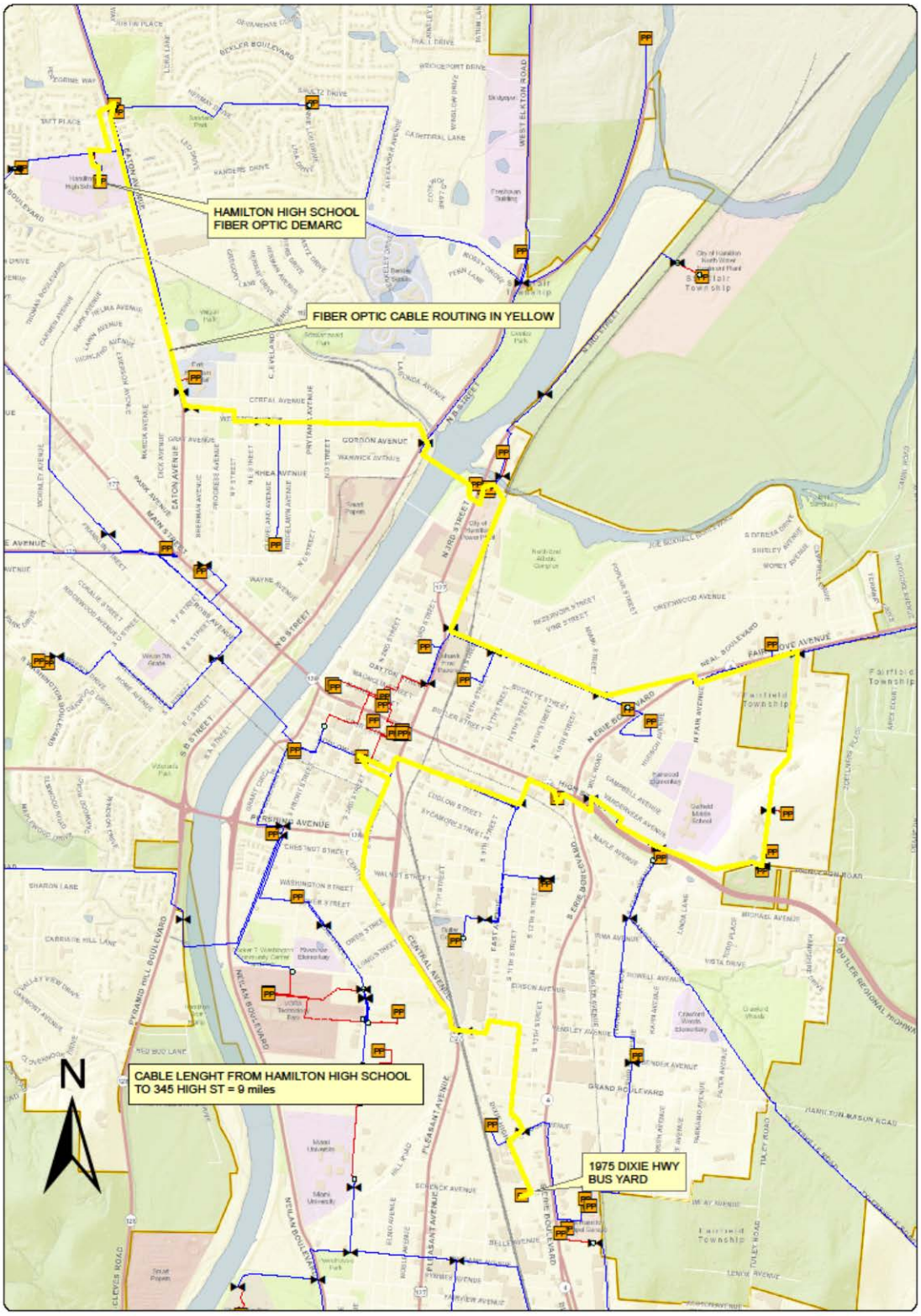
Location Point to Point: Hamilton High School to Slice Bldg. 21 located at 1450 Eaton Ave.

Labor and Materials Cost: $4,800.00

Calculation of a (3) yr term
$7,544.00
$4,800.00
$12,344.00 total
$12,344.00 divided over 36 mo. = $342.88 per mo.

Map of Route

Ordinance No. _____ (cont'd)



1 inch = 1,500 feet

0 750 1,500 3,000 4,500 6,000 Feet

COH FIBER OPTICS
HHS TO 1975 DIXIE WHY
SWOCA CONNECTION
2016-04-28

Ordinance No. _____ (cont'd)

1 inch = 1,000 feet

0 625 1,250 2,500 3,750 5,000 Feet

COH FIBER OPTICS
HHS TO 345 HIGH ST
SWOCA CONNECTION
2016-04-28

Exhibit B

Fiber Acceptance Testing Procedures and Standards

All splices will be performed with an industry accepted fusion splicing machine. Hamilton will perform two stages of testing during the repair of a fiber cable route. As soon as fiber connectivity has been achieved, Hamilton will verify and record the continuity of all fibers. Hamilton will take and record power loss readings on all fibers in both directions. Hamilton will perform bidirectional OTDR tests on all fibers.

After Hamilton has completed end-to-end connectivity on the fibers, bidirectional span testing will be done. Continuity tests will be done to verify that no fibers have been "frogged" or crossed in any of the splice points. Once the fiber has been connected, loss measurements will be recorded using an industry-accepted laser source and a power meter. OTDR traces will be taken and splice loss measurements will be recorded. Hamilton will store OTDR traces on retrievable electronic medium and on data sheets. Laser Precision format will be used on all traces. Copies of all data sheets and tables, and one set of diskettes with all traces will be available to SWOCA

The power loss measurements shall be made at 1550 nm and 1310 nm, and performed bidirectionally. OTDR traces shall be taken in both directions at 1550 nm and 1310 nm.

The splicing standards are as follows:

- The loss value of the connector will not exceed 0.75 dB. This value does not include the insertion loss from its connection to the OSX (read comments below). For values greater than this, the connector will be replaced until an acceptable loss value is achieved. If, after three attempts, Hamilton is not able to produce a loss value less than 0.75 dB, the connector will be marked as Out-of-Specification ("OOS") on the data sheet. Each connector attempt shall be documented on the data sheet.
- During installation, and during any restoration activity caused by fiber cuts or other events, the objective for each splice is a loss of 0.30 dB or less. If, after two additional attempts, a value of less than 0.30 dB is not achievable, then the splice will be marked as OOS on the data sheet. Each splicing attempt shall be documented on the data sheet.

- During end-to-end testing of a span (a span shall be OSX to OSX), the objective for each splice is a bi-directional average loss of 0.15 dB or less.
- The maximum bi-directional loss for each splice shall be 0.25 dB.
- The entire fiber optic cable system shall be properly protected from foreign voltage and grounded with an industry-accepted system.

The fibers shall be terminated to the OSX with SC-UPC connectors (max return loss of -0.75dB and a typical of -0.75dB), unless another type of connector is specified. Jumpers shall be manufactured with standard single mode fiber or equivalent.

Testing for Segments for which the Segment End Point is other than a SWOCA point of presence shall be performed in a coordinated fashion, so that SWOCA shall connect and test the fiber owned by it in conjunction with Hamilton's testing of the SWOCA Leased Fibers. In the event that the entire tested portion does not satisfy the testing criteria set forth herein, SWOCA and Hamilton shall work together in good faith to pinpoint the cause of the problem and each party shall be responsible for the timely performance of such repairs on the fibers owned by it (so that Hamilton shall only be responsible for repairs needed to bring the Leased Fibers into compliance with this Exhibit). Hamilton may (in the event of a dispute respecting testing and acceptance of the Leased Fibers within any such Segment) arrange to have the Leased Fibers tested only to the Segment End Point and, if such Leased Fibers meet the testing criteria set forth herein SWOCA shall be obligated to accept and pay for such Leased Fibers (notwithstanding the fact that the fibers connected to point of presence may not be functioning properly).

City of Hamilton
BUTLER COUNTY OHIO

Staff Report
June 8, 2016

City Council Meeting Staff Report

Report To: The Honorable Mayor Patrick Moeller and Members of the City Council

Report From: Kevin M. Maynard, Director of Public Utilities
Nathan R. Perry, Utility Business Manager

Agenda Item: Report regarding an ordinance amending and replacing subparagraph 935.02(e) of Chapter 935 – Sewer Rates, of the Codified Ordinances of the City of Hamilton, Ohio, relative to sewer service rates.

Approvals/Reviews *To be checked by the Office of the City Manager once approvals received from Departments. All other boxes to be checked by the Report author*	☑ Department Head ☑ Finance Department ☑ Director of Law ☑ Office of the City Manager	**Related Strategic Goal(s)** ☐ I *Increase property values* ☐ D *Decrease vacant structures* ☑ A *Add new jobs* ☐ R *Realize new investments* ☐ G *Generate recreational investments* ☐ E *Engage citizens in activities* ☑ O *General operations*
Ordinance or Resolution *ORDINANCE*	☑ 1st Reading Date: 6-8-16 ☑ 2nd Reading Date: 6-22-16 ☐ Public Hearing Date:	
Prior Action/Review *Please note if this item was discussed on a prior Council or other agenda*	**City Council** *(or other):*	
Contract	☐ Contract Required	☐ Additional Document(s) Attached
Fiscal Impact *See Below*	Budgeted: $ Expenditure: $ Source Funds: Wastewater Utility Fund	*Please see further, more detailed information regarding the fiscal impact in the summary section of this report*

Policy Issue

Does City Council wish to adopt legislation to amend Subparagraphs 935.02(e)(1)(2) for all Hamilton Wastewater Utility customers and repeal the existing versions?

Policy Alternative(s)

Council may choose not to adopt such legislation amending Subparagraphs 935.02(e)(1)(2) and repealing the existing versions. If Council chooses this option, the current Sewer Rate Ordinance will remain in effect.

Staff Recommendation

Staff recommends that Council receive this report and adopt legislation to amend Subparagraphs 935.02(e)(1)(2) for all Hamilton Wastewater Utility customers and repeal the existing versions. By adopting the proposed legislation, sewer base rate revenue will be adjusted 3% per year over five years to meet the long-term needs of the Wastewater Utility, including sanitary sewer collection system infrastructure. The first proposed annual rate adjustment in the Ordinance would become effective with bills rendered on and after August 1, 2016.

Statutory/Policy Authority

- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.

Fiscal Impact Summary

To minimize the financial impact to local consumers, a proposed five-year rate plan was developed to phase in smaller rate adjustments of approximately 3% annually from 2016 through 2020. This would result in an increase of approximately $1.00 per month for a typical City residential wastewater customer using 600 cubic feet (4,488 gallons) of water. The rate plan includes refinancing outstanding 2005 Wastewater Utility revenue bonds. Current low interest rates are projected to decrease annual debt service costs by approximately $850,000 for the first 5 years while extending the term of the bonds only an additional three years. The rate plan includes scheduled increases in annual capital improvements funding from approximately $850,000 in 2017 to $3 million in 2021.

Background Information

The sanitary sewer collection system consists of approximately 235 miles of sewers ranging in size from eight inches to 60 inches in diameter and 5,603 manholes. Seven lift stations pump wastewater from lower elevations to higher elevations, allowing it to flow by gravity to the Water Reclamation Facility (WRF) for treatment.

In 2007 the City adopted a five-year sewer rate plan that included annual 5% rate adjustments from 2008 through 2012. This rate plan was implemented in part to pay for the recently completed Phase I and Phase II WRF Improvements and the Sanitary Sewer Interceptor Project at a cost of approximately $40 million. These improvements were designed to meet the requirements of a 2007 EPA Modified Consent Order that required the City to mitigate Sanitary Sewer Overflows (SSOs) and provide full treatment of all wastewater received at the WRF. Sewer rates have not changed since 2012.

In 2012 Mohawk and SMART Papers, the Wastewater Utility's largest customers, ceased operations. This resulted in a loss of approximately 1.2 billion gallons of annual sales and approximately $1.8 million per year in system revenue.

In 2015, the City engaged Courtney and Associates of Findlay, Ohio, to prepare a Wastewater Utility Cost of Service and Rate Study. The purpose of the Study was to review the Utility's revenue requirements and recommend sewer rates designed to recover the cost of providing wastewater collection and treatment service, including recovery of operation and maintenance expenses, debt service payments and capital improvement costs for the period of 2016 through 2020.

The initial cost of service study results indicated a 22% overall revenue increase was required during the Study period. To minimize the financial impact to local consumers, a proposed five-year rate plan was developed to phase in smaller rate adjustments of approximately 3% annually from 2016 through 2020. This would result in an increase of approximately $1.00 per month for a typical City wastewater customer using 600 cubic feet (4,488 gallons) of water. Furthermore, the rate change includes eliminating the 2 Ccf minimum usage charge. Customers who have zero consumption will see a $6 decrease and customers who use 1 Ccf will see a $2.50 decrease to their monthly bills due to the minimum usage change.

The rate plan includes refinancing outstanding 2005 Wastewater Utility revenue bonds. Current low interest rates are projected to decrease annual debt service costs by approximately $850,000 for the first five years while extending the term of the bonds only an additional three years.

The five-year rate plan anticipates phasing in increases in sanitary sewer collection system capital improvements expenses, including South Hamilton Crossing, the Champion Sports Complex, and annual sewer lining/replacement and manhole replacement projects. Furthermore, the plan includes $100,000 per year to replace/repair residential sanitary sewer laterals within public right of ways. A lateral repair in the public right of way could potentially cost a customer $10,000-20,000. Based on annual depreciation expense, estimated system component life and replacement expenses, approximately $3 million in annual capital improvements are required to maintain long-term system reliability. From 2010 through 2015, annual sanitary sewer collection system capital improvement expenditures averaged about $350,000. Approximately 60 manholes ($600,000) and 1.2 miles of sanitary sewers

($1.6 million) should be replaced or lined annually based on estimated service life. The rate plan includes scheduled increases in annual capital improvements funding from approximately $850,000 in 2017 to $3 million in 2021.

These sanitary sewer collection system capital improvements are expected to help decrease future operation and maintenance expenses associated with Inflow and Infiltration (I&I) by reducing expenses associated with transporting, pumping and treating stormwater and groundwater that enter the collection system.

Attached Information

- Presentation – Wastewater Cost of Service and Rate Plan Presentation June 2016

Copies Provided to:

Hamilton Public Utilities Commission

Wastewater Cost of Service and Rate Plan

June 2016

HamiltonUtilities
powered by you

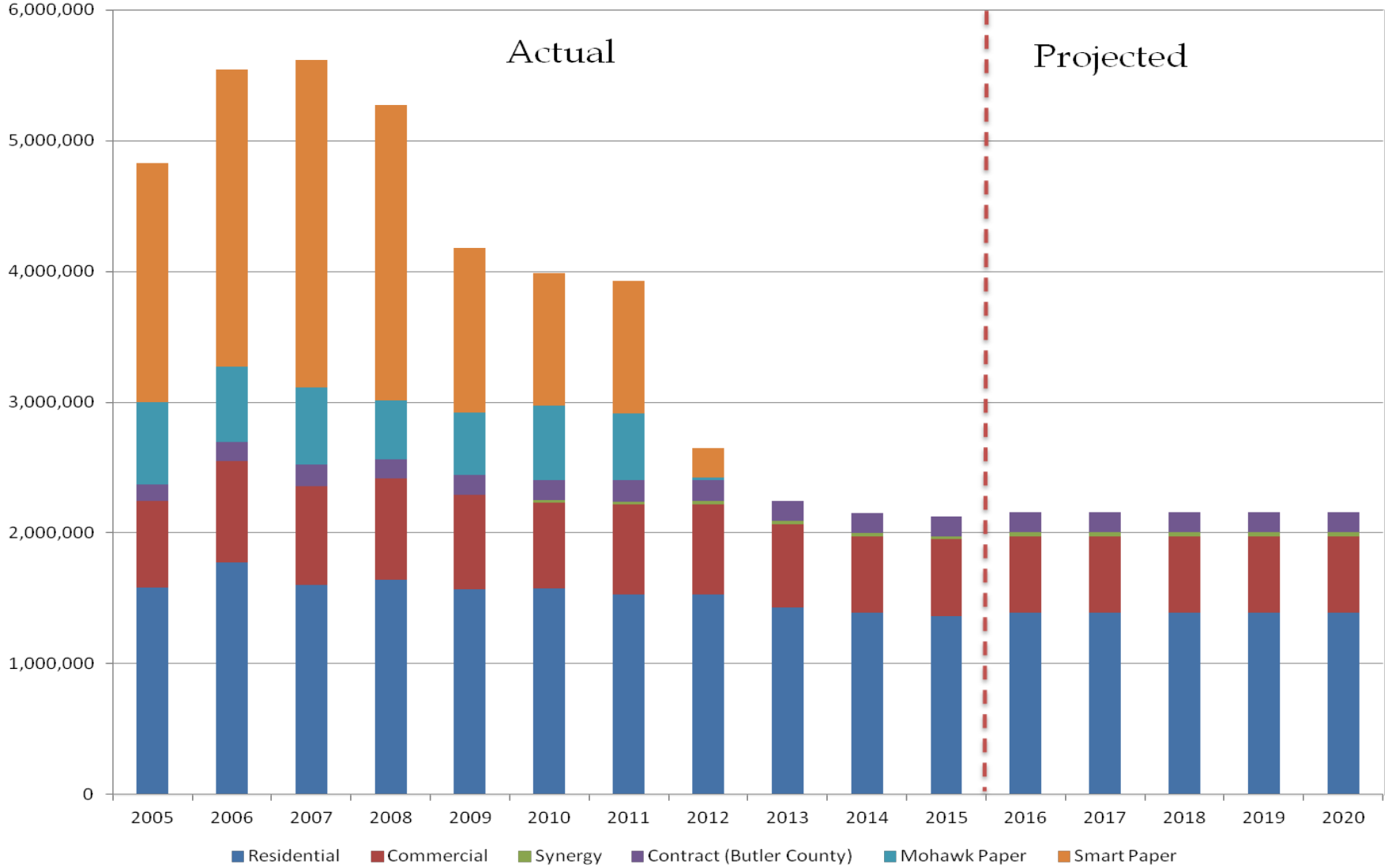
Cost of Service & Rate Study Goals

- Maintain Financial Integrity of Wastewater System
- Develop Rates that Allocate Cost of Providing Service in a Fair and Equitable Manner
- Move Rates Toward Cost of Service
  - Reflect greater debt service and capital improvements fixed costs
- Minimize Financial Impact to Customers
- Compare to Rates of Neighboring Utilities
- Develop Capital Plan to Maintain WRF & Collection System

Why Cost of Service?

- Upcoming 2005 Debt Refinancing
  - **Total interest savings ~$800K over life of loan**
  - Decreases annual debt service $850K in first 5 years
  - Extend term from 2023 to 2026
- Last Rate Adjustments in 2008-2012
  - 5% annual increases
- Loss of Paper Mills in 2012
  - ~1.2 billion gallons per year (40% of sales)
  - ~$1.8 million annual revenue

WW Historical & Projected Sales (Ccf) 2005-2020



Capital Improvement Plan

- Most Investment in Last 5 Years has been WRF Phase I & II and Interceptor Sewer Project to Comply with 2007 EPA Modified Consent Order
- ~$350K Annually Spent on Collection System (2010-2015)
- **Includes $100K/year to repair/replace sanitary sewer laterals within public right of ways**
  - Potentially costs customers $10-20K
- Annual Depreciation $2.5 Million
- **Annual System Replacement Cost of ~$3 Million**

Capital Improvement Plan (Cont.)

- Need to Replace 60 Manholes and 2 Miles of Sewer Per Year
- Aging Collection System Infrastructure
- Reduce O&M Costs by Eliminating I&I and Illegal Connections
- **SHX and Champion Sports Complex sewer improvements ~$1.1 Million**

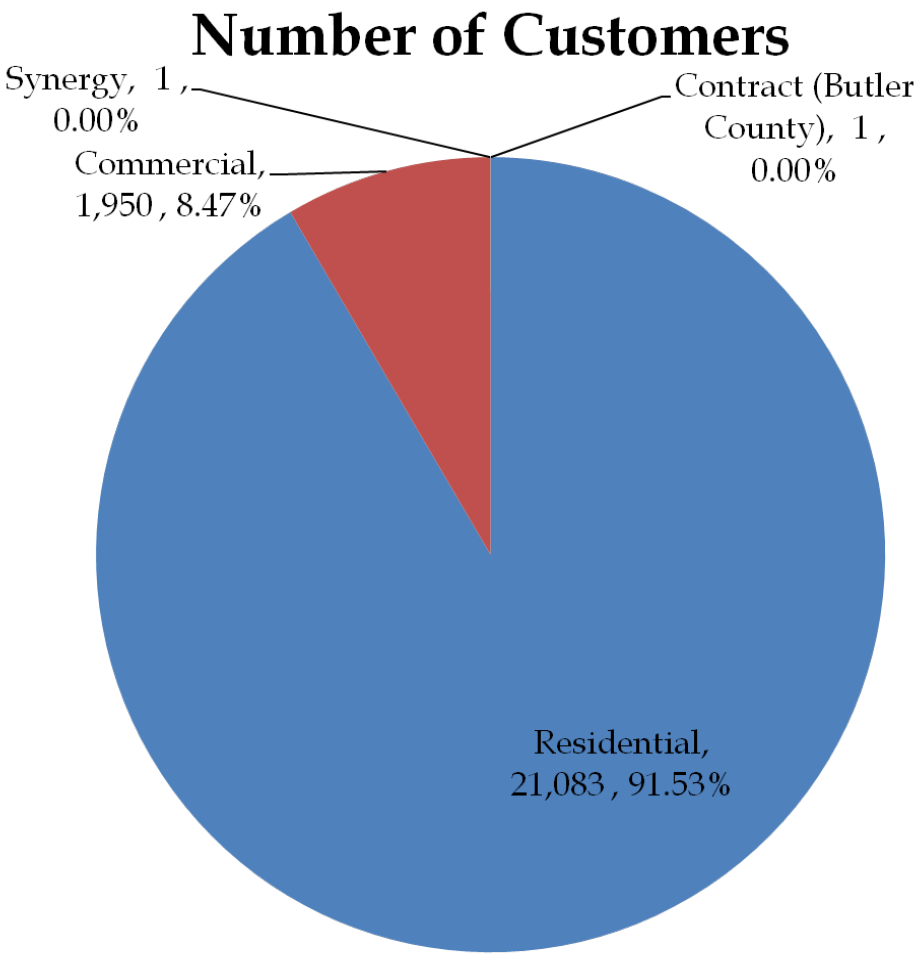
Cost of Service Assumptions

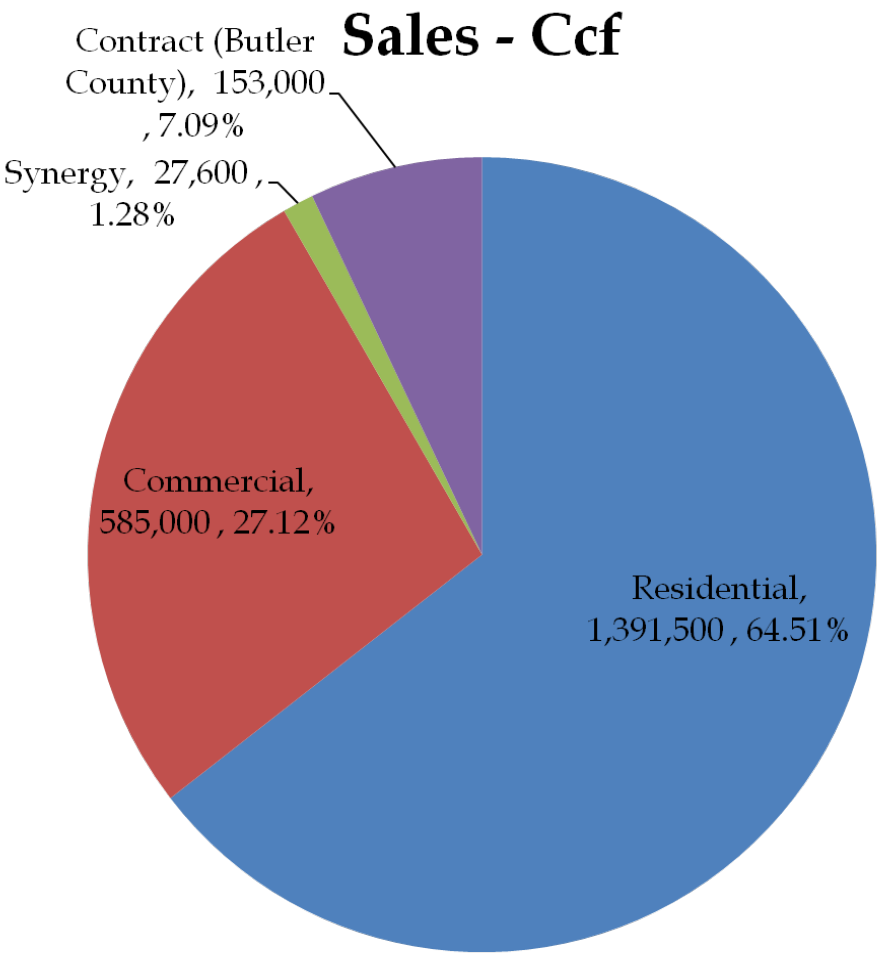
- 2017 Revenue Requirements
- Wastewater Sales – 1.6 Billion Gallons
- Number of Customers – 23,035
- 0% Sales Growth
- 3% Annual Inflation
- Refinance 2005 Bonds in 2016
- Refinance 2009 & 2011 Bonds in 2019
- Set Rider A to Zero

Cost of Service Assumptions (Cont.)

- No Planned Additional Borrowing/Financing
  - Pursue low interest/zero interest loans & grants for capital projects
- Use Available Capital Improvement and Construction Fund Balances
- Meet Debt Service Coverage Requirement
- Meet Minimum Fund Balance Targets
- Phase in Increased Capital Expenditures over 5 Years
- **Eliminate 2 Ccf Minimum Bill**
  - Proposed customer & capacity charges = minimum bill

Wastewater Customers and Sales (2017)





Proposed Sewer Rates

Description	Existing Rates	8/1/16 Rates	7/1/17 Rates	7/1/18 Rates	7/1/19 Rates	7/1/20 Rates
Customer Charge: (Per Month)	$ 3.08	$ 3.08	$ 3.08	$ 3.08	$ 3.08	$ 3.08
Volumetric Charge: (Per Ccf)	$ 3.55	$ 5.005	$ 5.005	$ 5.005	$ 5.005	$ 5.005
Rider A Charge: per Ccf	$ 1.455	$ -	$ -	$ -	$ -	$ -
Capacity Charge: (Per Month Per Meter Size)						
5/8"	$ -	$ 1.00	$ 2.00	$ 3.00	$ 4.00	$ 5.00
3/4"	$ -	1.50	3.00	4.50	6.00	7.50
1"	$ -	2.50	5.00	7.50	10.00	12.50
1-1/2"	$ -	5.00	10.00	15.00	20.00	25.00
2"	$ -	8.00	16.00	24.00	32.00	40.00
3"	$ -	15.00	30.00	45.00	60.00	75.00
4"	$ -	25.00	50.00	75.00	100.00	125.00
6"	$ -	50.00	100.00	150.00	200.00	250.00
8"	$ -	80.00	160.00	240.00	320.00	400.00
10"	$ -	115.00	230.00	345.00	460.00	575.00
12"	$ -	215.00	430.00	645.00	860.00	1,075.00
14"	$ -	320.00	640.00	960.00	1,280.00	1,600.00
16"	$ -	458.00	916.00	1,374.00	1,832.00	2,290.00
18"	$ -	732.50	1,465.00	2,197.50	2,930.00	3,662.50
20"	$ -	925.00	1,850.00	2,775.00	3,700.00	4,625.00

Typical Bill Comparison

Rate Class	Existing	8/1/16	7/1/17	7/1/18	7/1/19	7/1/20
Residential (600 cf & 5/8" Meter)						
Amount	$33.11	$34.11	$35.11	$36.11	$37.11	$38.11
$ Increase		$1.00	$1.00	$1.00	$1.00	$1.00
% Increase		3.0%	2.9%	2.8%	2.8%	2.7%
Commercial (2,500 cf & 1" Meter)						
Amount	$128.21	$130.71	$133.21	$135.71	$138.21	$140.71
$ Increase		$2.50	$2.50	$2.50	$2.50	$2.50
% Increase		2.0%	1.9%	1.9%	1.8%	1.8%
Industrial (200,000 cf & 6" Meter)						
Amount	$10,013.08	$10,063.08	$10,113.08	$10,163.08	$10,213.08	$10,263.08
$ Increase		$50.00	$50.00	$50.00	$50.00	$50.00
% Increase		0.5%	0.5%	0.5%	0.5%	0.5%

Oakwood Water/Sewer Rate Survey

- Surveys water & sewer rates for 63 communities in SW Ohio
- Hamilton Sewer Rate Ranking
  - Current – 50 of 63
  - Rate Plan Step 1 – 50 of 63
  - Rate Plan Step 2 – 51 of 63

Minimum Bill Comparison

(Eliminate 2 Ccf Minimum Usage)

Rate Class	Existing	8/1/16	7/1/17	7/1/18	7/1/19	7/1/20
Residential (0 cf & 5/8" Meter)						
Amount	$10.18	$4.08	$5.08	$6.08	$7.08	$8.08
Residential (100 cf & 5/8" Meter)						
Amount	$11.64	$9.09	$10.09	$11.09	$12.09	$13.09
Residential (200 cf & 5/8" Meter)						
Amount	$13.09	$14.09	$15.09	$16.09	$17.09	$18.09

Questions

ORDINANCE NO. _____

AN ORDINANCE AMENDING SUBPARAGRAPH 935.02(e)(1)(2) OF CHAPTER 935 – SEWER RATES, OF THE CODIFIED ORDINANCES OF THE CITY OF HAMILTON, OHIO, RELATIVE TO SEWER SERVICE RATES, AND REPEALING SAID SUBPARAGRAPHS AS THEY CURRENTLY EXIST

WHEREAS, on December 27, 2007, Hamilton City Council adopted Ordinance No. 2007-12-162, establishing the City's current sewer rates schedules, as set forth in Subparagraph 935.02(e)(1)and Subparagraph 935.02(e)(2) of the Codified Ordinances of the City of Hamilton, Ohio; and

WHEREAS, the City Administration, along with the City's utility rate consultant, Courtney & Associates, have analyzed the operational and capital needs of the Wastewater System, and have determined the need to adjust sewer rates; and

WHEREAS, the Utility Administration presented the amendments to Subparagraph 935.02(e)(1) and Subparagraph 935.02(e)(2) and the accompanying sewer rate changes at a public meeting of the Hamilton Public Utilities Commission on June 9, 2016; and

WHEREAS, the new sewer rates, along with continued operational cost reductions, are designed to address the long-term needs of the Wastewater System;

WHEREAS, in order to achieve the foregoing, it is necessary to amend Subparagraph 935.02(e)(1) and Subparagraph 935.02(e)(2) of the Codified Ordinances of the City of Hamilton, Ohio and repeal said Subparagraphs as they currently exist;

NOW, THEREFORE, BE IT ORDAINED by the council of the City of Hamilton, Ohio:

SECTION I: That Subparagraph 935.02(e)(1) and Subparagraph 935.02(e)(2) of Chapter 935 – SEWER RATES, of the Codified Ordinances of the City of Hamilton, Ohio, are hereby amended to be and read as follows:

935.02 DETERMINATION OF CHARGES

(e) The water usage schedule on which the amount of total sewer charges will be determined shall be as follows:

(1) Total service charge (TSC) for residential, commercial, governmental and industrial users on volume usage basis with surcharge. See definition of terms under Section 935.01 hereof. The TSC shall be the sum of the following amounts in effect on the dates as hereinafter indicated:

Monthly Charges (By Meter Size)					
	Effective Date				
Meter Size	8/1/2016	7/1/2017	7/1/2018	7/1/2019	7/1/2020
Customer Charge ($/month)	$ 3.08	$ 3.08	$ 3.08	$ 3.08	$ 3.08
Capacity Charge ($/month per meter size)					
5/8"	$ 1.00	$ 2.00	$ 3.00	$ 4.00	$ 5.00
3/4"	$ 1.50	$ 3.00	$ 4.50	$ 6.00	$ 7.50
1"	$ 2.50	$ 5.00	$ 7.50	$ 10.00	$ 12.50
1 1/2"	$ 5.00	$ 10.00	$ 15.00	$ 20.00	$ 25.00
2"	$ 8.00	$ 16.00	$ 24.00	$ 32.00	$ 40.00
3"	$ 15.00	$ 30.00	$ 45.00	$ 60.00	$ 75.00
4"	$ 25.00	$ 50.00	$ 75.00	$ 100.00	$ 125.00

6"	$ 50.00	$ 100.00	$ 150.00	$ 200.00	$ 250.00
8"	$ 80.00	$ 160.00	$ 240.00	$ 320.00	$ 400.00
10"	$ 115.00	$ 230.00	$ 345.00	$ 460.00	$ 575.00
12"	$ 215.00	$ 430.00	$ 645.00	$ 860.00	$ 1,075.00
14"	$ 320.00	$ 640.00	$ 960.00	$ 1,280.00	$ 1,600.00
16"	$ 458.00	$ 916.00	$1,347.00	$ 1,832.00	$ 2,290.00
18"	$ 732.50	$1,465.00	$2,197.50	$ 2,930.00	$ 3,662.50
20"	$ 925.00	$1,850.00	$2,775.00	$ 3,700.00	$ 4,625.00
Volumetric Charges (By Usage)					
	Effective Date				
Usage	8/1/2016	7/1/2017	7/1/2018	7/1/2019	7/1/2020
Volumetric Charge per 100 cubic feet	$ 5.005	$ 5.005	$ 5.005	$ 5.005	$ 5.005
Surcharge for BOD5 in excess of 200 mg/l (per pound of BOD)	$ 0.433	$ 0.433	$ 0.433	$ 0.433	$ 0.433
Surcharge for SS in excess of 300 mg/l (per pound of SS)	$ 0.265	$ 0.265	$ 0.265	$ 0.265	$ 0.265

(2) The above stated sewer service charges and those provided for in Section 935.12 are in addition to water rates and charges. The minimum charge per month for each sewage bill rendered under subsection (e)(1) hereof or Section 935.12 shall be equal to the monthly customer charge plus the monthly capacity charge (by meter size).

SECTION II: That the rate changes set forth in SECTION I hereof shall be effective for bills rendered on or after **August 1, 2016 and the subsequent Effective Dates stated in Subparagraph 935.02(e)(1)**.

SECTION III: That existing Subparagraph 935.02(e)(1) and Subparagraph 935.02(e)(2) of the Codified Ordinances of the City of Hamilton, Ohio, as they existed prior to the enactment of this Ordinance **be and are hereby repealed effective August 1, 2016**.

PASSED: _____ _____
Mayor

Effective Date: _____

ATTEST: _____
City Clerk

Ordinance No. _____ (cont'd)

CERTIFICATE

I, Nicholas Garuckas, City Clerk of the City of Hamilton, Ohio, State of Ohio, hereby certify that the foregoing Ordinance No. _____ was duly published as provided by Section 113.01 of the Codified Ordinances of the City of Hamilton, Ohio, by posting ten days after passage, a copy thereof in each fire station within the City for a period of ten days. POSTED:_____

_____
Nicholas Garuckas, City Clerk
CITY OF HAMILTON, OHIO

City of Hamilton
BUTLER COUNTY OHIO

Staff Report
June 8, 2016

City Council Meeting Staff Report

Report To: The Honorable Mayor Patrick Moeller & Members of the City Council

Report From: Liz Hayden, Economic Development Specialist

Agenda Item: PACE Resolution

Approvals/Reviews *To be checked by the Office of the City Manager once approvals received from Departments. All other boxes to be checked by the Report author*	☑ Department Head ☑ Finance Department ☑ Director of Law ☑ Office of the City Manager	**Related Strategic Goal(s)** ☑ R *Realize new investments* ☐ A *Add new jobs* ☐ I *Increase property values* ☐ D *Decrease vacant structures* ☐ G *Generate recreational investments* ☐ E *Engage citizens in activities* ☐ O *General operations*
Ordinance or Resolution *Ordinance*	1st Reading Date: 6-8-16 2nd Reading Date: 6-22-16 Public Hearing Date:	
Prior Action/Review *Please note if this item was discussed on a prior Council or other agenda*	**City Council** *(or other):*	
Contract	☐ Contract Required	☐ Additional Document(s) Attached
Fiscal Impact	Budgeted: $0 Expenditure: $0 Source Funds:	*Please see further, more detailed information regarding the fiscal impact in the summary section of this report*

Policy Issue

Does City Council wish to pass a resolution supporting Property Assessed Clean Energy Program (PACE). By passing a resolution supporting PACE, the City of Hamilton demonstrates a willingness to establish an Energy Special Improvement District (ESID) to assist Hamilton businesses in their energy savings investment projects.

PACE is an innovative financing program established to assist property owners in making renewable energy and energy efficiency investments in facilities. The Greater Cincinnati Energy Alliance, a local non-profit economic development agency, is working with several jurisdictions through SW Ohio to support PACE investment and has expressed a willingness to do the same with the City of Hamilton and its business community. Under the PACE program, property owners make improvements to achieve energy savings, receive 100% financing from the program, and repay the cost of the improvement through a property tax assessment for no more than 30 years. A major benefit of the PACE program is it allows property owners to make more immediate and substantial energy efficient investments to their facilities without requiring them to pay the total cost of the improvement upfront. The current terms of PACE are approximately 6% interest for up to 30-years and can be for up to 35% of the property's value.

By passing a resolution supporting PACE, the City of Hamilton demonstrates a willingness to establish an Energy Special Improvement District (ESID) to assist Hamilton businesses in their energy savings investment projects. The passing of a resolution does not mean that the City of Hamilton is endorsing the program, but rather the resolution simply makes PACE an option for businesses to consider within our municipality.

Policy Alternative(s)

Council may choose not to adopt such legislation to support PACE, which would make the program unavailable to businesses within the city. Alternatively, Council may choose to wait to pass a resolution once a company requests that the City of Hamilton establish an ESID so that they can utilize the PACE program.

Staff Recommendation

Staff recommends that Council receive this report and adopt the legislation to support the use of PACE in Hamilton. Currently, if a business reaches out to the Greater Cincinnati Energy Alliance about utilizing the program, Hamilton is not on the list of jurisdictions that have passed resolutions to allow PACE to be used. Passing this resolution will add us to their list of jurisdictions that allow PACE to be used.

Statutory/Policy Authority

- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.

Fiscal Impact Summary

No fiscal impact to passing this resolution.

Background Information

Attached Information

PACE Case Study – Ivy Knoll
PACE Flyer

Copies Provided to:

Butler County Commissioner Charlie Young and Butler County Economic Development Director David Fehr. The County would be responsible for assessing the PACE program for property owners.

GC-PACE | ENERGY EFFICIENCY FINANCING

Your Energy Savings Can Pay to Upgrade Your Building

Property Assessed Clean Energy financing, or PACE, is an economic development tool designed to allow commercial and industrial building owners to finance energy efficiency and renewable energy improvements through a voluntary special assessment attached to the property.

The Greater Cincinnati Energy Alliance is bringing this unique financing tool to Southwest Ohio.

PACE Statistics

NATIONALLY:

- **31** states with PACE legislation
- **480+** projects
- **$190+ Million** in projects funded

OHIO:

- **125+** projects
- **$30+ Million** in projects funded

PACE is *Effective* Financing

Non-Debt Financing

- Improvements can proceed without up-front capital expenses
- Property owners can preserve credit lines for other investments

Long-Term Fixed Rate

- Provides an immediate return on investment through savings
- Repaid as a long-term special assessment on the property for up to 25 years

Less Risk

- The cost of the PACE assessment, as well as the energy savings, can be passed along to the tenant under some lease types
- PACE assessments are attached to the property and transfer upon sale
- Improvements can lower operating costs while increasing property values
- Capital is secured by a priority assessment on the property, so long-term capital can be raised from the private sector

PACE Improves Your Building and, in turn, Improves Your Business

Eligible Projects

- Heating, ventilation, and cooling
- Building automation systems
- Combined heat and power systems
- Solar photovoltaic (PV) systems
- Lighting and lighting controls
- Elevator modernization
- Building envelope measures
- Industrial and manufacturing equipment
- Building data center equipment
- Pumps, motors, and drives
- Other qualifying energy saving measures

The GC-PACE Process

1. **Interest Form**
   The property owner completes a brief interest form to help GC-PACE determine if the project and property is a good candidate for PACE financing.

2. **Quantified Energy Savings**
   The property owner works with a GC-PACE participating contractor to identify energy saving improvements and determine the estimated cost savings. This will enable GC-PACE to develop an initial financing proposal that compares the costs and benefits of the project.

3. **Application**
   The property owner provides financial documentation and the final scope of work to GC-PACE in order to finalize financial underwriting. In addition, the property owner must obtain written consent from the existing mortgage holder to place the PACE special assessment.

4. **Financing**
   The property owner receives a financing contract from GC-PACE. Once executed, a PACE special assessment will be placed on the property by the local jurisdiction in order to provide long-term financing for the project.

5. **Installation**
   The contractor selected by the property owner completes the installation of the project as approved in the financing contract.

To Get Started, or for More Information, Contact Us:

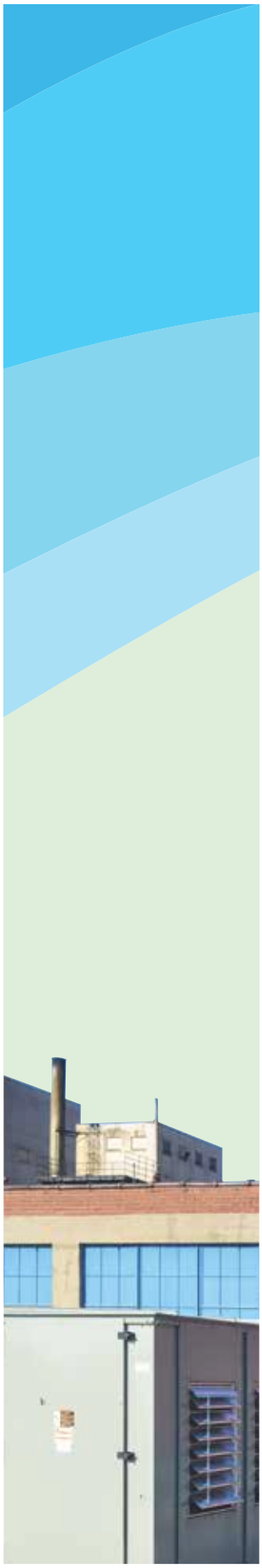
Chris Jones, Client Relations Director
Greater Cincinnati Energy Alliance

513.621.4232
cjones@greatercea.org

GC-PACE is Administered By:

Greater Cincinnati Energy Alliance

Visit GC-PACE Online: gcpace.org



KENTUCKY PACE | ENERGY EFFICIENCY FINANCING

Ivy Knoll Senior Retirement Community Invests with PACE

About the Project

Ivy Knoll Senior Retirement Community found PACE financing to be a perfect funding solution to make significant building improvements of systems that were outdated or extremely energy inefficient. Through PACE financing, Ivy Knoll management was able to select improvements that had the highest energy savings but also came with higher upfront costs for the 7-story, all-electric building.

“PACE allowed us to make many of the energy related improvements that we might have otherwise deferred,” said Ray Schneider, the owner of Ivy Knoll. “We were able to improve the comfort and convenience for residents and reduce the building’s energy footprint.”

Ivy Knoll, located in the City of Covington, is the first energy project in the Commonwealth of Kentucky to use the new PACE financing law.

“We are excited to bring PACE financing to Northern Kentucky,” said Andy Holzhauser, the CEO of the Energy Alliance. “This is a big step forward in that PACE financing allows property owners to reduce their energy consumption with no down payment and with fixed, long term payments via their property tax bill.”

About KY-PACE

KY-PACE is a new program available to commercial, industrial, and multi-family building owners across the Commonwealth. PACE provides access to low-cost, extended term capital to finance energy efficiency and water efficiency improvements.

Project Financing

PROJECT TOTAL: $750,000

TERM: 20 years

INVESTOR: Inland Green Capital LLC

Improvements:

SOLAR PANELS: largest privately-owned electric generating system in Northern Kentucky generating over 64,000 kilowatt hours annually

LED LIGHTING: estimated electricity savings in excess of $12,000 annually

ELEVATOR MODERNIZATION: energy efficient technology estimated to reduce energy consumption by 40%

HEATING & COOLING: units with automated controls that can be operated from a central control system, therefore allowing the building to turn off vacant apartments without visiting the individual room: estimated energy savings of 20%.

For more information:

greatercea.org/commercial/ky-pace

CHRIS JONES
Energy Alliance
513-621-4232 x121
cjones@greatercea.org

PACE Special Assessment Example

Location: Lucas County, Ohio
Toledo School for the Arts
333 14th Street, Toledo, OH 43624

Table 1: All Special Assessment Listings on Property

Parcel : 15-65949 Assessor :
Address : 333 14TH ST TOLEDO OH 43624

Special Assessments

Project #	Project Name
1-88-WMD	L.C. WASTE MANAGEMENT DISTRICT
2-00-0000	T.A.S.D.-MOSQUITO
9-10-07	TOL SCHOOL FOR ARTS E-SID TOL
9-30-0000	STREET SERVICES 2 & 3-TOLEDO
9-31-0000	LIGHTS BASIC-TOLEDO
9-31-002A	LIGHTS GEN.-TOLEDO
9-31-210A	LIGHTS GEN.-TOLEDO
9-31-354A	LIGHTS GEN.-TOLEDO
9-37-0000	TREE MAINTENANCE-TOLEDO

Table 2: PACE Assessment Detailed

Parcel : 15-65949 Assessor :
Address : 333 14TH ST TOLEDO OH 43624

Special Assessments

Project Number :	9-10-07		
Project Name :	TOL SCHOOL FOR ARTS E-SID TOL		
Delinquency :	0.00	Duplicate Deliquency :	0.00
Begin Year :	2014	End Year :	2027

	1st Half Duplicate	1st Half	2nd Half Duplicate	2nd Half
Specials Tax	8,048.83	8,048.83	8,048.83	8,048.83
Penalty	0.00	0.00	0.00	0.00
Five Pay	0.00	0.00	0.00	0.00
Interest	0.00	0.00	0.00	0.00

	1st Half	2nd Half
Payments Tax	0.00	0.00
Payments Five Pay	0.00	0.00
Payments Delinquent	0.00	0.00

Greater Cincinnati Energy Alliance | GC-PACE Property Assessed Clean Energy

GEM | Energy

Energy Management
FlexSet Controls

Toledo School for the Arts

Key to getting this project off the ground was financing availability.

GEM Energy assisted the school in applying for funds through the Toledo-Lucas County Port Authority's Better Buildings of Northwest Ohio energy efficiency program.

The program uses Property Assessed Clean Energy (PACE) financing, a national initiative that provides an innovative way for commercial property owners to pay for energy efficiency upgrades, on-site renewable energy projects and water conservation measures. PACE funding covers 100 percent of a project's costs and is repaid through a building assessment on biannual property taxes, helping to preserve a business's capital budgets and operating funds.

BEFORE:
The mechanical room with 50-year old boilers.

AFTER:
New state-of-the-art, high-efficiency steam boilers.

The second-floor renovation includes a new retail shop as well as additional classrooms, studios, and labs.

BETTER BUILDINGS
NORTHWEST OHIO

A
TOLEDO | LUCAS COUNTY
PORT AUTHORITY
PROGRAM

"With the Better Buildings Northwest Ohio PACE financing, we were able to upgrade our entire building to achieve improved energy efficiency savings and overall comfort without negatively impacting our monthly cash flow. The property assessment, as part of our semi-annual tax bill, will give us the flexibility we need to make improvements now and pay for them later, once we begin to realize the savings from the new efficiencies."

~ Martin Porter, Director, Toledo School for the Arts

Innovate. Optimize. Conserve.

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866.720.2700

ORDINANCE NO. _____

AN ORDINANCE SUPPORTING A PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAM IN THE CITY OF HAMILTON AND THE WILLINGNESS TO CONSIDER ESTABLISHING AN ENERGY SPECIAL IMPROVEMENT DISTRICT (ESID) TO ASSIST HAMILTON BUSINESSES IN THEIR ENERGY SAVINGS INVESTMENT PROJECTS

WHEREAS, as late as 2013, buildings in the United States were identified to account for 72 percent of electricity consumption, 39 percent of energy use, and 38 percent of carbon dioxide emissions; and

WHEREAS, the Property Assessed Clean Energy (PACE) program is an innovative financing program established to assist commercial and nonprofit property owners in making renewable energy and energy efficiency investments in facilities; and

WHEREAS, under the PACE program, commercial and nonprofit property owners make improvements to achieve energy savings, receive 100% financing from the program, and repay the cost of the improvement through a property tax assessment for no more than 30 years; and

WHEREAS, a major benefit of the PACE program is it allows property owners to make more immediate and substantial energy efficient investments to their facilities without requiring them to pay the total cost of the improvement upfront; and

WHEREAS, additional benefits to the PACE program are items such as saving consumers money on utility bills, conserving fossil fuels, improving air quality, reducing CO2 emissions, and contributing to the creation of local jobs; and

WHEREAS, as of 2016, over 30 states and the District of Columbia have adopted PACE enabling legislation; and

WHEREAS, Ohio passed the Clean Energy Law in 2009; and

WHEREAS, the Greater Cincinnati Energy Alliance, a non-profit economic development agency, manages clean energy financing programs for residential and commercial sectors including the creation of PACE districts throughout Greater Cincinnati; and

WHEREAS, the Council of the City of Hamilton recognizes the advantages a program like PACE can provide for many of the facilities in the Hamilton Business Community while helping them to institute large energy renewable and energy efficiency investments in their properties; and

WHEREAS, in recognition of providing such assistance to Hamilton businesses, the Hamilton City Council would be in support of the PACE program and further in favor of establishing an Energy Special Improvement District (ESID) if requested by one or more Hamilton businesses.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hamilton, Ohio:

SECTION I. That the Council of the City of Hamilton authorizes the establishment of a Property Assessed Clean Energy (PACE) program in the City of Hamilton and supports working in cooperation with the Greater Cincinnati Energy Alliance to assist the Hamilton Business Community in incorporating energy efficient investments in their operations.

SECTION II. That the Council of the City of Hamilton is willing to consider establishing an Energy Special Improvement District (ESID) in the City to assist the Hamilton Business Community with investments related to achieving energy efficiency savings for their properties.

SECTION III. This ordinance shall take effect and be in full force from and after the earliest period allowed by law.

Ordinance No. _____ (cont'd)

PASSED: _____ _____
Mayor

Effective Date: _____

ATTEST: _____
City Clerk

CERTIFICATE

I, Nick Garuckas, City Clerk of the City of Hamilton, Butler County, Ohio, hereby certify that the foregoing Ordinance No. _____ was duly published as provided by Section 113.01 of the Codified Ordinances of the City of Hamilton, Ohio, by posting ten days after passage, a copy thereof in each fire station within the City for a period of ten days. POSTED: _____.

_____
Nick Garuckas, City Clerk
CITY OF HAMILTON, OHIO

City of Hamilton
BUTLER COUNTY OHIO

Staff Report
June 8, 2016

City Council Meeting Staff Report

Report To: The Honorable Mayor Patrick Moeller & Members of the City Council

Report From: Joshua Smith, City Manager

Agenda Item: Report regarding legislation to amend existing Schedule "A" of the City's Classification and Compensation Plan, as set forth in Emergency Ordinance No. EOR2016-1-4, adopted January 13, 2016, relative to the Classification of Economic Development Director.

Approvals/Reviews *To be checked by the Office of the City Manager once approvals received from Departments. All other boxes to be checked by the Report author*	☑ Department Head ☑ Finance Department ☑ Director of Law ☑ Office of the City Manager	**Related Strategic Goal(s)** ☐ R *Realize new investments* ☐ A *Add new jobs* ☐ I *Increase property values* ☐ D *Decrease vacant structures* ☐ G *Generate recreational investments* ☐ E *Engage citizens in activities* ☑ O *General operations*
Ordinance or Resolution *Ordinance*	1st Reading Date: 6-8-16 2nd Reading Date: 6-8-16 Public Hearing Date:	
Prior Action/Review *Please note if this item was discussed on a prior Council or other agenda*	**City Council** *(or other):*	
Contract	☐ Contract Required	☐ Additional Document(s) Attached
Fiscal Impact	Budgeted: No Expenditure: See Summary Below Source Funds: Central Services Fund (620)	*Please see further, more detailed information regarding the fiscal impact in the summary section of this report*

Policy Issue
Does City Council wish to adopt legislation to repeal OR2016-5-39 and amend Schedule "A" of the City's Classification and Compensation Plan to change the pay range for the classification of Economic Development Director from pay range 61 to 67, retroactive to January 13, 2016?

Policy Alternative(s)
City Council can decide not to repeal OR2016-5-40 and amend said Classification and Compensation Plan and the pay range increase will not be retroactive.

Staff Recommendation
Staff recommends that Council receive this report and adopt the necessary legislation to repeal OR2016-5-39 and amend existing Schedule "A" of the City's Classification and Compensation Plan as set forth in Emergency Ordinance No. EOR2016-1-4 adopted January 13, 2016, by changing the pay range for the classification of Economic Development Director from pay range 61 to 67, retroactive to January 13, 2016.

Statutory/Policy Authority
- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.

Fiscal Impact Summary

Class Code	Title	Pay Range	Annual Salary
3140	Economic Development Director	61	$87,214 to $111,821
3140	Economic Development Director	67	$101,130 to $129,688

The expenses related to the change for this position will be paid out of the Economic Development departmental budget which is located in the Central Services Fund (620.620).

Background Information

In order to continue moving the Economic Development Department forward, the Economic Development Director's pay needs to be adjusted due to additional projects and duties as assigned by the City Manager.

It is recommended that the Economic Development Director classification be changed from pay range 61 to 67 which is commensurate with the duties outlined.

Ordinance No. OR2016-5-39 needs to be repealed because it did not properly make the Economic Development Director's pay retroactive to January 13, 2016.

Attached Information

N/A

Copies Provided to:

N/A

EMERGENCY ORDINANCE NO. _____

AN EMERGENCY ORDINANCE AMENDING SCHEDULE "A" OF THE CITY'S CLASSIFICATION AND COMPENSATION PLAN, AS SET FORTH IN EMERGENCY ORDINANCE NO. EOR2016-1-4, ADOPTED JANUARY 13, 2016 AND AS AMENDED FROM TIME TO TIME, RELATIVE TO THE CLASSIFICATION OF ECONOMIC DEVELOPMENT DIRECTOR, AND REPEALING ORDINANCE NO. OR2016-5-39, ADOPTED MAY 11, 2016.

WHEREAS, pursuant to Ordinance No. OR2016-5-39, adopted May 11, 2016, the Council of the City of Hamilton, Ohio, approved the reclassification of the pay range for the position of Economic Development Director from pay range 61 to pay range 67 due to increased responsibilities; and

WHEREAS, since that time, City Administration discovered that OR2016-5-39 did not properly make the pay range reclassification retroactive to January 13, 2016 as intended; and

WHEREAS, this Council desires to repeal OR2016-5-39; and

WHEREAS, the Administration of the City of Hamilton, Ohio recommends that the pay range for the position of Economic Development Director with pay range 61 be reclassified within pay range 67 due to increased responsibilities; and

WHEREAS, to accomplish aforesaid it is necessary to amend the existing Schedule "A" of the City's Classification and Compensation Plan as set forth in Emergency Ordinance No. EOR 2016-1-4 by revising said pay range; and

WHEREAS, this Council desires to amend Schedule "A" to make said pay range change; and

WHEREAS, this Council desires that the pay range change be retroactive to January 13, 2016; and

WHEREAS, the subject matter herein constitutes an emergency measure for the reasons that it provides for the immediate preservation of the public health, safety and welfare of the community by providing for the continuous operation of the municipal government;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hamilton, Ohio:

SECTION I: That the portion of Schedule "A" of the City's Classification and Compensation Plan as set forth in Emergency Ordinance No. EOR2016-1-4 adopted January 13, 2016, and as amended from time to time, relative to the reclassification of Economic Development Director currently within pay range 61, is hereby amended to be read as follows, retroactive as of January 13, 2016.

Class Code	Title	Pay Range	Annual Salary Minimum – Maximum
3140	Economic Development Director	67	$101,130 – $129,688

SECTION II: That the existing Schedule "A" as set forth in Emergency Ordinance No. EOR2016-1-4 adopted January 13, 2016, relative to the classification of Economic Development Director, be and the same is hereby repealed.

SECTION III: Ordinance No. OR2016-5-39 is hereby repealed.

SECTION IV: This ordinance is hereby declared to be an emergency measure for the reasons set forth in the preamble and shall take effect and be in full force from and after its passage.

Emergency Ordinance No. _____ (cont'd)

PASSED: _____ _____
Mayor

Effective Date: _____

ATTEST: _____
City Clerk

CERTIFICATE

I, Nicholas Garuckas, City Clerk of the City of Hamilton, Butler County, Ohio, hereby certify that the foregoing Emergency Ordinance No. _____ was duly published as provided by Section 113.01 of the Codified Ordinances of the City of Hamilton, Ohio, by posting ten days after passage, a copy thereof in each fire station within the City for a period of ten days. POSTED: _____

_____
Nicholas Garuckas, City Clerk
CITY OF HAMILTON, OHIO

City of Hamilton
BUTLER COUNTY OHIO

Staff Report
June 8, 2016

City Council Meeting Staff Report

Report To: The Honorable Mayor Patrick Moeller & Members of the City Council

Report From: Joshua Smith, City Manager

Agenda Item: Report regarding legislation to amend existing Schedule "A" of the City's Classification and Compensation Plan, as set forth in Emergency Ordinance No. EOR2016-1-4, adopted January 13, 2016, relative to the Classification of Executive Secretary to the City Manager.

Approvals/Reviews *To be checked by the Office of the City Manager once approvals received from Departments. All other boxes to be checked by the Report author*	☑ Department Head ☑ Finance Department ☑ Director of Law ☑ Office of the City Manager	**Related Strategic Goal(s)** ☐ R *Realize new investments* ☐ A *Add new jobs* ☐ I *Increase property values* ☐ D *Decrease vacant structures* ☐ G *Generate recreational investments* ☐ E *Engage citizens in activities* ☑ O *General operations*
Ordinance or Resolution *Ordinance*	1st Reading Date: 6-8-16 2nd Reading Date: 6-8-16 Public Hearing Date:	
Prior Action/Review *Please note if this item was discussed on a prior Council or other agenda*	**City Council** *(or other):*	
Contract	☐ Contract Required	☐ Additional Document(s) Attached
Fiscal Impact	Budgeted: No Expenditure: See Summary Below Source Funds: General Fund (100)	*Please see further, more detailed information regarding the fiscal impact in the summary section of this report*

Policy Issue
Does City Council wish to adopt legislation to repeal OR2016-5-40 and amend Schedule "A" of the City's Classification and Compensation Plan to change the pay range for the classification of Executive Secretary to the City Manager from pay range 32 to 34, retroactive to January 13, 2016?

Policy Alternative(s)
City Council can decide not to repeal OR2016-5-40 and adopt legislation to amend said Classification and Compensation Plan and the pay range will not be increased.

Staff Recommendation
Staff recommends that Council receive this report and adopt the necessary legislation to repeal OR2016-5-40 and amend existing Schedule "A" of the City's Classification and Compensation Plan as set forth in Emergency Ordinance No. EOR2016-1-4 adopted January 13, 2016, by changing the pay range for the classification of Executive Secretary to the City Manger from pay range 32 to 34, retroactive to January 13, 2016.

Statutory/Policy Authority
- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.

Fiscal Impact Summary

Class Code	Title	Pay Range	Annual Salary
1020	Executive Secretary to the City Manager	32	$43,077 to $55,245
1020	Executive Secretary to the City Manager	34	$45,240 to $58,053

The expenses related to the change for this position will be paid out of the City Manager's Office departmental budget which is located in the General Fund (100.106).

Background Information

In order to continue maintaining efficiency and order in the Office of the City Manager, the Executive Secretary to the City Manager's pay needs to be adjusted due to additional projects and duties as assigned by the City Manager.

It is recommended that the Executive Secretary to the City Manager classification be changed from pay range 32 to 34, retroactive to January 13, 2016, which is commensurate with the duties outlined.

Ordinance No. OR2016-5-40 needs to be repealed because it did not properly make the Executive Secretary's pay retroactive to January 13, 2016.

Attached Information

N/A

Copies Provided to:

N/A

EMERGENCY ORDINANCE NO. _____

AN EMERGENCY ORDINANCE AMENDING SCHEDULE "A" OF THE CITY'S CLASSIFICATION AND COMPENSATION PLAN, AS SET FORTH IN EMERGENCY ORDINANCE NO. EOR2016-1-4, ADOPTED JANUARY 13, 2016 AND AS AMENDED FROM TIME TO TIME, RELATIVE TO THE CLASSIFICATION OF EXECUTIVE SECRETARY TO THE CITY MANAGER, AND REPEALING ORDINANCE NO. OR2016-5-40, ADOPTED MAY 11, 2016.

WHEREAS, pursuant to Ordinance No. OR2016-5-40, adopted May 11, 2016, the Council of the City of Hamilton, Ohio, approved the reclassification of the pay range for the position of Executive Secretary to the City Manager from pay range 32 to pay range 34 due to increased responsibilities; and

WHEREAS, since that time, City Administration discovered that OR2016-5-40 did not properly make the pay range reclassification retroactive to January 13, 2016 as intended; and

WHEREAS, this Council desires to repeal OR2016-5-40; and

WHEREAS, the Administration of the City of Hamilton, Ohio recommends that the pay range for the position of Executive Secretary to the City Manager with pay range 32 be reclassified within pay range 34 due to increased responsibilities; and

WHEREAS, to accomplish aforesaid it is necessary to amend the existing Schedule "A" of the City's Classification and Compensation Plan as set forth in Emergency Ordinance No. EOR 2016-1-4 by revising said pay range; and

WHEREAS, this Council desires to amend Schedule "A" to make said pay range change; and

WHEREAS, this Council desires that the pay range change be retroactive to January 13, 2016; and

WHEREAS, the subject matter herein constitutes an emergency measure for the reasons that it provides for the immediate preservation of the public health, safety and welfare of the community by providing for the continuous operation of the municipal government;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hamilton, Ohio:

SECTION I: That the portion of Schedule "A" of the City's Classification and Compensation Plan as set forth in Emergency Ordinance No. EOR2016-1-4 adopted January 13, 2016, and as amended from time to time, relative to the reclassification of Executive Secretary to the City Manager currently within pay range 32, is hereby amended to be read as follows, retroactive to January 13, 2016.

Class Code	Title	Pay Range	Annual Salary Minimum – Maximum
1020	Executive Secretary To the City Manager	34	$45,240 – $58,053

SECTION II: That the existing Schedule "A" as set forth in Emergency Ordinance No. EOR2016-1-4 adopted January 13, 2016, relative to the classification of Executive Secretary to the City Manager, be and the same is hereby repealed.

SECTION III: Ordinance No. OR2016-5-40 is hereby repealed.

SECTION IV: This ordinance is hereby declared to be an emergency measure for the reasons set forth in the preamble and shall take effect and be in full force from and after its passage.

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Emergency Ordinance No. _____ (cont'd)

PASSED: _____ _____
Mayor

Effective Date: _____

ATTEST: _____
City Clerk

CERTIFICATE

I, Nicholas Garuckas, City Clerk of the City of Hamilton, Butler County, Ohio, hereby certify that the foregoing Emergency Ordinance No. _____ was duly published as provided by Section 113.01 of the Codified Ordinances of the City of Hamilton, Ohio, by posting ten days after passage, a copy thereof in each fire station within the City for a period of ten days. POSTED: _____

_____
Nicholas Garuckas, City Clerk
CITY OF HAMILTON, OHIO

City of Hamilton
BUTLER COUNTY OHIO

Staff Report
June 8, 2016

City Council Meeting Staff Report

Report To: The Honorable Mayor Patrick Moeller & Members of the City Council

Report From: Tom Vanderhorst, Finance Director

Agenda Item: Report regarding passing an ordinance for this supplemental appropriation amending the 2016 budget.

Approvals/Reviews *To be checked by the Office of the City Manager once approvals received from Departments. All other boxes to be checked by the Report author*	☑ Department Head ☑ Finance Department ☑ Director of Law ☑ Office of the City Manager	**Related Strategic Goal(s)** ☐ I *Increase property values* ☐ D *Decrease vacant structures* ☐ A *Add new jobs* ☐ R *Realize new investments* ☐ G *Generate recreational investments* ☐ E *Engage citizens in activities* ☑ O *General operations*
Ordinance or Resolution *Ordinance*	☑ 1st Reading Date: 6-8-16 ☑ 2nd Reading Date: 6-8-16 ☐ Public Hearing Date:	
Prior Action/Review *Please note if this item was discussed on a prior Council or other agenda*	**City Council** *(or other):*	
Contract	☐ Contract Required	☐ Additional Document(s) Attached
Fiscal Impact	**Total Appropriated Increases:** $1,242,196 **Total Appropriated Decreases:** $143,828	*Please see further, more detailed information regarding the fiscal impact in the summary section of this report*
	General Fund Impact: $29,300 increase in appropriations	
	All Other Funds Impact: $1,069,068 increase in appropriations	

Policy Issue

Does City Council wish to adopt legislation to approve this 2016 Supplemental Ordinance?

Policy Alternative(s)

Council may choose to not adopt this Supplemental Appropriation Ordinance. If Council does not adopt legislation, the City will not have enough funds appropriated to cover costs associated with the items addressed in the Fiscal Impact Summary.

Staff Recommendation

Staff recommends that Council receive this report, concur in the recommendation and adopt the necessary legislation. The ordinance will balance accounts and provide the authority to make expenditures.

Statutory/Policy Authority

- ORC 5705.38 Annual appropriation measures; classification
- ORC 5705.40 Amending or supplementing appropriation; transfer unencumbered balance; contingencies
- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.

Fiscal Impact Summary

GENERAL FUND:

- Make available $29,300 in additional appropriations to replace traffic signal equipment at the Enterprise Drive and Symmes Road intersection that was struck by a vehicle. This will be expensed out of the Public Works Department Traffic Division in the General Fund (100.130.135) and will be reimbursed from the Street Maintenance Fund (281) (50%) and the Electric Utility Fund (502) (50%). Insurance proceeds of approximately $29,300 have been received to offset this cost (50% Street Maintenance Fund (281) and 50% to the Electric Utility Fund (502)).

CAPITAL FUNDS:

- Appropriate $89,935 out of the Clean Ohio Grants Program Fund (310) related to the Smart Paper and the 845 East Clean Ohio projects. Revenue for the same dollar amount is anticipated from the State of Ohio so the net impact to the Clean Ohio Grants Program Fund (310) should be zero.
- Appropriate $60,560 in the Infrastructure Renewal Program Fund (311) to purchase asphalt to pave a new parking lot at Millikin Woods. This expenditure will be offset by a reimbursement from the Parks Conservancy for the same amount.
- Appropriate $1,800 to the Tippman Properties MPITIE Fund (354) related to recording auditor fees and payments made to the Hamilton School District for their share of the TIF revenue. The first half settlement tax increment financing (TIF) revenue came in higher than anticipated and additional appropriations will be needed to record the second half settlement from Butler County later in 2016. As a result of this change will be an increase in budgeted TIF revenue to Fund 354 to reflect this change in activity.

ENTERPRISE FUNDS:

- Increase appropriations in the personnel and benefit classification $244,000 in the Hydroelectric Operations Fund (524) for salary and overtime costs related to the Meldahl Hydroelectric Power Plant. Meldahl became commercial on 04/12/2016 and overtime costs came in higher than anticipated during the commissioning process. There will be an increase to budgeted revenue to the Hydroelectric Operations Fund (524) in the same amount of $244,000 for the anticipated reimbursement to be received from American Municipal Power related to Meldahl.
- Increase appropriations $672,773 to the Electric Utility Fund (502.520) for non-personnel expenditures related to the Greenup Hydroelectric Power Plant. After 04/12/2016 once the Meldahl Hydroelectric Power Plant became commercial American Municipal Power will begin to reimburse the City of Hamilton 100% of Greenup's Operation & Maintenance expenditures. As a result budgeted revenue in the Electric Utility Fund (502) will be increased $436,250 to reflect the anticipated reimbursement from American Municipal Power. The City will be then be charged their applicable percentage of the project costs through the monthly power supply bill from American Municipal Power based on the ownership share of the City in the Greenup and Meldahl projects (51.4%).
- Increase appropriations $143,828 to transfer out from the Electric Utility Fund (502) to the Electric System Reserve Fund (527) related to the Greenup sale proceeds net of the outstanding balance of the 2015 Electric Bond Anticipation Notes. The amount of interest expense for the outstanding 2015 notes came in less than expected and the additional funds will be transferred to the Electric System Reserve Fund (527). This increase in appropriations will be offset by a reduction in appropriations in the Electric Utility Fund (502) for the interest expense on the 2015 notes by $143,828.

Attached Information

N/A

Copies Provided to:
N/A

ORDINANCE NO. _____

AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF HAMILTON, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2016.

BE IT ORDAINED by the Council of the City of Hamilton, Ohio:

SECTION I: That the following unappropriated or unencumbered balances of funds be and the same are hereby re-appropriated as follows:

NUMBER	FUND NAME		AMOUNT	
100	From the General Fund		~~46,272,346~~	46,301,646
		Personnel Subtotal:	31,241,589	31,241,589
		Non-Personnel Subtotal:	~~15,030,757~~	15,060,057
200	From the One Renaissance Fund			2,363,274
213	Municipal Income Tax Aggregation Fd			0
2010	From the Home Fund 2010			0
2013	From the Home Fund 2013			0
		Personnel Subtotal:		
		Non-Personnel Subtotal:		
2014	From the Home Fund 2014			0
		Personnel Subtotal:		
		Non-Personnel Subtotal:		
207	From thre Hamilton Court Sec. Proj			70,500
208	From the Hamilton Court Sp Proj Fd			40,375
		Personnel Subtotal:		5,000
		Non-Personnel Subtotal:		35,375
210	From the Public Safety Health Inc Tax			3,281,250
211	From the Rounding Up Util Acct			3,500
212	From the Hamilton Muni Ct Cap Imp			106,045
		Personnel Subtotal:		24,620
		Non-Personnel Subtotal:		81,425
213	From the MIT Aggregatn/Verifctn Fd			
215	From the Ham Cap Imp Debt Serv			5,613,731
221	From the Dispute Resolution Proc Fd			7,650
		Personnel Subtotal:		6,650
		Non-Personnel Subtotal:		1,000
225	From the Justice Assistance Grant			34,917

Ordinance No. _____ (Cont'd)

NUMBER	FUND NAME		AMOUNT
227	From the Land Reutilization Fund		979,802
231	From the Law Enforcement Trust		67,600
233	From the Safety Seat Belt Grant		
235	From the Public Safety Spec Proj		71,812
		Personnel Subtotal:	37,900
		Non-Personnel Subtotal:	33,912
238	From the Probation Services		230,537
		Personnel Subtotal:	223,896
		Non-Personnel Subtotal:	6,641
240	From the Drug Law Enforcement Trust		39,810
241	From the DUI Enforcement & Eductn Trst		4,500
242	From the Indignt Drivers Alcohol Trt		60,000
246	From the Police Pension Fund		240,000
249	From the Police Levy Fund		730,000
250	From the Firemen's Pension Fund		225,000
251	From the Emergency Medical Serv Grant		2,500
252	From the Charter Fire Force Fund		745,000
253	From the Fire EMS Levy Fund		720,000
260	From the Immunization Action Plan Grant		90,095
		Personnel Subtotal:	69,351
		Non-Personnel Subtotal:	20,744
261	From the Kathryn Weiland Trust		1,541
		Personnel Subtotal:	100
		Non-Personnel Subtotal:	1,441
270	From the Street & Parks Beautification		
279	From the Stormwater Mgmt Fund		3,230,209
		Personnel Subtotal:	910,211
		Non-Personnel Subtotal:	2,319,998

Ordinance No. _____ (Cont'd)

NUMBER	FUND NAME		AMOUNT	
280	From the Refuse Fund			4,463,159
		Personnel Subtotal:		705,170
		Non-Personnel Subtotal:		3,757,989
281	From the Street Maintenance Fund			3,558,981
		Personnel Subtotal:		1,233,350
		Non-Personnel Subtotal:		2,325,631
283	From the Convention & Visitors Bur Fd			84,000
301	From the Special Assessments			1,034,815
303	From the Lowes MITIE Talawanda Fund			100,000
304	From the Walmart MITIE Hamilton Fund			175,000
307	From the Issue II Project Fund			1,000,000
308	From the Matandy Steel MPITIE Fund			46,890
309	From the Robinson Schwenn MPITIE Fund			4,550
310	From the Clean Ohio Grants Program		~~36,116~~	126,051
311	From the Infrastructure Renewal Program		~~8,146,284~~	8,206,844
348	From the RIDs - MPITIE Citywide District			400,000
349	From the RIDs - MPITIE North District			17,500
350	From the RIDs - MPITIE South District			36,000
351	From the Quality Publishing MPITIE Fd			10,500
352	From the Shoppes @ Hamilton MPITIE Fd			114,100
353	From the Historic Developers - Mercantile			28,000
354	From the Tippman Properties MPITIE Fd		~~150~~	1,950
355	Neturen Manufacturing TIF			62,000
501	From the Gas Utility			26,134,734
		Personnel Subtotal:		2,096,460
		Non-Personnel Subtotal:		24,038,274
502	From the Electric Utility		~~220,401,383~~	221,074,156
		Personnel Subtotal:	8,655,983	8,655,983
		Non-Personnel Subtotal:	~~211,745,400~~	212,418,173
503	From the Water Utility			13,873,638
		Personnel Subtotal:		2,831,520
		Non-Personnel Subtotal:		11,042,118

Ordinance No. _____ (Cont'd)

NUMBER	FUND NAME		AMOUNT	
504	From the Wastewater Utility			14,395,711
		Personnel Subtotal:		2,231,059
		Non-Personnel Subtotal:		12,164,652
515	From the Gas Capital Improvement Fund			3,069,740
516	From the Gas Rate Stabilization Fd			0
517	From the Gas System Reserve			0
518	From the Gas Bond Service Fund			434,000
522	From the Electric Construction			646,595
524	From the Hydroelectric operations Fd		~~2,282,290~~	2,526,290
		Personnel Subtotal:	~~1,445,400~~	1,689,400
		Non-Personnel Subtotal:	836,890	836,890
525	From the Electric Cap Improvement Fd			9,996,168
526	From the Electric Rate Stabilization Fd			1,350,000
527	From the Electric System Reserve			34,860,350
528	From the Electric Bond Service Fd			2,471,000
531	From the Water Construction Fd			248,238
535	From the Water Cap Improvement Fd			5,000,402
536	Water Rate Stabilization Fund			0
538	From the Water Bond service Fund			2,065,000
541	From the Wastewater Construction Fd			9,998,347
		Personnel Subtotal:		111,320
		Non-Personnel Subtotal:		9,887,027
545	From the Wastewater Cap Imp Fd			5,645,477
548	From the Wastewater Bond Service Fd			4,847,000
550	From the Parking Fund			388,915
		Personnel Subtotal:		134,978
		Non-Personnel Subtotal:		253,937
551	From the Parking Cap Improvement Fund			3,000,000
560	From the Golf Fund			1,401,906
		Personnel Subtotal:		640,345
		Non-Personnel Subtotal:		761,561
610	From the Fleet Mtce Fund			3,309,131
		Personnel Subtotal:		909,031
		Non-Personnel Subtotal:		2,400,100
620	From the Central Services Fund			8,589,399
		Personnel Subtotal:		4,724,328
		Non-Personnel Subtotal:		3,865,071

Ordinance No. _____ (Cont'd)

NUMBER	FUND NAME		AMOUNT
640	Central Benefits Fund		0
650	Economic Budget Stabilization Fund		0
715	From the Unclaimed Monies Fund		25,000
730	From the Benninghoffen Trust Fd		250
775	From the Sinking Fund		4,507,217
800	CDBG Revolving Loan Fd		
802	From the Neighborhood Stabl Prgrm		
804	From the Neighborhood Stabl Prgm 3		
912	From the CDBG 2011-2012		
913	From the CDBG 2012-2013		
914	From the CDBG Fund 2014		
		Personnel Subtotal:	
		Non-Personnel Subtotal:	
915	From the CDBG Fund 2015		
		Personnel Subtotal:	
		Non-Personnel Subtotal:	

The Fund appropriations include these transfer limits:
Into the Electric System Reserve Fund - 527
Out of the Electric Fund - 502 143,828

The Fund appropriations include these advance limits:

The Fund appropriations include these return of advance limits:

Ordinance No. _____ (Cont'd)

SECTION II: This ordinance shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: _____ _____
Mayor

Effective Date:_____

ATTEST: _____
City Clerk

CERTIFICATE

I, Nick Garuckas, City Clerk of the City of Hamilton, State of Ohio, hereby certify that the foregoing Ordinance No. _____ was duly published as provided by Section 113.01 of the Codified Ordinances of the City of Hamilton, Ohio, by posting ten days after passage, a copy thereof in each fire station within the City for a period of ten days. Posted:_____

_____
Nick Garuckas, City Clerk