Mount Vernon

City Council
Legislative Session **Agenda** **August 10, 2026**
7:30 PM

VIDEO BROADCASTING & RECORDING

Meeting videos are broadcast live and published on YouTube.com
https://www.youtube.com/@cityofmountvernon3369

COMMITTEE MEETINGS

Mount Vernon City Council
Committee Meeting Schedule
August 10, 2026

Time	Topic Under Discussion	Committee
6:00 – 6:30 p.m.	Arista Villas Development and Financial Incentives	Land Use & Development - Jacklin
6:30 – 7:00 p.m.	Public Hearing on Arista Villas Proposed Tax Increment Financing (TIF) Agreement	Land Use & Development - Jacklin
7:00 – 7:10 p.m.	Ordinance 2026-28 Renaming 407 Fund, Creating 409 Fund, and Reallocating Municipal Income Tax Distributions	Finance & Budget - Mahan
7:10 – 7:13 p.m.	Resolution 2026-81 Donating Surplus Supplies	Police, Fire, and Civil Defense - Miller

MEETING WILL RECESS UNTIL 7:30 P.M.

CALL TO ORDER

INVOCATION

Pastor Michael Hunter, New Horizons Church

PLEDGE OF ALLEGIANCE

ACCEPTANCE OF MINUTES

Minutes City Council July 27, 2026

RECEIVE PETITIONS AND COMMUNICATIONS

RECEIVE COMMITTEE REPORTS

Land Use and Development Public Hearing Minutes July 27, 2026
Parks & Recreation Committee Minutes July 27, 2026

LIQUOR CONTROL LICENSE

PROCLAMATION

PERSONS SPEAKING ON MATTERS OF CITY CONCERN

Mike Hillier - Arista Villas NCA & TIF

RESOLUTIONS FOR THIRD READING

RESOLUTION NO. 2026-78
A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO DISPOSE OF PROPERTY NOT NEEDED FOR PUBLIC USE BY THE CITY OF MOUNT VERNON; AND DECLARING AN EMERGENCY.
Land Use & Development: Jacklin, Keener

RESOLUTIONS FOR SECOND READING

RESOLUTION NO. 2026-81
A RESOLUTION TO DONATE SURPLUS MOUNT VERNON POLICE DEPARTMENT PROPERTY TO ANOTHER PUBLIC ENTITY; AND DECLARING AN EMERGENCY.
Police, Fire, and Civil Defense: Miller, Hager

RESOLUTIONS FOR FIRST READING

RESOLUTION NO. 2026-83
A RESOLUTION CONFIRMING THE MAYOR'S REAPPOINTMENTS OF KATIE DELOZIER AND STEVE JEFFERSON TO THE BOARD OF PROPERTY MAINTENANCE APPEALS, AND TODD HAWKINS TO THE LIBRARY BOARD OF TRUSTEES.
Employee & Community Relations: Keener, Ruckman

RESOLUTION NO. 2026-84
A RESOLUTION AUTHORIZING AND DIRECTING THE AUDITOR OF THE CITY OF MOUNT VERNON TO PAY BILLS PURSUANT TO SECTION 5705.41 (D), THEN AND NOW CERTIFICATION.
Finance & Budget: Mahan, Severns

RESOLUTION NO. 2026-85
A RESOLUTION AUTHORIZING AND DIRECTING THE AUDITOR OF THE CITY OF MOUNT VERNON TO MAKE SUPPLEMENTAL APPROPRIATIONS.
Finance & Budget: Mahan, Severns

RESOLUTION NO. 2026-86
A RESOLUTION AUTHORIZING AND DIRECTING THE AUDITOR OF THE CITY OF MOUNT VERNON TO TRANSFER FUNDS.
Finance & Budget: Mahan, Severns

RESOLUTION NO. 2026-87
A RESOLUTION RENAMING SHELLMAR PARK IN HONOR OF JOHN FRANCIS.
Parks & Recreation: Hager, Jacklin

RESOLUTION NO. 2026-88
A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO DISPOSE OF VEHICLES IN THE PUBLIC WORKS DEPARTMENT NOT NEEDED FOR PUBLIC USE BY THE CITY OF MOUNT VERNON; AND DECLARING AN EMERGENCY.
Finance & Budget: Mahan, Severns

ORDINANCES FOR THIRD READING

ORDINANCE NO. 2026-23
AN ORDINANCE CONSENTING TO AND APPROVING THE EXECUTION OF A TIF AGREEMENT BETWEEN THE CITY OF MOUNT VERNON AND RESIDENCES AT FOUNDERS GROVE, LLC FOR THE BENEFIT OF A DEVELOPMENT LOCATED AT 12050 UPPER GILCHRIST ROAD.
Land Use & Development: Jacklin, Keener

ORDINANCE NO. 2026-24
AN ORDINANCE APPROVING THE APPLICATION TO ADD CERTAIN REAL PROPERTY TO THE MOUNT VERNON NEW COMMUNITY AUTHORITY DISTRICT AND TO AMEND THE PETITION FOR ESTABLISHMENT OF THE MOUNT VERNON NEW COMMUNITY AUTHORITY AS A NEW COMMUNITY AUTHORITY UNDER CHAPTER 349 OF THE OHIO REVISED CODE; AND DECLARING AN EMERGENCY.
Land Use & Development: Jacklin, Keener

ORDINANCE NO. 2026-26
AN ORDINANCE ESTABLISHING TWO INCENTIVE DISTRICTS AND DECLARING IMPROVEMENTS TO CERTAIN REAL PROPERTY WITHIN THE INCENTIVE DISTRICTS TO BE A PUBLIC PURPOSE, AND EXEMPT FROM REAL PROPERTY TAXATION; IDENTIFYING CERTAIN PUBLIC INFRASTRUCTURE IMPROVEMENTS MADE, TO BE MADE, OR IN THE PROCESS OF BEING MADE, THAT WILL BENEFIT OR SERVE THE PARCELS IN THE INCENTIVE DISTRICTS; REQUIRING THE OWNERS OF THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF REAL PROPERTY TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS IN LIEU OF REAL PROPERTY TAXES; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A TAX INCREMENT FINANCING AGREEMENT WITH ARISTA VILLAS MOUNT VERNON, LLC AND OTHER AGREEMENTS; AND APPROVING RELATED MATTERS AND DECLARING AN EMERGENCY.
Land Use & Development: Jacklin, Keener

ORDINANCE NO. 2026-27
AN ORDINANCE AUTHORIZING THE ESTABLISHMENT OF A CREMATION SCATTERING GARDEN WITHIN MOUND VIEW CEMETERY; AUTHORIZING THE FINAL DISPOSITION OF CERTAIN INDIGENT CREMATED REMAINS THEREIN; AND ESTABLISHING PROCEDURES FOR THE CARE AND DISPOSITION OF SUCH REMAINS.

Parks & Recreation: Hager, Jacklin

ORDINANCES FOR SECOND READING

ORDINANCE NO. 2026-28
AN ORDINANCE AMENDING CERTAIN MUNICIPAL FUNDS AND APPROPRIATION LINES RELATED TO THE CITY'S PUBLIC SAFETY CAPITAL IMPROVEMENT PROGRAM, RENAMING FUND 407, CREATING FUND 409, REALLOCATING MUNICIPAL INCOME TAX DISTRIBUTIONS AND AUTHORIZING CERTAIN TRANSFERS.
Finance & Budget: Mahan, Severns

ORDINANCES FOR FIRST READING

ORDINANCE NO. 2026-29
AN ORDINANCE FIXING THE NUMBER OF HOURLY EMPLOYEES IN THE CITY OF MOUNT VERNON IN THE FIRE DEPARTMENT; AND DECLARING AN EMERGENCY.
Employee & Community Relations: Mahan, Severns

ORDINANCE NO. 2026-30
AN ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO EXECUTE A CONTRACT WITH ENTERPRISE FLEET MANAGEMENT FOR THE LEASING OF CITY VEHICLES.
Finance & Budget: Mahan, Severns

REMARKS FROM THE ADMINISTRATION

REMARKS FROM COUNCIL

ADJOURN AT THE CALL OF THE PRESIDENT

MountVernon

PRESS RELEASE

Mount Vernon Municipal Center
236 S Main Street
Mount Vernon, OH 43050

FOR MORE INFORMATION, CONTACT:
Zac Sherman, City Clerk
740-393-9517 Fax: 740-397-6595
zsherman@mtvernonoh.gov

FOR IMMEDIATE RELEASE
August 5, 2026

Mount Vernon City Council
Committee Meeting Schedule
August 10, 2026

Time	Topic Under Discussion	Committee
6:00 – 6:30 p.m.	Arista Villas Development and Financial Incentives	Land Use & Development - Jacklin
6:30 – 7:00 p.m.	Public Hearing on Arista Villas Proposed Tax Increment Financing (TIF) Agreement	Land Use & Development - Jacklin
7:00 – 7:10 p.m.	Ordinance 2026-28 Renaming 407 Fund, Creating 409 Fund, and Reallocating Municipal Income Tax Distributions	Finance & Budget - Mahan
7:10 – 7:13 p.m.	Resolution 2026-81 Donating Surplus Supplies	Police, Fire, and Civil Defense - Miller

The above listed meeting will be held to discuss the above items; but will not be limited to those listed.
Mount Vernon News - WMVO - WNZR – City Hall Bulletin Board

s

UPDATED: 8/7/2026 by Zac Sherman

City Council Minutes
Legislative Session

Mount Vernon

July 27, 2026

VIDEO BROADCASTING & RECORDING

Meeting videos are broadcast live and published on YouTube.com
https://www.youtube.com/@cityofmountvernon3369

COMMITTEE MEETINGS

Mount Vernon City Council
Committee Meeting Schedule
July 27, 2026

Time	Topic Under Discussion	Committee
6:15 – 6:30 p.m.	Automated License Plate Readers (ALPR) (FLOCK)	Police, Fire, & Civil Defense - Miller
6:30 – 7:00 p.m.	Public Hearing on Arista Villas Joining the Mount Vernon New Community Authority (NCA)	Land Use & Development - Jacklin
7:00 – 7:05 p.m.	Resolution 2026-78 Disposing of Properties Owned by the City	Land Use & Development - Jacklin
7:05 – 7:15 p.m.	Ordinance 2026-27 Establishing a Cremation Scattering Garden	Parks & Recreation - Hager

MEETING WILL RECESS UNTIL 7:30 P.M.

CALL TO ORDER

Present	Excused
Council President Bruce Hawkins Fourth Ward LeNan Hager At-Large Amber Keener First Ward James Mahan At-Large Mel Severns Second Ward John Ruckman At-Large Dale Miller 3rd Ward Taylor Jacklin	

Others in attendance: Mayor Matt Starr, Safety Service Director Tanner Salyers, Auditor Dan Brinkman, Treasurer David Stuller, Law Director Rob Broeren, City Clerk Zac Sherman, City Inspector Scott Zimmerman, Public Utilities Director Aaron Reinhart, Public Information Officer Madison Sarver, Chief of Police Robert Morgan, Maureen Hall, David Hall.
Cherlyn Splain, Greg Yashnyk, Darbey Dooley, Dylan Foster, Joshua Morrison, Alexis Ansel, Michelle Mood, Sallie Bowen, Dave Serrino, Rebecca Abbott, Bob Beck, Richard Larson, Ivan Kegler, Don Carr. 52 others.

INVOCATION

Rev. Lucian Baker, Christ the King Church, Mount Vernon Police Chaplain

PLEDGE OF ALLEGIANCE

All recited in unison.

ACCEPTANCE OF MINUTES

Minutes City Council July 13, 2026

Keener made a motion to approve. Severns seconded. Approved by unanimous voice vote.

RECEIVE PETITIONS AND COMMUNICATIONS

RECEIVE COMMITTEE REPORTS

Land Use and Development Committee Minutes 2026-7-13
Finance and Budget Committee Minutes 2026-07-13a
Finance and Budget Committee Minutes 2026-07-13b
Streets & Public Buildings Committee Minutes 2026-7-13 (4 reports)

Received without comment.

LIQUOR CONTROL LICENSE

PROCLAMATION

PERSONS SPEAKING ON MATTERS OF CITY CONCERN

Persons speaking on Automatic License Plate Readers (ALPR) (AKA Flock Cameras)

Joshua Morrison
Thanked Council for talking about this topic that night. Stated he had emailed Council members, sent emails, submitted Public Records Requests. After multiple attempts, officials have not answered his questions. He noted that oversight is not an attack. The [ALPR] system records 130,000 vehicles in 30 days. These are normal people. This is a permanent city-wide video surveillance system. There was no public hearing on this or vote, other than the vote to accept funds for the system. Columbus, Cleveland, and Dayton have changed their policies regarding ALPR. Over 200 law enforcement agencies across the country have access to this system. True law enforcement prevents problems, instead of addressing them after the fact. Government works for the people.

Dylan Foster
Noted that the City brought in extra chairs for all the people interested in the topic. Residents want a say in how this system is used. He appreciated Chief Morgan laying out what this system is and is not. These are practices that are not in writing. There should be a policy and audit. Selling data is not the concern, sharing is. In Dayton, 7,000 searches were conducted that violated their policy by other agencies. A rule with no audit is an honor system. Technology updates are pushed all the time. So, the tech could be updated without people knowing.
He requested a formal review of the contract with Flock, a public hearing before renewing the contract, and establishing a policy that addresses immigration concerns and provides more oversight.

Alexis Ansel
Noted that Chief Morgan said the City has spent $57,000 on Flock. But a Knox Pages article gives a different number. She would like clarification on that. 152,000 plates were read in past 30 days. Mount Vernon City’s contract lets vendors train its commercial AI products. SignalTrace is offered as an add-on that could track phones and other systems. In other cities, officers have used the system to stalk others. The behavior regarding this was reported by the victims, but not found by oversight or a system audit. She asked that Council require a vote before any future decisions are made or the contract renewed.

Michelle Mood
Noted that it takes a lot of work to create and maintain a community. Mount Vernon should be proud of the sort of community it is. Limited resources and personnel are a problem. So, she understands why Flock makes sense. She noted that residents value their homes and privacy. Only Salyers, Broeren, and Morgan approved the ALPR system. She would like the City to audit whether other entities are searching the system, to pull out of state-wide and national look-up, and require cross-checking a search with a case number to see if it’s justified. She noted that the most common misuse is officers looking up their ex-wives. She asked Council to vote before a renewal of the Flock contract.

Sallie Bowen
She noted that the City contracted with Flock in 2023. She was appalled that elected representatives (other than Mayor and Law Director) were not involved in the decision. Many entities can access the City's info. Only 1% of info goes toward solving crimes. The cameras should be gotten rid of. Still images and vehicle blueprint are sent to Flock. Bluetooth is already built into flock cameras. Tire pressure sensors, key fobs, smartwatches, and pacemakers can be accessed by the system. This is turning the USA into China, and putting everyone in a digital prison. She noted that 4th Amendment rights should not disappear because of Flock or artificial intelligence.

Dave Serrino
Asked from whom did the grant money come from that paid for the cameras? What agencies have access to the City's data? What can the police do now with the cameras that they couldn't do before? Noted that Lowe's installed solar-powered flock cameras in their parking lot, which is concerning.

Rebecca Abbott
Made three points regarding the ease of hacking, the psychological effects of surveillance, and the value of small communities standing up against the spirit of the age. She noted that it is incredibly easy to hack into any website or system. Protocols and safeguards will not prevent hacking. The psychological effects of surveillance are serious. Cell phones listen all the time, which is why Abbott gave up hers. Nobody has investigated the psychological effects of surveillance. These cameras may stop a child from being kidnapped, but no one is addressing the society that creates conditions for kidnapping children. National Military Intelligence and all of US databases are on the docket to be fused with Israeli databases. There is a tsunami of surveillance. It is small communities that make up America, and who have to take a stand.

Persons speaking on other matters of City Concern:
Bob Beck (Arista Villas NCA / TIF)
Noted that the meeting earlier on the Arista Villas TIF [the meeting was on Arista Villsa NCA] didn't answer all of the questions. Why is the lawyer for the City answering questions? Why is the City spending tax dollars on helping the developer? They are giving 8 million to the developer. The developer is only spending 7 million. It's been stated that the schools will be made whole. How does that work? He asked that Council postpones the vote on the NCA and have another meeting with slides to explain Arista Villas financial incentives.

Ivan Kegley (Cremation "Garden")
Asked if cremated ashes could potentially blow down to Dan Emmett school on a windy day if the scatterer is irresponsible?

Richard Larson (Thayer Road Compost Facility)
He stated that the Mount Vernon compost facility was really good. But recently it has been a mess. Salyers clarified that the compost facility is managed by the County, not the City. Hawkins noted that he talked to a County Commissioner, and they are hoping to re-open the facility in September.

RESOLUTIONS FOR THIRD READING

RESOLUTION NO. 2026-74
A FINAL RESOLUTION ENACTED BY THE CITY OF MOUNT VERNON, OHIO, HEREINAFTER REFERRED TO AS THE LEGISLATIVE AUTHORITY/LOCAL PUBLIC AGENCY OR "LPA", IN THE MATTER OF THE STATED DESCRIBED PROJECT.
Streets & Public Buildings: Severns, Mahan

Mel Severns made a motion to adopt. James Mahan seconded. Severns noted that the resolution is related to the State Route 13 project. Adopted by unanimous roll call vote.

ROLL CALL VOTE	**Motion to Adopt**
RESULT:	**Adopted [7 TO 0]**
MOVER:	At-Large Mel Severns
SECONDER:	First Ward James Mahan
AYES:	LeNan Hager, Amber Keener, James Mahan, Mel Severns, John Ruckman, Dale Miller, Taylor Jacklin
NAYS:	None

RESOLUTIONS FOR SECOND READING

RESOLUTION NO. 2026-78
A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO DISPOSE OF PROPERTY NOT NEEDED FOR PUBLIC USE BY THE CITY OF MOUNT VERNON; AND DECLARING AN EMERGENCY.
Land Use & Development: Jacklin, Keener

Jacklin gave Resolution 2026-78 its second reading.

RESOLUTIONS FOR FIRST READING

RESOLUTION NO. 2026-81
A RESOLUTION TO DONATE SURPLUS MOUNT VERNON POLICE DEPARTMENT PROPERTY TO ANOTHER PUBLIC ENTITY; AND DECLARING AN EMERGENCY.
Police, Fire, and Civil Defense: Miller, Hager

Miller gave Resolution 2026-81 its first reading, and requested a 3-minute committee meeting on August 10.

RESOLUTION NO. 2026-82
A RESOLUTION AUTHORIZING AND DIRECTING THE AUDITOR OF THE CITY OF MOUNT VERNON TO MAKE SUPPLEMENTAL APPROPRIATIONS AND TO PAY BILLS PURSUANT TO SECTION 5705.41 (D), THEN AND NOW CERTIFICATION.
Finance & Budget: Mahan, Severns

James Mahan made a motion to suspend the rules and take RESOLUTION 2026-82 to its third and final reading. Mel Severns seconded. Mahan noted that the reason for the suspension was because there were outstanding bills that needed to be paid. One, for Bricker-Graydon, was a matter of the bills not going to the right department to have a PO created. Zollars was to purchase food for Hiawatha Pool that was needed for concessions. Brinkman noted that the large expenditure was the City's part of the MVMC project. The supplemental appropriation is for an employee payout. An outside auditor has let the City know that certain bills which didn't previously get submitted for Then & Nows, do in fact qualify. Salyers noted that the City uses a 3rd party auditor, Clark, Shafer, and Hackett. In the past, the City used the same company for fourteen years, but noticed discrepancies. Rules suspended by roll call vote of 6-1, with Miller voting no. James Mahan made a motion to adopt. Mel Severns seconded. Adopted by unanimous roll call vote.

ROLL CALL VOTE	**Motion to Adopt**
RESULT:	**Adopted [7 TO 0]**
MOVER:	First Ward James Mahan
SECONDER:	At-Large Mel Severns
AYES:	LeNan Hager, Amber Keener, James Mahan, Mel Severns, John Ruckman, Dale Miller, Taylor Jacklin
NAYS:	None

ORDINANCES FOR THIRD READING

ORDINANCE NO. 2026-23
AN ORDINANCE CONSENTING TO AND APPROVING THE EXECUTION OF A TIF AGREEMENT BETWEEN THE CITY OF MOUNT VERNON AND RESIDENCES AT FOUNDERS GROVE, LLC FOR THE BENEFIT OF A

DEVELOPMENT LOCATED AT 12050 UPPER GILCHRIST ROAD.

Land Use & Development: Jacklin, Keener

Jacklin made a motion to postpone Ordinance 2026-23 until August 10. Keener seconded. Postponed by unanimous roll call vote.

ORDINANCE NO. 2026-24

AN ORDINANCE APPROVING THE APPLICATION TO ADD CERTAIN REAL PROPERTY TO THE MOUNT VERNON NEW COMMUNITY AUTHORITY DISTRICT AND TO AMEND THE PETITION FOR ESTABLISHMENT OF THE MOUNT VERNON NEW COMMUNITY AUTHORITY AS A NEW COMMUNITY AUTHORITY UNDER CHAPTER 349 OF THE OHIO REVISED CODE; AND DECLARING AN EMERGENCY.

Land Use & Development: Jacklin, Keener

Jacklin made a motion to postpone Ordinance 2026-24 until August 10. Keener seconded. Postponed by unanimous roll call vote.

ORDINANCE NO. 2026-26

AN ORDINANCE ESTABLISHING TWO INCENTIVE DISTRICTS AND DECLARING IMPROVEMENTS TO CERTAIN REAL PROPERTY WITHIN THE INCENTIVE DISTRICTS TO BE A PUBLIC PURPOSE, AND EXEMPT FROM REAL PROPERTY TAXATION; IDENTIFYING CERTAIN PUBLIC INFRASTRUCTURE IMPROVEMENTS MADE, TO BE MADE, OR IN THE PROCESS OF BEING MADE, THAT WILL BENEFIT OR SERVE THE PARCELS IN THE INCENTIVE DISTRICTS; REQUIRING THE OWNERS OF THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF REAL PROPERTY TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS IN LIEU OF REAL PROPERTY TAXES; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A TAX INCREMENT FINANCING AGREEMENT WITH ARISTA VILLAS MOUNT VERNON, LLC AND OTHER AGREEMENTS; AND APPROVING RELATED MATTERS AND DECLARING AN EMERGENCY.

Land Use & Development: Jacklin, Keener

Jacklin made a motion to postpone Ordinance 2026-26 until August 10. Keener seconded. Jacklin noted that the reason for the postponement is to get more plain languagePostponed by unanimous roll call vote.

ORDINANCES FOR SECOND READING

ORDINANCE NO. 2026-27

AN ORDINANCE AUTHORIZING THE ESTABLISHMENT OF A CREMATION SCATTERING GARDEN WITHIN MOUND VIEW CEMETERY; AUTHORIZING THE FINAL DISPOSITION OF CERTAIN INDIGENT

CREMATED REMAINS THEREIN; AND ESTABLISHING PROCEDURES FOR THE CARE AND DISPOSITION OF SUCH REMAINS.

Parks & Recreation: Hager, Jacklin

Hager gave Ordinance 2026-27 its second reading.

ORDINANCES FOR FIRST READING

ORDINANCE NO. 2026-28

AN ORDINANCE AMENDING CERTAIN MUNICIPAL FUNDS AND APPROPRIATION LINES RELATED TO THE CITY'S PUBLIC SAFETY CAPITAL IMPROVEMENT PROGRAM, RENAMING FUND 407, CREATING FUND 409, REALLOCATING MUNICIPAL INCOME TAX DISTRIBUTIONS AND AUTHORIZING CERTAIN TRANSFERS.

Finance & Budget: Mahan, Severns

Mahan gave Ordinance 2026-28 its first reading, and requested a 10-minute committee meeting on August 10.

REMARKS FROM THE ADMINISTRATION

Mayor Starr noted that the Knox County Fair is this week. He encouraged residents to go and celebrate the legacy that they are leaving, and the young people who will be sitting in their seats one day.

Safety Service Director Salyers thanked all who came to Council. He noted that hearing from the public is something administration takes seriously, and that data sharing is a legitimate concern. While Council didn't take a vote on public policy for Flock, that is not how Council typically operates. Council has the power of the purse. They can appropriate and defund things. Administration and Council will continue to have conversations. He noted that in regard to ALPR, there are policies and audits. He asked if the City removes the cameras, what would be the implications? The City could become a soft target for crime. He noted that City uses an ALPR network. He cautioned citizens against having a knee-jerk reaction simply because of what they might see on social media. [Salyers was heckled multiple times while relaying information. Council members Jacklin and Mahan interjected, asking the crowd to be respectful].
Salyers referenced a dog attack that occurred on Wednesday, July 15th 2026 at approximately 11:38AM at the 1100 Block of West Gambier Street at the fenced-in field next to the Mt. Vernon Street Department building. Due to the mauling, the area has been locked down. It was never intended to be a dog park, and should not have been treated as such. Moving forward, there will be conversations about how that space can be reworked. E-Bike and E-Scooters will be a topic for public survey. Before bringing legislation, Salyers would like to collect more data on the topic.

Auditor Brinkman noted that TIFs do not raise taxes. They divert them. Any growth in property tax after the beginning of the TIF gets redirected. Most of the time, this is redirected from the county level. Schools are unaffected.

Law Director Broeren noted that there are audits of the ALPR system. He sits with a police department employee, and they conduct the review of both Mount Vernon's use and other agencies'. There is then another employee who reviews the auditor.

REMARKS FROM COUNCIL

Keener noted that Police and Administration work day-and-night on behalf of the City. However, mass-surveillance is like boiling a frog. She has real concerns about ALPRs, and wants to continue that conversation. She encouraged all to enjoy the fair.
Severns thanked John May for his 31 years of service to the City, noting that the Assistant Director of Public Works Streets Department will be retiring Friday.
Jacklin thanked all who showed up. He noted that he wants to be receptive. Surveillance in the USA is headed down a dangerous path. He would like to see the Police and Council continue the conversation with the community. He suggested that a demonstration of the Flock system could be helpful. He requested a 15-minute committee meeting on Arista Villas for August 10.
Miller noted that this was the most people he had seen at a Council meeting. He thanked them for coming, and noted he would like to

continue the ALPR conversation.
Ruckman exhorted the attendees to keep showing up. Seeing the room full and engaged in discussion is what Council wants. He noted that good people can disagree on policy as long as there is dialogue. All in the City are neighbors.
Mahan noted that the Washington Forum is scheduled for tomorrow at 6 p.m. It is on immigration. He noted that he voted to postpone the Arista Villas TIF, but will not do so again. The invested parties deserve a decision on the matter. He agreed that transparency around the NCA for Arista Villas is important. He noted that in 2023, Council unanimously voted to accept grant funding for ALPRs. Mahan voted for it. At the time, it seemed like a reasonable law enforcement tool. Like any strong tool, there is potential for misused. So, reviewing the policies around it robustly is necessary.

ADJOURN AT THE CALL OF THE PRESIDENT

Keener made a motion to adjourn. Hager seconded. Adjourned by unanimous voice vote at 8:47 p.m.

Bruce E. Hawkins, President of Council	Zac Sherman, Clerk of Council

2026-2027

Parks & Recreation Committee Meeting Minutes
July 27, 2026 – 7:06 p.m. to 7:14 p.m.

COUNCIL PRESENT:

Bruce Hawkins, President
James Mahan, First Ward
John Ruckman, Second Ward
Taylor Jacklin, Third Ward
LeNan Hager, Fourth Ward
Amber Keener, At-Large
Dale Miller, At-Large
Mel Severns, President Pro Tem

COUNCIL ABSENT:

OTHERS IN ATTENDANCE:

Matt Starr, Mayor
Tanner Salyers, Safety-Service Director
David Stuller, Treasurer
Quentin Platt, Interim Engineer
Daniel Brinkman, Auditor
Aaron Reinhart, Public Utilities Director
Robert Morgan, Police Chief
Cheryl Splain, Knox Pages
Zachary Sherman, Clerk
Darbey Dooley
63 others

Ordinance 2026-27 Cremation Scattering Garden
Salyers gave an overview of the proposed Mound View Cremation Scattering Garden. This will be a maintained area along Yoakam Rd. There is a swell nearby that will be beautified. A monument at the entrance to the Scattering Garden will have places for name plates to honor the deceased. One area of City operations this will assist in is the management of the indigent burial process. This is difficult to do with appropriate compassion under the Ohio Revised Code, at this time. This solutions reduces costs of interring cremains, particularly for those with financial hardships, and reduces the overall tax burden on citizens by creating a more economical burial options for indigent remains. For unclaimed remains, the City will institute a 90-day holding period. The cost for a plaque for the monument is not finalized, but will likely be around $1,000.

Respectfully submitted,

____

LeNan Hager, Chair
Finance & Budget
Mount Vernon City Council
LH/zs

2026-2027

Land Use and Development Public Hearing Minutes
July 27, 2026 – 6:30 p.m. to 7:00 p.m.

COUNCIL PRESENT:	Bruce Hawkins, President James Mahan, First Ward John Ruckman, Second Ward Taylor Jacklin, Third Ward LeNan Hager, Fourth Ward Amber Keener, At-Large Dale Miller, At-Large Mel Severns, President Pro Tem
COUNCIL ABSENT:	
OTHERS IN ATTENDANCE:	Matt Starr, Mayor Tanner Salyers, Safety-Service Director David Stuller, Treasurer Quentin Platt, Interim Engineer Daniel Brinkman, Auditor Aaron Reinhart, Public Utilities Director Robert Morgan, Police Chief Cheryl Splain, Knox Pages Zachary Sherman, Clerk Darbey Dooley Don Carr Jay Soreno Jennifer Shoman Susan Holman 61 others

Public Hearing on Arista Villas NCA
Mr. Jacklin opened the floor for persons speaking for and against Arista Villas NCA.

Don Carr (against) noted that the NCA and TIF have been hard reading. He said that not enough detail has been given to the public. There is more harm than benefit to the financial arrangement. What if the developer pulls out? What if the additional 10 mill charge makes it impossible for families to remain there? Not sure why the incentive is needed if the developer is already going to make millions. Why is the City investing millions in the development instead of investing in the surrounding area? The median income doesn't cover the cost of the homes. There should be no sweetheart deals. Borrowed funds should be spent on the City. He asked that the emergency clause be removed.

Jay Soreno (neutral) asked if the City is paying for the streets?
The Mayor clarified that the residents of the development are.

Jennifer Shoman (against) noted that Ohio property taxes are a growing concern. Why are future homeowners bearing the cost rather than the developer? She wanted to know what portion of the cost is born by the developer rather than the owner. The home price surpasses the median income for this area. She asked what evidence there was that this development would not occur without financial incentives. At what point does the financial incentive switch from the developer to the home owners? The ongoing assessments reminded her of the Cattle Dam. Will money go to the three water features?

Susan Homlan (against) noted that 40 acres of woods will be leveled. People want the area to be R-1. Home values could be lowered. The lakes could create Cattle Dam issues.

Darbey Dooley of Bricker Graden spoke, noting he represents the City, not the developer. His job is to protect the City from potential traps in contracts. If there is a shortfall on the debt, a third party would manage that risk, rather than the City. There are still items in the contract to finalize, but Bricker Graden has built in strong protections. There is a disclosure process so future residents of Arista Villas will know of all charges being assessed to them. The additional mills will likely cost residents between $1,000 - $1,500 per year. Part of the question is whether infrastructure improvements can be enacted without the additional charge.

Broeren clarified that the Cattle Dam is very different from Arista Villas. The Cattle Dam was a stormwater issue. The developer sold to a second developer who made errors. Arista Villas has a very specific stormwater contract to avoid potential similar issues. For other public infrastructure, City engineers will inspect to ensure compliance.

Keener clarified that there was a meeting to change the zoning of Arista Villas. After listening to residents, Council chose to leave the zoning as R-1.

Respectfully submitted,

____

Taylor Jacklin, Chair
Land Use and Development Committee
Mount Vernon City Council
TJ/zs

MountVernon	**City Council** **City of Mount Vernon** **Mount Vernon, OH 43050** **SCHEDULED**	Meeting: 7/13/26 7:30 PM **Dept: Land Use & Development** **Jacklin, Keener** Category: Finance Prepared By: Zac Sherman Initiator: Tanner Salyers

RESOLUTION 2026-78

A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO DISPOSE OF PROPERTY NOT NEEDED FOR PUBLIC USE BY THE CITY OF MOUNT VERNON; AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code Sections 721.01 and 721.03 authorize municipalities to dispose of real property no longer needed for municipal use.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Mount Vernon, State of Ohio:

<u>Section 1:</u> That the Council finds that the City of Mount Vernon owns the following real properties that is no longer needed for public use.

1) Parcel number 66-00725001 and street address 10 S Monroe Street, Mount Vernon, OH 43050

2) Parcel number 66-00136002 and street address 101 Delaware Ave, Mount Vernon, OH 43050

3) Parcel number 66-01461002 and street address 0 Delaware Ave, Mount Vernon, OH 43050

<u>Section 2:</u> That the Safety-Service Director for the City of Mount Vernon be authorized and directed to sell or dispose of the properties pursuant to Ohio Revised Code Section 721.03.

<u>Section 3</u>: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason of expediting the sale or trade of this real property to return the proceeds to constructive use by the City, and said Resolution shall, therefore, become effective upon its date of passage and approval by the Mayor, provided that it receives the affirmative vote of two-thirds (2/3) of the members elected to the Council of the City of Mount Vernon; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

____
Bruce E. Hawkins, President of Council

PASSED: ____________________, 2026

ATTEST: _______________________________
Zachary Sherman, Clerk of Council

APPROVED: _________________, 2026

____
Matthew T. Starr, Mayor

RESOLUTION 2026-81

A RESOLUTION TO DONATE SURPLUS MOUNT VERNON POLICE DEPARTMENT PROPERTY TO ANOTHER PUBLIC ENTITY; AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Constitution grants certain Home Rule powers to municipalities, including the ability to donate municipal property to another public body if the donation would constitute a public municipal purpose.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Mount Vernon, State of Ohio:

SECTION 1: That the Council finds that the City of Mount Vernon Police Department owns the following repeaters and related components that are no longer needed for public use:

1) S/N: 6803470
2) S/N: 6802999
3) S/N: 6802945
4) S/N: 6802990
5) S/N: 6802950
6) S/N: 6802948
7) S/N: 6802974
8) S/N: 6803009
9) S/N: 6803000
10) S/N: 6802949

Council also finds that the value of the equipment is in excess of $1,000.00.

SECTION 2: That the Council finds that donating this equipment to another public body would constitute a public municipal purpose, and that the Knox County Sheriff's Office is a public body.

SECTION 3: That the Safety Service Director for the City of Mount Vernon be authorized and directed to donate the listed repeaters and related components to the Knox County Sheriff's Office.

SECTION 3: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason of expediting the transfer of this equipment will assist another public body in securing the safety of the people of Knox County, Ohio, and said Resolution shall, therefore, become effective upon its date of passage and approval by the Mayor, provided that it receives the affirmative vote of two-thirds (2/3) of the members elected to the Council of the City of Mount Vernon; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

____
Bruce E. Hawkins, President of Council

PASSED: ____________________, 2026

ATTEST: _______________________________
Zachary Sherman, Clerk of Council

APPROVED: _________________, 2026

____
Matthew T. Starr, Mayor

City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

Meeting: 08/10/26 7:30 PM
Dept: Employee and Community Rel.
Keener, Ruckman
Category: Appointment
Prepared By: Zac Sherman
Initiator: Zac Sherman

RESOLUTION 2026-83

A RESOLUTION CONFIRMING THE MAYOR'S REAPPOINTMENTS OF KATIE DELOZIER AND STEVE JEFFERSON TO THE BOARD OF PROPERTY MAINTENANCE APPEALS, AND TODD HAWKINS TO THE LIBRARY BOARD OF TRUSTEES.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Mount Vernon, Knox County, Ohio:

SECTION 1: That the Council for the City of Mount Vernon confirm the Mayor's reappointments to the Board of Property Maintenance Appeals for:

Katie Delozier, 23 Hilltop Drive, Mount Vernon, Ohio, commencing on September 28, 2026 and expiring on September 28, 2029.

Steve Jefferson, 751-D Shalimar Drive, Mount Vernon, Ohio, as an alternate member, commencing on September 30, 2026 and expiring on September 30, 2029.

SECTION 2: That the Council for the City of Mount Vernon confirm the Mayor's reappointment of Todd Hawkins, 12 Fox Chase Drive, Mount Vernon, Ohio, to the Library Board of Trustees, commencing on September 12, 2026 and expiring on September 12, 2030.

____
Bruce E. Hawkins, President of Council

PASSED: ____________________, 2026

ATTEST: ________________________________
Zachary Sherman, Clerk of Council

APPROVED: __________________, 2026

____
Matthew T. Starr, Mayor

Mount Vernon	**City Council** **City of Mount Vernon** **Mount Vernon, OH 43050** **SCHEDULED**	Meeting: 8/10/26 7:30 PM **Dept: Finance and Budget** **Mahan, Severns** Category: Finance Prepared By: Zac Sherman Initiator: Daniel Brinkman

RESOLUTION 2026-84

A RESOLUTION AUTHORIZING AND DIRECTING THE AUDITOR OF THE CITY OF MOUNT VERNON TO PAY BILLS PURSUANT TO SECTION 5705.41 (D), THEN AND NOW CERTIFICATION.

WHEREAS, the Safety-Service Director for the City of Mount Vernon did make the necessary inquiries that these billed amounts as indicated are legitimate and proper and did approve payment in the amounts shown; and

WHEREAS, at the time of the making of such contract or order and at the time of the execution of such certificate a sufficient sum appropriated for the purpose of such contract or order was in the treasury or in the process of collection to the credit of an appropriate fund free from any previous encumbrances.

NOW, THEREFORE, BE IT RESOLVED by the City of Mount Vernon, State of Ohio:

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

1. Pepsi Americas, Inc. in the amount of $6,466.34 from line number 101.2640.53112, General Fund – Pool – Concession Expenses.

2. To MKC Architects, Inc. in the amount of $3,753.00 from line number 101.2400.54115, General Fund – Engineering – Contract Engineering.

SECTION 2: This Resolution provides for appropriations for the current expenses of the City, and therefore, pursuant to Revised Code Section 731.30, it shall become effective upon its date of passage and approval by the Mayor.

____
Bruce E. Hawkins, President of Council

PASSED: ____________________, 2026

ATTEST: _______________________________
Zachary Sherman, Clerk of Council

APPROVED: _________________, 2026

____
Matthew T. Starr, Mayor

RESOLUTION 2026-85

A RESOLUTION AUTHORIZING AND DIRECTING THE AUDITOR OF THE CITY OF MOUNT VERNON TO MAKE SUPPLEMENTAL APPROPRIATIONS.

NOW, THEREFORE, BE IT RESOLVED by the City of Mount Vernon, State of Ohio:

SECTION 1: That the Auditor for the City of Mount Vernon be, and he herewith is, authorized and directed to make supplemental appropriations as follows:

1. To account 407.3600.55515, New Police Station Capital Improvement Fund – Facilities Improvements in the amount of $6,107,994 (Bond Proceeds).

SECTION 2: This Resolution provides for appropriations for the current expenses of the City, and therefore, pursuant to Revised Code Section 731.30, it shall become effective upon its date of passage and approval by the Mayor.

____
Bruce E. Hawkins, President of Council

PASSED: ____________________, 2026

ATTEST: ______________________________
Zachary Sherman, Clerk of Council

APPROVED: _________________, 2026

____
Matthew T. Starr, Mayor

City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

Meeting: 8/10/26 7:30 PM
Dept: Finance and Budget
Mahan, Severns
Category: Finance
Prepared By: Zac Sherman
Initiator: Daniel Brinkman

RESOLUTION 2026-86

A RESOLUTION AUTHORIZING AND DIRECTING THE AUDITOR OF THE CITY OF MOUNT VERNON TO TRANSFER FUNDS.

NOW, THEREFORE, BE IT RESOLVED by the City of Mount Vernon, State of Ohio:

SECTION 1: That the Auditor for the City of Mount Vernon be, and he herewith is, authorized and directed to transfer funds as follows:

1. $30,000.00 from account 101.2650.56613, General Fund – Arbor Plantings, to account 101.2650.56614, General Fund – Arbor Removal / Sidewalks.

2. $15,000 from 101.3600.54452, General Fund – Infrastructure Improvements, to 101.3600.54494, General Fund – Networking Systems for the purposes of internet expenses.

SECTION 2: This Resolution provides for appropriations for the current expenses of the City, and therefore, pursuant to Revised Code Section 731.30, it shall become effective upon its date of passage and approval by the Mayor.

____
Bruce E. Hawkins, President of Council

PASSED: ____________________, 2026

ATTEST: ______________________________
Zachary Sherman, Clerk of Council

APPROVED: __________________, 2026

____
Matthew T. Starr, Mayor

RESOLUTION 2026-87

A RESOLUTION RENAMING SHELLMAR PARK IN HONOR OF JOHN FRANCIS.

WHEREAS, former Council Member John Francis was the driving force behind the creation of Shellmar Park; and

WHEREAS, the City wishes to honor his service to the City of Mount Vernon and his commitment to his neighbors in the Second Ward.

NOW THEREFORE, BE IT RESOLVED by the City of Mount Vernon, State of Ohio:

SECTION 1: That Shellmar Park be renamed John Francis Community Park.

SECTION 2: That Council authorizes the placement of a sign at the site memorializing the former name of the park, Shellmar Park.

____
Bruce E. Hawkins, President of Council

PASSED: ____________________, 2026

ATTEST: ______________________________
Zachary Sherman, Clerk of Council

APPROVED: _________________, 2026

____
Matthew T. Starr, Mayor

RESOLUTION 2026-88

A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO DISPOSE OF VEHICLES IN THE PUBLIC WORKS DEPARTMENT NOT NEEDED FOR PUBLIC USE BY THE CITY OF MOUNT VERNON; AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code Sections 721.01 and 721.15 authorize municipalities to dispose of personal property and vehicles no longer needed for municipal use.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Mount Vernon, State of Ohio:

SECTION 1: That the Council finds that the City of Mount Vernon Public Works Department owns the following vehicles that are no longer needed for public use:

Street

1. Land Pride 3-point finish mower SN: L134140
2. Duraco Dura Patcher VIN: 1D9BB1723DP44152; Hrs: 532.1
3. Dink-Mar Leaf Vacuum SN: 2010-3070-2; Hrs: 3,519.1

Council also finds that the value of the vehicles are in excess of $1,000.00.

SECTION 2: That the Safety-Service Director for the City of Mount Vernon be authorized and directed to sell or dispose of the vehicles pursuant to any method authorized by Revised Code Section 721.15.

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

____
Bruce E. Hawkins, President of Council

PASSED: ____________________, 2026

ATTEST: _______________________________
Zachary Sherman, Clerk of Council

APPROVED: _________________, 2026

____
Matthew T. Starr, Mayor

Ordinance 2026-23

AN ORDINANCE CONSENTING TO AND APPROVING THE EXECUTION OF A TIF AGREEMENT BETWEEN THE CITY OF MOUNT VERNON AND RESIDENCES AT FOUNDERS GROVE, LLC FOR THE BENEFIT OF A DEVELOPMENT LOCATED AT 12050 UPPER GILCHRIST ROAD.

WHEREAS, the Residences at Founder Grove, LLC (the "Developer") has acquired certain real property located at 12050 Upper Gilchrist Road (the "Project Site") situated in the City of Mount Vernon, Ohio (the "City") and desires to construct thereon approximately six 8-housing unit apartment buildings and 156 housing units composed of 2-unit, 4-unit, and 6-unit villas, together with appurtenances thereto (the "Project"); and

WHEREAS, pursuant to Ohio Revised Code Section ("R.C.") 5709.40(B) and Ordinance No. 2024-37, adopted September 9, 2024 (the "TIF Resolution"), the City Council of the City (the "Council") declared that improvements to the Project Site are a public purpose and City Council exempted 100% of the improvement from real property taxation for a period of 30 years; and

WHEREAS, the TIF Resolution authorizes service payments from the Project Site to be used (i) to make payments to the Mount Vernon City School District and the Knox Area Career Center; (ii) to make payments to the Developer for certain developer public improvements; (iii) to make payments to the City as authorized under law; and (iv) for deposit into a general fund of the City, pursuant to R.C. 5709.43; and

WHEREAS, the City now desires to approve and consent to a certain Tax Increment Financing and Development Agreement (the "TIF Agreement"), attached hereto as Exhibit A, to provide for the collection and disbursement of the service payments and to enable the construction of the developer public improvements within the Project Site.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MOUNT VERNON, OHIO THAT:

Authorization of the TIF Agreement. Council hereby consents to and approves the execution of the TIF Agreement among the City and Developer.

Open Meeting Compliance. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were passed in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Effective Date. This ordinance shall take effect and be in force at the earliest date permitted by law.

____
Bruce E. Hawkins, President of Council

PASSED: ____________________, 2026

ATTEST: ________________________________
Zachary Sherman, Clerk of Council

APPROVED: _________________, 2026

____
Matthew T. Starr, Mayor

TAX INCREMENT FINANCING AND DEVELOPMENT AGREEMENT

This Tax Increment Financing and Development Agreement (this "**Agreement**") is made and entered into as of __________, 2026 (the "**Effective Date**"), by and amongst the CITY OF MOUNT VERNON, OHIO (the "**City**"), a municipal corporation under the laws of the State of Ohio (the "**State**"), and RESIDENCES AT FOUNDERS GROVE, LLC (the "**Developer**"), an Ohio limited liability company.

RECITALS:

A. The Developer has acquired fee title to certain real property situated in the City, a depiction of which real property is attached to this Agreement as Exhibit A (the "**Project Area**") and incorporated into this Agreement by reference, with each parcel of real property within the Project Area referred to in this Agreement as a "**Parcel**" (whether as presently appearing on Knox County tax duplicates or as subdivided or combined and appearing on future tax duplicates). The increase in assessed value of each Parcel subsequent to the adoption of the TIF Resolution (as defined below) shall be referred to in this Agreement as the "**Improvement**."

B. The Developer desires to construct approximately 156 age-targeted housing units, together with appurtenances thereto, in the Project Area (the "**Development**").

C. In connection with the Development, the Developer intends to cause certain public infrastructure improvements to be constructed that will directly benefit the Project Area, as described in Exhibit B, which is attached to and incorporated into this Agreement (the "**Developer Public Improvements**").

D. Pursuant to Ohio Revised Code Section ("**R.C.**") 5709.40(B) and Ordinance No. 2024-37, adopted September 9, 2024 (the "**TIF Resolution**"), the City Council of the City (the "**City Council**") declared that the Improvement is a public purpose and exempted 100% of the Improvement to each Parcel from real property taxation for a period of 30 years.

E. The TIF Resolution will require the Developer and all future owners of the Project Area (each individually an "**Owner**" and collectively the "**Owners**") to make annual service payments in lieu of real property taxes equal to the amount of real property taxes that would have been payable had the Improvement not been exempt from real property taxation under the TIF Resolution, together with any penalties and interest at the then current rate established under R.C. 323.121 and R.C. 5703.47 and other payments with respect to each Improvement that are received by the Knox County Treasurer (the "**County Treasurer**") in connection with the reduction required by Ohio Revised Code Sections 319.302, 321.24, 323.152 and 323.156, as the same may be amended from time to time, or any successor provisions, as the same may be amended from time to time (collectively, the "**Service Payments**").

F. The City has determined, and the TIF Resolution provides, that a portion of the Service Payments shall be used to pay each of the Mount Vernon City School District and the

Knox County Career Center (collectively, the "**School Districts**"), pursuant to R.C. 5709.42 and 5709.82, amounts equal to the real property taxes that each of the School Districts would have received if the Improvement had not been exempted from real property taxation pursuant to the TIF Resolution.

G. The TIF Resolution authorizes the Service Payments to be used (i) to make payments to the School Districts; (ii) to make payments to the Developer for the Developer Public Improvements; (iii) to make payments to the City as authorized under law; and (iv) for deposit into a general fund of the City, pursuant to R.C. 5709.43.

H. The parties desire to enter into this Agreement on its terms and conditions to provide for the collection and disbursement of the Service Payments and to enable the construction of the Developer Public Improvements within the Project Area.

I. In consideration of the premises and covenants contained in this Agreement, and to induce the Developer to proceed with the construction of the Developer Public Improvements, the Developer and the City agree as follows.

Section 1. Construction of Developer Public Improvements.

A. Authorization, Cooperation, Dedication, and Maintenance. The Developer shall design and construct or cause to be constructed the Developer Public Improvements within the Project Area, adjacent to the Project Area, or both within and adjacent to the Project Area acquired by the Developer. The City hereby authorizes the design and construction of the Developer Public Improvements by the Developer or its representatives for and on behalf of the City. The City agrees to provide timely cooperation in connection with the design and construction of the Developer Public Improvements, including, without limitation, completing inspections, providing reasonable approvals, and granting permits.

The City agrees that it will accept the Developer Public Improvements dedicated to the City, when and as constructed and dedicated by the Developer, subject to reasonable review by the City Engineer or the City Engineer's designee in accordance with City standards and requirements, which reasonable review may include, without limitation, the City's confirmation or receipt, as applicable, of the following: (i) final inspection and approval by the City, (ii) complete punch-list corrections, (iii) signed and sealed as-built drawings, (iv) engineer's certification, (v) testing results, (vi) executed dedication documents, (vii) granting of any necessary easements and rights-of-way, (viii) lien releases, (ix) assignment of warranties, (x) a two-year warranty and maintenance bond or other form of security acceptable to the City, and (xi) confirmation that the Developer is not otherwise in default under this Agreement. The City and the Developer shall use good faith efforts to complete such dedication and acceptance process six (6) months following notice to the City of completion of the Developer Public Improvements, absent other regulatory requirements.

The City also agrees to maintain, operate, repair, and replace as necessary the Developer Public Improvements and any additional public infrastructure improvements dedicated by the Developer to the City in a commercially reasonable manner after dedication to the City. Should the City determine it necessary to damage any private roadways owned by Developer for purposes of accessing the Developer Public Improvements in the course of maintaining, operating, repairing, and/or replacing the Developer Public Improvements, as the case may be, the City shall restore those private roadways to the same or better condition as existed prior to such damage, provided that the reasonable and documented costs of repairing those private roadways shall be added to the City Costs (as defined below) for which City may claim reimbursement under Section 6(B) of this Agreement.

B. Prevailing Wages. The Developer and the City acknowledge and agree that the Developer Public Improvements are subject to the prevailing wage requirements of Ohio Revised Code Chapter 4115, and all wages paid to laborers and mechanics employed on the development of the Developer Public Improvements that are dedicated to a public authority shall be paid at not less than the prevailing rates of wages of laborers and mechanics for the classes of work called for by the Developer Pubic Improvements, which wages shall be determined in accordance with the requirements of Ohio Revised Code Chapter 4115. The Developer and the City shall comply, and the Developer shall require compliance by all contractors developing the Developer Public Improvements, with all applicable requirements of Ohio Revised Code Chapter 4115 including, without limitation, (i) obtaining from the Ohio Department of Commerce its determination of the prevailing rates of wages to be paid for all classes of work required for the construction of the Developer Public Improvements; and (ii) ensuring that all subcontractors receive notification of changes in prevailing wage rates as required by Ohio Revised Code Chapter 4115. The City, and not the Developer, shall be responsible to designate and appoint a prevailing wage coordinator for the Developer Public Improvements, as provided in R.C. 4115.071. As further described below, the City shall be entitled to reimbursement for its reasonable and documented costs associated with serving in the prevailing wage coordinator role (the "**City PW Costs**"). An estimate of the prevailing wage rates applicable as of the Effective Date is attached hereto as Exhibit E for informational purposes only, the Parties acknowledging that the rates remain subject in all respects to determinations made by the Ohio Department of Commerce or a successor agency, and the City has no control over those determinations.

C. Stormwater. The City of Mount Vernon shall have no responsibility for the installation, maintenance and repair of any private stormwater management facilities, stormwater control measures, or private drain systems unless they constitute a Stormwater Management Facility, as such capitalized term is defined in the City of Mount Vernon Stormwater Utility Rules and Regulations, approved on December 4, 2025 (as amended from time to time, the "**Utility Rules**"), that the City has acquired in accordance with the Utility Rules and the Codified Ordinances of the City of Mount Vernon (as amended from time to time, the "**City Code**"), particularly the stormwater management provisions of Chapter 920 of the City Code. The City may, at its discretion, provide for the acquisition, operation, maintenance, and repair of any Stormwater Management Facility serving the Project Area, and insofar as City makes an election to so acquire a Stormwater Management Facility, Developer must satisfy the conditions set forth in the Utility Rules and Chapter 920 of the City Code and complete, at City's discretion, the same final inspection and approval requirements applicable to the Developer Public Improvements under Section 1(A) above. In addition, prior to the City accepting any Stormwater Management Facility in accordance with Section 6 of the Utility Rules, the Developer must provide the City with evidence that Developer has established covenants encumbering all Parcels benefitted by the Stormwater Management Facility by means of a recorded Declaration or other recordable document running with the land and approved in form and substance by the City Law Director (any such document, a "**Private SMF Declaration**"). The Private SMF Declaration will disclose to subsequent Owners their obligation to pay the standard stormwater service charge under Section 920.41 of the City Code *plus* the "private SMF utility service charges" described in the Utility Rules and imposed by the City pursuant to its authority under Chapter 920 of the City Code (the "**Private SMF Charges**"). The Private SMF Declaration must be binding on all subsequent Owners, Homeowners Associations, and any other private entities governing the Development, and the Private SMF Charges shall commence following the City's acquisition of the applicable Stormwater Management Facility. For the avoidance of doubt, the obligation to pay Private SMF Charges shall not be dissolved due to any transfer of Parcels or dissolution of any applicable Homeowners Association or other private entity governing the Development. Upon transfer of a Stormwater Management Facility to the City, the City shall assume the responsibility to operate, maintain, repair, replace, or improve the Stormwater Management Facility. The Developer shall include a disclosure statement in the final plat for the Development, every purchase and sale agreement for the transfer of a Parcel, and every deed transferring a Parcel that reads substantially as follows: "This real property is subject to the stormwater management provisions of Chapter 920 of the City's Codified Ordinances, as the same may be amended, relocated, or replaced from time to time, as well as any assessments and charges the City may impose pursuant to Chapter 920 for the funding of stormwater management facilities and services." The terms and conditions of this Section 1(C) shall survive any termination of this Agreement.

D. City Costs. In addition to the above-described costs associated with serving as prevailing wage coordinator, the City also expects to incur administrative and legal fees from time to time related to ongoing TIF management and other matters related to the administration of the TIF (the "**City Administrative Costs**"). The City shall be entitled to receive reimbursement for reasonable and documented City Administrative Costs as further described below. The City PW Costs and City Administrative Costs are collectively referred to herein as the "**City Costs**". In addition to the City Costs anticipated from the Effective Date of this Agreement onward, the City has also incurred costs for legal and consulting services provided by Bricker Graydon Wyatt LLP in the course of the negotiation, drafting, and execution of this Agreement and related documentation (the "**Negotiation Costs**"). The Developer shall be solely responsible for the actual and documented Negotiation Costs. Developer shall pay Negotiation Costs or City Administrative Costs, as applicable, no later than thirty (30) days following the Developer's receipt of an invoice pertaining to the same. Any such invoice not paid when due shall bear interest from the due date until paid in full at a rate equal to the lesser of 10% per annum or the maximum rate permitted by applicable law (the "**Delinquent Payment Interest**"). Such Delinquent Payment Interest shall accrue daily and be payable upon demand. The Developer may add the amount of any Negotiation Costs, but not any Delinquent Payment Interest, to the Costs of Developer Public Improvements for which Developer seeks reimbursement.

E. Approval of Plans. The Developer Public Improvements shall be constructed in accordance with construction plans that have been previously reviewed and approved by the City, if applicable, and any supplements or amendments thereto approved by the City.

F. Selection of Contractors. Contractors for construction of the Developer Public Improvements shall be selected by the Developer in a manner determined by the Developer. Construction contracts shall be entered into in the name of the Developer or the Developer's construction manager or general contractor.

G. Reimbursement from Service Payments. The City shall use the Service Payments in the "TIF Fund" (as defined in the TIF Resolution) to reimburse the Developer or the Developer's designee(s) for the cost of constructing the Developer Public Improvements (the "**Costs of Developer Public Improvements**"). The Costs of Developer Public Improvements shall include any and all costs the Developer incurred in order to construct the Developer Public Improvements, including the items of "costs of permanent improvements" set forth in R.C. 133.15(B). Such costs include but are not necessarily limited to: (i) cash paid; (ii) review and inspection fees incurred in connection with the construction of the Developer Public Improvements; (iii) financing costs; (iv) professional fees; and (v) manager, construction management and supervisory fees. Notwithstanding anything to the contrary contained herein, the total Costs of Developer Improvements that may be used to reimburse the Developer shall be limited to a total reimbursement of $1,600,000.00 (the "**Maximum Principal Reimbursement**"), as shown on the Cost Budget attached hereto as Exhibit D. No more than 7% of the Maximum Principal Reimbursement may be reimbursement for (i) review and inspection fees incurred in connection with the construction of the Developer Public Improvements; (ii) professional fees, including Negotiation Costs; and (iii) manager, construction management and supervisory fees. The City and the Developer agree that the reimbursement pursuant to this Section 1(G) is offered by the City to the Developer in consideration of the Developer's investment in the Developer Public Improvements. All Developer Public Improvements completed after calendar year 2029 and all expenses submitted after calendar year 2031 will not be eligible Costs of Developer Public Improvements for reimbursement unless otherwise subsequently agreed to in writing by the City and the Developer.

H. Certified Statements. From time to time after the Developer substantially completes portions of the Developer Public Improvements, substantial completion meaning the dedication and acceptance of such portions to the City in accordance with Section 1(A) above, the Developer shall provide a certified statement to the City setting forth and providing reasonable evidence concerning Costs of Developer Public Improvements substantially in the form attached hereto as Exhibit C and incorporated herein by this reference (each a "**Certified Statement**", and collectively, the "**Certified Statements**"). At least twice each year, subsequent to submission of the first Certified Statement by the Developer and contingent upon (i) the City's prior review and approval of the cost budget for each portion of the Developer Public Improvements for which reimbursement is requested, and (ii) the City having received funds in the TIF Fund, subject to the Maximum Principal Reimbursement, the City shall pay to Developer, within 30 business days following the City's receipt of a Certified Statement, the lesser of (i) the

Costs of Developer Public Improvements, or part of the Costs of Developer Public Improvements, as shown in the Certified Statements, or (ii) the funds available pursuant to Section 6 of this Agreement for payment of Costs of Developer Public Improvements at that time in the TIF Fund. The City and the Developer agree that all Service Payments received into the TIF Fund shall be paid in the order of priority set forth in Section 6 of this Agreement.

I. Insufficient Funds. Should insufficient funds available pursuant to Section 6 of this Agreement to pay the Costs of Developer Public Improvements exist in the TIF Fund at the time of the City's approval of a Certified Statement to reimburse the Developer for the Costs of Developer Public Improvements, then the City shall maintain a record of such unpaid amounts, and the City shall pay to Developer such amounts plus Interest (as defined below), if any, within 30 business days after such funds exist in the TIF Fund, provided that such payment shall not exceed the available balance in the TIF Fund. The City shall submit an accounting or record of all amounts paid to Developer out of the TIF Fund along with each payment to Developer, including payments made by the City within 30 business days of the receipt of a Certified Statement and payments made by the City within 30 business days of funds being deposited into the TIF Fund with respect to any unpaid amounts, but subject to the limitations described in this Section 1(I).

J. Interest. Interest begins accruing on a portion of the Costs of Developer Public Improvements on the date 60 business days after the City approves a Certified Statement (as defined below) (any such interest accrued, "**Interest**"). Interest shall only accrue on the principal of the Costs of Developer Public Improvements, and under no circumstances shall Interest accrue on Interest. For purposes of this Agreement, the interest rate shall be fixed at 3% per annum. Interest shall be calculated monthly on the basis of a 360-day year consisting of twelve 30-day months. Interest shall not count towards the Maximum Principal Reimbursement, but it shall be subject to its own separate maximum whereby the total Interest accrued hereunder shall not exceed $1,000,000 in the aggregate (the "**Maximum Interest Reimbursement**").

Section 2. TIF Exemption and Related Agreements.

A. In connection with the construction of the Developer Public Improvements by the Developer, the City, in accordance with the TIF Resolution, will grant, among other things, with respect to the Improvement, a 100% exemption from real property taxation, commencing with respect to each of the Parcels, on the first day of the first tax year following the adoption of the TIF Resolution in which the Improvement attributable to that Parcel would have first appeared on the tax list and duplicate of real and public utility property had the exemption not been provided under the TIF Resolution, and ending for each Parcel thirty (30) years after such date.

B. The City shall file or cause to be filed a completed application for an exemption from real property taxation (DTE Form 24 or its successor form) with the Knox County Auditor (the "**County Auditor**") for the Improvement to each Parcel. The City and the Developer agree to cooperate with each other for this purpose, and to cooperate with the County Auditor, the Ohio Department of Taxation, and other public officials and governmental agencies in the performance by the public officials and governmental agencies of their duties in connection with the TIF Resolution and this Agreement including, without limitation, by executing Ohio DTE Form 23N and such other documents as may be appropriate should the Project Area cease to qualify for real property tax exemption. The Developer and the City agree that this paragraph and this Agreement do not constitute consent by an owner to the filing by the City of an application for exemption within the meaning of R.C. 5709.911(B). The Developer and its successors and assigns agree that no ownership interest of the Project Area shall be converted to a condominium for residential purposes during the period of real property tax exemption described in this Agreement.

C. The City shall perform such acts as are reasonably necessary or appropriate to effect, claim, reserve and maintain the exemptions from real property taxation granted under the TIF Resolution and this Agreement, including, without limitation, joining in the execution of all documentation and providing any necessary certificates required in connection with such exemptions.

Section 3. Service Payments. As provided in R.C. 5709.42, the Owners are required under this Agreement and under the TIF Resolution to make annual service payments in lieu of taxes to the County Treasurer on or before the final dates for payment of real property taxes. Each such payment (including any interest and penalties) shall be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and payable against the Improvement if it were not exempt from real property taxation. Any late payments shall be subject to penalty and bear interest at the then-current rates established under R.C. 323.121 and R.C. 5703.47, as may be amended from time to time, or any successor provisions, as the same may be amended from time to time. No Owner shall, under any circumstances, be required with respect to any tax year both to pay Service Payments with respect to an Improvement and to reimburse local taxing authorities for the amount of real property taxes that would have been payable had the Improvement not been exempted from taxation pursuant to the TIF Resolution.

Section 4. School District Payments. Under the TIF Resolution and in accordance with R.C. 5709.43, the County Treasurer is requested to distribute a portion of the Service Payments to each of the School Districts, each in an amount equal to the real property tax payments that the School Districts would have received with respect to the Improvement had the Improvement not been exempted from real property taxation under the TIF Resolution.

Section 5. Municipal Public Improvement Tax Increment Equivalent Fund. Under the TIF Resolution, the City shall establish the TIF Fund as a municipal public improvement tax increment equivalent fund under R.C. 5709.43. The TIF Fund shall be maintained in the custody of the City. The TIF Fund shall receive all Service Payments distributed by the County Treasurer to the City pursuant to R.C. 5709.43 from Improvements to the Parcels.

The TIF Fund shall remain in existence so long as Service Payments are collected and used for the purposes described in this Agreement and the TIF Resolution. Then the TIF Fund shall be dissolved in accordance with R.C. 5709.43. Further, except as otherwise provided in this

Agreement or the TIF Resolution, moneys deposited in the TIF Fund shall be used as described in Section 6 of this Agreement.

Section 6. Use of Service Payments Deposited Into the TIF Fund.

A. The City agrees that the Service Payments deposited into the TIF Fund (being the net Service Payments after the County Treasurer's required payments to the School Districts) shall be used exclusively as described by this Section.

B. The Service Payments deposited into the TIF Fund shall be used on a semi-annual basis for the following purposes, in the following order of priority:

FIRST, the Service Payments shall be used to reimburse the City for the City Costs;

SECOND, until the Developer is paid in full for the Costs of Developer Public Improvements, up to the Maximum Principal Reimbursement, including, (a) cash paid; (b) review and inspection fees incurred in connection with the construction of the Developer Public Improvements; (c) financing costs; (d) professional fees; and (e) construction management and supervisory fees, 100% of the available Service Payments shall be used to pay the Developer for the Costs of Developer Public Improvements in accordance with Section 1, together with Interest thereon up to the Maximum Interest Reimbursement, until all such Costs of Developer Public Improvements have been paid in full, subject to the Maximum Principal Reimbursement; and

THIRD, after the Developer is paid 100% of the available Service Payments for the Cost of Developer Public Improvements up to the Maximum Principal Reimbursement and for Interest up to the Maximum Interest Reimbursement, the City shall use any incidental surplus remaining in the TIF Fund as provided by law.

C. **NOTWITHSTANDING ANY OTHER PROVISION OF THIS AGREEMENT, THE CITY'S PAYMENT OBLIGATIONS UNDER THIS AGREEMENT SHALL BE LIMITED TO THE MONIES ACTUALLY ON DEPOSIT OR PAYABLE TO THE TIF FUND, AND DO NOT CONSTITUTE A GENERAL OBLIGATION OR INDEBTEDNESS OF THE CITY WITHIN THE PROVISIONS AND LIMITATIONS OF THE LAWS AND THE CONSTITUTION OF THE STATE OF OHIO. THE DEVELOPER DOES NOT HAVE THE RIGHT TO HAVE TAXES OR EXCISES LEVIED BY THE CITY FOR THE PAYMENT OF THE COSTS OF DEVELOPER PUBLIC IMPROVEMENTS.**

Section 7. Release. Upon satisfaction of the Developer's obligations under this Agreement and expiration of the periods of exemption under the TIF Resolution, or other termination of the obligations of the Owners to make the Service Payments, the City shall, upon the request of the Developer, execute an instrument in recordable form evidencing such satisfaction or termination.

Section 8. Estoppel Certificate. Upon request of the Developer, the City shall execute and deliver to the Developer or any proposed purchaser, mortgagee or lessee of any Parcel, a certificate stating: (a) that the Agreement is in full force and effect, if the same is true; (b) that the Developer is not in default under any of the terms, covenants or conditions of the Agreement, or, if the Developer is in default, specifying same; and (c) such other matters as the Developer reasonably requests; provided, however, that the City shall not be obligated to execute and deliver any such certificate if the Developer has failed to perform any of its obligations under this Agreement.

Section 9. Representations of the Parties. The Developer hereby represents that it has full power and authority to enter into this Agreement and carry out its terms and the persons whose names appear on this Agreement are duly authorized and empowered to make and execute this Agreement on behalf of the Developer. The City hereby represents that (i) the TIF Resolution was passed by the City Council on September 9, 2024, and remains in full force and effect; (ii) this Agreement is authorized by the TIF Resolution; (iii) the City has full power and authority to enter into this Agreement, to carry out its terms and to perform its obligations under this Agreement and under the TIF Resolution; (iv) the persons whose names appear on this Agreement are duly authorized and empowered to make and execute this Agreement on behalf of the City; (v) the City will not amend, modify, or repeal the TIF Resolution in any way that would affect the amount of Service Payments payable to the City, except as required by law; and (vi) the City will not use or encumber any Service Payments other than as provided in the TIF Resolution and this Agreement.

Section 10. Remedies.

A. Events of Default. Any one or more of the following constitutes an "**Event of Default**" under this Agreement:

(i) The Developer or the City fails to perform or observe any material obligation punctually and as due under this Agreement, provided that if a Force Majeure (as such term is defined below) event causes the failure, the Developer or City may receive an additional period of time as is reasonably necessary to perform or observe the material obligation in light of the event if it notifies the other of the potential event and the extent of the delay promptly after becoming aware of the event;

(ii) The Developer or the City makes a representation or warranty in this Agreement that is materially false or misleading at the time it is made;

(iii) The Developer files a petition for the appointment of a receiver or a trustee with respect to it or any of its property;

(iv) The Developer makes a general assignment for the benefit of creditors;

(v) A court enters an order for relief pursuant to any Chapter of Title 11 of the U.S. Code, as the same may be amended from time to time, with the Developer as debtor; or;

(vi) The Developer files an insolvency proceeding with respect to itself or any proceeding with respect to itself for compromise, adjustment or other relief under the laws of any country or state relating to the relief of debtors.

As used in this Section, "**Force Majeure**" means any event that is not within the control of a party or its affiliates, employees, contractors, subcontractors or material suppliers that delays performance of any obligation under this Agreement including, but not limited to, the following acts: acts of God; fires; epidemics; pandemics; landslides; floods; strikes; lockouts or other industrial disturbances; acts of public enemies; acts or orders of any kind of any governmental authority; insurrections; riots; civil disturbances; arrests; explosions; breakage or malfunctions of or accidents to machinery, transmission pipes or canals; partial or entire failures of utilities; shortages of labor, materials, supplies or transportation; lightning, earthquakes, hurricanes, tornadoes, storms or droughts; periods of unusually inclement weather or excessive precipitation; or orders or restraints of any kind of the government of the United States or of the State (and in the case of a Force Majeure claim by a Developer, the City or any departments, agencies, political subdivisions or officials that are not in response to a violation of law or regulations).

B. General Right to Cure. In the event of any Event of Default in or breach of this Agreement, or any of its terms or conditions, by any party hereto, the defaulting party will, upon written notice from the other, proceed, as soon as reasonably possible, to cure or remedy such Event of Default or breach, and, in any event, within 30 calendar days after receipt of such notice. In the event such Event of Default or breach is of such nature that it cannot be cured or remedied within said 30 calendar-day period, then in such event the defaulting party will upon written notice from the other commence its actions to cure or remedy said breach within said 30 calendar-day period, and proceed diligently thereafter to cure or remedy said breach.

C. Remedies. If a defaulting party fails to cure any Event of Default pursuant to paragraph (B) of this Section, a party may institute such proceedings against the defaulting party as may be necessary or desirable in its opinion to cure and remedy such default or breach. Such remedies include, but are not limited to: (i) instituting proceedings to compel specific performance by the defaulting party, (ii) suspending or terminating the obligations of the non-defaulting party under this Agreement, provided the aggrieved party must provide 30 calendar days' notice of any termination to the defaulting party and provided further that the aggrieved party must rescind the termination notice and not terminate the Agreement if the defaulting party cures all Events of Default within a reasonable time thereafter, and (iii) any other rights and remedies available at law, in equity or otherwise to collect all amounts then becoming due or to enforce the performance of any obligation under this Agreement. The obligations of the City may be enforced to the extent permitted by law by mandamus or any suit or proceeding in law or equity.

Section 11. Agreement Binding on Parties; No Personal Liability; City Consents. All covenants, obligations, and agreements of the City and the Developer contained in this Agreement shall be effective to the extent authorized and permitted by applicable law. No such covenant, obligation, or agreement shall be deemed to be a covenant, obligation, or agreement of any present or future member, official, officer, agent, or employee of the City in other than their official capacity or of any individual person who is a partner, shareholder, director, member, manager, employee, officer, or agent of the Developer other than in their capacity as a partner, shareholder, director, member, manager, employee, officer, or agent, and neither the members of the City Council nor any City official executing this Agreement, or any individual person executing this Agreement on behalf of the Developer, shall be liable personally by reason of the covenants, obligations, or agreements of the City or the Developer contained in this Agreement. The City is a political subdivision of the State of Ohio and is entitled to all of the immunities and defenses provided by law.

Any consent of the City to be given under this Agreement may be given by the Authorized City Representative and shall be given in writing.

Section 12. Merger and Amendments. This Agreement supersedes any and all other agreements, either oral or in writing, between the City and the Developer with respect to the matters contained in this Agreement and contains all of the covenants, agreements, and other terms and conditions between the City and the Developer with respect to the same. No waivers, alterations, or modifications of this Agreement or any agreements in connection with this Agreement shall be valid unless in writing and duly executed by both the City and the Developer.

Section 13. Waivers. All waivers of the provisions of this Agreement must be in writing and signed by the City Mayor (together with any other officer from time to time designated in writing by the City Mayor, the "**Authorized City Representative**") and the Managing Member of the Developer (together with any other officer from time to time designated in writing by the Managing Member of the Developer, the "**Authorized Developer Representative**"). No consent or waiver, express or implied, by either party to or of any breach of any covenant, condition, or duty of the other party shall be construed as a consent or waiver to or of any other breach of the same or any other covenant, condition or duty to be observed by the other party.

Section 14. Notices. Except as otherwise specifically set forth in this Agreement, all notices, certificates, demands, requests, consents or approvals given, required or permitted to be given hereunder shall be in writing and shall be deemed sufficiently given if actually received or if hand-delivered or sent by recognized overnight delivery service or by certified mail, postage prepaid and return receipt requested, addressed to the other party at the address set forth in this Agreement, or to such other address as the recipient shall have previously notified the sender of in writing, and shall be deemed received upon actual receipt, unless sent by certified mail, in which event such notice shall be deemed to have been received when the return receipt is signed or refused. The parties, by notice given hereunder, may designate any further or different addresses to which subsequent notices, certificates, demands, requests, consents or approvals, or other communications shall be sent. The present notice addresses of the parties follow:

(a) To the Developer at: Residences at Founders Grove, LLC
821 S. Main Street

North Canton, Ohio 44720
Attention: Justin Logan

With a Copy to: Jamie Minor, Esq.
Winkhart Law Group, LLC
825 S. Main Street
North Canton, Ohio 44720

(b) To the City at: City of Mount Vernon, Ohio
5 North Gay Street, Suite 222
Mount Vernon, Ohio 43050
Attention: Director of Law

With a Copy to: J. Caleb Bell
Bricker Graydon Wyatt LLP
100 South Third Street
Columbus, Ohio 43214

Section 15. Counterparts. This Agreement may be signed in one or more counterparts or duplicate signature pages with the same force and effect as if all required signatures were contained in a single original instrument. Any one or more of such counterparts or duplicate signature pages may be removed from any one or more original copies of this Agreement and annexed to other counterparts or duplicate signature pages to form a completely executed original instrument.

Section 16. Severability and Cooperation Clause. In the event that any portions, sections or subsections of this Agreement are rendered invalid by the decision of any court or by the enactment of any law, resolution or regulation, such provision of this Agreement will be deemed to have never been included therein and the balance of the Agreement shall continue in full force and effect. If the terms of this Agreement, or any amendment or amendments to any provision of the City's laws are required to be enacted or amended as a consequence of this Agreement, are challenged by either referendum or administrative appeal to the courts or such other legal or equitable remedies sought by those who may oppose this Agreement, the parties agree to cooperate with each other to uphold the validity and enforceability of this Agreement, because the parties recognize that it is within the discretion of the City under the laws and Constitution of the State of Ohio to provide for agreements between landowners and municipalities to further what is in the best interest of the public health, safety and welfare of a municipality and the other rights of private property there under. This cooperation clause only pertains to the decisions of City Council relating to this Agreement, and this cooperation clause cannot be used to attempt to force the City Council to override other legislative or administrative decisions relating to the Development.

Section 17. Relationship of Parties. Nothing contained in this Agreement shall be deemed or construed, either by the parties to this Agreement or by any third party, to create the relationship of principal and agent or to create any partnership, joint venture or other association between Developer and the City.

Section 18. Captions. The captions and headings in this Agreement are for convenience only and in no way define, limit or describe the scope or intent of any provisions or sections of this Agreement.

Section 19. City's Right to Access Records. The Developer agrees to maintain records pertaining to this Agreement in compliance with R.C. 149.43 (the "**Public Records Law**"). Notwithstanding anything to the contrary contained in this Agreement or within any other document supplied to the City by the Developer, the Developer understands and acknowledges that the City is a governmental entity subject to the laws of the State of Ohio and that this Agreement, and any reports, data or other information supplied to the City by the Developer relating to the Agreement or the Development, may be subject to disclosure as a public record in accordance with the laws of the State of Ohio, including the Public Records Law. In the event of a public record request made to the City pursuant to and in accordance with the Public Records Law, the Developer agrees to cooperate with the City so the City can comply with any such public record request.

Section 20. Governing Law and Choice of Forum. This Agreement shall be governed exclusively by and construed in accordance with the laws of the State of Ohio, without regard to its conflict of law provisions that would cause the application of the laws of another jurisdiction. Each of the City and the Developer irrevocably consents to the jurisdiction of any state court located within City of Mount Vernon, Ohio in connection with any matter based upon or arising out of this Agreement, agrees that process may be served upon them in any manner authorized by the laws of the State of Ohio, and waived and covenants not to assert or plead any objection which they might otherwise have under such jurisdiction or such process.

Section 21. Assignments. This Agreement shall be binding upon and inure to the benefit of the Developer and its beneficiaries, successors and assigns, including successive as well as immediate successors and assigns, and shall be binding upon and inure to the benefit of the City, and its successors and assigns. Except as otherwise provided in this Section, the Developer agrees not to assign this Agreement without the prior written consent of the City, which consent shall not be unreasonably withheld (and shall not, in any event, be withheld to stop or delay development consistent with zoning already in effect). Notwithstanding any provisions to the contrary in this Agreement and without the consent of the City: (i) the Developer may assign its interest in this Agreement to an entity controlled by or under common control with the Developer; (ii) the Developer, in a written instrument signed by the Developer and approved by the City, may designate an authorized designee to receive all or any portion of the Service Payments payable to the Developer pursuant to this Agreement, upon which designation such designee shall receive the portion of Service Payments specified by the Developer as if it was the Developer under this Agreement; and (iii) the Developer, as security for the payment of all or any portion of the Service Payments payable to the Developer pursuant to this Agreement to a designee, may collaterally assign its right, title, and interest in and to this Agreement.

Section 22. Further Actions. The City and the Developer agree to execute such additional documents and take such further actions as may reasonably be required to carry out the provisions and intent of this Agreement.

Section 23. Language. The language in all parts of this Agreement shall in all cases be construed as a whole according to its fair meaning and not strictly for nor against either the City or the Developer. Section headings in this Agreement are for convenience only and are not to be constructed as part of this Agreement or in any way defining, limiting or amplifying the provisions of this Agreement.

Section 24. Litigation Notice; Management. The Developer shall give the City prompt notice of any action, suit or proceeding by or against the Developer, at law or in equity, or before any governmental instrumentality or agency, of which the Developer has notice, which, if adversely determined, would materially impair the right or ability of the Developer to implement, operate, maintain and develop the Development or would materially and adversely affect any of its business, operations, properties, assets or condition (financial or otherwise) together with a written statement setting forth the details and any actions taken or proposed to be taken by Developer in response.

Section 25. Term. The City and the Developer agree that except as expressly set forth in this Agreement, following the payment of all Service Payments due pursuant to the TIF Resolution and this Agreement, this Agreement, and all obligations of the parties under this Agreement (except as otherwise set forth in this Agreement) shall terminate and be of no further force or effect.

[Remainder of the Page Intentionally Left Blank]

As evidence of their intent to be bound by this Agreement, the authorized representatives of each of the City and the Developer have executed this Agreement for and on behalf of the City and the Developer as of the date first set forth above.

CITY OF MOUNT VERNON, OHIO,
as City

By: ______________________________

Name: Matthew T. Starr

Title: Mayor

Approved as to Form:

By: ______________________________

Name: P. Robert Broeren, Jr.

Title: Law Director

RESIDENCES AT FOUNDERS GROVE, LLC,
as Developer

By: ______________________________

Name: ______________________________

Title: ______________________________

EXHIBIT A

PROJECT AREA

The Project Area, as described and depicted in the TIF Resolution and including Knox City Auditor parcel identification number 71-00050.000, is within the blue boundary lines in the map below:

EXHIBIT B

DEVELOPER PUBLIC IMPROVEMENTS

The Developer Public Improvements consist generally of acquiring and constructing the infrastructure described below:

- Water and sewer lines

The Developer Public Improvements specifically include the costs of financing the Developer Public Improvements, including the items of "costs of permanent improvements" set forth in R.C. 133.15(B), and incurred with respect to the Developer Public Improvements, which "costs" specifically include any reimbursement payments for the reimbursement of the costs of the Developer Public Improvements and the debt service on, and other expenses relating to the issuance of, any bonds, notes, or other obligations issued to finance the Developer Public Improvements.

The City Council, in the TIF Resolution, have determined that all of the Developer Public Improvements described above are "public infrastructure improvements" (as defined in R.C. 5709.40(A)(8) and are intended to directly benefit the parcels of the Project Area).

EXHIBIT C

FORM OF CERTIFIED STATEMENT

To: City of Mount Vernon, Ohio

Attention: Mayor; City Auditor

Subject: Request for Reimbursement from the TIF Fund for Developer Public Improvements pursuant to the terms of the Tax Increment Financing and Development Agreement dated ____________, 2026 (the "**Agreement**"), by and between City of Mount Vernon, Ohio, and Residences at Founders Grove, LLC (the "**Developer**").

You are hereby requested to approve the amount of $____________ as Costs for the purposes set forth in Item I attached hereto. Unless otherwise defined herein, all capitalized terms set forth but not defined in this Certified Statement have the respective meanings assigned to them in the Agreement.

The undersigned authorized representative of the Developer does hereby certify on behalf of the Developer that:

(i) I have read the Agreement and definitions relating thereto and have reviewed appropriate records and documents relating to the matters covered by this Certified Statement;

(ii) The disbursement herein requested is for an obligation properly incurred, is a proper charge as a cost of the Developer Public Improvements (as defined in the Agreement), and has not been the basis of any previous reimbursement request;

(iii) The Developer is in material compliance with all provisions and requirements of the Agreement, including without limitation Section 1(C);

(iv) The reimbursement requested hereby does not include any amount which is being retained under any holdbacks or retainages provided for in any applicable agreement;

(v) The Developer has, or the appropriate parties on the Developer's behalf has, asserted its entitlement to all available manufacturer's warranties to date upon acquisition of possession of or title to the Developer Public Improvements or any part thereof which warranties have vested in the Developer;

(vi) The Developer is not aware of any mechanic's or materialman's liens (excluding those for which a bond or other form of security has been posted) from any contractors, subcontractors and suppliers (which would not include sellers of machinery and equipment) who have provided services or materials for the Public Infrastructure Improvements for which reimbursement is requested pursuant to this Certified Statement.

(vii) The Developer has obtained lien releases from any contractors, subcontractors and suppliers who have provided services or materials for the Developer Public Improvements for which reimbursement is requested pursuant to this Certified Statement.

EXECUTED this ____ day of ____________, 20__.

____

By:____

Printed:____________________________________

Title: ______________________________________

APPROVED this _____ day of 20___:

____
City Auditor
City of Mount Vernon, Ohio

____
Mayor
City of Mount Vernon, Ohio

ITEM I

Requisition No. ___________ for Developer Public Improvements

Pay to __________________

Amount $__________

For Account of:
Account Number:
Wiring Instructions:

For the purpose of reimbursing the following payments previously paid by the Developer for the Developer Public Improvements:

Name of Vendor	Service Rendered	Time Period	Cost of Service Rendered
1.			
2.			

EXHIBIT D

COST BUDGET

[*See Attached*]

EXHIBIT E

PREVAILING WAGE RATE ESTIMATES

[*See Attached*]

Ordinance 2026-24

APPROVING THE APPLICATION TO ADD CERTAIN REAL PROPERTY TO THE MOUNT VERNON NEW COMMUNITY AUTHORITY DISTRICT AND TO AMEND THE PETITION FOR ESTABLISHMENT OF THE MOUNT VERNON NEW COMMUNITY AUTHORITY AS A NEW COMMUNITY AUTHORITY UNDER CHAPTER 349 OF THE OHIO REVISED CODE; AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ohio Revised Code ("R.C.") Chapter 349, the City of Mount Vernon, Ohio, as statutory developer within the meaning of R.C. Section 349.01(E) (the "Developer"), together with Arista Villas Mount Vernon LLC (the "Property Owner"), as owner of the Additional Property (Arista Villas Development Site) as described in that certain application (the "Application") filed on June3, 2026 with the City Council of the City of Mount Vernon, Ohio (the "Council") to add real property to the territory comprising the Mount Vernon New Community Authority District (the "District"), and to amend the petition (the "Petition") as originally filed with the Clerk of Council of the City for the establishment of the Mount Vernon New Community Authority; and

WHEREAS, this Council is the "organizational board of commissioners," as that term is defined in R.C. Section 349.01(F), for the Authority; and

WHEREAS, this Council determined that the Application complies with the requirements of R.C. Section 349.03 as to form and substance by its Ordinance No. 2026-___, adopted on __________ ___, 2026; and

WHEREAS, on __________ ___, 2026 and pursuant to R.C. Section 349.03(A), this Council held a public hearing on the Application after public notice was duly published in accordance with R.C. Section 349.03.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Mount Vernon that:

<u>SECTION 1:</u> Council finds and determines that the addition of property to the District, as described in the Application, will be conducive to the public health, safety, convenience, and welfare, and is intended to result in the continued development of a new community as defined in R.C. Section 349.01(A).

<u>SECTION 2:</u> The Application is hereby accepted by this Ordinance and shall be recorded, along with this Ordinance, in the journal of Council, as the organizational board of commissioners.

SECTION 4: The existing boundary of the District shall be amended to include the territory set forth in Exhibit A attached to this Ordinance.

SECTION 5: Council finds and determines that all formal actions of Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that result in those formal actions were in meetings open to the public in compliance with the law.

SECTION 6: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason to allow the expansion of the City's New Community Authority to aid the construction of infrastructure for new development without delay, and said Ordinance shall, therefore, become effective upon its date of passage and approval by the Mayor, provided that it receives the affirmative vote of two-thirds (2/3) of the members elected to this Council; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

____
Bruce E. Hawkins, President of Council

PASSED: ____________________, 2026

ATTEST: _______________________________
Zachary Sherman, Clerk of Council

APPROVED: _________________, 2026

____
Matthew T. Starr, Mayor

Ordinance 2026-24

APPROVING THE APPLICATION TO ADD CERTAIN REAL PROPERTY TO THE MOUNT VERNON NEW COMMUNITY AUTHORITY DISTRICT AND TO AMEND THE PETITION FOR ESTABLISHMENT OF THE MOUNT VERNON NEW COMMUNITY AUTHORITY AS A NEW COMMUNITY AUTHORITY UNDER CHAPTER 349 OF THE OHIO REVISED CODE; AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ohio Revised Code ("R.C.") Chapter 349, the City of Mount Vernon, Ohio, as statutory developer within the meaning of R.C. Section 349.01(E) (the "Developer"), together with Arista Villas Mount Vernon LLC (the "Property Owner"), as owner of the Additional Property (Arista Villas Development Site) as described in that certain application (the "Application") filed on June3, 2026 with the City Council of the City of Mount Vernon, Ohio (the "Council") to add real property to the territory comprising the Mount Vernon New Community Authority District (the "District"), and to amend the petition (the "Petition") as originally filed with the Clerk of Council of the City for the establishment of the Mount Vernon New Community Authority; and

WHEREAS, this Council is the "organizational board of commissioners," as that term is defined in R.C. Section 349.01(F), for the Authority; and

WHEREAS, this Council determined that the Application complies with the requirements of R.C. Section 349.03 as to form and substance by its Ordinance No. 2026-22, adopted on June 22, 2026; and

WHEREAS, on July 27, 2026 and pursuant to R.C. Section 349.03(A), this Council held a public hearing on the Application after public notice was duly published in accordance with R.C. Section 349.03.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Mount Vernon that:

SECTION 1: Council finds and determines that the addition of property to the District, as described in the Application, will be conducive to the public health, safety, convenience, and welfare, and is intended to result in the continued development of a new community as defined in R.C. Section 349.01(A).

SECTION 2: The Application is hereby accepted by this Ordinance and shall be recorded, along with this Ordinance, in the journal of Council, as the organizational board of commissioners.

SECTION 4: The existing boundary of the District shall be amended to include the territory set forth in Exhibit A attached to this Ordinance.

SECTION 5: Council finds and determines that all formal actions of Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that result in those formal actions were in meetings open to the public in compliance with the law.

SECTION 6: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason to allow the expansion of the City's New Community Authority to aid the construction of infrastructure for new development without delay, and said Ordinance shall, therefore, become effective upon its date of passage and approval by the Mayor, provided that it receives the affirmative vote of two-thirds (2/3) of the members elected to this Council; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

____
Bruce E. Hawkins, President of Council

PASSED: ____________________, 2026

ATTEST: ______________________________
Zachary Sherman, Clerk of Council

APPROVED: __________________, 2026

____
Matthew T. Starr, Mayor

BEFORE THE CITY COUNCIL
OF THE CITY OF MOUNT VERNON, OHIO

APPLICATION TO ADD PROPERTY TO THE MOUNT VERNON NEW COMMUNITY AUTHORITY DISTRICT AND TO AMEND THE PETITION FOR ESTABLISHMENT OF THE MOUNT VERNON NEW COMMUNITY AUTHORITY AS A NEW COMMUNITY AUTHORITY UNDER CHAPTER 349 OF THE OHIO REVISED CODE

Submitted by:

CITY OF MOUNT VERNON, OHIO

As the Developer

BEFORE THE CITY COUNCIL
OF THE CITY OF MOUNT VERNON, OHIO

APPLICATION TO ADD PROPERTY TO THE MOUNT VERNON NEW COMMUNITY AUTHORITY DISTRICT AND TO AMEND THE PETITION FOR ESTABLISHMENT OF THE MOUNT VERNON NEW COMMUNITY AUTHORITY AS A NEW COMMUNITY AUTHORITY UNDER CHAPTER 349 OF THE OHIO REVISED CODE

The undersigned, City of Mount Vernon, Ohio (the "Developer"), is a municipal corporation under the Constitution and laws of the State of Ohio (the "State") and is the "developer" within the meaning of Ohio Revised Code Section 349.01 for the Mount Vernon New Community Authority (the "Authority"), a new community authority established under and operating pursuant to Ohio Revised Code Chapter 349 (the "Act").

On June 12, 2023, the City Council (the "Council") of the City of Mount Vernon, Ohio (the "City") received a petition (the "Original Petition") filed by the Developer under the Act to create the Authority. The Council approved the Original Petition pursuant to its Ordinance 2023-30 dated June 26, 2023 and approved the creation of the Authority on August 14, 2023 pursuant to its Ordinance 2023-31.

Pursuant to this application (the "Application") and Ohio Revised Code Section 349.03(B), the Developer hereby applies to add property to the territory of the Mount Vernon New Community Authority District (as constituted as of the date of this application, the "Original District," and as altered by the approval of this application, the "District"), and to amend the Original Petition (the Original Petition as amended by approval of this Application, as may be supplemented or amended by subsequent petitions or applications to add property from time to time, the "Petition").

Arista Villas Mount Vernon LLC, an Ohio limited liability company (the "Property Owner"), is the owner of real property to be added to the District by this application (the "Application").

Pursuant to that certain New Community Authority Expansion Application Development Program Plan Narrative submitted to the Authority by the Property Owner in January, 2026 (the "Property Owner Request"), the Property Owner has expressed its desire that the Authority add such real property to the District.

As authorized by Ohio Revised Code Section 349.03, and in response to the Property Owner Request, the Developer now seeks approval from the Council to add certain real property described below to the District and to amend the Original Petition as necessary to accomplish the same, all pursuant to this Application. Exhibit A attached hereto is a map showing the Original District as well as the real property that the Developer now seeks to add to the District. To that end, with respect to the real property at issue in this Application, the Developer hereby applies as follows:

1. Additional Property (Arista Villas Development Site). The Developer, with the consent of the Property Owner, seeks the addition to the District of certain real property consisting of approximately 39.916 acres in the City (the "Additional Property (Arista Villas Development Site)"), which Additional Property (Arista Villas Development Site) is identified in the records of the Knox County Auditor at the time of this Application with parcel number 66-07961.000. The Additional Property (Arista Villas Development Site) is situated in the City with Vernonview Drive running along its Western boundary, as described more particularly in the legal descriptions attached hereto as Exhibit B and as depicted in the map attached hereto as Exhibit C, which identifies the location of the Additional Property (Arista Villas Development Site) and outline the initial plan of development for the Additional Property (Arista Villas Development Site). The Additional Property (Arista Villas Development Site) is owned by or is under the control of the Property Owner, Arista Villas Mount Vernon LLC. The Developer hereby confirms that the addition of the Additional Property (Arista Villas Development Site) will be conducive to the public health, safety, and convenience and welfare, will be consistent with the development of the District, and will further the plan of development for the District.

2. Zoning. The Additional Property (Arista Villas Development Site) is zoned as a Single-Family Residential District (abbreviated "R-1") pursuant to Section 1104.01(a)(1) of the City's Codified Ordinances, which designation encourages the creation and preservation of moderate-density single-family residential neighborhoods and limits the establishment of non-residential uses to those that are compatible with the intended neighborhood character, all as described more particularly in Section 1105.01(a)(7)(B) and related provisions of the City's Codified Ordinances. The designation will foster the necessary comprehensive development of the Additional Property (Arista Villas Development Site) and the District as one functionally-interrelated single-family residential community. The City of Mount Vernon, Ohio, Zoning Ordinance, as amended, appears as Exhibit D hereto.

3. Development Program. The development of the Additional Property (Arista Villas Development Site) will consist of approximately 100 single-family houses and appurtenances thereto. Consistent with the overall plan for the District, the Developer will provide for the District certain improvements constituting "community facilities" under the Act, including certain Community Facilities (as defined herein) in support of the Additional Property (Arista Villas Development Site). The Property Owner will agree with the Authority to construct certain Community Facilities in support of the Additional Property (Arista Villas Development Site). Exhibits E and F hereto provide additional details regarding the development program and anticipated improvements to the Additional Property (Arista Villas Development Site).

4. Community Development Charge. The Developer proposes, through the levy and collection of a community development charge (the "Community Development Charge" or the "Charge") that will be paid by owners of real property within the Additional Property (Arista Villas Development Site) pursuant to Ohio Revised Code Section 349.07, to (i) cause the Authority to pay or reimburse certain costs of the Community Facilities, and/or (ii) cause the Authority or another governmental issuer of bonds to issue revenue bonds to

finance certain costs of the Community Facilities and to secure said revenue bonds. The Charge shall not exceed 10 mills of assessed valuation with respect to any portion of the Additional Property (Arista Villas Development Site) without the consent of the Authority, the City, and the Property Owner or any successor owner of such portion of the Additional Property (Arista Villas Development Site). Pursuant to the Declaration of Covenants and Restrictions for the Authority (the "Declaration"), the amount of the Community Development Charge collected pursuant to a resolution of the Board of Trustees of the Mount Vernon New Community Authority levying such Charge shall be allocated and applied as determined by the Authority with the approval of the City. The Authority, the City, and the Property Owner may enter into one or more cooperative agreements to cause the Authority to use the Charge for the purposes approved by the Authority and the City.

5. Economic Feasibility. The preliminary economic feasibility analysis for the District, including the area development pattern and demand, location and territory size, present and future socio-economic conditions, public services provision, financial plan, and the Developer's management capability, were attached to the Original Petition as Exhibit E (Development Program; demographic information; management capability) and Exhibit F (Financial Plan). The Statement of Economic Feasibility with respect to the Additional Property (Arista Villas Development Site) is attached as Exhibit G hereto.

6. Environmental Compliance. The Authority, the Developer, and the Property Owner shall comply with all applicable environmental laws and regulations with respect to the District. To the knowledge of the Developer and the Property Owner, the District does not include any conditions qualifying as a recognized environmental condition and no evidence of actual or potential releases of hazardous substances exists with the District. Property Owner shall comply with all applicable environmental laws and regulations. As evidenced of such anticipated compliance by the Developer and the Property Owner, a Phase I Environmental Site Assessment relating to the Additional Property (Arista Villas Development Site) has been shared with the Developer and is attached to this Application as Exhibit H.

7. Amendments to Petition. For purposes of this Application, the Petition is hereby amended to include the Additional Property (Arista Villas Development Site) within the District. The Additional Property (Arista Villas Development Site) will be made subject to the existing Declaration, and a Supplemental Declaration will be recorded by the Property Owner to implement the provisions of the Petition as amended by this Application, applicable to the Additional Property (Arista Villas Development Site).

8. Approvals. For the purposes of the establishment of the Authority as well as the expansion of the District, the City is the only municipality that can be defined as a "proximate city" as that term is defined in Ohio Revised Code Section 349.01(M).

9. Exhibits. Attached Exhibits A, B, C, D, E, F, G, and H are part of this Application, and the Original Petition and the exhibits thereto are incorporated herein as part of this Application.

10. Definitions. Words and terms not defined herein shall have the meanings given in Ohio Revised Code Section 349.01, unless context requires a different meaning.

The Developer consents to the addition of the Additional Property (Arista Villas Development Site) as provided by this Application and the amendment of the Petition as provided by this Application, and the Developer waives its right to object to the addition of such territory as provided in Ohio Revised Code Section 349.03(B). Therefore, the Developer hereby requests the Council, as the organizational board of commissioners under Ohio Revised Code Section 349.03, to determine that this Application complies as to form and substance with the requirements of Ohio Revised Code Section 349.03 and further requests that the Council fix the time and place of a hearing on this Application. Pursuant to Ohio Revised Code Section 349.03(A), that hearing must be held not less than thirty, nor more than forty-five days after the filing of this Application with the Clerk of the Council. This Application is filed with the Clerk of the Council this 22nd day of June, 2026.

The City by ordinance number 2026-___, adopted by the City Council of the City on __________, 2026 (a copy of which is attached hereto) approves the foregoing Application to add certain real property to the District of the Authority and has authorized the Mayor to sign this Application, and the Application is herewith signed as evidence of that approval. Pursuant to the Declaration, the community development charge with respect to any parcel within the District, including the Additional Property (Arista Villas Development Site) to be added to the District by means of the instant current Application, is chargeable and may be assessed by the Authority subject to the exceptions provided in the Declaration.

Respectfully submitted,

THE CITY OF MOUNT VERNON, OHIO, as Developer

By: ______________________________

Name: Matthew T. Starr

Title: Mayor

Approved as to form and correctness:

____
P. Robert Broeren, Jr., Director of Law

State of Ohio :
: ss
County of Knox :

The foregoing instrument was acknowledged before me this __ day of ___________, 2026 by Matthew T. Starr, the Mayor of the City of Mount Vernon, Ohio, an Ohio municipal corporation, on behalf of the City of Mount Vernon, Ohio.

____
Notary Public

My term expires:

____

This Instrument was prepared by:

J. Caleb Bell, Esq.
Bricker Graydon Wyatt LLP
100 South Third Street
Columbus, Ohio 43215
(614) 227-2300

The Property Owner consents to the addition of the Additional Property (Arista Villas Development Site) as provided by this Application and the amendment of the Petition as provided by this Application.

Arista Villas Mount Vernon LLC, as Property Owner

By: ____________________

Name: Clint Huhra

Title: Managing Member

State of ~~Ohio~~ @ Florida :
: ss
County of Sarasota :

The foregoing instrument was acknowledged before me this 20 day of May, 2026 by Clint Huhra of Arista Villas Mount Vernon LLC, an Ohio limited liability company, on behalf of the company, its Managing Member.

____
Notary Public

My term expires:
12/20/2026

CARA LANE
Notary Public - State of Florida
Commission # HH 339744
My Comm. Expires Dec 20, 2026

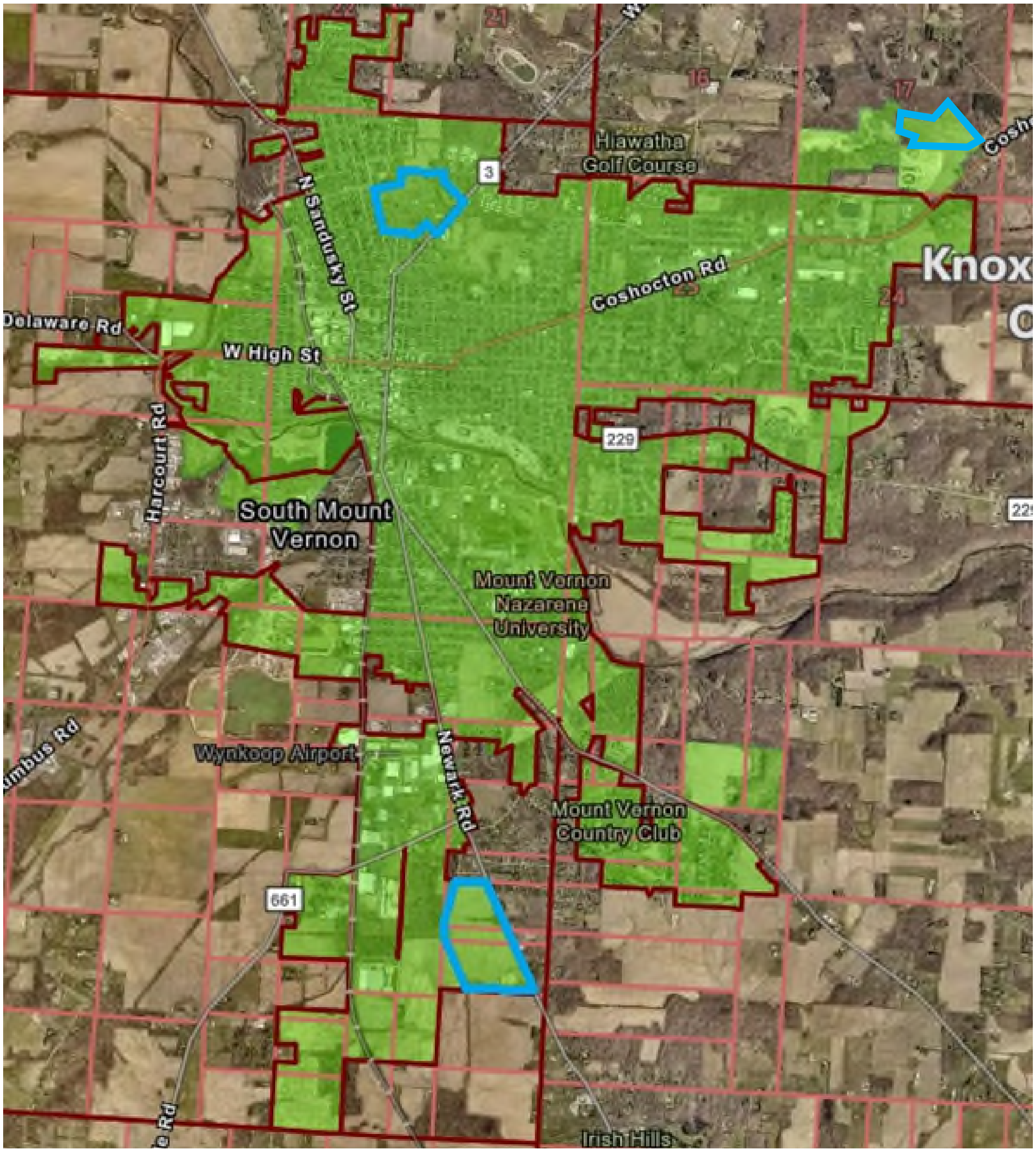
This Instrument was prepared by

J. Caleb Bell, Esq.
Bricker Graydon Wyatt LLP
100 South Third Street
Columbus, Ohio 43215
(614) 227-2300

EXHIBIT A

ORIGINAL DISTRICT

The Original District appears as the parcels outlined in blue below.



ADDITIONAL PROPERTY (ARISTA VILLAS DEVELOPMENT SITE)

The Additional Property (Arista Villas Development Site) appears as the parcel outlined in blue below. Vernonview Drive runs along the Western boundary of the Additional Property (Arista Villas Development Site).

EXHIBIT B

Legal Description

Situated in the State of Ohio, County of Knox, City of Mount Vernon, being part of the Northeast Quarter, Section 25, Quarter 3, Township 7 North, Range 12 West, of the US Military Lands, being a 39.916 acre tract conveyed to MCR Drake – Mount Vernon, LLC & Lenor R. Cochran of record in Official Record 1819, Page 782, also known as Parcel Number 66-07961.000, records refer to the County Recorder's Office, Knox County, Ohio and being more particularly described as follows:

Beginning at an iron pin found on the East right-of-way line of State Route 768 – Vernon View Drive (60 feet in width), a Northwest corner of Colonial Heights Additions NO. 1, a Northwest corner of Lot 1 of said Colonial Heights Additions, and a Southwest corner of said MCR Drake Tract;

Thence North 03° 09' 20" East, a distance of 340.75 feet with the East right-of-way line of said State Route 768 and a West line of said MRC Drake tract, to a point referenced by an iron pin found South 86° 59' 02" East, a distance of 4.37 feet;

Thence South 86° 59' 02" East, a distance of 224.58 feet with a North line of said MCR Drake tract and a South line of a tract conveyed to Randy Canterbuy and Cloyd McMannis of record in Official Record 1945, Page 501, to an iron pin found at a corner of said MCR Drake tract and a Southeast corner of said Canterbury and McMannis tract;

Thence North 58° 03' 35" East, a distance of 150.84 feet with a Northwest line of said MCR Drake tract, a Southeast line of said Caterbury and McMannis tract, and also a Southeast line of a tract conveyed to Michael A. and Carol R. Rednour of record in Official Record 1626, Page 907, passing an iron pin found at 87.27 feet, to an iron pin found at a Northwest corner of said MCR Drake tract and a corner of said Rednour tract;

Thence South 86° 59' 16" East, a distance of 541.97 feet with a North line of said MCR Drake tract, a South line of said Rednour Tract, a South line of a tract conveyed to Robert K. and Linda K. Beck of record in Official Record 1732, Page 903, and a South line of Cherry Hill Subdivision Lot 6 conveyed to John, Gregory, Mark, and David McMillan of record in Official Record 1887, Page 910, passing an iron pin found at 167.23 feet and passing an iron pipe found at 347.03 feet, to an iron in found at a corner of said MCR Drake tract and a Southeast corner of said Cherry Hill Subdivision Lot 6;

Thence North 03° 06' 37" East, a distance of 209.98 feet with a West line of said MCR Drake tract, and East line of said Cherry Hill Subdivision Lot 6, and the East Terminus of Woodside Drive (60 feet in width), to an iron pin found at a Northwest corner of said MCR Drake tract, the Northeast Terminus of said Woodside Drive, and a South line of a tract conveyed to David F. and Juliann M. McCoy of record in Official Record 845, Page 698, and also Official Record 1032, Page 557;

Thence South 86° 58' 51" East, a distance of 130.53 feet with a north line of said MCR Drake tract and a South line of said McCoy tract, to an iron pin found at a corner of said MCR Drake tract and a Southeast corner of said McCoy tract;

Thence North 03° 07' 41" East, a distance of 150.58 feet with a West line of said MCR Drake tract and an East line of said McCoy tract, to an iron pin found on the North line of the corporation limit, a South line of Monroe Township, the North line of said Northeast Quarter, a Northwest

corner of said MCR Drake tract, a Northeast corner of said McCoy tract, and a South line of a tract conveyed to Michael L. Kepple of record in Official Record 1579, Page 792;

Thence South 86° 47' 14" East, a distance of 1668.58 feet with the north line of said corporation limit, a South line of said Monroe Township, a North line of said Northeast Quarter, and a North line of said MCR Drake tract, to an iron pin found at a Northeast corner of said Northeast Quarter, a Northeast corner of said MCR Drake tract, a Southwest corner of a tract conveyed to Schlabach Builders, Ltd. of record in Official Record 1872, Page 725, and a Northwest corner of a tract conveyed to D and S Properties of Mount Vernon, LLC. of record in Official Record 1617, Page 135;

Thence South 03° 25' 42" West, a distance of 775.86 feet with the East line of said Northeast Quarter and an East line of said MCR Drake tract, to an iron pin set at a Southeast corner of said MCR Drake tract of record in Official Record 1579, Page 792 and a corner of a tract conveyed to Corisa Properties MTV, LLC. of record in Official Record 1657, Page 820;

Thence North 87° 05' 34" West, a distance of 696.27 feet with a South line of said MCR Drake tract and a North line of said Corissa Properties tract, to an iron pin found at a Northwest corner of said Corissa Properties tract and a Northeast corner of a tract conveyed to Levering Management, Inc. of record in Deed Volume 404, Page 425;

Thence North 87° 12' 01" West, a distance of 549.99 feet with a South line of said MCR Drake tract and a North line of said Levering Management tract, to an iron pipe found at a Northwest corner of said Levering Management tract and a Northeast corner of replat of Reserve "A" Colonial Heights Addition No. 1;

Thence North 87° 05' 43" West, a distance of 1438.92 feet with a South line of said MCR Drake tract, a North line of said replat of Reserve "A" Colonial Heights Addition, and also a North line of said Colonial Heights Addition, passing an iron pipe found at 235.91 feet and an iron pin found at 1008.92 feet, to the iron pin found at the point of beginning, containing 39.916 acres of land, more or less.

The above description was based on a survey prepared by Makeever and Associates, Inc. under the direct supervision of Isaac L. King, P.S. Professional Surveyor Number 8318, Dated December 2022, and is subject to all highways, easements, and restrictions of record.

All bearings shown herein are based upon the Ohio State Plane Coordinate System, North Zone, (NAD83 2011).

All iron pins set are 5/8" O.D. x 30" Long reinforcing rods with yellow plastic caps stamped "Makeever and Assoc." unless otherwise noted.

Prior Deed References: Official Record 1579, Page 792.

Parcel Number: 66-07961.000

<u>EXHIBIT C</u>

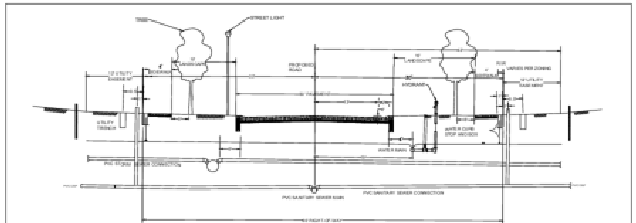
Map

The attached map shows the anticipated development of the Additional Property (Arista Villas Development Site).

[Attached]

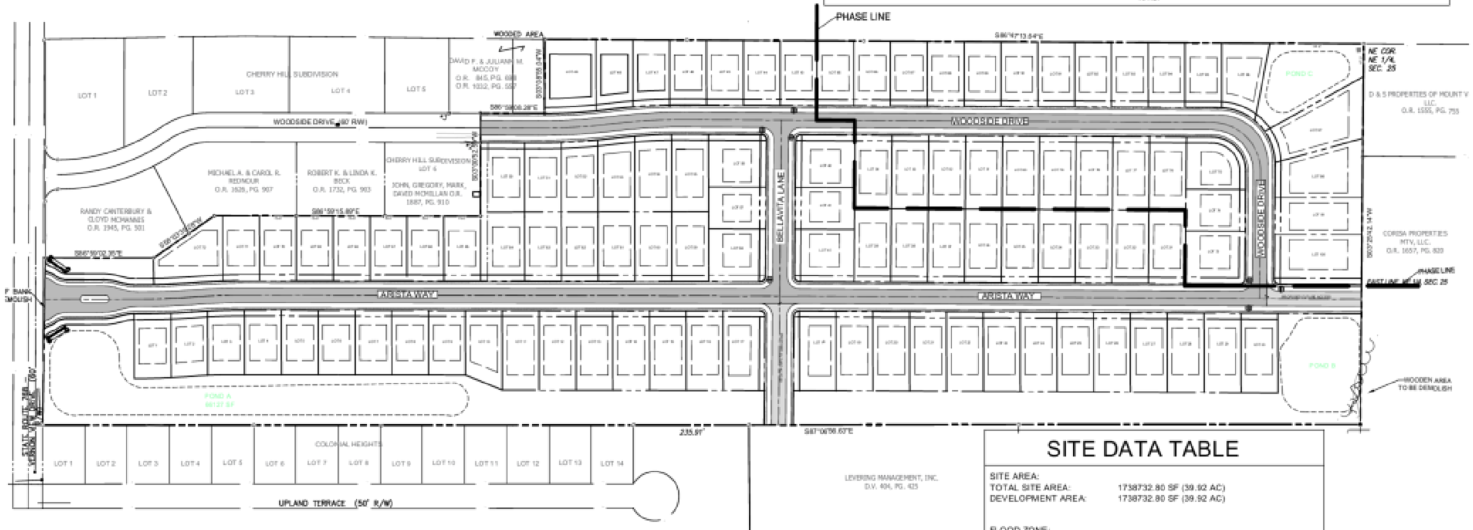
LEGENDS

PROPERTY LINE	
ROW LINE	
EASTMENT LINE	
BUILDING SET BACK	
TREE	
STANDARD DUTY ASPHALT	
CONCRETE SIDE WALK	



PROPOSED 60.00' ROW

N.T.S.



SITE DATA TABLE

SITE AREA:
TOTAL SITE AREA: 1738732.80 SF (39.92 AC)
DEVELOPMENT AREA: 1738732.80 SF (39.92 AC)

FLOOD ZONE:
ZONE X- FEMA MAP 39083C0189D REV. 07/07/2009

ZONING:
R-1

FUTURE LAND USE:
SINGLE FAMILY USE

EXISTING USE:
VACANT

PHASE 1- 72 UNITS
LOT 1 - LOT 72

PHASE 2- 28 UNITS
LOT 73- LOT 100

SINGLE- FAMILY LOT CRITERIA:
MINIMUM DEPTH: 120'
MINIMUM FRONTAL WIDTH: 75'
MINUMUM FRONTAL WIDTH FOR CURB : 40'
SETBACKS
FRONT 30'
REAR 30'
SIDE 10'
UTILITY EASEMENT 12'

ROAD RIGHT OF WAY 60'
PAVEMENT 30'
SIDE WALK 4'
LANDSCAPE 10'

CIVIL DESIGN GROUP

N

SCALE: 1 INCH = 100 FEET

DRAWING SCALE

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR THE ENGINEER PREPARING THESE PLANS. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES PRIOR TO COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

STATE OF OHIO

Preliminary

SIGNATURE DATE SIGNED

PROFESSIONAL STATE LIC. No.

REVISIONS

Date	Description	No.

CLIENT

ARISTA VILLAS MOUNT VERNON, LLC

PROJECT

ARISTA VILLAS

MOUNT VERNON VERNONVIEW DRIVE OHIO

SHEET TITLE

PRELIMINARY PLAT- OVERALL SITE PLAN

PROJECT NO. | SHEET NO.

DATE

Drawn By

Checked By

CP01

EXHIBIT D

The City of Mount Vernon, Ohio, Zoning Ordinance, As Amended

[Attached]

The Zoning Code of the City is omitted from this abbreviated copy of this Application

EXHIBIT E

Development Program

Proposed Location and Elements of the Development

The Additional Property (Arista Villas Development Site) is approximately 39.916 acres, with Vernonview Drive running along its Western boundary. All improvements will comply with requirements of the City of Mount Vernon, Ohio, Zoning Ordinance, as amended, with respect to properties zoned Single-Family Residential District (abbreviated "R-1") pursuant to Section 1104.01(a)(1) of the City's Codified Ordinances, which requirements are described in Exhibit D to the Application.

Community Facilities

The community facilities (the "Community Facilities") in support of the Additional Property (Arista Villas Development Site) include, but are not limited to, those Community Facilities approved by City Council in the Original Petition. Community Facilities shall include, but are not limited to: (i) "community facilities" as defined in the Act; (ii) "land acquisition" as defined in the Act; (iii) "land development" as defined in the Act; and (iv) all costs related to land acquisition and land development, the acquisition, construction, maintenance, and operation of community facilities and offices of the community authority, and of providing furnishings and equipment therefor, financing charges including interest prior to and during construction and for the duration of the new community development program, planning expenses, engineering expenses, administrative expenses including working capital, and all other expenses necessary and incident to the carrying forward of the new community development program.

Additional details regarding certain planned Community Facilities in support of the Additional Property (Arista Villas Development Site), which may include, but are not limited to, the public dedication of certain right-of-way access; sewer infrastructure; storm water pipes; storm water retention ponds; and other necessary water infrastructure, appear in Exhibit F to the Application. The Developer or a designated construction manager or other agent of the Authority, which may be the Property Owner, will construct the Community Facilities.

Proposed Traffic Circulation Pattern

The development of the Additional Property (Arista Villas Development Site) is located to the East of Vernonview Drive and north of Coschocton Road. There is one full access point proposed onto Vernonview Drive.

Plan of Finance

The Developer proposes to finance the Community Facilities through private equity, commercial loans, and potentially revenue bonds issued by the Authority.

Projected Population

The Petition is hereby amended to amend the projected total population of the District. The projected population of the District prior to this amendment was between 1,225 and 1,325 residents. The projected population of the Additional Property (Arista Villas Development Site) is 250 residents. Therefore, the total projected population of the District is between 1,475 and 1,575.

The foregoing development program for the Additional Property (Arista Villas Development Site) is in addition to, and consistent with, the Development Program identified in Exhibit C to the Original Petition.

EXHIBIT F

Additional Development Program Details

The attached development program for the Additional Property (Arista Villas Development Site) outlines certain planned Community Facilities, which may include, but are not limited to, public roadway, water, and sewer improvements.

[Attached]

ARISTA VILLAS - PRELIMINARY LAND DEVELOPMENT COST ESTI

Mount Vernon, Knox County, Ohio

100-Lot Residential Subdivision | 39.92 Acres | January 2026

PLANNING-LEVEL ESTIMATE - FOR BUDGETING PURPOSES ONLY

ITEM DESCRIPTION	QUANTITY	UNIT	UNIT COST
SITE PREPARATION			
Mobilization & General Conditions	1	LS	$75,000.00
Clearing & Grubbing (wooded areas)	5	AC	$6,000.00
Demolition of Existing Structures	1	LS	$15,000.00
Topsoil Stripping & Stockpiling	39.92	AC	$1,500.00
Erosion & Sediment Control	1	LS	$35,000.00
Construction Entrance	2	EA	$3,500.00
EARTHWORK & GRADING			
Mass Site Grading	100000	CY	$4.50
Fine Grading - Lots	100	LOT	$1,200.00
Fine Grading - ROW	6000	LF	$3.00
ROADWAY CONSTRUCTION			
Aggregate Base (6" depth)	6000	LF	$18.00
Asphalt Pavement (4" - 30' wide)	6000	LF	$85.00
Concrete Curb & Gutter	12000	LF	$32.00
Concrete Sidewalk (4' wide)	12000	LF	$26.00
ADA Ramps	40	EA	$1,800.00
Pavement Markings	1	LS	$8,500.00
Street Signs	25	EA	$450.00
Concrete Driveway Aprons	100	EA	$2,500.00
WATER DISTRIBUTION SYSTEM			
8" DIP Water Main	6500	LF	$65.00
Gate Valves (8")	30	EA	$2,200.00
Fire Hydrants	22	EA	$6,000.00
Water Service Connections (1")	100	EA	$2,200.00
Connection to Existing Main	2	EA	$8,500.00
Testing & Disinfection	1	LS	$12,000.00
SANITARY SEWER SYSTEM			
8" PVC Sanitary Sewer Main	6500	LF	$72.00
Sanitary Manholes (4' dia.)	45	EA	$4,500.00
Sewer Service Connections (4")	100	EA	$2,800.00
Connection to Existing System	2	EA	$12,000.00
Testing (CCTV & Mandrel)	1	LS	$15,000.00
STORM DRAINAGE SYSTEM			

12-18" RCP Storm Sewer	2500	LF	$65.00
24-36" RCP Storm Sewer	1200	LF	$110.00
Storm Manholes/Junction Boxes	20	EA	$4,200.00
Curb Inlets (Type A)	55	EA	$3,800.00
Headwalls & Endwalls	6	EA	$4,500.00
Yard Drains (rear lot)	50	EA	$650.00
STORMWATER MANAGEMENT PONDS			
Pond A Excavation & Grading	1.52	AC	$35,000.00
Pond B Excavation & Grading	0.65	AC	$35,000.00
Pond C Excavation & Grading	0.34	AC	$35,000.00
Outlet Control Structures	3	EA	$18,000.00
Pond Riprap & Erosion Control	1	LS	$25,000.00
Emergency Spillways	3	EA	$8,000.00
Pond Fencing (if required)	3500	LF	$18.00
LANDSCAPING & RESTORATION			
Street Trees (2.5-3" cal)	220	EA	$475.00
Pond Perimeter Trees	56	EA	$525.00
Screening Evergreens (6-8' ht)	70	EA	$425.00
Homesite Trees - Front Yard	100	EA	$375.00
Homesite Trees - Rear Yard	200	EA	$425.00
Shrubs (various)	83	EA	$85.00
Entrance Monument/Signage	1	LS	$45,000.00
Sod - Common Areas	50000	SF	$0.85
Seeding & Mulch - Lots	35	AC	$2,200.00
Mulch for Landscape Beds	1	LS	$8,500.00
SITE LIGHTING			
Street Lights (LED)	35	EA	$4,800.00
Electrical Conduit & Wiring	6000	LF	$8.50
Transformer Pads	4	EA	$3,500.00
MISCELLANEOUS SITE ITEMS			
Mailbox Clusters (CBU)	8	EA	$3,200.00
Survey Monuments	1	LS	$8,000.00
Final Cleanup & Punchlist	1	LS	$25,000.00
SUBTOTAL - DIRECT CONSTRUCTION COSTS			
SOFT COSTS & PROFESSIONAL FEES			
Engineering & Design (Civil, Survey. Landscape)	3%		
Geotechnical Investigation	LS		$25,000
Permit & Review Fees	3%		
Construction Inspection & Testing	2%		
Legal & Administrative	1%		

Utility Company Fees	LS		$45,000
Project Management	2%		
SUBTOTAL - SOFT COSTS			

CONTINGENCY (12%)	12%		

TOTAL ESTIMATED PROJECT COST			

COST PER LOT (100 lots)			

ESTIMATED PHASE BREAKDOWN	
Phase 1 (72 lots) - Estimated	72%
Phase 2 (28 lots) - Estimated	28%

IMPORTANT NOTES & ASSUMPTIONS:

1. This is a PLANNING-LEVEL estimate for budgeting purposes only - NOT a bid or construction estimate.
2. Quantities are estimated from preliminary plans and should be verified with final engineering.
3. Unit costs are based on 2024-2025 Central Ohio market data and may vary.
4. Does NOT include: land acquisition, home construction, tap/impact fees (varies by jurisdiction), financing costs.
5. Retention ponds sized as typical for Ohio - final sizing by engineer per local stormwater requirements.
6. Rock excavation, unsuitable soils, or dewatering would add significant cost - recommend geotech study.
7. Utility connection fees to City of Mount Vernon are NOT included - verify with municipality.
8. Costs are in 2025 dollars; adjust for inflation if construction is delayed.
9. Phase 1/2 split is approximate; actual phasing may affect infrastructure costs.
10. Recommend obtaining contractor bids for accurate pricing before final budgeting.

Prepared: January 2026 | For: KNG Equity | Project: Arista Villas, Mount Vernon, OH

MATE

TOTAL COST	NOTES
$75,000	Contractor setup, temp facilities, insurance
$30,000	Existing wooded area to be demolished
$15,000	Per plan notes - structures to be removed
$59,880	Strip & stockpile for restoration
$35,000	Silt fence, inlet protection, stab. entrance
$7,000	Stabilized construction entrances
$450,000	Cut/fill, rough grading - estimate
$120,000	Final grade prep for building pads
$18,000	Road subgrade preparation
$108,000	Compacted aggregate road base
$510,000	2" base + 2" surface course
$384,000	Both sides of roadway
$312,000	Both sides of roadway
$72,000	Accessible curb ramps at intersections
$8,500	Stop bars, crosswalks, center lines
$11,250	Stop signs, street name signs
$250,000	Curb cut, apron to lot line (12-16' wide)
$422,500	Ductile iron with fittings, looped system
$66,000	At intersections and branches
$132,000	Spaced @ 300' per plan
$220,000	Corp stop, curb stop, box - to lot line
$17,000	Tapping sleeve and valve
$12,000	Pressure testing, chlorination, sampling
$468,000	SDR-35 with fittings
$202,500	Precast concrete w/ frame & cover
$280,000	To lot line with cleanout
$24,000	Tie-in to existing mains
$15,000	Video inspection, deflection testing

$162,500	Reinforced concrete pipe
$132,000	Main trunk lines to ponds
$84,000	Precast structures
$209,000	Catch basins with frame & grate
$27,000	Concrete outlet structures
$32,500	Lot drainage - allowance
$53,200	66,127 SF - wet retention
$22,750	28,421 SF - wet retention
$11,900	15,007 SF - wet retention
$54,000	Riser/weir structures with trash racks
$25,000	Inlet/outlet protection, slopes
$24,000	Grass-lined emergency overflow
$63,000	4' chain link - verify local requirement
$104,500	Per landscape plan - various species
$29,400	Baldcypress, Swamp Oak, etc.
$29,750	Green Giant Arborvitae perimeter
$37,500	Redbud, Serviceberry
$85,000	Hackberry, Baldcypress, Sassafras, etc.
$7,055	Viburnum, Serviceberry, Snowberry
$45,000	Entry feature with landscaping
$42,500	ROW, pond perimeters, entrances
$77,000	Hydroseed disturbed areas
$8,500	3" depth at all planting areas
$168,000	Decorative poles @ ~175' spacing
$51,000	Underground to lights
$14,000	Pad-mount transformer bases
$25,600	Centralized cluster boxes
$8,000	Iron pins, benchmarks
$25,000	Site restoration, cleanup
$5,958,285	
$178,749	Construction drawings, stormwater design
$25,000	Soil borings, pavement design
$178,749	City, county, OEPA, NPDES
$119,166	Third party QA/QC, compaction, concrete
$59,583	Plat recording, easements, HOA docs

$45,000	Electric, gas, telecom coordination
$119,166	Owner's rep, coordination
$725,411	

$802,044	Unforeseen conditions, price escalation

$7,485,740

$74,857

$5,389,733
$2,096,007

EXHIBIT G

Economic Feasibility of the Additional Property
(Arista Villas Development Site)

Area Development Pattern and Demand

The City of Mount Vernon, Ohio has identified a significant need for entry-level housing stock. Property Owner has designed the Arista Villas development to meet this need by:

- Targeting price points accessible to first-time homebuyers and young families;
- Designing efficient floor plans that maximize value without sacrificing quality; and
- Building inventory to provide move-in ready options for buyers.

By structuring the financing so that revenue bonds fund a portion or all of the public infrastructure, the Property Owner can allocate its capital entirely toward home construction. This approach accelerates delivery of the housing Mount Vernon needs while ensuring homes remain attainably priced.

Socio-Economic Conditions

The following indicators of socio-economic conditions can be found regarding the City on the website of the U.S. Census Bureau (www.census.gov – accessed on May 12, 2026):

- Population Estimate (as of July 1, 2024): 17,329
- Owner-Occupied Housing Unit Rate (between 2020-2024): 55.1%
- Median Value of Owner-Occupied Housing Units (between 2020-2024): $174,000
- Median Gross Rent (between 2020-2024): $948
- Households (between 2020-2024): 7,100
- Persons Per Household (between 2020-2024): 2.21
- High School Graduate or Higher, Percent of Persons Age 25 years + (between 2020-2024): 90.9%
- Bachelor's Degree or Higher, Percent of Persons age 25 years + (between 2020-2024): 23.5%
- Median Households Income (in 2024 dollars) (between 2020-2024): $53,845
- Persons in Poverty, Percent of Persons: 21.9%

Public Services

The City will provide the District, including the Additional Property (Arista Villas Development Site), with fire and EMS, police, refuse, water, sanitary sewer and storm sewer services. The Authority is not expected to directly provide any public services or utilities. The District is served by the Mount Vernon City School District. Gas and communications services are available from various providers.

Developer's Management Capability

The Developer's management capability was attached as Exhibit E to the Original Petition.

Anticipated Charge Revenue

The following chart describes charge revenue that is anticipated to be collected by the Authority from owners of real property within the Additional Property (Arista Villas Development Site):

[Attached]

MOUNT VERNON NEW COMMUNITY AUTHORITY
ARISTA VILLAS
DRAFT REVENUE STUDY

SUMMARY OF RESULTS

Schedule II-B: Total Projected NCA Revenues

Tax Year	Collection Year	City NCA Charges (2 Mills)	Assigned NCA Charges (8 Mills)	Total NCA Charges (10 Mills)
2024	2025	$0	$0	$0
2025	2026	$0	$0	$0
2026	2027	$0	$0	$0
2027	2028	$0	$0	$0
2028	2029	$4,463	$17,850	$22,313
2029	2030	$10,241	$40,966	$51,207
2030	2031	$16,386	$65,545	$81,932
2031	2032	$22,759	$91,035	$113,794
2032	2033	$23,214	$92,856	$116,070
2033	2034	$23,214	$92,856	$116,070
2034	2035	$23,214	$92,856	$116,070
2035	2036	$23,678	$94,713	$118,391
2036	2037	$23,678	$94,713	$118,391
2037	2038	$23,678	$94,713	$118,391
2038	2039	$24,152	$96,607	$120,759
2039	2040	$24,152	$96,607	$120,759
2040	2041	$24,152	$96,607	$120,759
2041	2042	$24,635	$98,539	$123,174
2042	2043	$24,635	$98,539	$123,174
2043	2044	$24,635	$98,539	$123,174
2044	2045	$25,127	$100,510	$125,637
2045	2046	$25,127	$100,510	$125,637
2046	2047	$25,127	$100,510	$125,637
2047	2048	$25,630	$102,520	$128,150
2048	2049	$25,630	$102,520	$128,150
2049	2050	$25,630	$102,520	$128,150
2050	2051	$26,143	$104,571	$130,713
2051	2052	$26,143	$104,571	$130,713
2052	2053	$26,143	$104,571	$130,713
2053	2054	$26,666	$106,662	$133,328
2054	2055	$26,666	$106,662	$133,328
2055	2056	$26,666	$106,662	$133,328
2056	2057	$27,199	$108,795	$135,994
2057	2058	$27,199	$108,795	$135,994
Total		**$705,980**	**$2,823,919**	**$3,529,899**

EXHIBIT H

Environmental Compliance

The attached environmental study relates to the Additional Property (Arista Villas Development Site) and is included as evidence of the Developer's commitment to comply with all applicable environmental laws and regulations with respect to the Project. In addition, the Property Owner agrees to comply with all applicable environmental laws and regulations with respect to the Project.

[Attached]

The Phase I Environmental Assessment provided by the Property Owner to the City is omitted from this abbreviated copy of this Application

MountVernon

City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

Meeting: 6/22/2026 7:30 PM
Dept: Land Use & Development
Jacklin, Keener
Category: Contract
Prepared By: Zac Sherman
Initiator: Darby Dooley

Ordinance 2026-26

AN ORDINANCE ESTABLISHING TWO INCENTIVE DISTRICTS AND DECLARING IMPROVEMENTS TO CERTAIN REAL PROPERTY WITHIN THE INCENTIVE DISTRICTS TO BE A PUBLIC PURPOSE, AND EXEMPT FROM REAL PROPERTY TAXATION; IDENTIFYING CERTAIN PUBLIC INFRASTRUCTURE IMPROVEMENTS MADE, TO BE MADE, OR IN THE PROCESS OF BEING MADE, THAT WILL BENEFIT OR SERVE THE PARCELS IN THE INCENTIVE DISTRICTS; REQUIRING THE OWNERS OF THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF REAL PROPERTY TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS IN LIEU OF REAL PROPERTY TAXES; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A TAX INCREMENT FINANCING AGREEMENT WITH ARISTA VILLAS MOUNT VERNON, LLC AND OTHER AGREEMENTS AND APPROVING RELATED MATTERS AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code ("R.C.") Sections 5709.40, 5709.42, 5709.43, 5709.82 and 5709.83 (the "TIF Statute") provide that this City Council (the "Council") of the City of Mount Vernon, Knox County, Ohio (the "City") may, under certain circumstances, authorize one or more incentive districts within the City, and declare the Improvements (as defined below) to real property located within those incentive districts, to be a public purpose, exempt a percentage of such Improvements from real property taxation, identify certain public infrastructure improvements made, to be made, or in the process of being made, that will benefit or serve that real property, identify one or more specific projects being, or to be, undertaken in the incentive districts that place additional demand on the designated public infrastructure improvements, provide for payments in lieu of real property taxes by the owners of the real property, and establish a public improvement tax increment equivalent fund and accounts and subaccounts therein; and

WHEREAS, the real property comprising each of the Incentive Districts, defined below and described on <u>Exhibit A</u> attached hereto and incorporated herein (the "Property" with each parcel comprising the Property being referred to individually as a "Parcel") is located within the City and is (i) not more than three hundred (300) total acres in size, (ii) enclosed by a continuous boundary, and (iii) not currently subject to another real property tax exemption authorized pursuant to R.C. Section 5709.40(B) nor included within an existing incentive district established under R.C. Section 5709.40(C); and

WHEREAS, Arista Villas Mount Vernon, LLC (the "Developer") intends to construct or cause to be constructed what is currently anticipated to include one hundred (100) single-family homes and appurtenances related thereto to be conveyed to future owners in fee simple (the "Project") upon the Property, all as further described pursuant to that certain Development Agreement executed between the City and the Developer on [________, 2026] and approved by this Council pursuant to Ordinance [______] on [________, 2026]; and

WHEREAS, the public infrastructure improvements described by Exhibit B attached hereto and incorporated herein (the "Public Infrastructure Improvements") will benefit or serve the Parcels comprising each of the Incentive Districts, and as required by R.C. Section 5709.40(C)(3)(a), this Council has determined that the Project will place additional demand on the Public Infrastructure Improvements to be located at the Property and within each of the Incentive Districts; and

WHEREAS, as required by R.C. Section 5709.40(A)(5)(f), this Council has approved a written Economic Development Plan (the "Plan") for each of the Incentive Districts and delineated an "overlay" (as defined by R.C. Section 5709.40(A)(6)) upon a map of the proposed Incentive Districts pursuant to its adoption of Resolution [__] on [_________, 2026]; and

WHEREAS, as required by R.C. Section 5709.40(A)(5)(f), the Engineer for the City has certified, effective [________, 2026], that the public infrastructure serving each of the Incentive Districts is inadequate to meet the development needs of the Incentive Districts, all as further evidenced by the Plan; and

WHEREAS, pursuant to R.C. Section 5709.40(C)(2)(a), the City held a public hearing on [_______, 2026], which such hearing occurred not later than thirty (30) days prior to the date on which this Council considered adoption of this Ordinance, notice of the public hearing was sent by first-class mail to each owner of each Parcel to be located within the boundaries of the proposed Incentive Districts not later than thirty (30) days prior to the public hearing, and this Council has not received any written request for any Parcel to be excluded from inclusion in any Incentive District from any owner pursuant to R.C. Section 5709.40(C)(2)(a); and

WHEREAS, this Council has determined that it is in the best interest of the City to establish [two (2)] Incentive Districts (each an individual "Incentive District" and collectively, the "Incentive Districts") inclusive of the Property, declare the Improvements to the Property to be a public purpose, and to exempt a percentage of such Improvements from real property taxation as provided in this Ordinance; and

WHEREAS, pursuant to the TIF Statute, the boundaries of the Incentive Districts are coextensive with the boundaries of, and will include only, the respective portions of one or more Parcels comprising the Property, as specifically identified and depicted by Exhibit A attached hereto and incorporated herein; and

WHEREAS, under R.C. Section 5709.42, this Council has determined to require the owner or owners of each Parcel comprising the Property within each Incentive District, together with their successors and assigns (each an "Owner", and collectively the "Owners"), to make service payments in lieu of real property taxes on the portion of the Improvements exempted from real property taxation pursuant to this Ordinance; and

WHEREAS, under R.C. Section 5709.43, this Council has determined to establish a municipal public improvement tax increment equivalent fund for the deposit of service payments in lieu of real property taxes (the "Arista Villas Incentive District TIF Fund"); and

WHEREAS, this Council desires that the Treasurer of Knox County, Ohio (the "County Treasurer") forward service payments in lieu of real property taxes in the manner prescribed by Section 4 of this Ordinance, all in accordance with R.C. Sections 5709.42 and 5709.43; and

WHEREAS, it is the intention of this Council to pay to the Mount Vernon City School District and the Knox County Career Center (the "School Districts") certain compensation payments in the amount of the real property taxes that would have been payable to each of the School Districts if the Improvements had not been exempted from real property taxation pursuant to this Ordinance; and

WHEREAS, the City sent notice of this Council's intention to exempt the Improvements from real property taxation to the Boards of Education of each School District in accordance with R.C. Sections 5709.40(D) and 5709.83 and hereby ratifies the giving of such notice by the City; and

WHEREAS, the City desires that the Public Infrastructure Improvements be constructed in conjunction with the Project and desires to enter into the tax increment financing agreement (the "TIF Agreement") substantially in the form attached hereto as Exhibit C and incorporated herein, including as may be amended from time to time, all in order to set forth the manner in which the costs of the Public Infrastructure Improvements shall be paid; and

WHEREAS, the City has provided a forty-five (45) business day notice to the Board of Commissioners of Knox County, Ohio (the "County") pursuant to R.C. Section 5709.40(E) prior to taking formal action to adopt this Ordinance and has determined to pay to the County, if applicable, certain compensation payments pursuant to R.C. Section 5709.40(E) either pursuant to one or more County Compensation Agreements (as defined herein) or the compensation payments that would be otherwise due to the County pursuant to R.C. Section 5709.40(E).

NOW, THEREFORE, Be It Ordained by the Council of the City of Mount Vernon, Ohio that:

SECTION I. This Council hereby establishes each of the following Incentive Districts: Arista Villas Incentive District No. 1 and Arista Villas Incentive District No. 2. Each Incentive District consists of a portion of one or more Parcels comprising the Property. The boundaries of each Incentive District are depicted on Exhibit A hereto and incorporated herein.

Pursuant to R.C. Section 5709.40(C), this Council finds and determines that it is in the best interest of the City to declare the increase in the assessed value of each Parcel comprising the Property within each Incentive District after the effective date of this Ordinance (the "Improvements") to be a public purpose and to authorize an exemption from real property taxation equal to one hundred percent (100%) of such Improvements (the "TIF Exemptions"). The TIF Exemption shall commence with respect to each Incentive District on the earlier of (i) the first tax year following the effective date of this Ordinance for which

Improvements attributable to the construction of one or more structures totaling at least two million five hundred thousand dollars ($2,500,000.00) in true value first appear on the tax list and duplicate of real and public utility property within the boundaries of the individual Incentive District or (ii) tax year 2035 (the "Commencement Date"). The TIF Exemption shall end, with respect to each Incentive District, on the earlier of (i) thirty (30) years after the Commencement Date or (ii) the date on which the Public Infrastructure Improvements are paid in full and the City can no longer require Service Payments from the Owners, all in accordance with the requirements of the TIF Statute.

The Public Infrastructure Improvements described in Exhibit B hereto, made, to be made, or in the process of being made, are hereby designated as public infrastructure improvements that benefit or serve, or that will benefit or serve, the Incentive Districts. As required by R.C. Section 5709.40(C)(3)(a), this Council hereby determines that the Project will place additional demand on the Public Infrastructure Improvements to be located at the Property and within each of the Incentive Districts.

SECTION II. Pursuant to R.C. Section 5709.42, this Council directs and requires each Owner of each Parcel comprising the Property included within each Incentive District to make annual service payments in lieu of real property taxes with respect to the Improvements allocable to each Parcel to the County Treasurer on or before the final dates for payment of real property taxes. Service payments in lieu of real property taxes, including any penalties and interest at the then current rate established under R.C. Sections 323.121 and R.C. 5703.47, will be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and payable against the Improvements if they were not subject to the TIF Exemptions authorized by this Ordinance. Such service payments in lieu of taxes, penalties, and interest, and any other payments with respect to Improvements that are received by the County Treasurer in connection with the reduction required by R.C. Sections 319.302, 321.24, 323.152 and 323.156, as the same may be amended from time to time, or any successor provisions, as the same may be amended from time to time (the "Property Tax Rollback Payments," and together with the service payments in lieu of real property taxes, penalties, and interest described above, the "Service Payments"), will be allocated and distributed in accordance with Section 4 of this Ordinance.

SECTION III. This Council hereby establishes, pursuant to and in accordance with the provisions of the TIF Statute, the Arista Villas Incentive District TIF Fund into which the City shall deposit all Service Payments collected with respect to the Property and received from the County Treasurer. Within the Arista Villas Incentive District TIF Fund, the Fiscal Officer of the City is hereby authorized to establish one or more accounts or sub-accounts associated with the applicable Incentive District, as may be required from time to time in the sole discretion of the Fiscal Officer, including the following separate sub-accounts:

1. Arista Villas Incentive District No. 1 TIF Fund Sub-Account; and
2. Arista Villas Incentive District No. 2 TIF Fund Sub-Account

The City, in its sole discretion, may utilize Service Payments deposited into the Arista Villas Incentive District TIF Fund and its associated accounts and sub-accounts for the purposes authorized by the TIF Statute, this Ordinance, and other generally applicable Ohio law, including, but not limited to, paying costs of the Public Infrastructure Improvements in a manner consistent with the TIF Agreement and, if applicable, one or more County Compensation Agreements. The Arista Villas Incentive District TIF Fund shall exist so long as Service Payments are collected and used for the purposes described above, after which the Arista Villas Incentive District TIF Fund and its associated accounts and sub-accounts are to be dissolved and any surplus funds remaining in the Arista Villas Incentive District TIF Fund shall be transferred to the City's general fund, all as set forth under R.C. Section 5709.43.

SECTION IV. At the same time and in the same manner as real property tax distributions, the City requests that the County Treasurer distribute the Service Payments applicable to each Incentive District as follows:

FIRST, to the appropriate taxing authorities the portion of the Service Payments that represent payments required under R.C. 5709.40(F), as required by the County Treasurer pursuant to R.C. Section 5709.43(C); and

SECOND, to each of the School Districts the amount of the real property taxes that would have been payable to each of the School Districts if the Improvements had not been exempted from taxation pursuant to this Ordinance; and

THIRD, the remainder to the City for deposit into the Arista Villas Incentive District TIF Fund.

The City shall then use the Service Payments for the following purposes, as identified and approved by the City from time to time:

FIRST, to the City on the date which is 30 business days after each semi-annual date on which the County Auditor settles real property taxes with the City (each, a "Payment Date") to reimburse the City's reasonable legal fees and administrative costs associated with administering the TIF Exemptions and carrying out its ongoing obligations under the TIF Agreement (the "City's Administrative Costs"), including without limitation any payment to third party administrators assisting the City in its administration of the tax increment financing program created by this Ordinance;

SECOND, to the Developer, to reimburse the Developer for all remaining costs associated with the Public Infrastructure Improvements constructed by, or on behalf of, the Developer until the Developer's expenses have been reimbursed in full (the "Developer Reimbursement Amount"), all on the terms and conditions further provided in and described by the TIF Agreement; and

THIRD, payment of the costs of any Public Infrastructure Improvements defined by R.C. Section 5709.40(A)(8) and selected in the sole discretion of the City, made, to be made, or in the process of being made that will benefit or serve the Parcels of the Property included within the Incentive Districts, all as authorized under Ohio Revised Code Section 5709.40 and more particularly defined by Exhibit B attached hereto and incorporated herein, and

FOURTH, for any other lawful purpose pursuant to this Ordinance, the TIF Statute, its related laws and rules, and other generally applicable Ohio law.

SECTION V. This Council hereby approves (i) the TIF Agreement to be executed by and among the City and the Developer, in substantially the form attached hereto as Exhibit C and incorporated herein and (ii) one or more County Compensation Agreements, if applicable, to be executed between the City and the County pursuant to R.C. Section 5709.40(E)(2). The Mayor and the Fiscal Officer, together with their designees, are hereby authorized to execute and deliver the TIF Agreement and, if applicable, the one or more County Compensation Agreements authorized by this Ordinance, together with such changes as are not inconsistent with this Ordinance and as are not materially adverse to the City as may be approved by the Mayor, which such approval shall be evidenced conclusively by the execution of the TIF Agreement and the County Compensation Agreements authorized by this Ordinance by the Mayor and the Fiscal Officer. The Mayor and the Fiscal Officer, together with their designees, are authorized and directed to sign any other agreement, document, instrument, amendment, or certificate and to take such actions as are necessary or appropriate to consummate or implement the transactions described in or contemplated by this Ordinance, the TIF Agreement, and, if applicable, the County Compensation Agreements.

SECTION VI. This Council further authorizes and directs the Mayor and the Fiscal Officer, or their designees, and other appropriate officers of the City to: (i) make such arrangements as are necessary and proper for the collection of Service Payments from the Owners of any of the Parcels comprising the

Property and included within any of the Incentive Districts, (ii) facilitate the payment of the Service Payments from the County Treasurer to the City for deposit into the Arista Villas Incentive District TIF Fund, (iii) prepare and sign all agreements, documents, instruments, amendments, or certificates as may be necessary to implement this Ordinance from time to time, including, but not limited to, any applications for real property tax exemption and remission (Form DTE-24) that may be required with respect to each Incentive District; and (iv) take all other actions as may be appropriate to implement this Ordinance.

For the avoidance of doubt, R.C. Section 5709.911 shall govern the priority status of the TIF Exemptions authorized pursuant to this Ordinance. Pursuant to R.C. 5709.40(C), 5709.911, and the TIF Agreement, the City may apply for the TIF Exemptions authorized pursuant to this Ordinance.

SECTION VII. Pursuant to R.C. Section 5709.40(I), the Mayor and the Fiscal Officer, together with their designees, are authorized and directed to deliver a copy of this Ordinance to the Director of the Ohio Department of Development ("ODOD") within fifteen (15) days of its adoption. On or before March 31st of each year that a TIF Exemption authorized pursuant to this Ordinance remains in effect, the Mayor and the Fiscal Officer, together with their designees, are authorized to prepare and submit the status report required under R.C. Section 5709.40(I) to the Director of ODOD.

SECTION VIII. In accordance with R.C. Section 5709.832, this Council hereby determines that no entity doing business upon any Parcel or any portion of any Parcel comprising the Property and included within any Incentive District shall deny any individual employment based on considerations of race, religion, sex, disability, color, national origin, or ancestry.

SECTION IX. The City acknowledges that it has created, or has joined, an applicable Tax Incentive Review Council (the "TIRC") with the membership of the TIRC constituted in accordance with R.C. Section 5709.85. The TIRC shall, in accordance with R.C. Section 5709.85, annually review all TIF Exemptions resulting from the declarations set forth in this Ordinance and any other such matters as may properly come before the TIRC, all in accordance with R.C. Section 5709.85.

SECTION X. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including R.C. Section 121.22.

<u>SECTION XI</u>. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, property, health, and safety in the City, and to specifically allow for the timely development of the Project at the Property, it shall take effect immediately upon its adoption.

____
Bruce E. Hawkins, President of Council

PASSED: ____________________, 2026

ATTEST: ________________________________
Zachary Sherman, Clerk of Council

APPROVED: _________________, 2026

____
Matthew T. Starr, Mayor

EXHIBIT A

Description of Parcels

The parcels to be included within the Arista Villas Incentive Districts pursuant to the TIF Ordinance include those parcels of real property identified by the County Auditor of Knox County, Ohio as having the Permanent Parcel Identification Number 66-07961.000, as such parcels may be further sub-divided, combined, re-combined, re-numbered, or re-platted from time to time.

For ease of reference, the following maps of the parcels to be included within the Arista Villas Incentive Districts are provided below with the relevant portion of the parcels comprising the real property outlined in red as well as the respective overlays associated with the Arista Villas Incentive Districts.

The real property located within the Arista Villas Incentive Districts is estimated to include 39.92 acres of real property.

[See Attached]

Description of Incentive Districts

It is presently expected that the Developer will complete the Project in a series of one or more phases and sub-phases. Each of the Incentive Districts is composed of the portion of the Parcels comprising the Property, as follows:

[See Attached]

Arista Villas Incentive District 1

The Arista Villas Incentive District 1 is composed of the following Parcels of the Property that are, or will be, located within the area labeled Phase 1, below:

Arista Villas Incentive District 2

The Arista Villas Incentive District 2 is composed of the following Parcels of the Property that are, or will be, located within the area labeled Phase 2, below:

<u>EXHIBIT B</u>

<u>Public Infrastructure Improvements</u>

The Public Infrastructure Improvements consist generally of acquiring and constructing the Public Infrastructure Improvements described below in accordance with the Ordinance to which this <u>Exhibit B</u> is attached, the TIF Statute, its related rules and laws, and other generally applicable Ohio law, including, but not limited to, the following:

- Any costs of the Public Infrastructure Improvements identified by, and on the terms of, the TIF Agreement attached hereto as <u>Exhibit C</u> and incorporated herein.

- Construction, reconstruction, extension, opening, improving, widening, grading, draining, curbing, or changing of, as well as the continued maintenance of, the lines and traffic patterns of roads, highways, streets, bridges (both roadway and pedestrian), traffic calming devices, sidewalks, bikeways, medians, and viaducts accessible to and serving the public, and providing lighting systems, signalization, and traffic controls, and all other appurtenances thereto; and

- Construction, reconstruction, or installation of, as well as the continued maintenance of, public utility improvements (including any underground publicly owned utilities), storm and sanitary sewers (including necessary site grading therefor), water and fire protection systems, and all other appurtenances thereto; and

- Construction, reconstruction, or installation of publicly owned gas, electric, and communication service facilities, and all other appurtenances thereto; and

- Construction or reconstruction of one or more public parks, including grading, trees and other park plantings, park accessories and related improvements, and all other appurtenances thereto; and

- Construction or installation of streetscape and landscape improvements including trees and shrubs, landscaping mounds and fencing, tree grates, planting beds, signage, curbs, sidewalks, street and sidewalk lighting, trash receptacles, benches, newspaper racks, burial of overhead utility lines and related improvements, and all other appurtenances thereto; and

- Construction of one or more public parking facilities, including public surface parking and public parking structures and related improvements, and all other appurtenances thereto; and

- Demolition and excavation, including demolition and excavation on private property when determined to be necessary for economic development purposes; and

- Acquisition of real estate or interests in real estate (including easements) necessary to accomplish the foregoing improvements; and

- Any ongoing administrative expenses relating to the Public Infrastructure Improvements as well as maintaining the Service Payments in the Arista Villas Incentive District TIF Fund, including, but not limited to, engineering, architectural, legal, and other consulting and professional services; and

- All inspection fees and other governmental fees related to the foregoing; and

- Any and all other costs of the Public Infrastructure Improvements, as determined by the City in its sole discretion and in accordance with the Ordinance to which this Exhibit B is attached, the TIF Statute, its related rules and laws, and other generally applicable Ohio law.

The Public Infrastructure Improvements specifically include the costs of financing the Public Infrastructure Improvements, including the items of "costs of permanent improvements" set forth in Ohio Revised Code Section 133.15(B), and incurred with respect to the Public Infrastructure Improvements. "Costs" specifically include any reimbursement payments for the reimbursement of the costs of the Public Infrastructure Improvements and the debt service on any bonds or other obligations issued to finance the Public Infrastructure Improvements (including fees and administrative expenses of, and reserve funds necessary to pay or service any bonds or other obligations) (the "Debt Service"), all as determined by the City in its sole discretion and in accordance with the Ordinance to which this Exhibit B is attached, the TIF Statute, its related rules and laws, and other generally applicable Ohio law.

EXHIBIT C

Form of TIF Agreement

[See Attached]

Ordinance 2026-27

AN ORDINANCE AUTHORIZING THE ESTABLISHMENT OF A CREMATION SCATTERING GARDEN WITHIN MOUND VIEW CEMETERY; AUTHORIZING THE FINAL DISPOSITION OF CERTAIN INDIGENT CREMATED REMAINS THEREIN; AND ESTABLISHING PROCEDURES FOR THE CARE AND DISPOSITION OF SUCH REMAINS.

WHEREAS, Ohio Revised Code § 1721.21 authorizes cemetery authorities to establish and maintain scattering grounds or gardens for the dignified disposition of cremated remains; and

WHEREAS, Ohio Revised Code § 4717.27 recognizes scattering within a cemetery scattering garden as a lawful method of final disposition of cremated remains; and

WHEREAS, Ohio Revised Code § 9.15 requires municipalities to provide for the disposition of indigent or otherwise unclaimed deceased persons when required by law but does not require that cremated remains be individually interred following cremation; and

WHEREAS, The City of Mount Vernon owns and operates Mound View Cemetery and desires to establish a dedicated scattering ground for the dignified, permanent, and respectful disposition of cremated remains; and

WHEREAS, City Council finds that establishing a scattering garden will provide a lawful, respectful, and fiscally responsible method of final disposition for indigent cremated remains while preserving cemetery space and ensuring an opportunity for family members to claim the remains prior to final disposition.

NOW, THEREFORE, Be It Ordained by the Council of the City of Mount Vernon, Ohio that:

SECTION 1: Establishment of Scattering Garden. A cremation scattering garden is hereby established within Mound View Cemetery pursuant to Ohio Revised Code § 1721.21. The Safety-Service Director shall designate the location of the scattering garden.

SECTION 2: Purpose. The scattering garden shall serve as a permanent location for the dignified final disposition of cremated human remains in accordance with Ohio law. The scattering garden may be utilized for:

1. Persons whose cremated remains are authorized for scattering by the individual legally entitled to control disposition under Ohio law;
2. Persons whose cremated remains are lawfully entrusted to the City for final disposition;

3. Indigent persons whose cremation and disposition are provided at public expense pursuant to Ohio Revised Code § 9.15; and
4. Any other lawful disposition authorized by the City's Safety-Service Director.

SECTION 3: Disposition of Indigent Cremated Remains When the City has lawfully cremated an indigent or otherwise unclaimed decedent pursuant to Ohio Revised Code § 9.15, the cremated remains shall be retained by the City for a period of not less than ninety (90) days following cremation before any final disposition by scattering. During this ninety-day period, any person legally authorized to control the disposition of the decedent's remains may claim the cremated remains upon:

1. Providing satisfactory proof of identity and legal authority to receive the remains; and
2. Reimbursing the City for its actual costs incurred in connection with the cremation and disposition of the decedent, to the extent permitted by law.

If no legally authorized person claims the cremated remains within ninety (90) days, the City may provide final disposition by scattering the cremated remains within the Mound View Cemetery scattering garden. Such scattering shall constitute the City's complete and final disposition of the cremated remains unless otherwise required by law. Nothing in this Ordinance shall require the City to purchase or provide an individual burial lot, grave, niche, urn vault, or other place of interment when lawful scattering has been selected as the method of final disposition.

SECTION 4: Dignified Disposition. All scattering conducted pursuant to this Ordinance shall be performed in a respectful and dignified manner consistent with Ohio Revised Code § 4717.27 and the rules and regulations governing Mound View Cemetery. Scattering of indigent cremated remains may occur individually or as part of a scheduled communal memorial service conducted periodically by the City.

SECTION 5: Permanent Records and Memorialization. The City of Mount Vernon's Department of Public Works shall maintain a permanent record identifying every individual whose cremated remains are scattered within the scattering garden. Such record shall include, when known:

- Name of the decedent;
- Age;
- Date of death;
- Date of cremation;
- Date of scattering; and
- Any additional identifying information deemed appropriate by the City.

The City may establish and maintain a common memorial monument, memorial wall, or memorial register recognizing those individuals whose remains have been scattered. Nothing herein shall require the installation of individual monuments or grave markers.

SECTION 6: Administration. The Safety-Service Director is authorized to adopt reasonable administrative rules governing:

- Eligibility for use of the scattering garden;
- Scheduling of scattering ceremonies;
- Maintenance and preservation of the area;
- Memorialization;
- Access by the public;
- Recordkeeping; and
- Other matters necessary for the orderly administration of the scattering garden.

SECTION 7: Fees. The Board of Control shall establish fees for use of the scattering garden by persons other than indigent descendants whose disposition is provided at public expense.

No fee shall be charged to the estate of an indigent decedent for scattering authorized under this Ordinance.

SECTION 8: No Property Interest. Use of the scattering ground shall not create an ownership interest, burial right, easement, or other property interest in any portion of Mound View Cemetery.

SECTION 9: Severability. If any provision of this Ordinance is declared invalid by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

____
Bruce E. Hawkins, President of Council

PASSED: ____________________, 2026

ATTEST: ______________________________
Zachary Sherman, Clerk of Council

APPROVED: _________________, 2026

____
Matthew T. Starr, Mayor

Ordinance 2026-28

AN ORDINANCE AMENDING CERTAIN MUNICIPAL FUNDS AND APPROPRIATION LINES RELATED TO THE CITY'S PUBLIC SAFETY CAPITAL IMPROVEMENT PROGRAM, RENAMING FUND 407, CREATING FUND 409, REALLOCATING MUNICIPAL INCOME TAX DISTRIBUTIONS AND AUTHORIZING CERTAIN TRANSFERS.

WHEREAS, the City of Mount Vernon is proceeding with the construction of a new Mount Vernon Police Station and the planning and future reconstruction of the existing municipal facilities located at 40 Public Square for use as the Mount Vernon Justice Center; and

WHEREAS, City Council finds it appropriate to establish separate accounting funds for these distinct capital improvement projects in order to promote transparency, sound fiscal management, and accurate financial reporting; and

WHEREAS, Council further finds it necessary to amend the allocation of municipal income tax revenues and authorize appropriate fund transfers to properly account for bond proceeds and related revenues associated with these projects.

NOW, THEREFORE, Be It Ordained by the Council of the City of Mount Vernon, Ohio that:

SECTION 1: Fund 407, currently designated as the Municipal Facilities Improvement Fund, is hereby renamed the New Police Station Capital Improvement Fund. All references in the City's accounting records, financial reports, budgets, and appropriations shall henceforth reflect this new designation.

SECTION 2: The Auditor is hereby authorized and directed to establish within Fund 407 the following additional appropriation line item:

- 407.3600.53111 - Fees and Incidentals

This line shall be utilized for miscellaneous costs, administrative expenses, financing costs, professional fees, and other incidental expenditures related to the planning, financing, design, construction, furnishing, and completion of the Mount Vernon Police Station project.

SECTION 3: There is hereby created a special revenue/capital project fund to be known as:

Fund 409 – Justice Center Capital Improvement Fund

The purpose of Fund 409 shall be to account for all revenues and expenditures associated with the planning, acquisition, design, reconstruction, renovation, furnishing, equipping, and related improvements to the property located at 40 Public Square, together with the surrounding grounds and appurtenances, for the development of the Mount Vernon Justice Center.

SECTION 4: The Auditor is hereby authorized and directed to establish the following appropriation line items within Fund 409:

- 409.3600.55514 - Facilities Design
- 409.3600.55515 - Facilities Improvements
- 409.3600.55516 - Contract Services
- 409.3600.53111 - Fees and Incidentals

Such line items may be utilized for architectural and engineering services, construction management, professional services, legal services, environmental studies, furnishings, equipment, construction costs, financing costs, contingencies, and all other expenditures reasonably related to the Justice Center project.

SECTION 5: The income tax revenue allocation established for Fund 407 under Ordinance No. 2026-10, presently set at eleven percent (11%), is hereby reduced to zero percent (0%).

Effective upon the effective date of this Ordinance, the eleven percent (11%) municipal income tax allocation previously directed to Fund 407 shall instead be allocated to Fund 301 – Bond Retirement Fund, where such revenues shall be used for the payment of principal, interest, and other lawful debt service obligations associated with the City's capital improvement financing.

All other allocations established by Ordinance No. 2026-10 shall remain unchanged unless specifically modified.

SECTION 6: The City Auditor is hereby authorized and directed to make all accounting entries, transfers, and adjustments necessary to implement the intent of this Ordinance, including but not limited to:

Depositing into Fund 407 – New Police Station Capital Improvement Fund all bond proceeds and other financing revenues received for the construction of the new Mount Vernon Police Station;

Transferring from Fund 407 to Fund 301 – Bond Retirement Fund any municipal income tax revenues deposited into Fund 407 pursuant to Ordinance No. 2026-10 prior to the effective date of this Ordinance, to ensure such revenues are properly accounted for within the Bond Retirement Fund

Making such additional accounting entries as may be necessary to carry out the purposes and intent of this Ordinance.

SECTION 7: This Ordinance shall take effect and be in force at the earliest time permitted by law.

____
Bruce E. Hawkins, President of Council

PASSED: _____________________, 2026

ATTEST: _________________________________
Zachary Sherman, Clerk of Council

APPROVED: __________________, 2026

____
Matthew T. Starr, Mayor

ORDINANCE 2026-29

AN ORDINANCE FIXING THE NUMBER OF HOURLY EMPLOYEES IN THE CITY OF MOUNT VERNON IN THE FIRE DEPARTMENT; AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Mount Vernon, State of Ohio:

SECTION 1: That the following positions are hereby authorized in the Mount Vernon Fire Department (additions are in **bold**, deletions are in strikethrough):

FIRE DEPARTMENT:

Three Captains

Six Lieutenants

Not more than ~~34~~ **36** Firefighters and/or Firefighter/Paramedics

Not more than 25 Part-time Firefighter/EMTs

One Fire Marshall

One Community Risk Reduction Inspector

One EMS/Training Coordinator Lieutenant

Use of all above mentioned said personnel is authorized as required to meet the work demands of the Fire Department as appropriated.

SECTION 2: All ordinances which previously set the number of hourly employees in the Mount Vernon Fire Department are hereby repealed.

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

____
Bruce E. Hawkins, President of Council

PASSED: ____________________, 2026

ATTEST: _______________________________
Zachary Sherman, Clerk of Council

APPROVED: _________________, 2026

____
Matthew T. Starr, Mayor

MountVernon

City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

Meeting: 8/10/2026 7:30 PM
Dept: Finance & Budget
Mahan, Severns
Category: Category
Prepared By: Rob Broeren
Initiator: Tanner Salyers

ORDINANCE 2026-30

AN ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO ENTER INTO A CONTRACT WITH ENTERPRISE FLEET MANAGEMENT FOR THE LEASING OF CITY VEHICLES.

WHEREAS, the Administration has reviewed the fiscal impacts of the City's fleet replacement needs and has determined that a structured fleet leasing program will assist the City in maintaining predictable long-term capital expenditures and operating costs; and

WHEREAS, City Council finds that implementing a professionally managed fleet replacement program promotes sound financial planning by reducing unexpected capital costs, improving lifecycle management of municipal vehicles, and providing greater certainty in annual budget forecasting; and

WHEREAS, Council further finds that participation in a comprehensive fleet management program reduces the City's exposure to maintenance, reliability, and operational risks associated with aging vehicles while ensuring that City departments are equipped with safe and dependable transportation necessary to perform essential public services; and

WHEREAS, Enterprise Fleet Management is a party to a cooperative purchasing contract with Sourcewell that was competitively procured and provides government agencies with fleet management and vehicle leasing services at favorable pricing and terms.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Mount Vernon, State of Ohio:

SECTION 1: The Safety-Service Director is hereby authorized and directed to negotiate and execute, subject to approval as to form by the Law Director, an agreement with Enterprise Fleet Management for the leasing and professional management of City vehicles through the Sourcewell Cooperative Purchasing Program.

SECTION 2: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any committees thereof were conducted in meetings open to the public in compliance with Section 121.22 of the Ohio Revised Code.

____
Bruce E. Hawkins, President of Council

PASSED: ____________________, 2026

ATTEST: _______________________________
Zachary Sherman, Clerk of Council

APPROVED: _________________, 2026

____
Matthew T. Starr, Mayor