



COUNCIL AGENDA

Regular Meeting

April 6, 2026

- I. **Call to Order**
- II. **Orrville Ministry Network – Rev. Scott Schieber, Christ United Church of Christ**
- III. **Pledge**
- IV. **Roll Call**
- V. **Approval of Meeting Minutes – Regular March 16**
- VI. **Public Comment**
 - A. Jeremiah Baumen - chickens
- VII. **Standing Committee Reports**
 - A. Finance – Carr
 - B. Health & Safety – Aspiras
 - C. Parks & Recreation – Handwerk
 - D. Planning – Mace
 - E. Ordinance & Personnel – Squirrell
 - F. Transportation – Lax
 - G. Utilities – Davies
- VIII. **Special Committee Reports**
- IX. **Administrative Reports**
 - A. Mayor Plybon
 - B. Safety-Service Director Wheeler
 - C. Utilities Director Brediger
 - D. Finance Director Strimlan – January & February 2026 Fund Balance Reports
 - E. Law Director Kirkbride
 - F. Council President Vance
- X. **Old Business – Third reading**
 - A. **Ordinance A-26**; An Ordinance amending the Zoning Map created by Chapter 1101 of the Codified Ordinances of the City of Orrville, Ohio, to reclassify a parcel of land located on the east side of Ella Street known as the north part of PP #59-01640.000, consisting of a frontage of 25 feet and depth of 153 feet in the City of Orrville, Ohio, from R-4 (Residential) to C-3 (Commercial).
 - B. **Ordinance B-26**; An Ordinance amending the Zoning Map created by Chapter 1101 of the Codified Ordinances of the City of Orrville, Ohio, to reclassify parcels of land located on the west side of Sterling Avenue known as Lots No. 965 (PP #59-01254.000), 966 (PP #59-01264.000) and 2377 (PP #59-01258.000), with an approximate total frontage of 164 feet and a depth of 151 feet in the City of Orrville, Ohio, from R-4 (Residential) to C-3 (Commercial).
 - C. **Resolution 5-26**; A Resolution establishing policies for Wayne Street sidewalk installation for the City of Orrville, Ohio.

All other matters pending.

The City of Orrville will provide reasonable accommodation to persons with disabilities who wish to attend this meeting; 72 hours advance notice is required. You may notify the Safety-Service Director's office by calling 330/684-5000 or TTY 330/684-5069.

Agendas and Legislation can be found at www.orrville.com/departments/orrville-city-council
and on Facebook www.facebook.com/CityofOrrville/ Photo albums, Orrville City Council



COUNCIL AGENDA

Regular Meeting

April 6, 2026

- D. **Resolution 6-26**; A Resolution declaring the necessity of constructing sidewalks on certain properties along the west side of Wayne St. from Homestead Pointe Drive to Oak St. in the City of Orrville, Ohio.
- XI. **New Business – First Reading**
- A. **Resolution 9-26**; A Resolution to approve the form and authorize the execution of Bright Mountain Solar schedule with American Municipal Power, Inc. and taking of other actions in connection therewith, and declaring an Emergency.
- B. **Resolution 10-26**; A Resolution to approve the form and authorize the execution of the Potomac Energy Center schedule with American Municipal Power, Inc. And the taking of other actions in connection therewith, and declaring an Emergency.
- C. **Resolution 11-26**; A Resolution authorizing the Safety-Service Director to enter into an Agreement with the Wayne County Emergency Management Agency to provide the City of Orrville, Ohio with emergency management services, and declaring an emergency.
- D. **Resolution 12-26**; A Resolution authorizing participation in the ODOT Road Salt Contracts awarded in 2026 for road salt for the City of Orrville, Ohio, and declaring an emergency.
- E. **Resolution 13-26**; A Resolution authorizing the Safety-Service Director to enter into Forfeiture Agreement with the Wayne County Prosecutor’s Office to provide the City of Orrville, Ohio with prosecutorial representation for criminal and civil forfeiture matters, and declaring an emergency.
- F. **Ordinance C-26**; An Ordinance approving the editing and inclusion of certain Ordinances as parts of the various component Codes of the Codified Ordinances of Orrville, Ohio, and declaring an Emergency.
- G. **Resolution 14-26**; A Resolution authorizing the Director of Safety and Service to enter into a contract to provide for tax abatement for real property for Top Hat LLC, and declaring an Emergency.
- I. **Annual Report – Utility Director Brediger**
- II. **Good of the Order**
- III. **Adjournment**

NEXT MEETING: April 20, 7:30 pm

Annual Reports: 4/20 Finance

All other matters pending.

The City of Orrville will provide reasonable accommodation to persons with disabilities who wish to attend this meeting; 72 hours advance notice is required. You may notify the Safety-Service Director’s office by calling 330/684-5000 or TTY 330/684-5069.

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Council President Vance called the council meeting to order at 7:30 p.m.

Prayer was led by Pastor Gary DeHart. The pledge was recited.

Public hearing was held regarding Ordinance A-26 and Ordinance B-26 zoning map changes for Dravenstott's. Closed 7:32 pm. No public comments. Currently zoned R-4 and requesting C-3 to match their other properties there. Closed public hearing at 7:33 p.m.

Roll call; Carr was excused, all others present.

Council minutes of the regular meeting on March 2nd and the Special Meeting on March 9th were presented for approval. Lax motioned to approve those minutes; Davies seconds; all ayes; approved.

Public Comment

Neither that applied were present.

Administrative Reports

Mayor Plybon: Employee of the month is Julie Vitorella from the Utility Billing office. Thanked the Orrville Utilities for their hard work during the windstorms. Approximately 1,350 customers lost power with 10 broken poles. Congratulated Kristin Hranko for her 24 years with the City.

Safety-Service Director Wheeler: If you have storm debris of limbs or branches, place at the curb and contact the Service Department for pick up. The compost center opens April 1st. The TNR program for feral cats continues with organization for trap dates of April 10th, May 8th and June 12th in coordination with the Orrville Vet Clinic. They will take eight feral cats each of those three days.

Utility Director Brediger: The windstorms had about 20% of customers close to 24 hours without power. We did receive mutual support. The 2025 water quality annual report was distributed to council. Required to be sent to customers and placed on the website. The Utility Board will bring forth some power supply resolutions for the next council meeting

Finance Director Strimlan: Council workshop was held on the 9th to review the 2026 final appropriations. Total appropriations are \$83.4; \$9.4 million to the general fund, \$13 million for the remaining tax supported funds and \$61 million for the utilities. The legislation is on final reading this evening to meet the county auditor's deadline.

President Vance: Happy Birthday wishes to Chief Seiler and Council member Bev Squirrell.

Old Business

Placed on third reading by Squirrell. Second by Davies. Approved.

RESOLUTION 4-26; A Resolution to make appropriations for current expenses and other expenditures of the City of Orrville, State of Ohio, during the Fiscal Year ending December 31, 2026, and declaring an Emergency.

Discussion: None.

Squirrell moved that **Resolution 4-26** be adopted as read. Lax seconded. Ayes all; motion carried.

Placed on second reading by Squirrell. Second by Mace. Approved.

ORDINANCE A-26; An Ordinance amending the Zoning Map created by Chapter 1101 of the Codified Ordinances of the City of Orrville, Ohio, to reclassify a parcel of land located on the east side of Ella Street known as the north part of PP #59-01640.000, consisting of a frontage

of 25 feet and depth of 153 feet in the City of Orrville, Ohio, from R-4 (Residential) to C-3 (Commercial).

Discussion: This is a request from Dravenstott's (landowners) to clean up their property parcels that are zoned residential requesting a change to be zoned commercial. This needs to go three readings.

Placed on second reading by Squirrell. Second by Davies. Approved.

ORDINANCE B-26; An Ordinance amending the Zoning Map created by Chapter 1101 of the Codified Ordinances of the City of Orrville, Ohio, to reclassify parcels of land located on the west side of Sterling Avenue known as Lots No. 965 (PP #59-01254.000), 966 (PP #59-01264.000) and 2377 (PP #59-01258.000), with an approximate total frontage of 164 feet and a depth of 151 feet in the City of Orrville, Ohio, from R-4 (Residential) to C-3 (Commercial).

Discussion: This is the second part of the rezoning request. The house was demolished and is zoned residential. This request is to change the zoning to commercial. It will go three readings.

Placed on second reading by Squirrell. Second by Lax. Approved.

RESOLUTION 5-26; A Resolution establishing policies for Wayne Street sidewalk installation for the City of Orrville, Ohio.

Discussion: No discussion. This can be approved at the leisure of council.

Placed on second reading by Squirrell. Second by Mace. Approved.

RESOLUTION 6-26; A Resolution declaring the necessity of constructing sidewalks on certain properties along the west side of Wayne St. from Homestead Pointe Drive to Oak St. in the City of Orrville, Ohio.

Discussion: The necessity and need for sidewalks.

New Business

RESOLUTION 7-26, Squirrell moved that it be placed on first reading. Davies seconds. Ayes all; motion passes. **Resolution 7-26**, A Resolution increasing On-Call Pay for members of the Orrville Fire Department and repealing conflicting Resolutions and declaring an Emergency.

Discussion: The Fire Department staffing policies were enacted in 2023. Staffed 5a-5p at an hourly rate. From 5p-5a is on-call sign up with a \$25 stipend per shift. This will increase the stipend to \$40 to encourage and incentivize them to sign up. No Health and Safety committee meeting was held but can be if desired.

Squirrell moved that the rules, regulations, and statutes requiring the reading of a resolution on three separate days be suspended. Lax seconded. Ayes all; motion carried. Squirrell moved that **Resolution 7-26** be adopted as read. Lax seconded. Ayes all; motion carried.

RESOLUTION 8-26, Squirrell moved that it be placed on first reading. Davies seconds. Ayes all; motion passes. **Resolution 8-26**, A Resolution authorizing the Board of Control to enter into a contract and/or contracts for the purchase of certain real property from ELREN Farms, LLC, consisting of approximately 138.29 acres, located in Baughman Township, Ohio and from Renner Development Company Ltd., 3.987 acres, located in the City of Orrville, Ohio, for economic development purposes, and declaring an Emergency.

Discussion: Multiple executive sessions have been held. The financial package will come at our next meeting. Final numbers will be based on the survey. This allows us to enter into a contract to begin due diligence. Contract is contingent on financing and due diligence response. There is some interest for commercial parcels and for industrial.

Squirrell moved that the rules, regulations, and statutes requiring the reading of a resolution on three separate days be suspended. Lax seconded. Ayes all; motion carried. Squirrell moved that **Resolution 8-26** be adopted as read. Lax seconded. Ayes all; motion carried.

Fire Department 2025 Annual Report – Chief Bishop

Annual report was presented. Copy on the webpage and available in office.

Aspiras motioned to amend Resolution 8-26, Section 3 and ratify approval of same. The motion to remove and replace language in Section 3 as follows; and for the further reason that timely planning and preparation for expended economic development is critical to the future of the City of Orrville. And any references to Firefighters, EMT and on-call pay shall be deleted.

Lax seconds. All ayes; approved.

Good of the Order

Davies: Thanked utilities for getting the power back on for everyone.

Lax: Invited everyone to the April 17th grand reopening of the American Legion with a ribbon cutting ceremony.

Mayor: Thanked council for passing Resolution 8-26. We can purchase land for development, which is an important step in our future. Thanked Chief Bishop and the fire department for their outstanding service to our community.

Davies motioned to adjourn. Lax seconds. Approved

Our next regular meeting will be held on Monday, April 6 at 7:30 pm. Meeting adjourned at 8:33 pm.

Jeanne Gault, Clerk of Council

_____, 2026
Date

Paul Vance, President of Council

Jeremiah Bauman
2013 W. Market St. Orrville Ohio 44667
330-464-4623

Proposal to Allow Limited Backyard Hens in Orrville Residential Areas

Purpose

To update Orrville's ordinance 505.19 to permit a small number of backyard hens under clear, responsible guidelines and aligning with nearby communities such as Wooster, Dalton, Smithville. This gives residents the chance to participate in a small way with something that reflects the agricultural heritage of Orrville and Wayne county. For many, agriculture isn't just part of our economy, it's part of our identity and a heritage we want to pass onto our children.

Proposed Ordinance Guidelines

- Maximum of 6 hens per household
- No roosters permitted
- Coop must be clean, well-maintained, and odor-free
- Minimum setback requirement (e.g., 15–25 feet from neighboring residences)
- Chickens must be contained (no free roaming beyond owner's property)

Rationale

1. Proven Model in Nearby Communities: Wooster, Dalton, and Smithville already permit backyard hens under similar guidelines without nuisance or public health concerns.
2. Minimal Impact, High Responsibility
 - Properly maintained backyard hens:
 - Produce little to no odor
 - Are quiet (without roosters)
 - Require daily care and oversight
3. For Educational and Family Value
 - Backyard chickens provide:
 - Hands-on learning for children
 - Responsibility and work ethic development
 - Understanding of food sources and sustainability
 - Connection to our agricultural heritage
4. No Increase in Nuisance Risk
 - With the proposed restrictions:
 - Noise is eliminated (no roosters, less than already allowed dogs)
 - Odor is controlled through maintenance requirements
 - Maintain the character of our neighborhoods
5. Local Proof of Concept
 - A small, well-maintained backyard flock in neighboring communities already demonstrates:
 - Clean conditions

- No odor or disturbance
- Positive engagement for children
- Connection to our agricultural heritage

Conclusion

This proposal is not a request for agriculture in residential zones but for a modest, controlled, and responsible update that reflects our community, modern practices, and neighboring standards.

Recommendation

Adopt a limited backyard hen ordinance consistent with nearby communities while maintaining community standards and aligning with the strong agricultural heritage of Wayne county.

Reference Wooster:

Raising of Small Livestock Property:

- A. Owners are permitted to raise and keep livestock on all properties in districts other than the AG District, as an accessory use, in accordance with the provisions of this section.
- B. The raising of small livestock shall include the keeping of up to six chickens, rabbits, or other small livestock as approved by the Zoning provided that:
 - a. The principal use of the lot is a single-family dwelling;
 - b. No person shall keep any rooster;
 - c. The livestock shall be provided with a covered enclosure and must be kept in the covered enclosure or a fenced yard at all times;
 - d. And No enclosure shall be located closer than 25 feet to any residential structure on an adjacent lot

City of Orrville

Fund Balance Report

For fiscal year 2026, 01/01/2026 - 01/31/2026

	Beginning Balance	Net Income	Ending Fund Balance
101 General Fund	6,335,262.55	-218,100.72	6,117,161.83
201 Gas Tax MVL Fund	43,318.95	513.09	43,832.04
202 State Highway Imp Fund	418,636.14	3,710.89	422,347.03
203 Permissive MVL Fund	48,294.19	0.00	48,294.19
205 Parking Meter Fund	311.91	0.00	311.91
206 Solid Waste Service Fund	100,317.78	2,597.00	102,914.78
207 Comm Dev Block Grants Fund	0.00	0.00	0.00
208 Law Enforcement Fund	6,078.35	0.00	6,078.35
209 Enforcement & Education Fund	4,128.41	9.30	4,137.71
210 Cemetery Maintenance Fund	27,906.41	1,261.00	29,167.41
213 ORC 4504.15 Permissive Li	242,265.14	1,819.06	244,084.20
215 ORC 4504.172 Permissive L	235,275.87	3,672.66	238,948.53
219 Covid-19 Fund	0.00	0.00	0.00
222 American Rescue Plan	120.19	0.00	120.19
230 CPT Fund	64,872.08	5,975.55	70,847.63
240 First Responders Special R	16,450.86	0.00	16,450.86
255 Donations Blooming Orrv	4,591.07	866.83	5,457.90
301 General Bond Retirement Fund	4,151.66	0.00	4,151.66
401 Capital Improvement Fund	3,274,350.81	6,528.26	3,280,879.07
402 Park Improvement Fund	8,238.21	6.67	8,244.88
403 EMS Equipment Fund	65,382.52	5,202.37	70,584.89
404 Fire Dept Vehicle Replace	0.00	0.00	0.00
405 Recreation & Park Fund	38,485.00	0.00	38,485.00
501 Special Assessment Bond R	207,931.24	168.18	208,099.42
503 Performing Arts Fund	13,744.78	11.11	13,755.89
504 Deposit Escrow	84,724.65	-23,528.00	61,196.65
520 Unclaimed Monies Fund	22,789.03	0.00	22,789.03
601 Cemetery Memorial Trust 1	550.24	3.27	553.51
602 Employee Health Insurance	1,443,014.63	22,725.16	1,465,739.79
603 Grants Fund	722,668.86	0.00	722,668.86
604 Flexible Spending Account	8,546.27	0.00	8,546.27
751 Sewer Revenue	1,771,813.18	-78,459.27	1,693,353.91
754 Sewer Replacement & Improv	827,484.56	-7,815.40	819,669.16
755 Sewer Utility Reserve Fund	2,361,156.54	-2,277.21	2,358,879.33
771 Electric Revenue	19,650,336.41	38,167.43	19,688,503.84
774 Precipitator Improvement	19.35	0.00	19.35
775 Guarantee Deposit Trust	968,788.37	-1,422.89	967,365.48
777 Electric Replacement & Improvement	3,245,254.47	2,624.76	3,247,879.23
778 Electric Utility Reserve	45,042,790.20	12,488.27	45,055,278.47
791 Water Revenue	3,758,960.37	27,761.89	3,786,722.26
792 Water Bond Retirement Fund	0.00	0.00	0.00
794 Water Replacement & Improve	970,104.27	3,784.64	973,888.91
795 Water Utility Reserve Fund	8,437,262.59	6,823.82	8,444,086.41
799 Water Utility Grant Fund	41,710.98	0.00	41,710.98
851 Cemetery Memorial Trust	4,027.02	0.00	4,027.02
Grand Total	100,522,116.11	-184,882.28	100,337,233.83

City of Orrville

Fund Balance Report

For fiscal year 2026, 01/01/2026 - 02/28/2026

	Beginning Balance	Net Income	Ending Fund Balance
101 General Fund	6,335,262.55	-413,213.24	5,922,049.31
201 Gas Tax MVL Fund	43,318.95	-22,258.73	21,060.22
202 State Highway Imp Fund	418,636.14	7,852.04	426,488.18
203 Permissive MVL Fund	48,294.19	0.00	48,294.19
205 Parking Meter Fund	311.91	0.00	311.91
206 Solid Waste Service Fund	100,317.78	1,764.62	102,082.40
207 Comm Dev Block Grants Fund	0.00	0.00	0.00
208 Law Enforcement Fund	6,078.35	0.00	6,078.35
209 Enforcement & Education Fund	4,128.41	9.30	4,137.71
210 Cemetery Maintenance Fund	27,906.41	1,823.50	29,729.91
213 ORC 4504.15 Permissive Li	242,265.14	3,510.31	245,775.45
215 ORC 4504.172 Permissive L	235,275.87	7,055.16	242,331.03
219 Covid-19 Fund	0.00	0.00	0.00
222 American Rescue Plan	120.19	0.00	120.19
230 CPT Fund	64,872.08	5,975.55	70,847.63
240 First Responders Special R	16,450.86	0.00	16,450.86
255 Donations Blooming Orrv	4,591.07	1,727.66	6,318.73
301 General Bond Retirement Fund	4,151.66	0.00	4,151.66
401 Capital Improvement Fund	3,274,350.81	133,341.66	3,407,692.47
402 Park Improvement Fund	8,238.21	16.57	8,254.78
403 EMS Equipment Fund	65,382.52	-3,493.67	61,888.85
404 Fire Dept Vehicle Replace	0.00	0.00	0.00
405 Recreation & Park Fund	38,485.00	0.00	38,485.00
501 Special Assessment Bond R	207,931.24	418.37	208,349.61
503 Performing Arts Fund	13,744.78	27.67	13,772.45
504 Deposit Escrow	84,724.65	-23,528.00	61,196.65
520 Unclaimed Monies Fund	22,789.03	0.00	22,789.03
601 Cemetery Memorial Trust 1	550.24	8.09	558.33
602 Employee Health Insurance	1,443,014.63	45,935.27	1,488,949.90
603 Grants Fund	722,668.86	0.00	722,668.86
604 Flexible Spending Account	8,546.27	0.00	8,546.27
751 Sewer Revenue	1,771,813.18	-88,203.38	1,683,609.80
754 Sewer Replacement & Improv	827,484.56	-47,295.02	780,189.54
755 Sewer Utility Reserve Fund	2,361,156.54	-50,670.60	2,310,485.94
771 Electric Revenue	19,650,336.41	78,945.03	19,729,281.44
774 Precipitator Improvement	19.35	0.00	19.35
775 Guarantee Deposit Trust	968,788.37	2,463.91	971,252.28
777 Electric Replacement & Improvement	3,245,254.47	6,529.66	3,251,784.13
778 Electric Utility Reserve	45,042,790.20	14,779.48	45,057,569.68
791 Water Revenue	3,758,960.37	136,343.91	3,895,304.28
792 Water Bond Retirement Fund	0.00	0.00	0.00
794 Water Replacement & Improve	970,104.27	7,956.06	978,060.33
795 Water Utility Reserve Fund	8,437,262.59	16,975.74	8,454,238.33
799 Water Utility Grant Fund	41,710.98	0.00	41,710.98
851 Cemetery Memorial Trust	4,027.02	0.00	4,027.02
Grand Total	100,522,116.11	-175,203.08	100,346,913.03

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. ORDINANCE A-26 Passed _____, 20____

An Ordinance amending the Zoning Map created by Chapter 1101 of the Codified Ordinances of the City of Orrville, Ohio, to reclassify a parcel of land located on the east side of Ella Street known as the north part of PP #59-01640.000, consisting of a frontage of 25 feet and depth of 153 feet in the City of Orrville, Ohio, from R-4 (Residential) to C-3 (Commercial).

WHEREAS, the applicant, Dravenstotts Investments, Ltd., submitted an Application for Zoning Amendment for the property owned by Dravenstotts Investments, Ltd., located at 328 N. Ella Street, Orrville, Ohio, also known as the north part of Lot No. 958, Wayne County PP #59-01640.000 consisting of a frontage of approximately 25 feet and a depth of 153 feet, requesting that the property be rezoned from R-4 (Residential) to C-3 (Commercial);

WHEREAS, the parcels currently owned by applicant, Dravenstotts Investments, Inc., are split within two different zones – R-4 and C-3. Applicant’s use of these parcels is consistent with zone C-3 and has been sited at that location for over 50 years;

WHEREAS, said property is contiguous to other parcels owned by applicant Dravenstotts Investments, Ltd. Said parcel will be combined with other parcels to form a new parcel, all within C-3 zone in the City of Orrville, Ohio. A proposed Plat of said parcel consolidations is attached hereto; and

WHEREAS, the Orrville Planning Commission duly considered said request at its February 19, 2026 meeting and recommends that said Application be approved.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Orrville, Ohio:

Section 1: The Zoning Map created by Chapter 1101 of the Codified Ordinances of the City of Orrville, Ohio, is hereby amended to reclassify the parcel of land the north part of Lot No. 958, PP #59-01640.000 consisting of a frontage of approximately 25 feet and a depth of 153 feet in the City of Orrville from R-4 (Residential) to C-3 (Commercial).

Section 2: That this Ordinance shall be in full force and effect from and after the earliest period allowed by law.

Passed this _____ day of _____ 2026.

President of Council

Attest:

Clerk of Council

Approved:

Mayor: _____ Dated: _____

I, Jeanne Gault, Clerk of Council of the City of Orrville do hereby certify this legislation

adopted on _____

was duly posted on _____
within 10 days as required by the Charter of said City.

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. ORDINANCE B-26 Passed _____, 20____

An Ordinance amending the Zoning Map created by Chapter 1101 of the Codified Ordinances of the City of Orrville, Ohio, to reclassify parcels of land located on the west side of Sterling Avenue known as Lots No. 965 (PP #59-01254.000), 966 (PP #59-01264.000) and 2377 (PP #59-01258.000), with an approximate total frontage of 164 feet and a depth of 151 feet in the City of Orrville, Ohio, from R-4 (Residential) to C-3 (Commercial).

WHEREAS, the applicant, Dravenstotts Investments, Ltd., submitted an Application for Zoning Amendment for the properties owned by Dravenstotts Investments, Ltd., located Sterling Ave., Orrville, Ohio, located on the west side of Sterling Avenue known as Lots No. 965 (PP #59-01254.000), 966 (PP #59-01264.000) and 2377 (PP #59-01258.000), with an approximate total frontage of 164 feet and a depth of 151 feet in the City of Orrville, Ohio requesting that the property be rezoned from R-4 (Residential) to C-3 (Commercial);

WHEREAS, the parcels currently owned by applicant, Dravenstotts Invesments, Inc., are split within two different zones – R-4 and C-3. Applicant’s use of these parcels is consistent with zone C-3 and has been sited at that location for over 50 years;

WHEREAS, said property is contiguous to other parcels owned by applicant Dravenstotts Investments, Ltd. Said parcel will be combined with other parcels to form a new parcel, all within C-3 zone in the City of Orrville, Ohio. A proposed Plat of said parcel consolidations is attached hereto; and

WHEREAS, the Orrville Planning Commission duly considered said request at its February 19, 2026 meeting and recommends that said Application be approved.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Orrville, Ohio:

Section 1: The Zoning Map created by Chapter 1101 of the Codified Ordinances of the City of Orrville, Ohio, is hereby amended to certain parcels owned by Dravenstotts Investments, Ltd., located Sterling Ave., Orrville, Ohio, located on the west side of Sterling Avenue known as Lots No. 965 (PP #59-01254.000), 966 (PP #59-01264.000) and 2377 (PP #59-01258.000), with an approximate total frontage of 164 feet and a depth of 151 feet in the City of Orrville, Ohio from R-4 (Residential) to C-3 (Commercial).

Section 2: That this Ordinance shall be in full force and effect from and after the earliest period allowed by law.

Passed this _____ day of _____ 2026.

President of Council

Attest:

Clerk of Council

Approved:

Mayor: _____ Dated: _____

I, Jeanne Gault, Clerk of Council of the City of Orrville do hereby certify this legislation

adopted on _____

was duly posted on _____
within 10 days as required by the Charter of said City.

Resolution 5-26

A Resolution establishing policies for Wayne Street sidewalk installation for the City of Orrville, Ohio.

WHEREAS, City Council is considering approval of Resolution 6-26 which declares the necessity of constructing sidewalks along a certain portion of Wayne Street from Homestead Pointe Drive to Oak Street in the City of Orrville, Ohio; and

WHEREAS, City Council supports sidewalk policies that provide financial aid for those that qualify to help with the costs of construction; and

WHEREAS, City Council supports policies that provide financial aid to those properties where severe topography creates significant additional costs for construction of said sidewalks.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Orrville, Ohio:

Section 1: The City of Orrville will construct all curb ramps, at the City's cost, that are identified in the engineered drawings of the Wayne Street sidewalk project.

Section 2: The City will pay 50% of the installation cost if the household meets the income guidelines for low-moderate income households as established by the State of Ohio, Department of Development, Office of Housing and Community Partnerships.

Section 3: There will be a cap on the maximum cost per lineal foot to be borne by each property owner. The cap shall be one and one-half the cost per lineal foot to install sidewalk along other properties in the Wayne Street sidewalk installation project. This cost shall be referred to as the "base cost" and shall be determined by the City's engineer at the time that an estimated assessed cost is prepared for the Resolution of Necessity (Ohio Revised Code §729.02). If the amount of the cost per lineal foot exceeds the base cost per lineal foot by one and one-half times, the City shall pay the difference between one and one-half times the base cost and the actual cost.

Section 4: The City shall install sidewalks on any properties that fail to do so within the allotted three (3) year period, and abutted property owners will be assessed. The special assessment against each lot parcel of land shall be payable within 60 days after the passage of resolution levying assessments, or at the option of the owner, in ten (10) semi-annual installments at no interest or in twenty (20) semi-annual installments with interest at the same rate or rates of interest as borne by any securities to be issued in anticipation of the collection of special assessments, or if those securities are not issued, at the rate of 5% per year.

Section 5: That this Resolution shall take effect and be in full force from and after the earliest time allowed by law.

Passed this _____ day of _____, 2026.

President of Council

Attest:

Clerk of Council

Approved:

Mayor, City of Orrville

Date

I, Jeanne Gault, Clerk of Council of the City of Orrville do hereby certify this legislation _____ adopted on _____ was duly posted on _____ within 10 days as required by the Charter of said City.

Resolution 6-26

A Resolution declaring the necessity of constructing sidewalks on certain properties along the west side of Wayne St. from Homestead Pointe Drive to Oak St. in the City of Orrville, Ohio.

WHEREAS, a citizen group presented a petition to the City on June 24, 2025 seeking the installation of sidewalks along a certain portion of the west side of Wayne Street from Homestead Pointe Drive to Oak Street; and

WHEREAS, the Planning Committee of Orrville Council met on September 15, 2025 to review and discuss the feasibility and benefit of the installation of sidewalks on Wayne Street; and

WHEREAS, local residents provided public comment at the October 6, 2025 Orrville City Council meeting in support and furtherance of the request for the installation of sidewalks; and

WHEREAS, this City Council believes that sidewalks in developed areas are essential to the safety and enjoyment of pedestrians traveling therein.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Orrville, Ohio:

Section 1: That it is necessary to construct certain sidewalks on the west side of Wayne Street, located within the City of Orrville, Ohio, from Homestead Pointe Drive to Oak Street, specifically on Orrville Lots number 3813, 2558, 3396 and 2981, including a City owned alley/right of way.

Section 2: That the plans with specifications, and estimate of cost for the construction now on file in the office of the Clerk of Council of the City of Orrville, Ohio, are approved; and

Section 3: That the owners of each lot and parcel of land bounding the abutting on the proposed sidewalks shall construct that portion of the sidewalks that abut their respective properties, in accordance with the plans with specifications filed in the office of the Clerk of Council, within three (3) years after service of notice of the passage of this Resolution.

Section 4: That in the event any such abutting property owner does not complete the construction of that portion of such sidewalks that abut their property in accordance with the plans with specifications and within the time prescribed, this Council will cause it to be done and the entire cost assessed on the property of the abutting property owner.

Section 5: That the Clerk of Council is directed to serve notice of the passage of this Resolution on the owners of the lots and land abutting on the sidewalks as provided by law.

Section 6: That Council finds and declares that all formal actions concerning and relating to the adoption of this Resolution occurred in an open meeting of this Council of its committees, in compliance with law.

Section 7: That this Resolution shall take effect and be in full force from and after the earliest period allowed by law.

Passed this _____ day of _____ 2026

President of Council

Attest:

Clerk of Council

Approved:

Mayor

Date

I, Jeanne Gault, Clerk of Council of the City of Orrville do hereby certify this legislation _____ adopted on _____ was duly posted on _____ within 10 days as required by the Charter of said City.

Resolution 9-26

A Resolution to approve the form and authorize the execution of Bright Mountain Solar schedule with American Municipal Power, Inc. and taking of other actions in connection therewith, and declaring an Emergency

WHEREAS, the City of Orrville, Ohio (“Municipality”) owns and operates an electric utility system for the sale of electric capacity and associated energy for the benefit of its customers; and

WHEREAS, in order to satisfy the electric capacity and energy requirements of its electric utility system, Municipality has heretofore purchased, or desires to purchase in the future, economical, reliable and environmentally sound capacity and energy and related services from, or arranged by, American Municipal Power, Inc. (“AMP”), of which Municipality is a Member; and

WHEREAS, AMP is a nonprofit corporation, organized to own and operate facilities, or to provide otherwise, for the generation, transmission or distribution of electric capacity and energy, or any combination thereof, and to furnish technical services on a cooperative, nonprofit basis, for the mutual benefit of AMP members (“Members”), such Members, including Municipality, being political subdivisions that operate, or whose members operate, municipal electric utility systems; and

WHEREAS, Municipality, acting individually, and through AMP with other political subdivisions of this and other states that own and operate electric utility systems jointly, endeavors to arrange for reliable, environmentally sound and reasonably priced supplies of electric capacity and energy and related services for ultimate delivery to its customers; and

WHEREAS, it is efficient and economical to act jointly in such regard; and

WHEREAS, Municipality has previously entered into a Master Services Agreement with AMP, AMP Contract No. C-1-2006-4739 (the “MSA”), which contemplates that Municipality may enter into various schedules for the provision of capacity and associated energy and related services from AMP to Municipality; and

WHEREAS, certain Members, including Municipality, have determined that they can utilize additional sources of reliable and economical generated electric capacity and energy on a long-term basis, and have requested that AMP arrange for the same by acquiring interests through a purchased power agreement (PPA) in certain energy facilities; and

WHEREAS, in furtherance of this purpose, AMP has entered into a purchase power agreement (“Bright Mountain PPA”) with Bright Mountain, LLC (the “Developer”) under the terms of which AMP will purchase and Developer will supply and sell up to 80 MWac of capacity and associated energy and environmental attributes from the Bright Mountain generation project located in Perry County, Kentucky for a period of up to twenty-five (25) years; and

WHEREAS, it is necessary and desirable for Municipality to enter into a schedule to the MSA to provide for an additional source of capacity, energy and environmental attributes; and

WHEREAS, through approval and execution of the Bright Mountain Solar Schedule authorized below, Members now have the right, but not the obligation, to authorize and request AMP to acquire capacity and energy through the Bright Mountain PPA; and

WHEREAS, Orrville Utility Board considered and approved this Resolution at its meeting on March 23, 2026 and recommends approval by Orrville City Council; and

WHEREAS, prior to the adoption of this Resolution AMP has (i) informed Municipality of the terms of the Bright Mountain Solar Schedule; (ii) provided Municipality the opportunity to review the anticipated form of the Bright Mountain PPA; and (iii) offered representatives of Municipality the opportunity to ask such questions, review data and reports, conduct inspections and otherwise perform such investigations with respect to, as applicable, the acquisition of capacity and energy and the terms and conditions of the Bright Mountain Solar Schedule authorized below as Municipality deems necessary or appropriate in connection herewith; and

WHEREAS, Municipality requests and authorizes AMP to explore an arrangement whereby AMP may prepay all or a portion of AMP's obligations to purchase energy, capacity and environmental attributes at some point during the term of the Bright Mountain PPA and finance the prepayment on behalf of Municipality through the issuance of bonds by AMP in order to achieve additional savings on the capacity, energy and environmental attributes derived from the Bright

Resolution 9-26

Mountain PPA that AMP can pass through to Municipality (“Prepay Agreement”) subject to the additional requirements set forth in the Bright Mountain Solar Schedule.

WHEREAS, after due consideration, Municipality has determined it is reasonable and in its best interests to proceed as authorized herein below and requests and authorizes AMP to acquire capacity and energy from the Developer upon the terms and conditions set forth in the Bright Mountain PPA.

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

SECTION 1. That the Bright Mountain Solar Schedule between Municipality and AMP, substantially in the form attached hereto or on file with the Clerk, including Exhibits thereto, is approved, and the Authorized Representative of Municipality, identified below, is hereby authorized to execute and deliver the Bright Mountain Solar Schedule with such changes as the Authorized Representative may approve as neither inconsistent with this Resolution nor materially detrimental to the Municipality, his or her execution of the Bright Mountain Solar Schedule to be conclusive evidence of such approval. For purposes of this Resolution, Municipality’s Authorized Representative is Jeffrey Brediger, Director of Utilities.

SECTION 2. That the Authorized Representative is hereby authorized to (i) acquire under the Bright Mountain Solar Schedule, authorized above, a Contract Amount as defined in that Schedule of up to 4 MW, without bid, and (ii) make any determinations and approvals required thereunder, if any, as the Authorized Representative shall deem necessary and advisable.

SECTION 3. If any section, subsection, paragraph, clause or provision or any part thereof of this Resolution shall be finally adjudicated by a court of competent jurisdiction to be invalid, the remainder of this Resolution shall be unaffected by such adjudication and all the remaining provisions of this Resolution shall remain in full force and effect as though such section, subsection, paragraph, clause or provision or any part thereof so adjudicated to be invalid had not, to the extent of such invalidity, been included herein.

SECTION 4. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were taken in conformance with applicable open meetings laws and that all deliberations of this Council and of any committees that resulted in those formal actions were in compliance with all legal requirements including any applicable open meetings requirements.

SECTION 5. That this Resolution is hereby declared an emergency measure necessary for the immediate preservation of the public peace, health and safety of the residents of the City of Orrville, and for the further reason that procurement of economical, reliable and environmentally sound capacity and energy and related services from trusted sources is vital to the operations of Orrville Utilities, therefore, this Resolution shall be in effect immediately after its passage and approval by the Mayor.

Passed this ____ day of _____, 2026.

President of Council

Attest:

Clerk of Council

Approved:

Mayor, City of Orrville

Date

I, Jeanne Gault, Clerk of Council of the City of Orrville do hereby certify this legislation _____ adopted on _____ was duly posted on _____ within 10 days as required by the Charter of said City.

Resolution 10-26

A Resolution to approve the form and authorize the execution of the Potomac Energy Center schedule with American Municipal Power, Inc. and the taking of other actions in connection therewith, and declaring an Emergency

WHEREAS, the City of Orrville, Ohio (“Municipality”) owns and operates an electric utility system for the sale of electric capacity and associated energy for the benefit of its citizens; and

WHEREAS, in order to satisfy the electric capacity and energy requirements of its electric utility system, Municipality has heretofore purchased, or desires to purchase in the future, economical, reliable and environmentally sound capacity and energy and related services from, or arranged by, American Municipal Power, Inc. (“AMP”), of which Municipality is a Member; and

WHEREAS, AMP is a nonprofit corporation, organized to own and operate facilities, or to provide otherwise, for the generation, transmission or distribution of electric capacity and energy, or any combination thereof, and to furnish technical services on a cooperative, nonprofit basis, for the mutual benefit of AMP members (“Members”), such Members, including Municipality, being political subdivisions that operate, or whose members operate, municipal electric utility systems; and

WHEREAS, Municipality, acting individually, and through AMP with other political subdivisions of this and other states that own and operate electric utility systems jointly, endeavors to arrange for reliable, environmentally sound and reasonably priced supplies of electric capacity and energy and related services for ultimate delivery to its customers; and

WHEREAS, it is efficient and economical to act jointly in such regard; and

WHEREAS, Municipality has previously entered into a Master Services Agreement with AMP, AMP Contract No. C-1-2006-4739 (“MSA”), which contemplates that Municipality may enter into various schedules for the provision of capacity and associated energy and related services from AMP to Municipality; and

WHEREAS, certain Members, including Municipality, have determined that they can utilize additional sources of reliable and economical electric capacity and energy on a long-term basis, and have requested that AMP arrange for the same by acquiring interests through a purchased power agreement (“PPA”); and

WHEREAS, in furtherance of this purpose, AMP has entered into a purchase power agreement (“Potomac Energy Center PPA”) with Potomac Energy Center, LLC (the “Seller”) under the terms of which AMP will purchase and Seller will supply and sell up to approximately 268 MW of base capacity as well as an additional share of the 32 MW of duct firing on a pro-rata basis and associated energy from a combined cycle, gas-fired electric power plant located in Loudoun County, Virginia, for a period of fifteen (15) years; and

WHEREAS, it is necessary and desirable for Municipality to enter into a schedule to the MSA to provide for an additional source of capacity and energy; and

WHEREAS, through approval and execution of the Potomac Energy Center Schedule authorized below, Members now have the right, but not the obligation, to authorize and request AMP to acquire capacity and energy through the Potomac Energy Center PPA; and

WHEREAS, Orrville Utility Board considered and approved this Resolution at its meeting on March 23, 2026 and recommends approval by Orrville City Council; and

WHEREAS, prior to the adoption of this Resolution AMP has (i) informed Municipality of the terms of the Potomac Energy Center Schedule; (ii) provided Municipality the opportunity to review the anticipated form of the Potomac Energy Center PPA; and (iii) offered representatives of Municipality the opportunity to ask such questions, review data and reports, conduct inspections and otherwise perform such investigations with respect to, as applicable, the acquisition of capacity and energy and the terms and conditions of the Potomac Energy Center Schedule authorized below as Municipality deems necessary or appropriate in connection herewith; and

WHEREAS, Municipality requests and authorizes AMP to explore an arrangement whereby AMP may prepay all or a portion of AMP's obligations to purchase energy and capacity at some point during the term of the Potomac Energy Center PPA and finance the prepayment on behalf of Municipality through the issuance of bonds by AMP in order to achieve additional savings on the

Resolution 10-26

capacity and energy derived from the Potomac Energy Center PPA that AMP can pass through to Municipality (“Prepay Agreement”) subject to the additional requirements set forth in the Potomac Energy Center Schedule.

WHEREAS, after due consideration, Municipality has determined it is reasonable and in its best interests to proceed as authorized herein below and requests and authorizes AMP to acquire capacity and energy from the Seller upon the terms and conditions set forth in the Potomac Energy Center PPA.

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

SECTION 1. That the Potomac Energy Center Schedule between Municipality and AMP, substantially in the form attached hereto or on file with the Clerk, including Exhibits thereto and related agreements, if necessary, is approved, and the Authorized Representative of Municipality, identified below, is hereby authorized to execute and deliver the Potomac Energy Center Schedule with such changes as the Authorized Representative may approve as neither inconsistent with this Resolution nor materially detrimental to the Municipality, his or her execution of the Potomac Energy Center Schedule to be conclusive evidence of such approval. For purposes of this Resolution, Municipality’s Authorized Representative is: Jeff Brediger, Director of Utilities.

SECTION 2. That the Authorized Representative is hereby authorized to (i) acquire under the Potomac Energy Center Schedule, authorized above, a Contract Amount as defined in that Schedule of up to 2.4MW, without bid, and (ii) make any determinations and approvals required thereunder, if any, as the Authorized Representative shall deem necessary and advisable.

SECTION 3. If any section, subsection, paragraph, clause or provision or any part thereof of this Resolution shall be finally adjudicated by a court of competent jurisdiction to be invalid, the remainder of this Resolution shall be unaffected by such adjudication and all the remaining provisions of this Resolution shall remain in full force and effect as though such section, subsection, paragraph, clause or provision or any part thereof so adjudicated to be invalid had not, to the extent of such invalidity, been included herein.

SECTION 4. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were taken in conformance with applicable open meetings laws and that all deliberations of this Council and of any committees that resulted in those formal actions were in compliance with all legal requirements including any applicable open meetings requirements.

SECTION 5. That this Resolution is hereby declared an emergency measure necessary for the immediate preservation of the public peace, health and safety of the residents of the City of Orrville, and for the further reason that procurement of economical, reliable and environmentally sound capacity and energy and related services from trusted sources is vital to the operations of Orrville Utilities, therefore, this Resolution shall be in effect immediately after its passage and approval by the Mayor.

Passed this ____ day of _____, 2026.

President of Council

Attest:

Clerk of Council

Approved:

Mayor, City of Orrville

Date

I, Jeanne Gault, Clerk of Council of the City of Orrville do hereby certify this legislation _____ adopted on _____ was duly posted on _____ within 10 days as required by the Charter of said City.

Resolution 11-26

A Resolution authorizing the Safety-Service Director to enter into an Agreement with the Wayne County Emergency Management Agency to provide the City of Orrville, Ohio with emergency management services, and declaring an emergency.

WHEREAS, Ohio has established laws through the Ohio Revised Code and Ohio Administrative Code governing emergency management agencies for Ohio counties through Boards of County Commissioners; and

WHEREAS, Orrville has historically contracted with Wayne County for such services; and

WHEREAS, the Wayne County Board of Commissioners, through the Wayne County Emergency Management Agency, has renewed its commitment to meeting emergency preparedness and the needs of residents through the Wayne County Emergency Management Agency.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Orrville, Ohio:

Section 1: That the Wayne County Emergency Management Agency Agreement is hereby approved and the Safety-Service Director is directed to enter into an agreement with the Wayne County Commissioners for disaster services.

Section 2: That this Resolution is hereby declared an emergency measure necessary for the immediate protection and preservation of the public peace, health, safety, and general welfare of the residents of the City of Orrville, and for the further reason that coordinating emergency disaster services with Wayne County Emergency Management Agency allows the City to coordinate with federal, State and local services in the event of a disaster. Therefore, this Resolution shall be in full force and effect immediately after its passage by Council and approval by the Mayor.

Passed this _____ day of _____, 2026.

President of Council

Attest:

Clerk of Council

Approved:

Mayor, City of Orrville

Date

I, Jeanne Gault, Clerk of Council of the City of Orrville do hereby certify this legislation _____ adopted on _____ was duly posted on _____ within 10 days as required by the Charter of said City.

Resolution 12-26

A Resolution authorizing participation in the ODOT Road Salt Contracts awarded in 2026 for road salt for the City of Orrville, Ohio, and declaring an emergency.

WHEREAS, the City of Orrville (hereinafter referred to as the “Political Subdivision”) hereby submits this written agreement to participate in the Ohio Department of Transportation’s (ODOT) annual road salt bid in accordance with Ohio Revised Code §5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT road salt contract:

- a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the road salt contract and acknowledges that upon award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and
- b. The Political Subdivision hereby acknowledges that upon the Director of ODOT’s signing of the road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and
- c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT road salt contract and agrees that each party hereto shall be responsible for liability associated with that party’s own errors, actions, and failures to act; and
- d. The Political Subdivision’s electronic order for Sodium Chloride (Road Salt) will be the amount the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and
- e. The Political Subdivision hereby agrees to purchase at least 85% of its electronically submitted salt quantities from its awarded salt supplier during the contract’s effective period; and
- f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT salt contract; and
- g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by the deadline. The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: Contracts.Purchasing@dot.ohio.gov by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision’s participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision’s participation agreement and/or a Political Subdivision’s request to rescind its participation agreement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Orrville, Ohio:

Section 1: That this participation agreement for the ODOT road salt contract is hereby approved, funding has been authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation on the ODOT salt contract.

Section 2: That this Resolution is hereby declared an emergency measure necessary for the immediate protection and preservation of the public peace, health, safety, and general welfare of the residents of the City of Orrville, and for the further reason to comply with ODOT bid deadline requirements. Therefore, this Resolution shall be in full force and effect immediately after its passage by Council and approval by the Mayor.

Passed this _____ day of _____, 2026.

President of Council

Resolution 12-26

Attest:

Clerk of Council

Approved:

Mayor, City of Orrville

Date

I, Jeanne Gault, Clerk of Council of the City of Orrville do hereby certify this legislation _____ adopted on _____ was duly posted on _____ within 10 days as required by the Charter of said City.

Resolution 13-26

A Resolution authorizing the Safety-Service Director to enter into Forfeiture Agreement with the Wayne County Prosecutor's Office to provide the City of Orrville, Ohio with prosecutorial representation for criminal and civil forfeiture matters, and declaring an emergency.

WHEREAS, the City of Orrville and the Orrville Police Department periodically confiscate contraband property, including cash and other items, that are subsequently Court ordered for forfeiture; and

WHEREAS, Ohio Revised Code §2981 provides for proceeds that are subject to court-ordered forfeiture and permitted uses of said proceeds by governmental agencies, including municipalities; and

WHEREAS, the Wayne County Prosecutor represents Wayne County townships and municipalities through the Wayne County Sheriff's Office and municipal police departments in filing and litigating civil and criminal forfeiture actions.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Orrville, Ohio:

Section 1: That the Forfeiture Agreement is hereby approved and the Safety-Service Director is directed to enter into a Forfeiture Agreement with the Wayne County Prosecutor's Office.

Section 2: That this Resolution is hereby declared an emergency measure necessary for the immediate protection and preservation of the public peace, health, safety, and general welfare of the residents of the City of Orrville, and for the further reason that timely securing of forfeiture funds is a significant benefit to the Orrville Police Department Law Enforcement Fund to aid in the funding of various law enforcement programs. Therefore, this Resolution shall be in full force and effect immediately after its passage by Council and approval by the Mayor.

Passed this _____ day of _____, 2026.

President of Council

Attest:

Clerk of Council

Approved:

Mayor, City of Orrville

Date

I, Jeanne Gault, Clerk of Council of the City of Orrville do hereby certify this legislation _____ adopted on _____ was duly posted on _____ within 10 days as required by the Charter of said City.

ORDINANCE C-26

An Ordinance approving the editing and inclusion of certain Ordinances as parts of the various component Codes of the Codified Ordinances of Orrville, Ohio, and declaring an Emergency.

WHEREAS, various ordinances of a general and permanent nature have been passed which should be included in the Codified Ordinances of Orrville, Ohio;

WHEREAS, numerous sections of the Traffic and General Offenses Codes need to be updated in order to bring the City into compliance with State law;

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

SECTION 1. That the editing, arrangement and numbering of those ordinances and resolutions enacted by Council from February 3, 2025 to February 2, 2026, as listed in the Comparative Section Table, are hereby approved and adopted as printed in the 2026 Replacement Pages to the Codified Ordinances so as to achieve uniformity of style and classification. The Replacement Pages are available for inspection at the office of the Safety-Service Director, 207 N. Main Street. Orrville, Ohio or by link on the City website (www.orrville.com).

SECTION 2. That the following sections of the Traffic and General Offenses Codes, as reprinted and amended, are hereby approved and adopted as amended or enacted so as to conform to enactments of the Ohio General Assembly:

Traffic Code

- 301.02 Agricultural tractor and traction engine. (Added)
- 301.03 Alley. (Added)
- 301.04 Arterial street or highway. (Added)
- 301.05 Autocycle. (Added)
- 301.06 Beacon. (Added)
- 301.07 Bicycle. (Added)
- 301.08 Bicycle box. (Added)
- 301.09 Bicycle lane. (Added)
- 301.10 Bicycle signal face. (Added)
- 301.11 Bicycle signal sign. (Added)
- 301.12 Bikeway. (Added)
- 301.13 Bus. (Added)
- 301.14 Business district. (Added)
- 301.15 Busway. (Added)
- 301.16 Cab-enclosed motorcycle. (Added)
- 301.17 Chauffeured limousine. (Added)
- 301.18 Child care center. (Added)
- 301.19 Commercial tractor. (Added)
- 301.20 Controlled-access highway. (Added)
- 301.21 Crosswalk. (Added)
- 301.22 Driver or operator. (Added)
- 301.23 Driveway. (Added)
- 301.24 Electric bicycle. (Added)
- 301.25 Electronic. (Added)
- 301.26 Emergency vehicle. (Added)
- 301.27 Explosives. (Added)
- 301.28 Expressway. (Added)
- 301.29 Farm machinery. (Added)
- 301.30 Flammable liquid. (Added)
- 301.31 Freeway. (Added)
- 301.32 Funeral escort vehicle. (Added)
- 301.33 Gross weight. (Added)
- 301.34 Highway maintenance vehicle. (Added)
- 301.35 Highway traffic signal. (Added)
- 301.36 Hybrid beacon. (Added)
- 301.37 In-road warning light. (Added)
- 301.38 Intersection. (Added)
- 301.39 Lane-use control signal. (Added)
- 301.40 Laned highway. (Added)
- 301.41 Limited driving privileges. (Added)
- 301.42 Local authorities. (Added)
- 301.43 Low-speed micromobility device. (Added)

301.44 Median. (Added)
301.45 Motor-driven cycle or motor scooter. (Added)
301.46 Motor vehicle. (Added)
301.47 Motorcycle. (Added)
301.48 Motorized bicycle or moped. (Added)
301.49 Motorized wheelchair. (Added)
301.50 Multi-wheel agricultural tractor. (Added)
301.51 Natural resources officer. (Added)
301.52 Operate. (Added)
301.53 Parked or parking. (Added)
301.54 Pedestrian. (Added)
301.55 Person. (Added)
301.56 Pole trailer. (Added)
301.57 Police officer. (Added)
301.58 Predicate motor vehicle or traffic offense. (Added)
301.59 Private road. (Added)
301.60 Public safety vehicle. (Added)
301.61 Railroad. (Added)
301.62 Railroad sign or signal. (Added)
301.63 Residence district. (Added)
301.64 Ridesharing arrangement. (Added)
301.65 Right-of-way. (Added)
301.66 Road service vehicle. (Added)
301.67 Roadway. (Added)
301.68 Roundabout. (Added)
301.69 Rural mail delivery vehicle. (Added)
301.70 Safety zone. (Added)
301.71 School bus. (Added)
301.72 Semitrailer. (Added)
301.73 Shared-use path. (Added)
301.74 Shoulder. (Added)
301.75 Sidewalk. (Added)
301.76 Site roadway open to public travel. (Added)
301.77 Standing. (Added)
301.78 State. (Added)
301.79 State highway. (Added)
301.80 State route. (Added)
301.81 Stop. (Added)
301.82 Stop intersection. (Added)
301.83 Stopping. (Added)
301.84 Street or highway. (Added)
301.85 Through highway. (Added)
301.86 Thruway. (Added)
301.87 Traffic. (Added)
301.88 Traffic control device. (Added)
301.89 Traffic control signal. (Added)
301.90 Trailer. (Added)
301.91 Train. (Added)
301.92 Truck. (Added)
301.93 Two-stage bicycle turn box. (Added)
301.94 Type A family child care home. (Added)
301.95 Urban district. (Added)
301.96 Vehicle. (Added)
301.97 Waste collection vehicle. (Added)
301.98 Wildlife officer. (Added)
313.02 Through Highways; Stop and Yield Right-of-Way Signs. (Amended)
313.03 Traffic Signal Indications. (Amended)
313.04 Lane-Use Control Signal Indications. (Amended)
313.09 Driver's Duties Upon Approaching Ambiguous or Non-Working Traffic Signal.
(Amended)
313.10 Unlawful Purchase, Possession or Sale. (Amended)
313.11 Portable Signal Preemption Devices Prohibited. (Amended)
313.12 Bicycle Symbol Signal Indications. (Added)
331.33 Obstructing Intersection, Crosswalk or Grade Crossing. (Amended)
331.35 Occupying Travel Trailer, Fifth Wheel Vehicle, or Manufactured or Mobile
Home While in Motion. (Amended)
331.38 Stopping for School Bus; Discharging Children. (Amended)
331.381 School Bus Operator to Report Violations. (Added)

- 331.39 Driving Across Grade Crossing. (Amended)
- 331.40 Stopping at Grade Crossing. (Amended)
- 331.401 Slow-Moving Vehicles or Equipment Crossing Railroad Tracks. (Added)
- 331.46 Restrictions on the Operation of School Buses. (Amended)
- 333.01 Driving or Physical Control While Under the Influence. (Amended)
- 333.03 Maximum Speed Limits; Assured Clear Distance Ahead. (Amended)
- 333.11 Electronic Wireless Communication Device Use Prohibited While Driving. (Amended)
- 335.04 Certain Acts Prohibited. (Amended)
- 335.072 Driving Under Financial Responsibility Law Suspension or Cancellation; Driving Under a Nonpayment of Judgment Suspension. (Amended)
- 335.074 Driving Under License Forfeiture or Child Support Suspension. (Amended)
- 335.09 Display of License Plates or Validation Stickers; Registration. (Amended)
- 337.24 Motor Vehicle Stop Lights. (Amended)
- 337.26 Child Restraint System Usage. (Amended)
- 341.01 Commercial Drivers Definitions. (Amended)
- 351.03 Prohibited Standing or Parking Places. (Amended)
- 371.01 Right of Way in Crosswalk. (Amended)
- 371.03 Crossing Roadway Outside Crosswalk; Diagonal Crossings at Intersections. (Amended)
- 371.11 Persons Operating Motorized Wheelchairs. (Deleted)
- 371.12 Electric Personal Assistive Mobility Devices. (Amended)

General Offenses Code

- 513.01 Drug Abuse Control Definitions. (Amended)
- 513.03 Drug Abuse; Controlled Substance Possession or Use. (Amended)
- 513.04 Possessing Drug Abuse Instruments. (Amended)
- 513.05 Permitting Drug Abuse. (Amended)
- 513.07 Possessing or Using Harmful Intoxicants. (Amended)
- 513.08 Illegally Dispensing Drug Samples. (Amended)
- 513.12 Drug Paraphernalia. (Amended)
- 513.17 Pseudoephedrine Sales. (Added)
- 517.01 Gambling Definitions. (Amended)
- 525.02 Falsification. (Amended)
- 525.05 Failure to Report a Crime, Injury or Knowledge of Death. (Amended)
- 529.08 Hours of Sale or Consumption. (Amended)
- 533.01 Obscenity and Sex Offenses Definitions. (Amended)
- 533.04 Sexual Imposition. (Amended)
- 533.15 Dissemination of Private Sexual Images. (Repealed)
- 533.16 Grooming. (Added)
- 537.02 Vehicular Homicide and Manslaughter. (Amended)
- 537.14 Domestic Violence. (Amended)
- 537.20 Illegal Use of a Tracking Device or Application. (Added)
- 545.01 Theft and Fraud Definitions. (Amended)
- 545.05 Misdemeanor Theft. (Amended)
- 549.12 Concealed Handgun Licenses; Possession of Revoked or Suspended License; Additional Restrictions; Posting Signs Prohibiting Possession. (Amended)

SECTION 3. That the complete text of the sections listed above are set forth in full in the current replacement pages to the Codified Ordinances which are available for inspection at the office of the Safety-Service Director, 207 N. Main Street, Orrville, Ohio, or by link on the City website (www.orrville.com). The listing above of each new section by reference to its title shall constitute sufficient publication of new matter contained therein.

SECTION 4. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of said City and for the further reason that it is necessary to update the City Codified Ordinances to reflect the legislation enacted by the State and City in the last year; therefore this ordinance shall be in full force and effect immediately after its passage and approval by the Mayor.

Passed this _____ day of _____ 2026.

President of Council

Attest:

Clerk of Council

Approved:

Mayor: _____ Dated: _____

I, Jeanne Gault, Clerk of Council of the City of Orrville do hereby certify this legislation _____ adopted on _____ was duly posted on _____ within 10 days as required by the Charter of said City.

Resolution 14-26

A Resolution authorizing the Director of Safety and Service to enter into a contract to provide for tax abatement for real property for Top Hat LLC, and declaring an Emergency.

BE IT RESOLVED by the Council of the City of Orrville, Ohio:

Section 1: That the Director of Safety and Service is hereby authorized to enter into a contract to provide for tax abatement for real property for Top Hat LLC in substantially the Form attached hereto and made a part hereof and marked Exhibit A.

Section 2: That this Resolution is hereby declared an Emergency measure necessary for the immediate preservation of the public peace, health and safety of said City and for the further reason that it is necessary to create and preserve job opportunities, to eliminate unemployment and other negative conditions resulting from unemployment; therefore, this Resolution shall be in effect immediately after its passage and approval by the Mayor.

Passed this _____ day of _____, 2026.

President of Council

Attest:

Clerk of Council

Approved:

Mayor, City of Orrville

Date

I, Jeanne Gault, Clerk of Council of the City of Orrville do hereby certify this legislation _____ adopted on _____ was duly posted on _____ within 10 days as required by the Charter of said City.

Community Reinvestment Area Agreement

This Agreement made and entered into by and between the City of Orrville, Ohio, a municipal corporation, with its main offices at 207 North Main Street, Orrville, Ohio (hereinafter referred to as “ORRVILLE”), Top Hat LLC, with its main offices located at 2100 West High Street, Orrville, Ohio 44667 (hereinafter referred to as “TOP HAT”), , WITNESSETH;

WHEREAS, ORRVILLE has encouraged the development of real property and the acquisition of personal property located in the area designated as the Community Reinvestment Area; and

WHEREAS, TOP HAT is desirous of converting 2,613 square feet of office space to restaurant and entertainment space at 234 West Market Street, Orrville, Ohio, (hereinafter referred to as the “PROJECT”) within the boundaries of the aforementioned Community Reinvestment Area, provided that the appropriate development incentives are available to support the economic viability of said PROJECT; and

WHEREAS, the Council of the City of Orrville, Ohio by Ordinance Q – 07 adopted November 5, 2007, designated the area as an “Community Reinvestment Area” pursuant to Chapter 3735 of the Ohio Revised Code; and

WHEREAS, effective November 14, 2007, the Director of Development of the State of Ohio determined that the aforementioned area designated in said Ordinance contains the characteristics set forth in Section 3735.66 of the Ohio Revised Code and certified said area as a Community Reinvestment Area under said Chapter 3735; and

WHEREAS, ORRVILLE having the appropriate authority for the stated type of project is desirous of providing TOP HAT with incentives available for the development of the PROJECT in said Community Reinvestment Area under Chapter 3735 of the Ohio Revised Code; and

WHEREAS, TOP HAT has submitted a proposed agreement application (herein attached as Exhibit A) to ORRVILLE said application (hereinafter referred to as “Application”); and

WHEREAS, the Safety – Service Director of the City of Orrville has investigated the application and has recommended the same to the Council of the City of Orrville on the basis that TOP HAT is qualified by financial responsibility and business experience to create and preserve employment opportunities in said Community Reinvestment Area and improve the economic climate of ORRVILLE; and

Exhibit A

WHEREAS, the project site proposed by TOP HAT is located in the Orrville City School District and the Wayne County Joint Vocational School District and the Boards of Education of the Orrville City School District and the Wayne County Joint Vocational School District have been notified in accordance with ORC Section 5709.83 and have been given a copy of the Application; and

WHEREAS, pursuant to Section 3735.67(A) and in conformance with the format required under ORC Section 3735.671(B), the parties hereto desire to set forth their agreement with respect to matters hereinafter contained;

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained and the benefit to be derived by the parties from the execution hereof, the parties herein agree as follows:

1. TOP HAT shall convert a 2,613 square foot downtown building to house restaurant and entertainment space at 234 West Market Street, Orrville, Ohio. Said facility is located on PPN 59-00724.000, the same is known and designed on the Wayne County Auditor's revised list of lots in the 2nd ward of Orrville, Ohio.

The PROJECT will involve a total investment by TOP HAT of \$835,000 (Eight hundred thirty five thousand dollars), plus or minus 10% at 234 West Market Street. Included in this investment are \$335,000 for land acquisition, \$500,000 for improvements to existing buildings, \$0 to purchase first used machinery and equipment, \$0 for furniture and fixtures, and \$0 for new inventory.

The PROJECT will begin April 15, 2026 and all acquisition, construction, and installation will be completed by December 31, 2026.

2. TOP HAT and Brick Street Kitchen & Taproom shall retain within a time period not exceeding 36 (thirty-six) months after the commencement of construction of the aforesaid facility, equivalent of two (2) full-time permanent job opportunities, 0 (zero) part-time permanent job opportunities, 0 (zero) full-time temporary job opportunities, and 0 (zero) part-time temporary job opportunities.
3. TOP HAT currently has zero full-time permanent employees, 0 (zero) part-time permanent employees, 0 (zero) full-time temporary employees, and 0 (zero) part-time temporary employees at the project site. In total, TOP HAT has zero full-time permanent employees, zero part-time permanent employees, zero full-time temporary employees, and zero part-time temporary employees in the State of Ohio.

TOP HAT and Brick Street Kitchen & Taproom hereby agrees to use their best efforts to hire 30% of any new employment opportunities with people who at the time of employment have a City of Orrville mailing address. TOP HAT further agrees that all those who are

hired who do not have a City of Orrville mailing address shall be encouraged to relocate so that they have a City of Orrville mailing address.

4. TOP HAT shall provide to the proper Tax Incentive Review Council any information reasonably required by the Council to evaluate the Enterprise’s compliance with the Agreement, including returns filed pursuant to section 5711.02 and 5727.08 of the Ohio Revised Code if requested by the Council.

In addition, TOP HAT agrees to continue in operation for at least one additional year for each year for which abatement is granted.

5. ORRVILLE hereby grants TOP HAT a tax exemption for real property improvements made to the PROJECT site pursuant to Section 3735.67 of the Ohio Revised Code and shall be in the following amounts:

<u>Year of Tax Exemption</u>	<u>Tax Exemption Amount</u>
Years 1 – 10	50%

Each identified project improvement will receive a (10) ten year exemption period. The exemption commences the first year for which the real property exemption would first be taxable were that property not exempted from taxation. No exemption shall commence after December 2027 nor extend beyond 2037.

6. TOP HAT shall pay an annual fee equal to (\$250.00) Two Hundred Fifty dollars.

The fee shall be made payable to the City of Orrville once per year for each year the Agreement is effective on the days and in the following form: a check by December 31. The fee is to be paid to the Safety – Service Director and made out to the City of Orrville. This fee shall be deposited in a special fund created for such purpose and shall be used exclusively for the purpose of complying with Section 3735.671(D) of the Revised Code and by the Tax Incentive Review Council created under Section 3735.671(D) of the Revised Code exclusively for the purposes of performing the duties prescribed under that section.

7. TOP HAT shall pay such real and tangible personal property taxes as are not exempted under this Agreement and are charged against such property and shall file all tax reports and returns as required by law. If TOP HAT fails to pay such taxes or file such returns and reports, all incentives granted under this Agreement are rescinded beginning with the year for which such taxes are charged or such reports or returns are required to be filed and thereafter.
8. TOP HAT shall perform such acts as are reasonably necessary or appropriate to effect, claim, reserve, and maintain exemptions from taxation granted under this Agreement including, without limitation, joining in the execution of all documentation and providing any necessary certificates required in connection with such exemptions.

9. If for any reason the Community Reinvestment Area designation expires, the Director of the Ohio Department of Development revokes certification of the area, or ORRVILLE revokes the designation of the area, entitlements under this Agreement shall continue for the number of years specified under this Agreement, unless TOP HAT materially fails to fulfill its obligations under this Agreement and ORRVILLE terminates or modifies the exemptions from taxation granted under this Agreement.
10. If TOP HAT materially fails to fulfill its obligations under this Agreement or if ORRVILLE determines that the certification as to delinquent taxes required by this Agreement is fraudulent, ORRVILLE may terminate or modify the exemptions from taxation granted under this Agreement and may require the repayment of the amount of taxes that would have been payable had the property not been exempted from taxation under this Agreement. If ORRVILLE makes a demand for repayment, TOP HAT shall make such repayment within thirty (30) days.
11. TOP HAT hereby certifies that at the time of this Agreement is executed, TOP HAT does not owe any delinquent real or tangible personal property taxes to any taxing authority of the State of Ohio, and does not owe delinquent taxes for which TOP HAT is liable under Chapter 5733., 5735., 5739., 5741., 5743., 5747., or 5753. of the Ohio Revised Code, or, if such delinquent taxes are owed, TOP HAT currently is paying the delinquent taxes pursuant to an undertaking enforceable by the State of Ohio or an agent or instrumentality thereof, has filed a petition in bankruptcy under 11 U.S.C.A. 101, et seq., or such a petition has been filed against TOP HAT. For the purposes of certification, delinquent taxes are taxes that remain unpaid on the latest day prescribed for payment without penalty under the chapter of the Ohio Revised Code governing payment of those taxes.
12. TOP HAT affirmatively covenants that they do not owe: (1) any delinquent taxes to the State of Ohio or a political subdivision of the State; (2) any moneys to the State or a state agency for the administration or enforcement of any environmental laws of the State; and (3) any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not.
13. TOP HAT and ORRVILLE acknowledge that this Agreement must be approved by formal action of the legislative authority of the City of Orrville as a condition for the Agreement to take effect. This Agreement takes effect upon such approval.
14. ORRVILLE has developed a policy to ensure recipients of Community Reinvestment Area tax benefits practice non-discriminating hiring in its operations. By executing this Agreement, TOP HAT is committing to following non-discriminating hiring practices acknowledging that no individual may be denied employment solely on the basis of race, religion, sex, disability, color, national origin, or ancestry.
15. Exemptions from taxation granted under this Agreement shall be revoked if it is determined that TOP HAT, any successor enterprise, or any related member (as those terms are defined in Section 3735.671 of the Ohio Revised Code) has violated the prohibition against entering into this Agreement under Division (E) of Section 3735.671 or Section 5709.62

or 5709.63 of the Ohio Revised Code prior to the time prescribed by that division or either of those sections.

- 16. TOP HAT affirmatively covenants that they have made no false statements to the State or local political subdivision in the process of obtaining approval for the Community Reinvestment Area incentives. If any representative of TOP HAT has knowingly made a false statement to the State or local political subdivision to obtain the Community Reinvestment Area incentives, TOP HAT shall be required to immediately return all benefits received under the Community Reinvestment Area Agreement pursuant to ORC Section 9.66 (C)(2) and shall be ineligible for any future economic development assistance from the State, any state agency or a political subdivision pursuant to ORC Section 9.66 (C)(1). Any person who provides a false statement to secure economic development assistance may be guilty of falsification, a misdemeanor of the first degree, pursuant to ORC 2921.13 (D)(1), which is punishable by a fine of not more than \$1,000 and/or a term of imprisonment of not more than six months.
- 17. This Agreement is not transferable or assignable without the express, written approval of the Council of the City of Orrville.
- 18. ORRVILLE acknowledges that in order to develop and finalize this Agreement, TOP HAT has disclosed to ORRVILLE certain information determined to be proprietary by TOP HAT. To the maximum extent permissible by law, ORRVILLE agrees not to disclose any such information, not already in the public domain, to any person, firm, or corporation without TOP HAT’s prior written consent; provided, further that if any such disclosure is mandated by federal, state or local law (such as the Freedom of Information Act and all public records and sunshine laws) ORRVILLE agrees to promptly notify TOP HAT of the requirement to make such disclosure and to fully cooperate with TOP HAT in any procedures permitted by law to limit such disclosure.

IN WITNESS WHEREOF, the City of Orrville, Ohio by Steven. M. Wheeler, its Safety – Service Director, and pursuant to Resolution No. 14-26 has caused this instrument to be executed this _____ day of April, 2026 and Top Hat LLC by Ryan McAllister, has caused this instrument to be executed this _____ day of April, 2026.

THE CITY OF ORRVILLE, OHIO

By: _____
Steven M. Wheeler, Safety Service Director

TOP HAT LLC

By: _____
Ryan McAllister

Approved as to form:

Cheryl Kirkbride, Law Director

NOTE: A copy of this agreement must be forwarded the Ohio Development Services Agency and the Wayne County Auditor within fifteen (15) days of approval to be finalized.