

RECORD OF ORDINANCES

Ordinance No. 3801

Passed: April 22, 2025

AN ORDINANCE AUTHORIZING THE FILING OF A PETITION AND AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO COMPLETE ALL NECESSARY DOCUMENTS TO SECURE AN AMENDMENT TO THE PROJECT SCOPE OF A STATE INFRASTRUCTURE BANK LOAN THAT WAS SECURED BY THE CITY OF WEST CARROLLTON IN AN AMOUNT NOT TO EXCEED \$1,860,000 FROM THE OHIO DEPARTMENT OF TRANSPORTATION STATE INFRASTRUCTURE BANK TO FINANCE THE WEST CARROLLTON RIVER DISTRICT PHASE IA INFRASTRUCTURE AND SITE PREP CONSTRUCTION PROJECT AND TO INCLUDE IN THE UPDATED SCOPE, THE RIVER DISTRICT PHASE II CONSTRUCTION PROJECT WITHIN THE CITY OF WEST CARROLLTON, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, the City of West Carrollton, Ohio, by virtue of its Charter and the laws of the State of Ohio is authorized and empowered to issue its obligations to finance capital improvements; and

WHEREAS, on October 22, 2024, the West Carrollton City Council authorized application for a State Infrastructure Bank (SIB) loan in an amount not to exceed \$1,860,000 via Ordinance No. 3783; and

WHEREAS, the West Carrollton River District Phase IA Infrastructure and Site Prep project ("Spine Road Project") is currently underway, which includes the construction of a new access roadway, utilities, storm drainage, and site prep for an approximately 10-acre parcel on the east side of Manchester Road; and

WHEREAS, the City of West Carrollton secured \$1,333,611 in debt proceeds from the State Infrastructure Bank Loan # 250005 / PID # 123050; and

WHEREAS, favorable competitive bidding and contracting was conducted by City staff, which has resulted in total estimated project costs for the West Carrollton River District Phase IA Infrastructure and Site Prep project ("Spine Road Project") to be approximately \$800,000; and

WHEREAS, The West Carrollton City Council, upon studying ongoing progress and development proposals on city-owned property in the River District, has directed the City Manager to investigate and to recommend for City Council's consideration, opportunities to further the City's economic development strategies in the River District and Whitewater Park within the City's budgetary constraints and tradition of prudent and conservative fiscal practices; and

WHEREAS, The West Carrollton City Council, is considering a combination of funding strategies, which include competitive application for grant funding through Transportation Improvement District funds, Ohio Public Works Commission funds, and One Time Strategic Community Investment funds; and

WHEREAS, the City of West Carrollton has budgeted debt service payments for repayment of the SIB loan, and the Ohio Department of Transportation has verified that a modification in the State Infrastructure Bank Loan project scope will not result in additional costs to the City of West Carrollton; and

WHEREAS, staff is not requesting the issuance of additional State Infrastructure Bank debt and instead is requesting that the City Council consider providing authorization for the remaining \$533,111 to be applied to the furtherance of the River District Phase II Construction Project; and

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WHEREAS, The City of West Carrollton has partnered with Woodard Development and JT Development to further the City's efforts to create jobs and foment private and public sector capital investment in the River District and Whitewater Park; and

WHEREAS, new private sector investment in the River District is estimated in excess of \$30,000,000 with the creation of up to 100 new jobs; and

WHEREAS, The City of West Carrollton has completed River District Phase II design, has developed an Engineer's Estimate of Quantities for construction of infrastructure improvements including but not limited to roadways, drainage, sanitary sewer system, water treatment system, utility relocation, signalization, bike path relocation, and has nearly completed review of all associated detailed plans for this phase of the project; and

WHEREAS, upon studying the timeline of various initiatives relating to the River District and Whitewater Park efforts, staff has recommended that the City of West Carrollton consider petitioning the Ohio Department of Transportation State Infrastructure Bank Committee and Finance Division to request an amendment to the loan that was secured by the City in order to include the River District Phase II Construction Project in the scope of the loan; and

WHEREAS, the Ohio Department of Transportation has indicated that such petition is somewhat common and generally acceptable in furtherance of the same or similar projects for which the funding was originally authorized; and

WHEREAS, in order to petition the Ohio Department of Transportation State Infrastructure Bank Committee, it is necessary for the City Manager to first obtain legislative authorization from the West Carrollton City Council.

NOW, THEREFORE, THE MUNICIPALITY OF WEST CARROLLTON, STATE OF OHIO, HEREBY ORDAINS:

Section 1. The City Manager or her designee is authorized to petition and to complete all necessary documents to secure an amendment to the project scope of a State Infrastructure Bank loan (i.e., Loan # 250005, PID # 123050) that was secured by the City of West Carrollton in an amount not to exceed \$1,860,000 from the Ohio Department of Transportation State Infrastructure Bank to finance the West Carrollton River District Phase IA Infrastructure and Site Prep Construction Project and to include in the updated scope, the River District Phase II Construction project within the City of West Carrollton, Ohio.

Section 2. It is recognized that the petition to amend the scope of the loan shall not result in a request for additional State Infrastructure Bank debt.

Section 3. Except as required for the completion of the West Carrollton River District Phase IA Infrastructure and Site Prep project ("Spine Road Project"), the City Manager or her designee is directed to utilize the remaining \$533,111 in SIB loan proceeds for the furtherance of the River District Phase II Construction Project including hard and soft costs relating to infrastructure improvements to roadways, drainage, sanitary sewer system, water treatment and distribution system, utility

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relocation, signalization, bike path relocation, and other qualifying expenses within the amended project scope.

Section 4. Upon approval the project scope amendment, the City Manager and Finance Director or their authorized designee are further authorized to execute and complete all necessary documents including but not limited to a Loan Agreement, and Promissory Note that are required by the Ohio Department of Transportation.

Section 5. The City Manager is further authorized to pledge Gasoline Tax and Motor Vehicle License Tax revenue towards the eligible costs associated with repayment of the SIB loan and provide evidence, to the SIB of these revenues. Provided, however, actual payments of the loan can be made from such gasoline tax fund, motor vehicle license tax pledged revenues and/or any other available revenue which could be legally used for such purposes.

Section 6. The Finance Director is authorized to establish any necessary accounts or funds as may be required by law to handle the funds associated with the SIB loan.

Section 7. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including but not limited to Section 121.22 of the Ohio Revised Code.

Section 8: That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the Municipality and its inhabitants for the reason that there exists an imperative necessity for the immediate adjustment to the appropriations for the fiscal year ending December 31, 2025, so as to facilitate administration, daily operation and avoid practical and legal entanglements, and this ordinance shall take effect immediately upon passage.

Passed: April 22, 2025



Mayor

Attest: Gracy Moore
Clerk of Council

Effective Date: April 22, 2025

RECORD OF ORDINANCES

Ordinance No. 3783

Passed: October 22, 2024

AN ORDINANCE AUTHORIZING THE FILING OF AN APPLICATION AND AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO COMPLETE ALL NECESSARY DOCUMENTS TO SECURE A LOAN IN AN AMOUNT NOT TO EXCEED \$1,860,000 FROM THE OHIO DEPARTMENT OF TRANSPORTATION STATE INFRASTRUCTURE BANK (SIB) TO FINANCE THE WEST CARROLLTON RIVER DISTRICT PHASE IA INFRASTRUCTURE AND SITE PREP CONSTRUCTION PROJECT WITHIN THE CITY OF WEST CARROLLTON, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, the City of West Carrollton, Ohio, by virtue of its Charter and the laws of the State of Ohio is authorized and empowered to issue its obligations to finance capital improvements; and

WHEREAS, West Carrollton River District Phase IA Infrastructure and Site Prep project ("Spine Road Project") will construct a new access roadway, utilities, storm drainage, and site prep for an approximately 10-acre parcel on the east side of Manchester Road; and

WHEREAS, the City of West Carrollton is currently completing construction of the initial Phase I River District improvements, which includes improvements to Manchester Road, utility improvements, shared detention basin and improvements to the intersection of Manchester Road and Central Ave.; and

WHEREAS, the River District Phase IA Infrastructure and Site Prep project ("Spine Road Project") access road will enter the site from Manchester Road on the east and is an integral part of the overall infrastructure development for the River District; and

WHEREAS, the access road will enable the redevelopment of the approximately 10-acre site that was formerly the Carrollton Plaza shopping center, creating new jobs and investment in the West Carrollton community; and

WHEREAS, new private sector investment at the 10-acre site is estimated in excess of \$30,000,000 with the creation of up to 100 new jobs; and

WHEREAS, the City has allocated \$158,000 to preliminary engineering and design; and

WHEREAS, City Council has determined it is in the City's best interest to secure a loan in an amount not to exceed \$1,860,000 for construction of the West Carrollton River District Phase IA Infrastructure and Site Prep project.

NOW, THEREFORE, THE MUNICIPALITY OF WEST CARROLLTON, STATE OF OHIO, HEREBY ORDAINS:

Section 1. The City Manager or her designee is authorized to make application to borrow an amount not to exceed \$1,860,000 from the Ohio Department of Transportation, State Infrastructure Bank (SIB) to pay for the River District Phase IA Infrastructure and Site Prep project.

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Section 2. Upon approval of said loan application, the City Manager and Finance Director or their authorized designee are further authorized to execute and complete all necessary documents including but not limited to a Loan Agreement, and Promissory Note that are required to secure such funds.

Section 3. The City Manager is further authorized to pledge Gasoline Tax and Motor Vehicle License Tax revenue towards the repayment of the SIB loan and provide evidence, to the SIB of these revenues. Provided, however, actual payments of the loan can be made from such gasoline tax fund, motor vehicle license tax pledged revenues and/or any other available revenue which could be legally used for such purposes.

Section 4. The Finance Director is authorized to establish any necessary accounts or funds as may be required by law to handle the funds associated with the SIB loan.

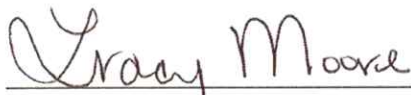
Section 5. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including but not limited to Section 121.22 of the Ohio Revised Code.

Section 6: That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the Municipality and its inhabitants for the reason that there exists an imperative necessity for the immediate adjustment to the appropriations for the fiscal year ending December 31, 2024, so as to facilitate administration, daily operation and avoid practical and legal entanglements, and this ordinance shall take effect immediately upon passage.

Passed: October 22, 2024



Mayor

Attest: 

Clerk of Council

Effective Date: October 22, 2024