

# City of Niles, Ohio

SPONSORED BY: SAFETY  
AUTHORIZED BY: JULIAN

DRAFT NO. 119-25

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING THE CITY OF NILES TO ADOPT THE TRUMBULL COUNTY MULTIJURISDICTIONAL HAZARD MITIGATION PLAN; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Niles recognizes the threat that natural and other hazards pose to people and property within Trumbull County; and

WHEREAS, Trumbull County has prepared a multi-hazard mitigation plan, hereby known as Trumbull County 2026 Hazard Mitigation Plan in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, Trumbull County Multijurisdictional Hazard Mitigation Plan identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in Trumbull County from the impacts of future hazards and disasters; and

WHEREAS, adoption by the City of Niles demonstrates their commitment to hazard mitigation and achieving the goals outlined in the Trumbull County 2026 Hazard Mitigation Plan.

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

SECTION 1: That the Trumbull County Multijurisdictional Hazard Mitigation Plan is hereby adopted by the Niles City Council.

SECTION 2: This Resolution is hereby declared to be an emergency measure in the interest of the public health, safety and welfare for the reason that the plan shall go into effect within the City of Niles at the earliest time allowable. As such an emergency measure, this Resolution shall take effect upon passage by Council and approval by the Mayor.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the \_\_\_\_ day of \_\_\_\_\_, 2026 and signed by me as such Mayor on this \_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
MAYOR

# City of Niles, Ohio

SPONSORED BY: COM. DEV. NEIGHBORHOOD STAB.      DRAFT NO. 92-26

AUTHORIZED BY: ALL MEMBERS

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ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED GENERAL FUND ACCOUNT 101 TO THE GENERAL FUND MISCELLANEOUS ACCOUNT FOR THE CITY FUNDED BUSINESS GRANT APPROVED BY THE COMMUNITY IMPROVEMENT CORPORATION OF NILES FOR SAINT POPE JOHN PAUL XXIII; AND, DECLARING AN EMERGENCY.

WHEREAS, the Community Improvement Corporation of Niles requested applications for a City funded grant for improvement of businesses in the City of Niles.

WHEREAS, the Community Improvement Corporation of Niles approved applications for the reimbursement grant intended for improvement of Saint Pope John Paul XXIII Mt. Carmel Church, located within the City of Niles.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NILES, STATE OF OHIO:

SECTION 1: Council hereby authorizes the following appropriation from the Unappropriated General Fund Account 101 to the General Fund Miscellaneous Account for the Community Improvement Corporation reimbursement grant:

| APPROPRIATION FROM UNAPPROPRIATED FUNDS |                |               |               |
|-----------------------------------------|----------------|---------------|---------------|
| FUND                                    | ACCOUNT NUMBER | DESCRIPTION   | Appropriation |
| 101 - General Fund                      | 101-1090-57050 | Miscellaneous | \$15,000.00   |
| Total Appropriation                     |                |               | \$15,000.00   |

SECTION 2: This Ordinance is hereby declared to be an emergency measure in the interest of the public health, safety, and welfare so that the grant may be funded for the reimbursement to the business for the improvements. As such an emergency measure, this Ordinance shall take effect upon passage by Council and approval by the Mayor.

\_\_\_\_\_

PRESIDENT OF COUNCIL

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the \_\_\_\_\_ day of \_\_\_\_\_, 2026 and signed by me as such Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_

MAYOR

# City of Niles, Ohio

SPONSORED BY: COM. DEV. NEIGHBORHOOD STAB.      DRAFT NO. 93-26

AUTHORIZED BY: ALL MEMBERS

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ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED GENERAL FUND ACCOUNT 101 TO THE GENERAL FUND MISCELLANEOUS ACCOUNT FOR THE CITY FUNDED BUSINESS GRANT APPROVED BY THE COMMUNITY IMPROVEMENT CORPORATION OF NILES FOR HIGG’S HOT RODS; AND, DECLARING AN EMERGENCY.

WHEREAS, the Community Improvement Corporation of Niles requested applications for a City funded grant for improvement of businesses in the City of Niles.

WHEREAS, the Community Improvement Corporation of Niles approved an application for the reimbursement grant intended for improvement of Higg’s Hot Rods, a business within the City of Niles.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NILES, STATE OF OHIO:

SECTION 1: Council hereby authorizes the following appropriation from the Unappropriated General Fund Account 101 to the General Fund Miscellaneous Account for the Community Improvement Corporation reimbursement grant:

| APPROPRIATION FROM UNAPPROPRIATED FUNDS |                |               |               |
|-----------------------------------------|----------------|---------------|---------------|
| FUND                                    | ACCOUNT NUMBER | DESCRIPTION   | Appropriation |
| 101 - General Fund                      | 101-1090-57050 | Miscellaneous | \$4,493.77    |
| Total Appropriation                     |                |               | \$4,493.77    |

SECTION 2: This Ordinance is hereby declared to be an emergency measure in the interest of the public health, safety, and welfare so that the grant may be funded for the reimbursement to the business for the improvements. As such an emergency measure, this Ordinance shall take effect upon passage by Council and approval by the Mayor.

\_\_\_\_\_

PRESIDENT OF COUNCIL

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the \_\_\_\_\_ day of \_\_\_\_\_, 2026 and signed by me as such Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_

MAYOR

# City of Niles, Ohio

SPONSORED BY: FINANCE  
AUTHORIZED BY: JOHNSTONE

DRAFT NO. 100-26

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN ADVANCED METERING INFRASTRUCTURE SCHEDULE WITH AMERICAN MUNICIPAL POWER, INC.; AND, DECLARING AN EMERGENCY.

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

WHEREAS, American Municipal Power, Inc. (“AMP”) is an Ohio nonprofit corporation, organized to own and operate facilities, or to provide otherwise, for the generation, transmission or distribution of electric power and energy, or any combination thereof, and to furnish technical services on a cooperative, nonprofit basis, for the mutual benefit of its members (“Members”), such Members, including Municipality, being, as of the date hereof, political subdivisions that operate, or whose members operate, municipal electric utility systems in Delaware, Ohio, Indiana, Kentucky, Michigan, Pennsylvania, Maryland, Virginia and West Virginia; and

WHEREAS, AMP and Municipality have entered into a Master Services Agreement, AMP Contract No. C-11-2005-4429, pursuant to which AMP provides certain services to Municipality as set forth in various schedules to the Master Services Agreement; and

WHEREAS, Municipality desires AMP to provide Advanced Metering Infrastructure (“AMI”) services under its hosted solutions strategy (the “AMI Program”); and

WHEREAS, AMP has engaged in a competitive RFP selection process and entered into resulting agreements (the “Vendor Agreements”) with Itron Networked Solutions, Inc. (“Itron”), (formerly Silver Spring Networks, Inc.) and Parsons Transportation Group, Inc. (“Parsons”) (formerly, IPKeys Power Partners LLC as successor to ElectSolve Technology Solutions and Services, Inc.), (collectively, the “Vendors”) to provide certain AMI field equipment, communication components, and associated back office systems in connection with the AMI Project, to be provided to Members as an integrated whole (collectively, the “AMI Services”); and

WHEREAS, the AMI Services will be offered to Municipality and other Members, providing significant cost savings and economies of scale in connection with the delivery of the AMI Services; and

WHEREAS, AMP and Municipality desire to enter into a Schedule (“AMI Schedule”), under the MSA, which provides that AMP will provide to Municipality, and Municipality will agree to take and pay for, AMI Services.

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

SECTION 1: That the AMI Schedule between Municipality and AMP, substantially in the form attached hereto or on file with the Clerk, including Appendices thereto, is approved, and the Mayor of Municipality is hereby authorized to execute and deliver the AMI Schedule, with such changes as the Mayor may approve as neither inconsistent with this Ordinance nor materially detrimental to the Municipality, his or her execution of the AMI Schedule to be conclusive evidence of such approval.

SECTION 2. That the Mayor is hereby authorized to take any action necessary for Municipality to fulfill its obligations under the AMI Schedule.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance 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 4. If any section, subsection, paragraph, clause or provision or any part thereof of this Ordinance shall be finally adjudicated by a court of competent jurisdiction to be invalid, the remainder of this Ordinance shall be unaffected by such adjudication and all the remaining provisions of this Ordinance 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 5: This Ordinance is hereby declared to be an emergency measure in the interest of the public health, safety, and welfare to enter the contract and begin the project at the earliest time allowable. As such an emergency measure, this Ordinance shall take effect immediately upon passage by Council and approval by the Mayor.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the \_\_\_\_\_ day of \_\_\_\_\_, 2026 and signed by me as such Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
MAYOR

# City of Niles, Ohio

SPONSORED BY: FINANCE

DRAFT NO. 101-26

AUTHORIZED BY: JOHNSTONE

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED GENERAL FUND FOR THE WELLNESS CENTER TURF REPLACEMENT PROJECT; AND, DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NILES, STATE OF OHIO:

SECTION 1: Council hereby authorizes the following appropriations of funds from the Unappropriated General Fund to the following accounts listed below in the total amount of Three Hundred Thousand Dollars and 00/100 (\$300,000.00):

| APPROPRIATION FROM UNAPPROPRIATED FUNDS |                |                  |               |
|-----------------------------------------|----------------|------------------|---------------|
| FUND                                    | ACCOUNT NUMBER | DESCRIPTION      | Appropriation |
| 406 - Park Capital Improvements         | 406-4444-53980 | Contracted Labor | \$300,000.00  |
| Total Appropriation                     |                |                  | \$300,000.00  |

SECTION 2: This Ordinance is hereby declared to be an emergency measure in the interest of the public health, safety, and welfare for the reason that these funds are immediately needed to proceed with the project at the earliest time allowable. As such an emergency measure, this Ordinance shall take effect upon passage by Council and approval by the Mayor.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the \_\_\_\_\_ day of \_\_\_\_\_, 2026 and signed by me as such Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
MAYOR

# City of Niles, Ohio

SPONSORED BY: FINANCE  
AUTHORIZED BY: JOHNSTONE

DRAFT NO. 102-26

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED GENERAL FUND FOR THE ADVANCED METERING INFRASTRUCTURE PROJECT FOR A DEBT SERVICE PAYMENT; AND, DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NILES, STATE OF OHIO:

SECTION 1: Council hereby authorizes the following appropriations of funds from the Unappropriated General Fund to the following accounts listed below in the total amount of Four Hundred Fifty-Seven Thousand One Hundred Forty-One Dollars and 00/100 (\$457,141.00):

| APPROPRIATION FROM UNAPPROPRIATED FUNDS |                |                  |               |
|-----------------------------------------|----------------|------------------|---------------|
| FUND                                    | ACCOUNT NUMBER | DESCRIPTION      | Appropriation |
| 502 - Light                             | 502-5252-59050 | Principal        | \$280,000.00  |
| 502 - Light                             | 502-5252-59100 | Interest         | \$152,000.00  |
| 502 - Light                             | 502-5252-59150 | Debt Admin Costs | \$25,141.00   |
| Total Appropriation                     |                |                  | \$457,141.00  |

SECTION 2: This Ordinance is hereby declared to be an emergency measure in the interest of the public health, safety, and welfare for the reason that these funds are immediately needed to proceed with the project at the earliest time allowable. As such an emergency measure, this Ordinance shall take effect upon passage by Council and approval by the Mayor.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the \_\_\_\_\_ day of \_\_\_\_\_, 2026 and signed by me as such Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
MAYOR

# City of Niles, Ohio

SPONSORED BY: FINANCE  
AUTHORIZED BY: JOHNSTONE

DRAFT NO. 103-26

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AUTHORIZING MONTHLY CASH TRANSFERS; AND,  
DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NILES, STATE OF OHIO:

SECTION 1: Authorizing the cash transfer of Two Million Three Hundred  
Thousand Dollars and 00/100 (\$2,300,000.00) from the General Fund Account No: 101-  
1090-59000 to the following Funds:

| Cash Transfers - June                                     |                            |                       |
|-----------------------------------------------------------|----------------------------|-----------------------|
| From General Fund 101 TRANSFER Account 101-1090-59000 To: |                            |                       |
| Fund 215                                                  | Police Pension             | \$100,000.00          |
| Fund 216                                                  | Fire Pension               | \$100,000.00          |
| Fund 217                                                  | Police & Fire 1%           | \$1,500,000.00        |
| Fund 221                                                  | Park                       | \$500,000.00          |
| Fund 255                                                  | Cemetery                   | \$100,000.00          |
|                                                           | <b>TOTAL CASH TRANSFER</b> | <b>\$2,300,000.00</b> |

SECTION 2: This Ordinance is hereby declared to be an emergency measure in  
the interest of the public health, safety, and welfare for the reason that these funds are to  
be transferred on a regular basis. As such an emergency measure, this Ordinance shall  
take effect immediately upon passage by Council and approval by the Mayor.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the \_\_\_\_\_ day of  
\_\_\_\_\_, 2026 and signed by me as such Mayor on this \_\_\_\_\_  
day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
MAYOR

# City of Niles, Ohio

SPONSORED BY: FINANCE  
AUTHORIZED BY: JOHNSTONE

DRAFT NO. 104-26

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED GENERAL FUND FOR THE DESIGN AND ENGINEERING OF THE PARK CONCRETE AND FENCE REPLACEMENT; AND, DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NILES, STATE OF OHIO:

SECTION 1: Council hereby authorizes the following appropriations of funds from the Unappropriated General Fund to the following accounts listed below in the total amount of Twenty Thousand Dollars and 00/100 (\$20,000.00):

| APPROPRIATION FROM UNAPPROPRIATED FUNDS |                |                 |               |
|-----------------------------------------|----------------|-----------------|---------------|
| FUND                                    | ACCOUNT NUMBER | DESCRIPTION     | Appropriation |
| 221 - Park                              | 221-2121-53700 | Consultant Fees | \$20,000.00   |
| Total Appropriation                     |                |                 | \$20,000.00   |

SECTION 2: This Ordinance is hereby declared to be an emergency measure in the interest of the public health, safety, and welfare for the reason that these funds are immediately needed to proceed with the project at the earliest time allowable. As such an emergency measure, this Ordinance shall take effect upon passage by Council and approval by the Mayor.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the \_\_\_\_\_ day of \_\_\_\_\_, 2026 and signed by me as such Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
MAYOR

# City of Niles, Ohio

SPONSORED BY: FINANCE

DRAFT NO. 105-26

AUTHORIZED BY: JOHNSTONE

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE PARK CONCRETE AND FENCE REPLACEMENT PROJECT AND AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED GENERAL FUND FOR THE CONSTRUCTION OF THE PARK CONCRETE AND FENCE REPLACEMENT; AND, DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NILES, STATE OF OHIO:

SECTION 1: That the Service Director is hereby authorized to advertise for bids and enter into a contract for the Park Concrete and Fence Replacement Project.

SECTION 2: Council hereby authorizes the following appropriations of funds from the Unappropriated General Fund to the following accounts listed below in the total amount of Two Hundred Fifty Thousand Dollars and 00/100 (\$250,000.00):

| APPROPRIATION FROM UNAPPROPRIATED FUNDS |                |                  |               |
|-----------------------------------------|----------------|------------------|---------------|
| FUND                                    | ACCOUNT NUMBER | DESCRIPTION      | Appropriation |
| 221 - Park                              | 221-2121-53980 | Contracted Labor | \$250,000.00  |
| Total Appropriation                     |                |                  | \$250,000.00  |

SECTION 3: This Ordinance is hereby declared to be an emergency measure in the interest of the public health, safety, and welfare for the reason that these funds are immediately needed to proceed with the project at the earliest time allowable. As such an emergency measure, this Ordinance shall take effect upon passage by Council and approval by the Mayor.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the \_\_\_\_\_ day of \_\_\_\_\_, 2026 and signed by me as such Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
MAYOR

# City of Niles, Ohio

SPONSORED BY: FINANCE  
AUTHORIZED BY: JOHNSTONE

DRAFT NO. 106-26

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED GENERAL FUND FOR TREE REMOVAL FOR STEVENS PARK; AND, DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NILES, STATE OF OHIO:

SECTION 1: Council hereby authorizes the following appropriations of funds from the Unappropriated General Fund to the following accounts listed below in the total amount of Eleven Thousand Eight Hundred Dollars and 00/100 (\$11,800.00):

| APPROPRIATION FROM UNAPPROPRIATED FUNDS |                |                  |               |
|-----------------------------------------|----------------|------------------|---------------|
| FUND                                    | ACCOUNT NUMBER | DESCRIPTION      | Appropriation |
| 221 - Park                              | 221-2121-53980 | Contracted Labor | \$11,800.00   |
| Total Appropriation                     |                |                  | \$11,800.00   |

SECTION 2: This Ordinance is hereby declared to be an emergency measure in the interest of the public health, safety, and welfare for the reason that these funds are immediately needed to proceed with the project and ensure unsafe trees are removed at the earliest time allowable. As such an emergency measure, this Ordinance shall take effect upon passage by Council and approval by the Mayor.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the \_\_\_\_\_ day of \_\_\_\_\_, 2026 and signed by me as such Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
MAYOR

# City of Niles, Ohio

SPONSORED BY: COUNCIL AS A WHOLE  
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 107-25

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION ADOPTING THE ALTERNATIVE TAX BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2027; AND DECLARING AN EMERGENCY.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NILES, STATE OF OHIO:

SECTION 1: That the Alternative Tax Budget for the fiscal year beginning January 1, 2027, attached hereto as Exhibit “A”, is hereby adopted by the Niles City Council.

SECTION 2: That the Niles City Auditor is hereby authorized and directed to submit copies of this budget to the Trumbull County Auditor.

SECTION 3: This Resolution is hereby declared to be an emergency measure in the interest of the public health, safety and welfare for the reason that failure to submit the budget in a timely manner may result in a loss of government funds. As such an emergency measure, this Resolution shall take effect upon passage by Council and approval by the Mayor.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the \_\_\_\_\_ day of \_\_\_\_\_, 2026 and signed by me as such Mayor on this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
MAYOR

**ALTERNATIVE TAX BUDGET INFORMATION**

**TRUMBULL COUNTY**

Name of Entity:  NILES

For the Fiscal Year Commencing January 1, 2027

Fiscal Officer Signature \_\_\_\_\_ Date \_\_\_\_\_

STATEMENT OF FUND ACTIVITY

(Complete only for General Fund, Bond Retirement Fund  
and any other funds requesting general property tax revenue)

FUND NAME & NUMBER: General 101

| DESCRIPTION                          | Actual 2024     | Actual 2025     | Current 2026    | Estimate 2027   |
|--------------------------------------|-----------------|-----------------|-----------------|-----------------|
| Beginning Unencumbered Fund Balance  | \$17,611,604.90 | \$18,537,593.94 | \$19,433,843.45 | \$18,817,334.85 |
| Revenues:                            |                 |                 |                 |                 |
| Health Department                    | \$0.00          | \$0.00          | \$0.00          |                 |
| Property Taxes                       | \$766,581.29    | \$752,940.80    | \$687,739.30    | \$700,000.00    |
| Local Government/Public Library Fund | \$243,667.04    | \$278,960.46    | \$275,597.50    | \$275,000.00    |
| HB 64                                |                 |                 |                 |                 |
| All Other Receipts                   | \$17,596,393.69 | \$18,591,755.43 | \$17,924,402.50 | \$19,500,000.00 |
| Total Resources                      | \$36,218,246.92 | \$38,161,250.63 | \$38,321,582.75 | \$39,292,334.85 |
|                                      |                 |                 |                 |                 |
| Expenditures                         | \$17,487,124.82 | \$18,287,874.48 | \$19,307,747.90 | \$20,000,000.00 |
| Loan Principal                       | \$166,000.00    | \$175,900.00    | \$183,000.00    | \$193,400.00    |
| Loan Interest                        | \$27,528.16     | \$20,581.15     | \$13,500.00     | \$6,000.00      |
| Capital Outlay                       |                 |                 |                 |                 |
| Other                                |                 |                 |                 |                 |
| Total Expenditures                   | \$17,680,652.98 | \$18,484,355.63 | \$19,504,247.90 | \$20,199,400.00 |
|                                      |                 |                 |                 |                 |
| Balance 12/31                        | \$18,537,593.94 | \$19,676,895.00 | \$18,817,334.85 | \$19,092,934.85 |
| Less Encumbrances                    | \$0.00          | \$243,051.55    |                 |                 |
| Less Reserve Balance                 |                 |                 |                 |                 |
| Unencumbered Balance                 | \$18,537,593.94 | \$19,433,843.45 | \$18,817,334.85 | \$19,092,934.85 |

STATEMENT OF FUND ACTIVITY

(Complete only for General Fund, Bond Retirement Fund  
and any other funds requesting general property tax revenue)

FUND NAME & NUMBER: Police Pension 215

| DESCRIPTION                          | Actual 2024   | Actual 2025   | Current 2026  | Estimate 2027 |
|--------------------------------------|---------------|---------------|---------------|---------------|
| Beginning Unencumbered Fund Balance  | \$ 24,653.52  | \$ 88,536.21  | \$ 69,039.34  | \$ 69,879.76  |
| Revenues:                            |               |               |               |               |
| Health Department                    |               |               |               |               |
| Property Taxes                       | \$ 108,065.60 | \$ 110,445.76 | \$ 108,590.42 | \$ 110,000.00 |
| Local Government/Public Library Fund |               |               |               |               |
| HB 64                                |               |               |               |               |
| All Other Receipts                   | \$ 560,000.00 | \$ 485,000.00 | \$ 470,000.00 | \$ 500,000.00 |
| Total Resources                      | \$ 692,719.12 | \$ 683,981.97 | \$ 647,629.76 | \$ 679,879.76 |
|                                      |               |               |               |               |
| Expenditures                         | \$ 604,182.91 | \$ 614,942.63 | \$ 577,750.00 | \$ 600,000.00 |
| Loan Principal                       |               |               |               |               |
| Loan Interest                        |               |               |               |               |
| Capital Outlay                       |               |               |               |               |
| Other                                |               |               |               |               |
| Total Expenditures                   | \$ 604,182.91 | \$ 614,942.63 | \$ 577,750.00 | \$ 600,000.00 |
|                                      |               |               |               |               |
| Balance 12/31                        | \$ 88,536.21  | \$ 69,039.34  | \$ 69,879.76  | \$ 79,879.76  |
| Less Encumbrances                    |               |               |               |               |
| Less Reserve Balance                 |               |               |               |               |
| Unencumbered Balance                 | \$ 88,536.21  | \$ 69,039.34  | \$ 69,879.76  | \$ 79,879.76  |

STATEMENT OF FUND ACTIVITY

(Complete only for General Fund, Bond Retirement Fund  
and any other funds requesting general property tax revenue)

FUND NAME & NUMBER: Fire Pension 216

| DESCRIPTION                          | Actual 2024  | Actual 2025  | Current 2026 | Estimate 2027 |
|--------------------------------------|--------------|--------------|--------------|---------------|
| Beginning Unencumbered Fund Balance  | \$4,567.19   | \$81,745.75  | \$76,788.01  | \$77,628.43   |
| Revenues:                            |              |              |              |               |
| Health Department                    |              |              |              |               |
| Property Taxes                       | \$108,065.60 | \$110,445.78 | \$108,590.42 | \$110,000.00  |
| Local Government/Public Library Fund |              |              |              |               |
| HB 64                                |              |              |              |               |
| All Other Receipts                   | \$580,000.00 | \$485,000.00 | \$570,000.00 | \$575,000.00  |
| Total Resources                      | \$692,632.79 | \$677,191.53 | \$755,378.43 | \$762,628.43  |
|                                      |              |              |              |               |
| Expenditures                         | \$610,887.04 | \$600,403.52 | \$677,750.00 | \$700,000.00  |
| Loan Principal                       |              |              |              |               |
| Loan Interest                        |              |              |              |               |
| Capital Outlay                       |              |              |              |               |
| Other                                |              |              |              |               |
| Total Expenditures                   | \$610,887.04 | \$600,403.52 | \$677,750.00 | \$700,000.00  |
|                                      |              |              |              |               |
| Balance 12/31                        | \$81,745.75  | \$76,788.01  | \$77,628.43  | \$62,628.43   |
| Less Encumbrances                    |              |              |              |               |
| Less Reserve Balance                 |              |              |              |               |
| Unencumbered Balance                 | \$81,745.75  | \$76,788.01  | \$77,628.43  | \$62,628.43   |

STATEMENT OF FUND ACTIVITY

(Complete only for General Fund, Bond Retirement Fund  
and any other funds requesting general property tax revenue)

FUND NAME & NUMBER: Park 221

| DESCRIPTION                          | Actual 2024    | Actual 2025    | Current 2026   | Estimate 2027  |
|--------------------------------------|----------------|----------------|----------------|----------------|
| Beginning Unencumbered Fund Balance  | \$123,223.61   | \$1,729,241.06 | \$273,966.47   | \$1,707,292.61 |
| Revenues:                            |                |                |                |                |
| Health Department                    |                |                |                |                |
| Property Taxes                       | \$264,355.42   | \$268,514.70   | \$266,849.49   | \$270,000.00   |
| Local Government/Public Library Fund |                |                |                |                |
| HB 64                                |                |                |                |                |
| All Other Receipts                   | \$3,452,078.23 | \$1,619,630.99 | \$3,256,000.00 | \$1,700,000.00 |
| Total Resources                      | \$3,839,657.26 | \$3,617,386.75 | \$3,796,815.96 | \$3,677,292.61 |
|                                      |                |                |                |                |
| Expenditures                         | \$1,853,210.73 | \$2,754,949.55 | \$1,671,528.35 | \$1,700,000.00 |
| Loan Principal                       | \$200,000.00   | \$311,000.00   | \$316,000.00   | \$320,000.00   |
| Loan Interest                        | \$57,205.47    | \$109,319.00   | \$101,995.00   | \$100,000.00   |
| Capital Outlay                       |                |                |                |                |
| Other                                |                |                |                |                |
| Total Expenditures                   | \$2,110,416.20 | \$3,175,268.55 | \$2,089,523.35 | \$2,120,000.00 |
|                                      |                |                |                |                |
| Balance 12/31                        | \$1,729,241.06 | \$442,118.20   | \$1,707,292.61 | \$1,557,292.61 |
| Less Encumbrances                    |                | \$168,151.73   |                |                |
| Less Reserve Balance                 |                |                |                |                |
| Unencumbered Balance                 | \$1,729,241.06 | \$273,966.47   | \$1,707,292.61 | \$1,557,292.61 |

STATEMENT OF FUND ACTIVITY  
( Funds with Revenue Other Than Local Taxes)

Add Additional Funds as Necessary

| FUND NAME                   | FUND NUMBER | Beginning<br>Estimated<br>Unencumbered<br>Fund Balance | 2027<br>Total<br>Estimated<br>Receipts | Total<br>Resources<br>Available For<br>Expenditure | Total<br>Estimated<br>Expenditures and<br>Encumbrances | Estimated<br>Unencumbered<br>Balances |
|-----------------------------|-------------|--------------------------------------------------------|----------------------------------------|----------------------------------------------------|--------------------------------------------------------|---------------------------------------|
| LOCAL FISCAL RECOVERY       | 210         | \$ -                                                   | \$ -                                   | \$ -                                               | \$ -                                                   | \$ -                                  |
| PRISONER TRANSPORT          | 214         | \$ 12,182.94                                           | \$ -                                   | \$ 12,182.94                                       | \$ -                                                   | \$ 12,182.94                          |
| POLICE & FIRE 1%            | 217         | \$ 470,000.00                                          | \$ 10,000,000.00                       | \$ 10,470,000.00                                   | \$ 10,000,000.00                                       | \$ 470,000.00                         |
| PERMISSIVE TAX              | 218         | \$ 515,000.00                                          | \$ 300,000.00                          | \$ 815,000.00                                      | \$ 300,000.00                                          | \$ 515,000.00                         |
| COMPUTER                    | 219         | \$ 75,000.00                                           | \$ 50,000.00                           | \$ 125,000.00                                      | \$ 45,000.00                                           | \$ 80,000.00                          |
| CORONAVIRUS RELIEF          | 220         | \$ -                                                   | \$ -                                   | \$ -                                               | \$ -                                                   | \$ -                                  |
| DUI                         | 222         | \$ 250,000.00                                          | \$ 12,000.00                           | \$ 262,000.00                                      | \$ 50,000.00                                           | \$ 212,000.00                         |
| STREET                      | 223         | \$ 1,000,000.00                                        | \$ 1,250,000.00                        | \$ 2,250,000.00                                    | \$ 1,250,000.00                                        | \$ 1,000,000.00                       |
| STATE HIGHWAY               | 224         | \$ 110,000.00                                          | \$ 110,000.00                          | \$ 220,000.00                                      | \$ 110,000.00                                          | \$ 110,000.00                         |
| FOOD SERVICE                | 225         | \$ 22,496.94                                           | \$ -                                   | \$ 22,496.94                                       | \$ -                                                   | \$ 22,496.94                          |
| TRAILER PARK                | 226         | \$ 2,252.44                                            | \$ -                                   | \$ 2,252.44                                        | \$ -                                                   | \$ 2,252.44                           |
| SWIMMING POOL               | 227         | \$ 28,134.50                                           | \$ -                                   | \$ 28,134.50                                       | \$ -                                                   | \$ 28,134.50                          |
| COMMUNITY DEVELOPMENT       | 228         | \$ 70,000.00                                           | \$ 1,500,000.00                        | \$ 1,570,000.00                                    | \$ 1,500,000.00                                        | \$ 70,000.00                          |
| FEMA                        | 229         | \$ 4,081.62                                            | \$ -                                   | \$ 4,081.62                                        | \$ -                                                   | \$ 4,081.62                           |
| SPECIAL PROJECTS            | 233         | \$ 120,000.00                                          | \$ 60,000.00                           | \$ 180,000.00                                      | \$ 60,000.00                                           | \$ 120,000.00                         |
| LEGAL RESEARCH              | 234         | \$ -                                                   | \$ -                                   | \$ -                                               | \$ -                                                   | \$ -                                  |
| POLICE CPT                  | 235         | \$ 25,000.00                                           | \$ 25,000.00                           | \$ 50,000.00                                       | \$ 25,000.00                                           | \$ 25,000.00                          |
| IMPOUNDING/TOWING           | 236         | \$ 20,000.00                                           | \$ 70,000.00                           | \$ 90,000.00                                       | \$ 90,000.00                                           | \$ -                                  |
| POLICE RETENTION            | 237         | \$ -                                                   | \$ -                                   | \$ -                                               | \$ -                                                   | \$ -                                  |
| OPIOID SETTLEMENT           | 238         | \$ 1,500.00                                            | \$ 10,000.00                           | \$ 11,500.00                                       | \$ 11,500.00                                           | \$ -                                  |
| TAX INCREMENTAL FINANCE     | 239         | \$ -                                                   | \$ -                                   | \$ -                                               | \$ -                                                   | \$ -                                  |
| FIRE RENTENTION             | 240         | \$ -                                                   | \$ -                                   | \$ -                                               | \$ -                                                   | \$ -                                  |
| CEMETERY                    | 255         | \$ 150,000.00                                          | \$ 550,000.00                          | \$ 700,000.00                                      | \$ 550,000.00                                          | \$ 150,000.00                         |
| SEIZURE                     | 265         | \$ 9,000.00                                            | \$ 5,000.00                            | \$ 14,000.00                                       | \$ 5,000.00                                            | \$ 9,000.00                           |
| PROBATION                   | 266         | \$ 280,000.00                                          | \$ 170,000.00                          | \$ 450,000.00                                      | \$ 170,000.00                                          | \$ 280,000.00                         |
| LAW ENFORCEMENT             | 267         | \$ 1,500.00                                            | \$ 1,000.00                            | \$ 2,500.00                                        | \$ 1,000.00                                            | \$ 1,500.00                           |
| DRUG LAW                    | 268         | \$ 20,000.00                                           | \$ 10,000.00                           | \$ 30,000.00                                       | \$ 10,000.00                                           | \$ 20,000.00                          |
| COPS                        | 269         | \$ 14,562.98                                           | \$ -                                   | \$ 14,562.98                                       | \$ -                                                   | \$ 14,562.98                          |
| G.O. BOND                   | 301         | \$ 1,000.00                                            | \$ -                                   | \$ 1,000.00                                        | \$ -                                                   | \$ 1,000.00                           |
| S.A. BOND                   | 302         | \$ -                                                   | \$ -                                   | \$ -                                               | \$ -                                                   | \$ -                                  |
| DEBT RETIREMENT             | 303         | \$ 58,223.96                                           | \$ -                                   | \$ 58,223.96                                       | \$ -                                                   | \$ 58,223.96                          |
| CAPITAL PROJECTS            | 401         | \$ 500,000.00                                          | \$ 3,000,000.00                        | \$ 3,500,000.00                                    | \$ 3,000,000.00                                        | \$ 500,000.00                         |
| BRT CLEAN UP                | 402         | \$ 0.32                                                | \$ -                                   | \$ 0.32                                            | \$ -                                                   | \$ 0.32                               |
| WWTP DESIGN & IMPROVEMENT   | 403         | \$ 2,253.00                                            | \$ -                                   | \$ 2,253.00                                        | \$ -                                                   | \$ 2,253.00                           |
| FIRE TRUCK REPLACEMENT      | 404         | \$ 235,000.00                                          | \$ 300,000.00                          | \$ 535,000.00                                      | \$ 300,000.00                                          | \$ 235,000.00                         |
| POLICE CAPITAL IMPROVEMENTS | 405         | \$ 50,000.00                                           | \$ 50,000.00                           | \$ 100,000.00                                      | \$ 50,000.00                                           | \$ 50,000.00                          |
| PARK CAPITAL IMPROVEMENTS   | 406         | \$ 10,000.00                                           | \$ 50,000.00                           | \$ 60,000.00                                       | \$ -                                                   | \$ 60,000.00                          |
| SEWER CAPITAL IMPROVEMNETS  | 407         | \$ 640,000.00                                          | \$ 100,000.00                          | \$ 740,000.00                                      | \$ -                                                   | \$ 740,000.00                         |
| PARK CAPITAL GRANT          | 408         | \$ -                                                   | \$ -                                   | \$ -                                               | \$ -                                                   | \$ -                                  |
| WATER                       | 501         | \$ 10,000,000.00                                       | \$ 13,000,000.00                       | \$ 23,000,000.00                                   | \$ 13,000,000.00                                       | \$ 10,000,000.00                      |
| LIGHT                       | 502         | \$ 25,000,000.00                                       | \$ 35,000,000.00                       | \$ 60,000,000.00                                   | \$ 35,000,000.00                                       | \$ 25,000,000.00                      |
| SEWER                       | 503         | \$ 5,500,000.00                                        | \$ 7,000,000.00                        | \$ 12,500,000.00                                   | \$ 7,000,000.00                                        | \$ 5,500,000.00                       |
| TRANSIT                     | 504         | \$ -                                                   | \$ -                                   | \$ -                                               | \$ -                                                   | \$ -                                  |
| ENDOWMENT PRINCIPAL         | 661         | \$ 85,700.00                                           | \$ -                                   | \$ 85,700.00                                       | \$ 50.00                                               | \$ 85,650.00                          |
| UNCLAIMED MONIES            | 663         | \$ 170,000.00                                          | \$ 20,000.00                           | \$ 190,000.00                                      | \$ 10,000.00                                           | \$ 180,000.00                         |
| FIRE LOSS CLAIMS            | 664         | \$ 50,000.00                                           | \$ 100,000.00                          | \$ 150,000.00                                      | \$ 100,000.00                                          | \$ 50,000.00                          |
| PAYROLL CLEARING            | 665         | \$ 70,000.00                                           | \$ 16,500,000.00                       | \$ 16,570,000.00                                   | \$ 16,500,000.00                                       | \$ 70,000.00                          |
| MOTOR FUEL                  | 771         | \$ 25,000.00                                           | \$ 350,000.00                          | \$ 375,000.00                                      | \$ 350,000.00                                          | \$ 25,000.00                          |
| HOSPITAL SELF INSURANCE     | 772         | \$ 700,000.00                                          | \$ 6,000,000.00                        | \$ 6,700,000.00                                    | \$ 6,000,000.00                                        | \$ 700,000.00                         |
| UTILITY TRUST               | 862         | \$ 2,250,000.00                                        | \$ 250,000.00                          | \$ 2,500,000.00                                    | \$ 250,000.00                                          | \$ 2,250,000.00                       |
| TOTAL                       |             | \$ 48,547,888.70                                       | \$ 95,843,000.00                       | \$ 144,390,888.70                                  | \$ 95,737,550.00                                       | \$ 48,653,338.70                      |

# City of Niles, Ohio

SPONSORED BY: FINANCE  
AUTHORIZED BY: JOHNSTONE

DRAFT NO. 108-26

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING THE SERVICE DIRECTOR TO ISSUE A REQUEST FOR QUALIFICATIONS FOR THE WILDER FIELD OUTFIELD TURF PROJECT; AND, DECLARING AN EMERGENCY.

WHEREAS, the City of Niles is seeking a Request for Qualifications for the Wilder Field Outfield Turf Project.

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

SECTION 1: Council hereby authorizes the Service Director to issue a request for qualifications for the Wilder Field Outfield Turf Project.

SECTION 2: This Resolution is declared to be an emergency measure in the interest of the public health, safety and welfare to allow the issuance of the Request for Qualifications to begin at the earliest possible date. As such an emergency measure, this Resolution shall take effect upon passage by Council and approval by the Mayor.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the \_\_\_\_\_ day of \_\_\_\_\_, 2026 and signed by me as such Mayor on this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
MAYOR

# City of Niles, Ohio

SPONSORED BY: FINANCE  
AUTHORIZED BY: JOHNSTONE

DRAFT NO. 109-26

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING THE SERVICE DIRECTOR TO ISSUE A REQUEST FOR QUALIFICATIONS FOR THE NILES SANITARY DETENTION PUMP STATION IMPROVEMENTS PROJECT; AND, DECLARING AN EMERGENCY.

WHEREAS, the City of Niles is seeking a Request for Qualifications for the Niles Sanitary Detention Pump Station Improvements Project.

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

SECTION 1: Council hereby authorizes the Service Director to issue a request for qualifications for the Niles Sanitary Detention Pump Station Improvements Project.

SECTION 2: This Resolution is declared to be an emergency measure in the interest of the public health, safety and welfare to allow the issuance of the Request for Qualifications to begin at the earliest possible date. As such an emergency measure, this Resolution shall take effect upon passage by Council and approval by the Mayor.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the \_\_\_\_\_ day of \_\_\_\_\_, 2026 and signed by me as such Mayor on this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
MAYOR

# City of Niles, Ohio

SPONSORED BY: COUNCIL AS A WHOLE  
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 110-26

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE WILDER FIELD OUTFIELD TURF PROJECT; AND, DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NILES, STATE OF OHIO:

SECTION 1: That the Service Director is hereby authorized to advertise for bids and enter into a contract for the Wilder Field Outfield Turf Project.

SECTION 2: That this Ordinance is hereby declared to be an emergency measure in the interest of the public health, safety, and welfare and to allow the bidding process to commence at the earliest possible date. As such an emergency measure, this Ordinance shall take effect upon passage by Council and approval by the Mayor. If not so passed as an emergency measure, it shall become effective at the earliest date allowed by law.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the \_\_\_\_\_ day of \_\_\_\_\_, 2026 and signed by me as such Mayor on the \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
MAYOR

# City of Niles, Ohio

SPONSORED BY: COUNCIL AS A WHOLE  
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 111-26

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE WADDELL PARK MULTI-PURPOSE RECREATION AREA PROJECT; AND, DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NILES, STATE OF OHIO:

SECTION 1: That the Service Director is hereby authorized to advertise for bids and enter into a contract for the Waddell Park Multi-Purpose Recreation Area Project.

SECTION 2: That this Ordinance is hereby declared to be an emergency measure in the interest of the public health, safety, and welfare and to allow the bidding process to commence at the earliest possible date. As such an emergency measure, this Ordinance shall take effect upon passage by Council and approval by the Mayor. If not so passed as an emergency measure, it shall become effective at the earliest date allowed by law.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the \_\_\_\_\_ day of \_\_\_\_\_, 2026 and signed by me as such Mayor on the \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
MAYOR

# City of Niles, Ohio

SPONSORED BY: COUNCIL AS A WHOLE  
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 112-26

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR POWER LINE CLEARANCE AND TREE TRIMMING PROJECT; AND, DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NILES, STATE OF OHIO:

SECTION 1: That the Service Director is hereby authorized to advertise for bids and enter into a contract for the Power Line Clearance and Tree Trimming Project.

SECTION 2: That this Ordinance is hereby declared to be an emergency measure in the interest of the public health, safety, and welfare and to allow the bidding process to commence at the earliest possible date. As such an emergency measure, this Ordinance shall take effect upon passage by Council and approval by the Mayor. If not so passed as an emergency measure, it shall become effective at the earliest date allowed by law.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the \_\_\_\_\_ day of \_\_\_\_\_, 2026 and signed by me as such Mayor on the \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
MAYOR

# City of Niles, Ohio

SPONSORED BY: FINANCE  
AUTHORIZED BY: JOHNSTONE

DRAFT NO. 113-26

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER A CONTRACT WITH FORESTER (DBA “ANUNDSON & O’BARTO, CONSULTING FORESTERS”) FOR FOREST MANAGEMENT OF CITY OWNED PROPERTIES; AND, DECLARING AN EMERGENCY.

WHEREAS, the City is seeking professional services for tree and forest management; and

WHEREAS, the City seeks authorization to enter into a contract with Forester (dba Anundson & O’Barto, Consulting Foresters), through Direct Hire, for tree and forest management.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NILES, STATE OF OHIO:

SECTION 1: Council authorizes the Service Director to enter into a contract with Forester (dba Anundson & O’Barto, Consulting Foresters), through Direct Hire, for tree and forest management.

SECTION 2: That this Ordinance is hereby declared to be an emergency measure in the interest of the public health, safety, and welfare to enter the contract and begin the project at the earliest time allowable. As such an emergency measure, this Ordinance shall take effect upon passage by Council and approval by the Mayor. If not so passed as an emergency measure, it shall become effective at the earliest date allowed by law.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the \_\_\_\_\_ day of \_\_\_\_\_, 2026 and signed by me as such Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
MAYOR

# City of Niles, Ohio

SPONSORED BY: COUNCIL AS A WHOLE  
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 114-26

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$660,000 TO PAY COSTS OF IMPROVING THE CITY'S STREET FACILITIES, INCLUDING CONSTRUCTING AND EQUIPPING A SALT STORAGE DOME AND ACQUIRING A DUMP TRUCK AND TRACTOR AND ADDITIONAL VEHICLES AND EQUIPMENT FOR USE BY THE CITY'S STREET DEPARTMENT, TOGETHER WITH NECESSARY APPURTENANCES; AND, DECLARING AN EMERGENCY.

WHEREAS, this Council has determined to issue bonds in the maximum aggregate principal amount of \$660,000 (the Bonds) to provide funds necessary to pay costs of improving the City's street facilities, including constructing and equipping a salt storage dome and acquiring a dump truck and tractor and additional vehicles and equipment for use by the City's Street Department, together with necessary appurtenances (the Project) and to pay financing costs related to the issuance of the Bonds; and

WHEREAS, the Auditor as fiscal officer of this City has certified to this Council that the estimated life or period of usefulness of the Project is at least five years, and the estimated maximum maturity of bonds issued to pay costs of the Project is 10 years;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NILES, COUNTY OF TRUMBULL, OHIO, THAT:

Section 1. Definitions and Interpretation. In addition to the words and terms elsewhere defined in this Ordinance, these words and phrases shall have the following meanings, unless the context or use clearly indicates another or different meaning or intent:

"Authorized Denominations" means (a) with respect to Current Interest Bonds, the denomination of \$5,000 or any integral multiple thereof, and (b) with respect to Capital Appreciation Bonds, the denomination equal to the principal amount that, when interest is accrued and compounded thereon on each Interest Accretion Date to the stated maturity of the Bonds, will equal a \$5,000 Maturity Amount or any integral multiple thereof.

"Bond proceedings" means, collectively, this Ordinance, the Certificate of Award, the Registrar Agreement and such other proceedings of the City, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds.

"Bond Register" means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

"Bond Registrar" shall have the meaning ascribed in Section 4.

"Bonds" means the Bonds authorized in Section 2.

"Book entry form" or "book entry system" means a form or system under which (a) the ownership of book entry interests in Bonds and the principal of and interest on the Bonds may be transferred only through a book entry, and (b) physical Bond certificates in fully registered form are issued by the City only to a Depository or its nominee as registered owner, with the physical Bond certificates deposited with and maintained in the custody of the Depository or its agent. The book entry maintained by others than the

City or the Bond Registrar is the record that identifies the owners of book entry interests in those Bonds and that principal and interest.

“Capital Appreciation Bonds” means any Bonds specified as such in the Certificate of Award, maturing in the years, being in the principal amounts and having the Maturity Amounts set forth therein, and bearing interest accrued and compounded on each Interest Accretion Date and payable at maturity.

“Certificate of Award” means the certificate authorized by Section 6(a), to be signed by the Fiscal Officer, setting forth and specifying those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Ordinance requires or authorizes to be set forth therein.

“Closing Date” means the date of physical delivery of, and payment of the purchase price for, the Bonds.

“Code” means the Internal Revenue Code of 1986, the Regulations (whether temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a Section of the Code includes any applicable successor section or provision and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that Section.

“Compound Accreted Amount” means, with respect to any Capital Appreciation Bond, the principal amount thereof plus interest accrued and compounded on each Interest Accretion Date to the date of maturity or other date of determination. The Compound Accreted Amount per \$5,000 Maturity Amount of the Capital Appreciation Bonds of each maturity and interest rate within a maturity as of each Interest Accretion Date shall be set forth in the Certificate of Award. The Compound Accreted Amount of any Capital Appreciation Bond as of any date other than an Interest Accretion Date is the sum of (a) the Compound Accreted Amount for such Bond on the immediately preceding Interest Accretion Date plus (b) the product obtained by multiplying (i) the difference obtained by subtracting (A) the Compound Accreted Amount of that Bond on the immediately preceding Interest Accretion Date from (B) the Compound Accreted Amount of that Bond on the immediately succeeding Interest Accretion Date, times (ii) the ratio of (C) the number of days from the immediately preceding Interest Accretion Date to the date of determination to (D) the total number of days from that immediately preceding Interest Accretion Date to the immediately succeeding Interest Accretion Date; provided, however, that in determining the Compound Accreted Amount of a Capital Appreciation Bond as of a date prior to the first Interest Accretion Date, the Closing Date shall be deemed to be the immediately preceding Interest Accretion Date and the principal amount of that Capital Appreciation Bond shall be deemed to be the Compound Accreted Amount on the Closing Date.

“Current Interest Bonds” means, collectively, the Serial Bonds and the Term Bonds, each as is specified as such in the Certificate of Award.

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

“Executive” means the Mayor of the City.

“Fiscal Officer” means the Auditor of the City.

“Interest Accretion Dates” means, unless otherwise specified in the Certificate of Award, as to any Capital Appreciation Bonds, each June 1 and December 1, commencing December 1, 2026, in the years any Capital Appreciation Bonds are outstanding.

“Interest Payment Dates” means, unless otherwise specified in the Certificate of Award, (a) as to Current Interest Bonds, June 1 and December 1 of each year that the Current Interest Bonds are outstanding, commencing December 1, 2026, and (b) as to any Capital Appreciation Bonds, their respective maturity dates.

“Maturity Amount” means, with respect to a Capital Appreciation Bond, the principal and interest due and payable at the stated maturity of that Capital Appreciation Bond.

“Original Purchaser” means the purchaser of the Bonds designated by the Fiscal Officer in the Certificate of Award.

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

“Principal Payment Dates” means, unless otherwise specified in the Certificate of Award, December 1 in each of the years from and including 2027 to and including 2036; provided, that in no case shall the latest Principal Payment Date be later than the maximum maturity of the Bonds referred to in the preambles hereto.

“Registrar Agreement” means the Bond Registrar Agreement described in Section 4.

“Rule” means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

“Serial Bonds” means those Current Interest Bonds specified as such and maturing on the dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

“Term Bonds” means those Current Interest Bonds specified as such and maturing on the date or dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

Section 2. Authorized Principal Amount and Purpose; Application of Proceeds. This Council determines that it is necessary and in the best interest of the City to issue bonds of this City in one lot in the maximum principal amount of \$660,000 (the Bonds) to pay costs of the Project and the payment of expenses related to the issuance of the Bonds. The Bonds shall be issued pursuant to Chapter 133, Ohio Revised Code, and this Ordinance.

The aggregate principal amount of Bonds to be issued shall not exceed the amount authorized in this Section and shall be issued in an amount determined by the Fiscal Officer in the Certificate of Award to be the aggregate principal amount of Bonds required to be issued at this time for the purpose stated in this Section 2, taking into account estimated financing costs.

The proceeds from the sale of the Bonds, except any premium and accrued interest, shall be paid into the proper fund or funds and those proceeds are appropriated and shall be used for the purpose for which the Bonds are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

Section 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be issued in one lot and only as fully registered bonds, in the Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The respective principal amounts of the Bonds to be issued as Current Interest Bonds and Capital Appreciation Bonds (if any Bonds are to be issued as Capital Appreciation Bonds) shall be specified by the Fiscal Officer in the Certificate of Award, having due regard to the best interest of and financial advantages to the City. The Current Interest Bonds shall be dated as provided in the Certificate of Award, provided that their dated date shall not be more than sixty (60) days prior to the Closing Date, and any Capital Appreciation Bonds shall be dated as of the Closing Date.

(a) Interest Rates, Interest Payment Dates and Maximum Net Interest Rate. The Current Interest Bonds shall bear interest at the rate or rates of interest per year (computed on the basis of a 360-day year consisting of twelve 30-day months), as shall be specified by the Fiscal Officer in the Certificate of Award. Interest on the Current Interest Bonds shall be payable on each Interest Payment Date until the principal amount has been paid or provided for. The Current Interest Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

Any Capital Appreciation Bonds shall bear interest from the Closing Date at the compounding rate or rates of interest per year (computed on the basis of a 360-day year consisting of twelve 30-day months), accrued and compounded on each Interest Accretion Date and payable at maturity, that will result in the aggregate Maturity Amounts payable at maturity, as shall be specified by the Fiscal Officer in the Certificate of Award. The total interest accrued on any Capital Appreciation Bond as of any particular date shall be an amount equal to the amount by which the Compound Accreted Amount of that Capital Appreciation Bond as of that date exceeds the principal amount of that Capital Appreciation Bond.

The true interest cost for the Bonds determined by taking into account the respective principal amounts of the Bonds and terms to maturity of the Bonds or redemption pursuant to Mandatory Sinking Fund Redemption Requirements (as hereinafter defined and described) of those principal amounts of Bonds that are Term Bonds shall not exceed 7.00% per year. Notwithstanding any provision in this Ordinance to the contrary, Bonds maturing on any one Principal Payment Date may bear different interest rates and may be issued separately as Current Interest Bonds and Capital Appreciation Bonds.

(b) Principal Payment Schedule. The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements on the Principal Payment Dates and in principal amounts as shall be specified by the Fiscal Officer, subject to subsection (c) of this Section, in the Certificate of Award, consistent with the Fiscal Officer's determination of the best interest of and financial advantages to the City.

Consistent with the foregoing and in accordance with the Fiscal Officer's determination of the best interest of and financial advantages to the City, the Fiscal Officer shall specify in the Certificate of Award (i) the aggregate principal amount of Current Interest Bonds to be issued as Serial Bonds, the Principal Payment Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date, (ii) the aggregate principal amount of Current Interest Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (Mandatory Redemption Dates) and the principal amount thereof that shall be payable on each Mandatory Redemption Date (Mandatory Sinking Fund Redemption Requirements), and (iii) the aggregate principal amount of any Bonds to be issued as Capital Appreciation Bonds and the corresponding aggregate Maturity Amount thereof, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, and

the principal amount and corresponding Maturity Amount thereof that shall be payable on each such Principal Payment Date.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Current Interest Bonds and the compounding rate or rates of interest per year to be borne by any Capital Appreciation Bonds, and the principal amount of Current Interest Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date and the Maturity Amount of any Capital Appreciation Bonds payable on each Principal Payment Date (and allocated to each Project), shall be such that (i) the total principal and interest payments on the Bonds allocated to each Project in any fiscal year in which principal is payable is not more than three times the amount of those payments with respect to that portion in any other such fiscal year and (ii) the principal amount of the Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date shall be such that the principal amount allocated to each Project shall be retired in full by the maximum maturity date for that portion of the principal amount.

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Current Interest Bonds, and principal of and interest on any Capital Appreciation Bonds, shall be payable when due upon presentation and surrender of the Bonds at the office of the Bond Registrar designated in the Certificate of Award or, if not so designated, then at the principal corporate trust office of the Bond Registrar. Interest on a Current Interest Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the date provided in the Registrar Agreement. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the Fiscal Officer, in the name and on behalf of the City, in connection with the book entry system.

(e) Redemption Provisions. Except as otherwise specified in the Certificate of Award, the Current Interest Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund requirements, at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those dates, for which provision is made in the Certificate of Award (such dates and amounts being the Mandatory Sinking Fund Redemption Requirements).

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on any Term Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that date the principal amount of Term Bonds payable on that date pursuant to Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as provided below).

The City shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the City, as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so delivered. That option shall be exercised by the City on or before the 15th day preceding any Mandatory Redemption Date with respect to which the City wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Fiscal Officer, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory

Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate. If the certificate is not timely furnished to the Bond Registrar, the current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the Fiscal Officer, also shall be received by the City for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. The Current Interest Bonds of the maturities and interest rates, if any, specified in the Certificate of Award shall be subject to redemption by and at the sole option of the City, in whole or in part in integral multiples of \$5,000, on the optional redemption dates and at the redemption prices (expressed as a percentage of the principal amount to be redeemed) specified by the Fiscal Officer in the Certificate of Award, plus accrued interest to the redemption date; provided that the redemption price for the earliest optional redemption date shall not be greater than 102%. The Fiscal Officer may determine in the Certificate of Award that it is in the best interests of the City for some or all of the Bonds not to be callable prior to their stated maturity.

If optional redemption of Term Bonds at a redemption price exceeding 100% of the principal amount to be redeemed is to take place as of any Mandatory Redemption Date applicable to those Term Bonds, the Term Bonds, or portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Term Bonds of the same maturity to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements. Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the Fiscal Officer to the Bond Registrar, given upon the direction of this Council through a resolution or an ordinance. That notice shall specify the redemption date and the principal amount of each maturity of Bonds to be redeemed, and shall be given at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

(iii) Partial Redemption. If fewer than all of the outstanding Bonds are called for optional redemption at one time and Bonds of more than one maturity or interest rate within a maturity are then outstanding, the Bonds that are called shall be Bonds of the maturity or maturities and interest rate or rates selected by the City. If fewer than all of the Bonds of a single maturity and interest rate within that maturity are to be redeemed, the selection of Bonds of that maturity and interest rate within that maturity to be redeemed, or portions thereof in amounts of \$5,000 or any integral multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$5,000 are then outstanding, each \$5,000 unit of principal thereof shall be treated as if it were a separate Bond of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of principal amount represented by a Bond are to be called for redemption, then, upon notice of redemption of a \$5,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (i) for payment of the redemption price of the \$5,000 unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (ii) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or

Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the City by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address then shown on the Bond Register maintained by the Bond Registrar. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds, provided that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the City to the extent not required for the payment of the Bonds called for redemption.

(vi) Capital Appreciation Bonds. The Capital Appreciation Bonds, if any, are not subject to redemption prior to maturity.

(vii) Purchase in Lieu of Redemption. If and to the extent provided in the Certificate of Award, the City may have the option to purchase any Bond that is redeemable by optional redemption at a purchase price not less than the redemption price that would be payable if that Bond were called for optional redemption on the date of the proposed purchase. That election shall be exercised by written direction from the Fiscal Officer to the Bond Registrar given within the same time period specified for the City's giving notice of optional redemption of Bonds. That written direction shall identify the Bonds to be purchased by their maturity date and shall specify the principal amount of each maturity to be purchased in lieu of redemption. The purchase price of the Bonds to be purchased in lieu of redemption shall be equal to the principal of, any accrued but unpaid interest on, and any premium that would have been payable on the Bonds if the Bonds had been optionally redeemed instead of being purchased. Notice of the purchase of Bonds in lieu of redemption shall be given by the Bond Registrar to the owners of the Bonds in the same manner as notice of redemption is required by this Ordinance to be given. The Bond Registrar, as paying agent, shall not purchase Bonds if sufficient moneys have not been deposited with the Bond Registrar for the purpose. If fewer than all of the outstanding Bonds of a maturity are to be purchased in lieu of redemption, the selection of Bonds to be

purchased shall be made in the same manner as is required by this Ordinance for the partial redemption of Bonds. On the date established for the purchase of any Bonds, the Registrar shall pay the purchase price to the registered owners against delivery and shall cause the purchased Bonds to be registered in the name as specified by the Fiscal Officer.

Section 4. Signing and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be signed by the Fiscal Officer and the Executive, in the name of the City and in their official capacities, provided that either or both of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer in order to distinguish each Bond from any other Bond and to distinguish the Current Interest Bonds from any Capital Appreciation Bonds, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to the provisions of Ohio Revised Code Chapter 133, this Ordinance and the Certificate of Award.

As used herein, “Bond Registrar” means the person or entity appointed pursuant to this Section 4 as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds and until a successor Bond Registrar shall have become such and, thereafter, “Bond Registrar” shall mean the successor Bond Registrar. In the Certificate of Award, the Fiscal Officer shall appoint the initial Bond Registrar, who may be the Fiscal Officer; provided that, if the Bond Registrar is to be a bank or trust company: (a) the Fiscal Officer shall first determine that said bank or trust company will not endanger the funds or securities of the City; and (b) the Fiscal Officer shall sign and deliver, in the name and on behalf of the City, a Bond Registrar Agreement between the City and the Bond Registrar (the Registrar Agreement) after having obtained the approval of this Council of said Registrar Agreement; and (c) unless paid from other sources, the Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Registrar Agreement from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Fiscal Officer on behalf of the City. The same person need not sign the certificate of authentication on all of the Bonds.

Section 5. Registration; Transfer and Exchange; Book Entry System.

(a) Bond Registrar. So long as any of the Bonds remain outstanding, the City will cause the Bond Registrar to maintain and keep the Bond Register at the office satisfactory to the Fiscal Officer and the Bond Registrar. Subject to the provisions of Section 6, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the City nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the City’s liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the office of the Bond Registrar designated in the Certificate of Award or, if not so designated, then at the principal corporate trust office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond

Register upon presentation and surrender of the Bond at the designated office of the Bond Registrar together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the City are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the City. In all cases of Bonds exchanged or transferred, the City shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the City and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the City, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings as the Bonds surrendered upon that exchange or transfer. Neither the City nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) Book Entry System. Notwithstanding any other provisions of this Ordinance, if the Fiscal Officer determines in the Certificate of Award that it is in the best interest of and financially advantageous to the City, the Bonds may be issued in book entry form in accordance with the following provisions of this Section.

The Bonds may be issued to a Depository for use in a book entry system and, if and so long as a book entry system is utilized, (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity and interest rate within a maturity and registered in the name of the Depository or its nominee, as registered owner, and deposited with and maintained in the custody of the Depository or its designated agent which may be the Bond Registrar; (ii) the book entry interest owners of Bonds in book entry form shall not have any right to receive Bonds in the form of physical securities or certificates; (iii) ownership of book entry interests in Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of book entry interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book entry system, the Fiscal Officer may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, after making provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause Bond certificates in registered form to be authenticated by the Bond Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Fiscal Officer is hereby authorized, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the City, that the Fiscal Officer determines to be necessary in connection with a book entry system for the Bonds.

## Section 6. Sale of the Bonds.

(a) Original Purchaser Designated in Certificate of Award. The Fiscal Officer is hereby authorized to solicit and receive proposals for the purchase of the Bonds. The Bonds shall be awarded and sold by the Fiscal Officer to the Original Purchaser designated in the Certificate of Award at a purchase price not less than 97% of the aggregate principal amount thereof, as shall be determined by the Fiscal Officer in the Certificate of Award, plus accrued interest on the Current Interest Bonds from their date to the Closing Date, and shall be awarded by the Fiscal Officer with and upon such other terms as are required or authorized by this Ordinance to be specified in the Certificate of Award, in accordance with law and the provisions of this Ordinance. The Fiscal Officer is authorized, if it is determined to be in the best interest of the City, to combine the issue of Bonds with one or more other bond issues of the City into a consolidated bond issue pursuant to Section 133.30(B) of the Revised Code in which case a single Certificate of Award may be utilized for the consolidated bond issue if appropriate and consistent with the terms of this Ordinance.

The Fiscal Officer shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price. The Executive, the Fiscal Officer, the City Treasurer, the City Director of Law, the Clerk of Council and other City officials, as appropriate, each are authorized to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance.

(b) Application for Rating or Bond Insurance. If, in the judgment of the Fiscal Officer, the filing of an application for (i) a rating on the Bonds by one or more nationally-recognized rating agencies, or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Bonds, is in the best interest of and financially advantageous to this City, the Fiscal Officer is authorized to prepare and submit those applications, to provide to each such agency or company such information as may be required for the purpose, and to provide further for the payment of the cost of obtaining each such rating or policy, to the extent not paid by the Original Purchaser in accordance with the Certificate of Award, from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. The Fiscal Officer is hereby authorized, to the extent necessary or required, to enter into any agreements, in the name of and on behalf of the City, that the Fiscal Officer determines to be necessary in connection with the obtaining of that bond insurance. Any actions heretofore taken in conformance herewith are hereby ratified, confirmed and approved.

(c) Financing Costs. The expenditure of the amounts necessary to pay the costs of issuing and servicing the Bonds, printing and delivery of the Bonds, legal services including obtaining the approving legal opinion of bond counsel, any paying agent fees and expenses, the fees and expenses of financial advisors, rating agency fees and expenses, any fees or premiums relating to municipal bond insurance or other security arrangements determined necessary by the Fiscal Officer, and all other financing costs (as defined in Section 133.01 of the Ohio Revised Code) and costs incurred incidental to those purposes, to the extent not paid by the Original Purchaser in accordance with the Certificate of Award, is authorized and approved. All amounts necessary to pay those costs and fees are hereby appropriated from the proceeds of the Bonds, and as to future financing costs (as referenced in Section 133.01(K) of the Ohio Revised Code), the Bond Retirement Fund, and the Fiscal Officer is hereby authorized and directed to make appropriate certifications as to the availability of funds for those costs and fees, to the extent they shall be obligations of the City, as the amounts thereof become known and shall encumber those amounts immediately upon such certification, but not in excess of the appropriation made herein, and to issue an appropriate order for their timely payment as the same shall become due and payable.

Section 7. Provisions for Tax Levy. There shall be levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds

when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due.

Nothing in this Section in any way diminishes the irrevocable pledge of the full faith and credit and revenues of the City to the prompt payment of the debt charges on the Bonds.

Section 8. Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (a) the Bonds will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Code or (ii) be treated other than as obligations the interest on which is excluded from gross income under Section 103 of the Code applies, and (b) the interest on the Bonds will not be an item of tax preference under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Bonds to be and remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Bonds to the governmental purpose of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports and (v) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Fiscal Officer, or any other officer of the City having responsibility for issuance of the Bonds is hereby authorized (a) to make or effect any election, selection, designation, (including specifically designation and/or treatment of the Bonds as “qualified tax-exempt obligations” if such designation and/or treatment is applicable and desirable, and to make any related necessary representations and covenants), choice, consent, approval, or waiver on behalf of the City with respect to the Bonds as the City is permitted to or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in Section 148(f)(4)(C) or Section 265(b)(3) of the Code or available under Section 148 or Section 265 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Bonds.

Each covenant made in this section with respect to the Bonds is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on

the Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this section to take with respect to the Bonds.

Section 9. Certification and Delivery of Ordinance and Certificate of Award. The Clerk of Council is directed to deliver a certified copy of this Ordinance and the Certificate of Award to the County Auditor of Trumbull County.

Section 10. Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be performed by the City or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 7) of the City are pledged for the timely payment of the debt charges on the Bonds; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds. The Council further finds and determines, and hereby represents and recites, that the provisions of the rules of this Council and its ordinances and resolutions have been fully complied with and that this Ordinance was passed in conformity therewith.

Section 11. Bond Counsel Services. The legal services of Squire Patton Boggs (US) LLP, as bond counsel are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Bonds and the rendering of the necessary legal opinions upon the delivery of the Bonds. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services, whether or not the Bonds are ever issued. The Fiscal Officer is authorized and directed, to the extent they are not paid by the Original Purchaser, to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

Section 12. Financial Advisor Services. The services of Sudsina & Associates, LLC, as financial advisor, be and are hereby retained. The financial advisory services shall be in the nature of financial advice and recommendations in connection with the issuance and sale of the Bonds. In rendering those financial advisory services, as an independent contractor, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those financial advisory services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those financial advisory services. The Fiscal Officer is authorized and directed, to the extent they are not paid by the Original Purchaser, to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

Section 13. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 14. Effective Date. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason that this Ordinance is required to be immediately effective in order to issue and sell the Bonds in a timely fashion to make their proceeds available to enable the City to purchase the vehicles and thereby improve and preserve the safety of the residents of the City; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the \_\_\_\_\_ day of \_\_\_\_\_, 2026 and signed by me as such Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
MAYOR

# City of Niles, Ohio

SPONSORED BY: COUNCIL AS A WHOLE  
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 115-26

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$1,000,000 TO PAY COSTS OF IMPROVEMENTS TO BUILDINGS AND FACILITIES OF THE CITY, INCLUDING WINDOW AND FAÇADE REPAIRS, TOGETHER WITH ALL INCIDENTAL WORK AND NECESSARY APPURTENANCES; AND, DECLARING AN EMERGENCY.

WHEREAS, this Council has determined to issue bonds in the maximum aggregate principal amount of \$1,000,000 (the Bonds) to provide funds necessary to pay costs of improvements to buildings and facilities of the City, including window and façade repairs, together with all incidental work and necessary appurtenances (the Project) and to pay financing costs related to the issuance of the Bonds; and

WHEREAS, the Auditor as fiscal officer of this City has certified to this Council that the estimated life or period of usefulness of the Project is at least five years, and the estimated maximum maturity of bonds issued to pay costs of the Project is 15 years;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Niles, County of Trumbull, Ohio, that:

Section 1. Definitions and Interpretation. In addition to the words and terms elsewhere defined in this Ordinance, these words and phrases shall have the following meanings, unless the context or use clearly indicates another or different meaning or intent:

“Authorized Denominations” means (a) with respect to Current Interest Bonds, the denomination of \$5,000 or any integral multiple thereof, and (b) with respect to Capital Appreciation Bonds, the denomination equal to the principal amount that, when interest is accrued and compounded thereon on each Interest Accretion Date to the stated maturity of the Bonds, will equal a \$5,000 Maturity Amount or any integral multiple thereof.

“Bond proceedings” means, collectively, this Ordinance, the Certificate of Award, the Registrar Agreement and such other proceedings of the City, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds.

“Bond Register” means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

“Bond Registrar” shall have the meaning ascribed in Section 4.

“Bonds” means the Bonds authorized in Section 2.

“Book entry form” or “book entry system” means a form or system under which (a) the ownership of book entry interests in Bonds and the principal of and interest on the Bonds may be transferred only through a book entry, and (b) physical Bond certificates in fully registered form are issued by the City only to a Depository or its nominee as registered owner, with the physical Bond certificates deposited with and maintained in the custody of the Depository or its agent. The book entry maintained by others than the City or the Bond Registrar is the record that identifies the owners of book entry interests in those Bonds and that principal and interest.

“Capital Appreciation Bonds” means any Bonds specified as such in the Certificate of Award, maturing in the years, being in the principal amounts and having the Maturity Amounts set forth therein, and bearing interest accrued and compounded on each Interest Accretion Date and payable at maturity.

“Certificate of Award” means the certificate authorized by Section 6(a), to be signed by the Fiscal Officer, setting forth and specifying those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Ordinance requires or authorizes to be set forth therein.

“Closing Date” means the date of physical delivery of, and payment of the purchase price for, the Bonds.

“Code” means the Internal Revenue Code of 1986, the Regulations (whether temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a Section of the Code includes any applicable successor section or provision and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that Section.

“Compound Accreted Amount” means, with respect to any Capital Appreciation Bond, the principal amount thereof plus interest accrued and compounded on each Interest Accretion Date to the date of maturity or other date of determination. The Compound Accreted Amount per \$5,000 Maturity Amount of the Capital Appreciation Bonds of each maturity and interest rate within a maturity as of each Interest Accretion Date shall be set forth in the Certificate of Award. The Compound Accreted Amount of any Capital Appreciation Bond as of any date other than an Interest Accretion Date is the sum of (a) the Compound Accreted Amount for such Bond on the immediately preceding Interest Accretion Date plus (b) the product obtained by multiplying (i) the difference obtained by subtracting (A) the Compound Accreted Amount of that Bond on the immediately preceding Interest Accretion Date from (B) the Compound Accreted Amount of that Bond on the immediately succeeding Interest Accretion Date, times (ii) the ratio of (C) the number of days from the immediately preceding Interest Accretion Date to the date of determination to (D) the total number of days from that immediately preceding Interest Accretion Date to the immediately succeeding Interest Accretion Date; provided, however, that in determining the Compound Accreted Amount of a Capital Appreciation Bond as of a date prior to the first Interest Accretion Date, the Closing Date shall be deemed to be the immediately preceding Interest Accretion Date and the principal amount of that Capital Appreciation Bond shall be deemed to be the Compound Accreted Amount on the Closing Date.

“Current Interest Bonds” means, collectively, the Serial Bonds and the Term Bonds, each as is specified as such in the Certificate of Award.

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

“Executive” means the Mayor of the City.

“Fiscal Officer” means the Auditor of the City.

“Interest Accretion Dates” means, unless otherwise specified in the Certificate of Award, as to any Capital Appreciation Bonds, each June 1 and December 1, commencing December 1, 2026, in the years any Capital Appreciation Bonds are outstanding.

“Interest Payment Dates” means, unless otherwise specified in the Certificate of Award, (a) as to Current Interest Bonds, June 1 and December 1 of each year that the Current Interest Bonds are outstanding, commencing December 1, 2026, and (b) as to any Capital Appreciation Bonds, their respective maturity dates.

“Maturity Amount” means, with respect to a Capital Appreciation Bond, the principal and interest due and payable at the stated maturity of that Capital Appreciation Bond.

“Original Purchaser” means the purchaser of the Bonds designated by the Fiscal Officer in the Certificate of Award.

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

“Principal Payment Dates” means, unless otherwise specified in the Certificate of Award, December 1 in each of the years from and including 2027 to and including 2041; provided, that in no case shall the latest Principal Payment Date be later than the maximum maturity of the Bonds referred to in the preambles hereto.

“Registrar Agreement” means the Bond Registrar Agreement described in Section 4.

“Rule” means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

“Serial Bonds” means those Current Interest Bonds specified as such and maturing on the dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

“Term Bonds” means those Current Interest Bonds specified as such and maturing on the date or dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

Section 2. Authorized Principal Amount and Purpose; Application of Proceeds. This Council determines that it is necessary and in the best interest of the City to issue bonds of this City in one lot in the maximum principal amount of \$1,000,000 (the Bonds) to pay costs of the Project and the payment of expenses related to the issuance of the Bonds. The Bonds shall be issued pursuant to Chapter 133, Ohio Revised Code, and this Ordinance.

The aggregate principal amount of Bonds to be issued shall not exceed the amount authorized in this Section and shall be issued in an amount determined by the Fiscal Officer in the Certificate of Award to be the aggregate principal amount of Bonds required to be issued at this time for the purpose stated in this Section 2, taking into account estimated financing costs.

The proceeds from the sale of the Bonds, except any premium and accrued interest, shall be paid into the proper fund or funds and those proceeds are appropriated and shall be used for the purpose for which the Bonds are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

Section 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be issued in one lot and only as fully registered bonds, in the Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The respective principal amounts

of the Bonds to be issued as Current Interest Bonds and Capital Appreciation Bonds (if any Bonds are to be issued as Capital Appreciation Bonds) shall be specified by the Fiscal Officer in the Certificate of Award, having due regard to the best interest of and financial advantages to the City. The Current Interest Bonds shall be dated as provided in the Certificate of Award, provided that their dated date shall not be more than sixty (60) days prior to the Closing Date, and any Capital Appreciation Bonds shall be dated as of the Closing Date.

(a) Interest Rates, Interest Payment Dates and Maximum Net Interest Rate. The Current Interest Bonds shall bear interest at the rate or rates of interest per year (computed on the basis of a 360-day year consisting of twelve 30-day months), as shall be specified by the Fiscal Officer in the Certificate of Award. Interest on the Current Interest Bonds shall be payable on each Interest Payment Date until the principal amount has been paid or provided for. The Current Interest Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

Any Capital Appreciation Bonds shall bear interest from the Closing Date at the compounding rate or rates of interest per year (computed on the basis of a 360-day year consisting of twelve 30-day months), accrued and compounded on each Interest Accretion Date and payable at maturity, that will result in the aggregate Maturity Amounts payable at maturity, as shall be specified by the Fiscal Officer in the Certificate of Award. The total interest accrued on any Capital Appreciation Bond as of any particular date shall be an amount equal to the amount by which the Compound Accreted Amount of that Capital Appreciation Bond as of that date exceeds the principal amount of that Capital Appreciation Bond.

The true interest cost for the Bonds determined by taking into account the respective principal amounts of the Bonds and terms to maturity of the Bonds or redemption pursuant to Mandatory Sinking Fund Redemption Requirements (as hereinafter defined and described) of those principal amounts of Bonds that are Term Bonds shall not exceed 7.00% per year. Notwithstanding any provision in this Ordinance to the contrary, Bonds maturing on any one Principal Payment Date may bear different interest rates and may be issued separately as Current Interest Bonds and Capital Appreciation Bonds.

(b) Principal Payment Schedule. The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements on the Principal Payment Dates and in principal amounts as shall be specified by the Fiscal Officer, subject to subsection (c) of this Section, in the Certificate of Award, consistent with the Fiscal Officer's determination of the best interest of and financial advantages to the City.

Consistent with the foregoing and in accordance with the Fiscal Officer's determination of the best interest of and financial advantages to the City, the Fiscal Officer shall specify in the Certificate of Award (i) the aggregate principal amount of Current Interest Bonds to be issued as Serial Bonds, the Principal Payment Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date, (ii) the aggregate principal amount of Current Interest Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (Mandatory Redemption Dates) and the principal amount thereof that shall be payable on each Mandatory Redemption Date (Mandatory Sinking Fund Redemption Requirements), and (iii) the aggregate principal amount of any Bonds to be issued as Capital Appreciation Bonds and the corresponding aggregate Maturity Amount thereof, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, and the principal amount and corresponding Maturity Amount thereof that shall be payable on each such Principal Payment Date.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Current

Interest Bonds and the compounding rate or rates of interest per year to be borne by any Capital Appreciation Bonds, and the principal amount of Current Interest Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date and the Maturity Amount of any Capital Appreciation Bonds payable on each Principal Payment Date (and allocated to each Project), shall be such that (i) the total principal and interest payments on the Bonds allocated to each Project in any fiscal year in which principal is payable is not more than three times the amount of those payments with respect to that portion in any other such fiscal year and (ii) the principal amount of the Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date shall be such that the principal amount allocated to each Project shall be retired in full by the maximum maturity date for that portion of the principal amount.

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Current Interest Bonds, and principal of and interest on any Capital Appreciation Bonds, shall be payable when due upon presentation and surrender of the Bonds at the office of the Bond Registrar designated in the Certificate of Award or, if not so designated, then at the principal corporate trust office of the Bond Registrar. Interest on a Current Interest Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the date provided in the Registrar Agreement. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the Fiscal Officer, in the name and on behalf of the City, in connection with the book entry system.

(e) Redemption Provisions. Except as otherwise specified in the Certificate of Award, the Current Interest Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund requirements, at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those dates, for which provision is made in the Certificate of Award (such dates and amounts being the Mandatory Sinking Fund Redemption Requirements).

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on any Term Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that date the principal amount of Term Bonds payable on that date pursuant to Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as provided below).

The City shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the City, as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so delivered. That option shall be exercised by the City on or before the 15th day preceding any Mandatory Redemption Date with respect to which the City wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Fiscal Officer, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate. If the certificate is not timely furnished to the Bond Registrar, the current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption

Requirement (and corresponding mandatory redemption obligation), as specified by the Fiscal Officer, also shall be received by the City for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. The Current Interest Bonds of the maturities and interest rates, if any, specified in the Certificate of Award shall be subject to redemption by and at the sole option of the City, in whole or in part in integral multiples of \$5,000, on the optional redemption dates and at the redemption prices (expressed as a percentage of the principal amount to be redeemed) specified by the Fiscal Officer in the Certificate of Award, plus accrued interest to the redemption date; provided that the redemption price for the earliest optional redemption date shall not be greater than 102%. The Fiscal Officer may determine in the Certificate of Award that it is in the best interests of the City for some or all of the Bonds not to be callable prior to their stated maturity.

If optional redemption of Term Bonds at a redemption price exceeding 100% of the principal amount to be redeemed is to take place as of any Mandatory Redemption Date applicable to those Term Bonds, the Term Bonds, or portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Term Bonds of the same maturity to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements. Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the Fiscal Officer to the Bond Registrar, given upon the direction of this Council through a resolution or an ordinance. That notice shall specify the redemption date and the principal amount of each maturity of Bonds to be redeemed, and shall be given at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

(iii) Partial Redemption. If fewer than all of the outstanding Bonds are called for optional redemption at one time and Bonds of more than one maturity or interest rate within a maturity are then outstanding, the Bonds that are called shall be Bonds of the maturity or maturities and interest rate or rates selected by the City. If fewer than all of the Bonds of a single maturity and interest rate within that maturity are to be redeemed, the selection of Bonds of that maturity and interest rate within that maturity to be redeemed, or portions thereof in amounts of \$5,000 or any integral multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$5,000 are then outstanding, each \$5,000 unit of principal thereof shall be treated as if it were a separate Bond of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of principal amount represented by a Bond are to be called for redemption, then, upon notice of redemption of a \$5,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (i) for payment of the redemption price of the \$5,000 unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (ii) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the City by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address then shown on the Bond Register maintained by the Bond Registrar. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds, provided that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the City to the extent not required for the payment of the Bonds called for redemption.

(vi) Capital Appreciation Bonds. The Capital Appreciation Bonds, if any, are not subject to redemption prior to maturity.

(vii) Purchase in Lieu of Redemption. If and to the extent provided in the Certificate of Award, the City may have the option to purchase any Bond that is redeemable by optional redemption at a purchase price not less than the redemption price that would be payable if that Bond were called for optional redemption on the date of the proposed purchase. That election shall be exercised by written direction from the Fiscal Officer to the Bond Registrar given within the same time period specified for the City's giving notice of optional redemption of Bonds. That written direction shall identify the Bonds to be purchased by their maturity date and shall specify the principal amount of each maturity to be purchased in lieu of redemption. The purchase price of the Bonds to be purchased in lieu of redemption shall be equal to the principal of, any accrued but unpaid interest on, and any premium that would have been payable on the Bonds if the Bonds had been optionally redeemed instead of being purchased. Notice of the purchase of Bonds in lieu of redemption shall be given by the Bond Registrar to the owners of the Bonds in the same manner as notice of redemption is required by this Ordinance to be given. The Bond Registrar, as paying agent, shall not purchase Bonds if sufficient moneys have not been deposited with the Bond Registrar for the purpose. If fewer than all of the outstanding Bonds of a maturity are to be purchased in lieu of redemption, the selection of Bonds to be purchased shall be made in the same manner as is required by this Ordinance for the partial redemption of Bonds. On the date established for the purchase of any Bonds, the Registrar shall pay the purchase price to the registered owners against delivery and shall cause the purchased Bonds to be registered in the name as specified by the Fiscal Officer.

Section 4. Signing and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be signed by the Fiscal Officer and the Executive, in the name of the City and in their official capacities, provided that either or both of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer in order to distinguish each Bond from any other Bond and to distinguish the Current Interest Bonds from any Capital Appreciation Bonds, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to the provisions of Ohio Revised Code Chapter 133, this Ordinance and the Certificate of Award.

As used herein, "Bond Registrar" means the person or entity appointed pursuant to this Section 4 as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds and until a successor Bond Registrar shall have become such and, thereafter, "Bond Registrar" shall mean the successor Bond Registrar. In the Certificate of Award, the Fiscal Officer shall appoint the initial Bond Registrar, who may be the Fiscal Officer; provided that, if the Bond Registrar is to be a bank or trust company: (a) the Fiscal Officer shall first determine that said bank or trust company will not endanger the funds or securities of the City; and (b) the Fiscal Officer shall sign and deliver, in the name and on behalf of the City, a Bond Registrar Agreement between the City and the Bond Registrar (the Registrar Agreement) after having obtained the approval of this Council of said Registrar Agreement; and (c) unless paid from other sources, the Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Registrar Agreement from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Fiscal Officer on behalf of the City. The same person need not sign the certificate of authentication on all of the Bonds.

Section 5. Registration; Transfer and Exchange; Book Entry System.

(a) Bond Registrar. So long as any of the Bonds remain outstanding, the City will cause the Bond Registrar to maintain and keep the Bond Register at the office satisfactory to the Fiscal Officer and the Bond Registrar. Subject to the provisions of Section 6, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the City nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the City's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the office of the Bond Registrar designated in the Certificate of Award or, if not so designated, then at the principal corporate trust office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the designated office of the Bond Registrar together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal

in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the City are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the City. In all cases of Bonds exchanged or transferred, the City shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the City and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the City, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings as the Bonds surrendered upon that exchange or transfer. Neither the City nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) Book Entry System. Notwithstanding any other provisions of this Ordinance, if the Fiscal Officer determines in the Certificate of Award that it is in the best interest of and financially advantageous to the City, the Bonds may be issued in book entry form in accordance with the following provisions of this Section.

The Bonds may be issued to a Depository for use in a book entry system and, if and so long as a book entry system is utilized, (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity and interest rate within a maturity and registered in the name of the Depository or its nominee, as registered owner, and deposited with and maintained in the custody of the Depository or its designated agent which may be the Bond Registrar; (ii) the book entry interest owners of Bonds in book entry form shall not have any right to receive Bonds in the form of physical securities or certificates; (iii) ownership of book entry interests in Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of book entry interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book entry system, the Fiscal Officer may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, after making provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause Bond certificates in registered form to be authenticated by the Bond Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Fiscal Officer is hereby authorized, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the City, that the Fiscal Officer determines to be necessary in connection with a book entry system for the Bonds.

## Section 6. Sale of the Bonds.

(a) Original Purchaser Designated in Certificate of Award. The Fiscal Officer is hereby authorized to solicit and receive proposals for the purchase of the Bonds. The Bonds shall be awarded and sold by the Fiscal Officer to the Original Purchaser designated in the Certificate of Award at a purchase price not less than 97% of the aggregate principal amount thereof, as shall be determined by the Fiscal Officer in the Certificate of Award, plus accrued interest on the Current Interest Bonds from their date

to the Closing Date, and shall be awarded by the Fiscal Officer with and upon such other terms as are required or authorized by this Ordinance to be specified in the Certificate of Award, in accordance with law and the provisions of this Ordinance. The Fiscal Officer is authorized, if it is determined to be in the best interest of the City, to combine the issue of Bonds with one or more other bond issues of the City into a consolidated bond issue pursuant to Section 133.30(B) of the Revised Code in which case a single Certificate of Award may be utilized for the consolidated bond issue if appropriate and consistent with the terms of this Ordinance.

The Fiscal Officer shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price. The Executive, the Fiscal Officer, the City Treasurer, the City Director of Law, the Clerk of Council and other City officials, as appropriate, each are authorized to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance.

(b) Application for Rating or Bond Insurance. If, in the judgment of the Fiscal Officer, the filing of an application for (i) a rating on the Bonds by one or more nationally-recognized rating agencies, or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Bonds, is in the best interest of and financially advantageous to this City, the Fiscal Officer is authorized to prepare and submit those applications, to provide to each such agency or company such information as may be required for the purpose, and to provide further for the payment of the cost of obtaining each such rating or policy, to the extent not paid by the Original Purchaser in accordance with the Certificate of Award, from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. The Fiscal Officer is hereby authorized, to the extent necessary or required, to enter into any agreements, in the name of and on behalf of the City, that the Fiscal Officer determines to be necessary in connection with the obtaining of that bond insurance. Any actions heretofore taken in conformance herewith are hereby ratified, confirmed and approved.

(c) Financing Costs. The expenditure of the amounts necessary to pay the costs of issuing and servicing the Bonds, printing and delivery of the Bonds, legal services including obtaining the approving legal opinion of bond counsel, any paying agent fees and expenses, the fees and expenses of financial advisors, rating agency fees and expenses, any fees or premiums relating to municipal bond insurance or other security arrangements determined necessary by the Fiscal Officer, and all other financing costs (as defined in Section 133.01 of the Ohio Revised Code) and costs incurred incidental to those purposes, to the extent not paid by the Original Purchaser in accordance with the Certificate of Award, is authorized and approved. All amounts necessary to pay those costs and fees are hereby appropriated from the proceeds of the Bonds, and as to future financing costs (as referenced in Section 133.01(K) of the Ohio Revised Code), the Bond Retirement Fund, and the Fiscal Officer is hereby authorized and directed to make appropriate certifications as to the availability of funds for those costs and fees, to the extent they shall be obligations of the City, as the amounts thereof become known and shall encumber those amounts immediately upon such certification, but not in excess of the appropriation made herein, and to issue an appropriate order for their timely payment as the same shall become due and payable.

Section 7. Provisions for Tax Levy. There shall be levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the

Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due.

Nothing in this Section in any way diminishes the irrevocable pledge of the full faith and credit and revenues of the City to the prompt payment of the debt charges on the Bonds.

Section 8. Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (a) the Bonds will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Code or (ii) be treated other than as obligations the interest on which is excluded from gross income under Section 103 of the Code applies, and (b) the interest on the Bonds will not be an item of tax preference under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Bonds to be and remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Bonds to the governmental purpose of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports and (v) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Fiscal Officer, or any other officer of the City having responsibility for issuance of the Bonds is hereby authorized (a) to make or effect any election, selection, designation, (including specifically designation and/or treatment of the Bonds as “qualified tax-exempt obligations” if such designation and/or treatment is applicable and desirable, and to make any related necessary representations and covenants), choice, consent, approval, or waiver on behalf of the City with respect to the Bonds as the City is permitted to or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in Section 148(f)(4)(C) or Section 265(b)(3) of the Code or available under Section 148 or Section 265 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Bonds.

Each covenant made in this section with respect to the Bonds is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this section to take with respect to the Bonds.

Section 9. Certification and Delivery of Ordinance and Certificate of Award. The Clerk of Council is directed to deliver a certified copy of this Ordinance and the Certificate of Award to the County Auditor of Trumbull County.

Section 10. Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be performed by the City or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 7) of the City are pledged for the timely payment of the debt charges on the Bonds; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds. The Council further finds and determines, and hereby represents and recites, that the provisions of the rules of this Council and its ordinances and resolutions have been fully complied with and that this Ordinance was passed in conformity therewith.

Section 11. Bond Counsel Services. The legal services of Squire Patton Boggs (US) LLP, as bond counsel are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Bonds and the rendering of the necessary legal opinions upon the delivery of the Bonds. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services, whether or not the Bonds are ever issued. The Fiscal Officer is authorized and directed, to the extent they are not paid by the Original Purchaser, to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

Section 12. Financial Advisor Services. The services of Sudsina & Associates, LLC, as financial advisor, be and are hereby retained. The financial advisory services shall be in the nature of financial advice and recommendations in connection with the issuance and sale of the Bonds. In rendering those financial advisory services, as an independent contractor, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those financial advisory services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those financial advisory services. The Fiscal Officer is authorized and directed, to the extent they are not paid by the Original Purchaser, to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

Section 13. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 14. Effective Date. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason that this Ordinance is required to be immediately effective in order to issue and sell the Bonds in a timely fashion to make their proceeds available to enable the City to proceed with the Project and thereby improve and preserve the safety of the residents of the City; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

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PRESIDENT OF COUNCIL

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the \_\_\_\_\_ day of  
\_\_\_\_\_, 2026 and signed by me as such Mayor this \_\_\_\_\_ day of  
\_\_\_\_\_, 2026.

\_\_\_\_\_  
MAYOR

# City of Niles, Ohio

SPONSORED BY: COUNCIL AS A WHOLE  
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 116-26

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$2,454,000 TO PAY COSTS OF IMPROVING THE MUNICIPAL SANITARY SEWER SYSTEM BY ACQUIRING AND EQUIPPING A VACUUM TRUCK AND IMPROVING THE WASTEWATER TREATMENT PLANT, TOGETHER WITH ALL INCIDENTAL WORK AND NECESSARY APPURTENANCES; AND, DECLARING AN EMERGENCY.

WHEREAS, this Council has determined to issue bonds in the maximum aggregate principal amount of \$2,454,000 (the Bonds) to provide funds necessary to pay costs of improving the municipal sanitary sewer system by acquiring and equipping a vacuum truck and improving the wastewater treatment plant, together with all incidental work and necessary appurtenances (the Project) and to pay financing costs related to the issuance of the Bonds; and

WHEREAS, the Auditor as fiscal officer of this City has certified to this Council that the estimated life or period of usefulness of the Project is at least five years, and the estimated maximum maturity of bonds issued to pay costs of the Project is 20 years;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Niles, County of Trumbull, Ohio, that:

Section 1. Definitions and Interpretation. In addition to the words and terms elsewhere defined in this Ordinance, these words and phrases shall have the following meanings, unless the context or use clearly indicates another or different meaning or intent:

“Authorized Denominations” means (a) with respect to Current Interest Bonds, the denomination of \$5,000 or any integral multiple thereof, and (b) with respect to Capital Appreciation Bonds, the denomination equal to the principal amount that, when interest is accrued and compounded thereon on each Interest Accretion Date to the stated maturity of the Bonds, will equal a \$5,000 Maturity Amount or any integral multiple thereof.

“Bond proceedings” means, collectively, this Ordinance, the Certificate of Award, the Registrar Agreement and such other proceedings of the City, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds.

“Bond Register” means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

“Bond Registrar” shall have the meaning ascribed in Section 4.

“Bonds” means the Bonds authorized in Section 2.

“Book entry form” or “book entry system” means a form or system under which (a) the ownership of book entry interests in Bonds and the principal of and interest on the Bonds may be transferred only through a book entry, and (b) physical Bond certificates in fully registered form are issued by the City only to a Depository or its nominee as registered owner, with the physical Bond certificates deposited with and maintained in the custody of the Depository or its agent. The book entry maintained by others than the City or the Bond Registrar is the record that identifies the owners of book entry interests in those Bonds and that principal and interest.

“Capital Appreciation Bonds” means any Bonds specified as such in the Certificate of Award, maturing in the years, being in the principal amounts and having the Maturity Amounts set forth therein, and bearing interest accrued and compounded on each Interest Accretion Date and payable at maturity.

“Certificate of Award” means the certificate authorized by Section 6(a), to be signed by the Fiscal Officer, setting forth and specifying those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Ordinance requires or authorizes to be set forth therein.

“Closing Date” means the date of physical delivery of, and payment of the purchase price for, the Bonds.

“Code” means the Internal Revenue Code of 1986, the Regulations (whether temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a Section of the Code includes any applicable successor section or provision and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that Section.

“Compound Accreted Amount” means, with respect to any Capital Appreciation Bond, the principal amount thereof plus interest accrued and compounded on each Interest Accretion Date to the date of maturity or other date of determination. The Compound Accreted Amount per \$5,000 Maturity Amount of the Capital Appreciation Bonds of each maturity and interest rate within a maturity as of each Interest Accretion Date shall be set forth in the Certificate of Award. The Compound Accreted Amount of any Capital Appreciation Bond as of any date other than an Interest Accretion Date is the sum of (a) the Compound Accreted Amount for such Bond on the immediately preceding Interest Accretion Date plus (b) the product obtained by multiplying (i) the difference obtained by subtracting (A) the Compound Accreted Amount of that Bond on the immediately preceding Interest Accretion Date from (B) the Compound Accreted Amount of that Bond on the immediately succeeding Interest Accretion Date, times (ii) the ratio of (C) the number of days from the immediately preceding Interest Accretion Date to the date of determination to (D) the total number of days from that immediately preceding Interest Accretion Date to the immediately succeeding Interest Accretion Date; provided, however, that in determining the Compound Accreted Amount of a Capital Appreciation Bond as of a date prior to the first Interest Accretion Date, the Closing Date shall be deemed to be the immediately preceding Interest Accretion Date and the principal amount of that Capital Appreciation Bond shall be deemed to be the Compound Accreted Amount on the Closing Date.

“Current Interest Bonds” means, collectively, the Serial Bonds and the Term Bonds, each as is specified as such in the Certificate of Award.

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

“Executive” means the Mayor of the City.

“Fiscal Officer” means the Auditor of the City.

“Interest Accretion Dates” means, unless otherwise specified in the Certificate of Award, as to any Capital Appreciation Bonds, each June 1 and December 1, commencing December 1, 2026, in the years any Capital Appreciation Bonds are outstanding.

“Interest Payment Dates” means, unless otherwise specified in the Certificate of Award, (a) as to Current Interest Bonds, June 1 and December 1 of each year that the Current Interest Bonds are outstanding, commencing December 1, 2026, and (b) as to any Capital Appreciation Bonds, their respective maturity dates.

“Maturity Amount” means, with respect to a Capital Appreciation Bond, the principal and interest due and payable at the stated maturity of that Capital Appreciation Bond.

“Original Purchaser” means the purchaser of the Bonds designated by the Fiscal Officer in the Certificate of Award.

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

“Principal Payment Dates” means, unless otherwise specified in the Certificate of Award, December 1 in each of the years from and including 2027 to and including 2046; provided, that in no case shall the latest Principal Payment Date be later than the maximum maturity of the Bonds referred to in the preambles hereto.

“Registrar Agreement” means the Bond Registrar Agreement described in Section 4.

“Rule” means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

“Serial Bonds” means those Current Interest Bonds specified as such and maturing on the dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

“Term Bonds” means those Current Interest Bonds specified as such and maturing on the date or dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

Section 2. Authorized Principal Amount and Purpose; Application of Proceeds. This Council determines that it is necessary and in the best interest of the City to issue bonds of this City in one lot in the maximum principal amount of \$2,454,000 (the Bonds) to pay costs of the Project and the payment of expenses related to the issuance of the Bonds. The Bonds shall be issued pursuant to Chapter 133, Ohio Revised Code, and this Ordinance.

The aggregate principal amount of Bonds to be issued shall not exceed the amount authorized in this Section and shall be issued in an amount determined by the Fiscal Officer in the Certificate of Award to be the aggregate principal amount of Bonds required to be issued at this time for the purpose stated in this Section 2, taking into account estimated financing costs.

The proceeds from the sale of the Bonds, except any premium and accrued interest, shall be paid into the proper fund or funds and those proceeds are appropriated and shall be used for the purpose for which the Bonds are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

Section 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be issued in one lot and only as fully registered bonds, in the Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The respective principal amounts

of the Bonds to be issued as Current Interest Bonds and Capital Appreciation Bonds (if any Bonds are to be issued as Capital Appreciation Bonds) shall be specified by the Fiscal Officer in the Certificate of Award, having due regard to the best interest of and financial advantages to the City. The Current Interest Bonds shall be dated as provided in the Certificate of Award, provided that their dated date shall not be more than sixty (60) days prior to the Closing Date, and any Capital Appreciation Bonds shall be dated as of the Closing Date.

(a) Interest Rates, Interest Payment Dates and Maximum Net Interest Rate. The Current Interest Bonds shall bear interest at the rate or rates of interest per year (computed on the basis of a 360-day year consisting of twelve 30-day months), as shall be specified by the Fiscal Officer in the Certificate of Award. Interest on the Current Interest Bonds shall be payable on each Interest Payment Date until the principal amount has been paid or provided for. The Current Interest Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

Any Capital Appreciation Bonds shall bear interest from the Closing Date at the compounding rate or rates of interest per year (computed on the basis of a 360-day year consisting of twelve 30-day months), accrued and compounded on each Interest Accretion Date and payable at maturity, that will result in the aggregate Maturity Amounts payable at maturity, as shall be specified by the Fiscal Officer in the Certificate of Award. The total interest accrued on any Capital Appreciation Bond as of any particular date shall be an amount equal to the amount by which the Compound Accreted Amount of that Capital Appreciation Bond as of that date exceeds the principal amount of that Capital Appreciation Bond.

The true interest cost for the Bonds determined by taking into account the respective principal amounts of the Bonds and terms to maturity of the Bonds or redemption pursuant to Mandatory Sinking Fund Redemption Requirements (as hereinafter defined and described) of those principal amounts of Bonds that are Term Bonds shall not exceed 7.00% per year. Notwithstanding any provision in this Ordinance to the contrary, Bonds maturing on any one Principal Payment Date may bear different interest rates and may be issued separately as Current Interest Bonds and Capital Appreciation Bonds.

(b) Principal Payment Schedule. The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements on the Principal Payment Dates and in principal amounts as shall be specified by the Fiscal Officer, subject to subsection (c) of this Section, in the Certificate of Award, consistent with the Fiscal Officer's determination of the best interest of and financial advantages to the City.

Consistent with the foregoing and in accordance with the Fiscal Officer's determination of the best interest of and financial advantages to the City, the Fiscal Officer shall specify in the Certificate of Award (i) the aggregate principal amount of Current Interest Bonds to be issued as Serial Bonds, the Principal Payment Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date, (ii) the aggregate principal amount of Current Interest Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (Mandatory Redemption Dates) and the principal amount thereof that shall be payable on each Mandatory Redemption Date (Mandatory Sinking Fund Redemption Requirements), and (iii) the aggregate principal amount of any Bonds to be issued as Capital Appreciation Bonds and the corresponding aggregate Maturity Amount thereof, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, and the principal amount and corresponding Maturity Amount thereof that shall be payable on each such Principal Payment Date.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Current

Interest Bonds and the compounding rate or rates of interest per year to be borne by any Capital Appreciation Bonds, and the principal amount of Current Interest Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date and the Maturity Amount of any Capital Appreciation Bonds payable on each Principal Payment Date (and allocated to each Project), shall be such that (i) the total principal and interest payments on the Bonds allocated to each Project in any fiscal year in which principal is payable is not more than three times the amount of those payments with respect to that portion in any other such fiscal year and (ii) the principal amount of the Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date shall be such that the principal amount allocated to each Project shall be retired in full by the maximum maturity date for that portion of the principal amount.

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Current Interest Bonds, and principal of and interest on any Capital Appreciation Bonds, shall be payable when due upon presentation and surrender of the Bonds at the office of the Bond Registrar designated in the Certificate of Award or, if not so designated, then at the principal corporate trust office of the Bond Registrar. Interest on a Current Interest Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the date provided in the Registrar Agreement. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the Fiscal Officer, in the name and on behalf of the City, in connection with the book entry system.

(e) Redemption Provisions. Except as otherwise specified in the Certificate of Award, the Current Interest Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund requirements, at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those dates, for which provision is made in the Certificate of Award (such dates and amounts being the Mandatory Sinking Fund Redemption Requirements).

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on any Term Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that date the principal amount of Term Bonds payable on that date pursuant to Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as provided below).

The City shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the City, as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so delivered. That option shall be exercised by the City on or before the 15th day preceding any Mandatory Redemption Date with respect to which the City wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Fiscal Officer, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate. If the certificate is not timely furnished to the Bond Registrar, the current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption

Requirement (and corresponding mandatory redemption obligation), as specified by the Fiscal Officer, also shall be received by the City for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. The Current Interest Bonds of the maturities and interest rates, if any, specified in the Certificate of Award shall be subject to redemption by and at the sole option of the City, in whole or in part in integral multiples of \$5,000, on the optional redemption dates and at the redemption prices (expressed as a percentage of the principal amount to be redeemed) specified by the Fiscal Officer in the Certificate of Award, plus accrued interest to the redemption date; provided that the redemption price for the earliest optional redemption date shall not be greater than 102%. The Fiscal Officer may determine in the Certificate of Award that it is in the best interests of the City for some or all of the Bonds not to be callable prior to their stated maturity.

If optional redemption of Term Bonds at a redemption price exceeding 100% of the principal amount to be redeemed is to take place as of any Mandatory Redemption Date applicable to those Term Bonds, the Term Bonds, or portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Term Bonds of the same maturity to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements. Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the Fiscal Officer to the Bond Registrar, given upon the direction of this Council through a resolution or an ordinance. That notice shall specify the redemption date and the principal amount of each maturity of Bonds to be redeemed, and shall be given at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

(iii) Partial Redemption. If fewer than all of the outstanding Bonds are called for optional redemption at one time and Bonds of more than one maturity or interest rate within a maturity are then outstanding, the Bonds that are called shall be Bonds of the maturity or maturities and interest rate or rates selected by the City. If fewer than all of the Bonds of a single maturity and interest rate within that maturity are to be redeemed, the selection of Bonds of that maturity and interest rate within that maturity to be redeemed, or portions thereof in amounts of \$5,000 or any integral multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$5,000 are then outstanding, each \$5,000 unit of principal thereof shall be treated as if it were a separate Bond of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of principal amount represented by a Bond are to be called for redemption, then, upon notice of redemption of a \$5,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (i) for payment of the redemption price of the \$5,000 unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (ii) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the City by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address then shown on the Bond Register maintained by the Bond Registrar. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds, provided that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the City to the extent not required for the payment of the Bonds called for redemption.

(vi) Capital Appreciation Bonds. The Capital Appreciation Bonds, if any, are not subject to redemption prior to maturity.

(vii) Purchase in Lieu of Redemption. If and to the extent provided in the Certificate of Award, the City may have the option to purchase any Bond that is redeemable by optional redemption at a purchase price not less than the redemption price that would be payable if that Bond were called for optional redemption on the date of the proposed purchase. That election shall be exercised by written direction from the Fiscal Officer to the Bond Registrar given within the same time period specified for the City's giving notice of optional redemption of Bonds. That written direction shall identify the Bonds to be purchased by their maturity date and shall specify the principal amount of each maturity to be purchased in lieu of redemption. The purchase price of the Bonds to be purchased in lieu of redemption shall be equal to the principal of, any accrued but unpaid interest on, and any premium that would have been payable on the Bonds if the Bonds had been optionally redeemed instead of being purchased. Notice of the purchase of Bonds in lieu of redemption shall be given by the Bond Registrar to the owners of the Bonds in the same manner as notice of redemption is required by this Ordinance to be given. The Bond Registrar, as paying agent, shall not purchase Bonds if sufficient moneys have not been deposited with the Bond Registrar for the purpose. If fewer than all of the outstanding Bonds of a maturity are to be purchased in lieu of redemption, the selection of Bonds to be purchased shall be made in the same manner as is required by this Ordinance for the partial redemption of Bonds. On the date established for the purchase of any Bonds, the Registrar shall pay the purchase price to the registered owners against delivery and shall cause the purchased Bonds to be registered in the name as specified by the Fiscal Officer.

Section 4. Signing and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be signed by the Fiscal Officer and the Executive, in the name of the City and in their official capacities, provided that either or both of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer in order to distinguish each Bond from any other Bond and to distinguish the Current Interest Bonds from any Capital Appreciation Bonds, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to the provisions of Ohio Revised Code Chapter 133, this Ordinance and the Certificate of Award.

As used herein, “Bond Registrar” means the person or entity appointed pursuant to this Section 4 as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds and until a successor Bond Registrar shall have become such and, thereafter, “Bond Registrar” shall mean the successor Bond Registrar. In the Certificate of Award, the Fiscal Officer shall appoint the initial Bond Registrar, who may be the Fiscal Officer; provided that, if the Bond Registrar is to be a bank or trust company: (a) the Fiscal Officer shall first determine that said bank or trust company will not endanger the funds or securities of the City; and (b) the Fiscal Officer shall sign and deliver, in the name and on behalf of the City, a Bond Registrar Agreement between the City and the Bond Registrar (the Registrar Agreement) after having obtained the approval of this Council of said Registrar Agreement; and (c) unless paid from other sources, the Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Registrar Agreement from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Fiscal Officer on behalf of the City. The same person need not sign the certificate of authentication on all of the Bonds.

Section 5. Registration; Transfer and Exchange; Book Entry System.

(a) Bond Registrar. So long as any of the Bonds remain outstanding, the City will cause the Bond Registrar to maintain and keep the Bond Register at the office satisfactory to the Fiscal Officer and the Bond Registrar. Subject to the provisions of Section 6, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the City nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the City’s liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the office of the Bond Registrar designated in the Certificate of Award or, if not so designated, then at the principal corporate trust office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the designated office of the Bond Registrar together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal

in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the City are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the City. In all cases of Bonds exchanged or transferred, the City shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the City and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the City, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings as the Bonds surrendered upon that exchange or transfer. Neither the City nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) Book Entry System. Notwithstanding any other provisions of this Ordinance, if the Fiscal Officer determines in the Certificate of Award that it is in the best interest of and financially advantageous to the City, the Bonds may be issued in book entry form in accordance with the following provisions of this Section.

The Bonds may be issued to a Depository for use in a book entry system and, if and so long as a book entry system is utilized, (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity and interest rate within a maturity and registered in the name of the Depository or its nominee, as registered owner, and deposited with and maintained in the custody of the Depository or its designated agent which may be the Bond Registrar; (ii) the book entry interest owners of Bonds in book entry form shall not have any right to receive Bonds in the form of physical securities or certificates; (iii) ownership of book entry interests in Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of book entry interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book entry system, the Fiscal Officer may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, after making provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause Bond certificates in registered form to be authenticated by the Bond Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Fiscal Officer is hereby authorized, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the City, that the Fiscal Officer determines to be necessary in connection with a book entry system for the Bonds.

## Section 6. Sale of the Bonds.

(a) Original Purchaser Designated in Certificate of Award. The Fiscal Officer is hereby authorized to solicit and receive proposals for the purchase of the Bonds. The Bonds shall be awarded and sold by the Fiscal Officer to the Original Purchaser designated in the Certificate of Award at a purchase price not less than 97% of the aggregate principal amount thereof, as shall be determined by the Fiscal Officer in the Certificate of Award, plus accrued interest on the Current Interest Bonds from their date

to the Closing Date, and shall be awarded by the Fiscal Officer with and upon such other terms as are required or authorized by this Ordinance to be specified in the Certificate of Award, in accordance with law and the provisions of this Ordinance. The Fiscal Officer is authorized, if it is determined to be in the best interest of the City, to combine the issue of Bonds with one or more other bond issues of the City into a consolidated bond issue pursuant to Section 133.30(B) of the Revised Code in which case a single Certificate of Award may be utilized for the consolidated bond issue if appropriate and consistent with the terms of this Ordinance.

The Fiscal Officer shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price. The Executive, the Fiscal Officer, the City Treasurer, the City Director of Law, the Clerk of Council and other City officials, as appropriate, each are authorized to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance.

(b) Application for Rating or Bond Insurance. If, in the judgment of the Fiscal Officer, the filing of an application for (i) a rating on the Bonds by one or more nationally-recognized rating agencies, or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Bonds, is in the best interest of and financially advantageous to this City, the Fiscal Officer is authorized to prepare and submit those applications, to provide to each such agency or company such information as may be required for the purpose, and to provide further for the payment of the cost of obtaining each such rating or policy, to the extent not paid by the Original Purchaser in accordance with the Certificate of Award, from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. The Fiscal Officer is hereby authorized, to the extent necessary or required, to enter into any agreements, in the name of and on behalf of the City, that the Fiscal Officer determines to be necessary in connection with the obtaining of that bond insurance. Any actions heretofore taken in conformance herewith are hereby ratified, confirmed and approved.

(c) Financing Costs. The expenditure of the amounts necessary to pay the costs of issuing and servicing the Bonds, printing and delivery of the Bonds, legal services including obtaining the approving legal opinion of bond counsel, any paying agent fees and expenses, the fees and expenses of financial advisors, rating agency fees and expenses, any fees or premiums relating to municipal bond insurance or other security arrangements determined necessary by the Fiscal Officer, and all other financing costs (as defined in Section 133.01 of the Ohio Revised Code) and costs incurred incidental to those purposes, to the extent not paid by the Original Purchaser in accordance with the Certificate of Award, is authorized and approved. All amounts necessary to pay those costs and fees are hereby appropriated from the proceeds of the Bonds, and as to future financing costs (as referenced in Section 133.01(K) of the Ohio Revised Code), the Bond Retirement Fund, and the Fiscal Officer is hereby authorized and directed to make appropriate certifications as to the availability of funds for those costs and fees, to the extent they shall be obligations of the City, as the amounts thereof become known and shall encumber those amounts immediately upon such certification, but not in excess of the appropriation made herein, and to issue an appropriate order for their timely payment as the same shall become due and payable.

Section 7. Provisions for Tax Levy. There shall be levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges

on the Bonds when and as the same fall due. In each year, to the extent that revenues and surplus funds from the City's sewer system or other moneys are available for the payment of debt charges on the Bonds and are appropriated for that purpose, the amount of the tax shall be reduced by the amount of revenues and funds and/or moneys so available and appropriated.

Nothing in this Section in any way diminishes the irrevocable pledge of the full faith and credit and revenues of the City to the prompt payment of the debt charges on the Bonds.

Section 8. Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (a) the Bonds will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Code or (ii) be treated other than as obligations the interest on which is excluded from gross income under Section 103 of the Code applies, and (b) the interest on the Bonds will not be an item of tax preference under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Bonds to be and remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Bonds to the governmental purpose of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports and (v) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Fiscal Officer, or any other officer of the City having responsibility for issuance of the Bonds is hereby authorized (a) to make or effect any election, selection, designation (including specifically designation and/or treatment of the Bonds as "qualified tax-exempt obligations" if such designation and/or treatment is applicable and desirable, and to make any related necessary representations and covenants), choice, consent, approval, or waiver on behalf of the City with respect to the Bonds as the City is permitted to or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in Section 148(f)(4)(C) or Section 265(b)(3) of the Code or available under Section 148 or Section 265 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Bonds.

Each covenant made in this section with respect to the Bonds is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this section to take with respect to the Bonds.

Section 9. Certification and Delivery of Ordinance and Certificate of Award. The Clerk of Council is directed to deliver a certified copy of this Ordinance and the Certificate of Award to the County Auditor of Trumbull County.

Section 10. Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be performed by the City or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 7) of the City are pledged for the timely payment of the debt charges on the Bonds; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds. The Council further finds and determines, and hereby represents and recites, that the provisions of the rules of this Council and its ordinances and resolutions have been fully complied with and that this Ordinance was passed in conformity therewith.

Section 11. Bond Counsel Services. The legal services of Squire Patton Boggs (US) LLP, as bond counsel are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Bonds and the rendering of the necessary legal opinions upon the delivery of the Bonds. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services, whether or not the Bonds are ever issued. The Fiscal Officer is authorized and directed, to the extent they are not paid by the Original Purchaser, to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

Section 12. Financial Advisor Services. The services of Sudsina & Associates, LLC, as financial advisor, be and are hereby retained. The financial advisory services shall be in the nature of financial advice and recommendations in connection with the issuance and sale of the Bonds. In rendering those financial advisory services, as an independent contractor, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those financial advisory services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those financial advisory services. The Fiscal Officer is authorized and directed, to the extent they are not paid by the Original Purchaser, to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

Section 13. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 14. Effective Date. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason that this Ordinance is required to be immediately effective in order to issue and sell the Bonds in a timely fashion to make their proceeds available to enable the City to proceed with the Project and thereby improve and preserve the safety of the residents of the City; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: \_\_\_\_\_

PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_

CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the \_\_\_\_\_ day of \_\_\_\_\_, 2026 and signed by me as such Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_

MAYOR

# City of Niles, Ohio

SPONSORED BY: SAFETY  
AUTHORIZED BY: JULIAN

DRAFT NO. 117-26

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING THE CITY OF NILES TO APPLY AND ACCEPT THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM FROM THE OHIO OFFICE OF CRIMINAL JUSTICE SERVICES (OCJS); AND, DECLARING AN EMERGENCY.

WHEREAS, funds are available through the Edward Byrne Memorial Justice Assistance Grant Program (JAG) by the OCJS for the purpose of purchasing new video surveillance equipment for the Niles Police Department; and

WHEREAS, said grant is in the amount of Twenty-Eight Thousand Five Hundred Thirty-Seven Dollars and 50/100 (\$28,537.50) with a local match of 25% in the amount of Nine Thousand Five Hundred Twelve Dollars and 50/100 (\$9,512.50).

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

SECTION 1: That the City of Niles is hereby accepting the application for the Edward Byrne Memorial Justice Assistance Grant Program (JAG) through the OCJS.

SECTION 2: That the City of Niles is accepting the grant money in the amount of Twenty-Eight Thousand Five Hundred Thirty-Seven Dollars and 50/100 (\$28,537.50) with a local match of 25% needed from the City of Niles in the amount of Nine Thousand Five Hundred Twelve Dollars and 50/100 (\$9,512.50) for the purpose of purchasing new video surveillance equipment for the Niles Police Department.

SECTION 3: This Resolution is declared an emergency measure in the interest of public health, safety and welfare as the application for the grant is due at the earliest time allowable. As such an emergency measure, this Resolution shall take effect upon passage by Council and approval by the Mayor.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the \_\_\_\_\_ day of \_\_\_\_\_, 2026 and signed by me as such Mayor on this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
MAYOR

# City of Niles, Ohio

SPONSORED BY: FINANCE  
AUTHORIZED BY: JOHNSTONE

DRAFT NO. 118-26

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE APPROVING A THEN AND NOW PAYMENT REQUEST FOR MAIN LITE ELECTRIC FOR EMERGENCY TRAFFIC LIGHT REPAIR; AND, DECLARING AN EMERGENCY.

WHEREAS, the Light Department requested emergency repair of a damaged traffic light; and

WHEREAS, the invoice relating to the emergency replacement is due and payable (see attached); and

WHEREAS, Council desires to make payment to Main Lite Electric in the amount of \$8,709.00.

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

SECTION 1: Council hereby authorizes the Auditor to submit payment to Main Lite Electric in the amount of Eight Thousand Seven Hundred Nine Dollars and 00/100 (\$8,709.00).

SECTION 2: This Ordinance is declared to be an emergency measure in the interest of the public health, safety and welfare as the invoice for Main Lite Electric is due and payable. As such an emergency measure, this Ordinance shall take effect upon passage by Council and approval by the Mayor.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the \_\_\_\_\_ day of \_\_\_\_\_, 2026 and signed by me as such Mayor on this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
MAYOR

**MAIN LITE ELECTRIC CO. INC.**

(330) 369-8333 PHONE

(330) 369-6096 FAX

P.O. BOX 828

WARREN, OH 44482

**Invoice**

| DATE      | INVOICE # |
|-----------|-----------|
| 6/11/2026 | 26-116-04 |

CITY OF NILES, OHIO  
OFFICE OF THE AUDITOR  
34 W. STATE STREET  
NILES, OHIO 44446

PO NO.

PETE MOLLIKA

JOB NO.

2641

| QUANTITY | DESCRIPTION                                                                                                                                                                                                                                                                                                                                                                                                  | RATE     | AMOUNT   |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|----------|
|          | TRAFFIC SIGNAL REPAIRS                                                                                                                                                                                                                                                                                                                                                                                       |          |          |
|          | MONDAY, 03/09/2026: REPORT BY PETE MOLLIKA OF A VEHICULAR CRASH DAMAGED TRAFFIC SIGNAL POWER BACK UP UPS SYSTEM LOCATED AT THE INTERSECTION OF YOUNGSTOWN RD. AND URS. 422 AND VIENNA ROAD. DETERMINED THE ENTIRE UPS UNIT & CABINET ENCLOSURE WAS A TOTAL LOSS. OBTAINED PHOTOS OF CRASHED DAMAGED COMPONENTS. REMOVED AND BYPASSED THE UPS SYSTEM. ORDERED A NEW REPLACEMENT UPS SYSTEM ASSEMBLY FROM MFG. |          |          |
| 6        | LABOR HOURS (2 MEN X 3 HOURS)                                                                                                                                                                                                                                                                                                                                                                                | 99.00    | 594.00   |
| 3        | EQUIPMENT HOURS (BUCKET / SERVICE TRUCK)                                                                                                                                                                                                                                                                                                                                                                     | 45.00    | 135.00   |
|          | THURSDAY, 06/04/2026: FURNISHED AND INSTALLED NEW UNINTERRUPTIBLE POWER SUPPLY (UPS) WITH CABINET ASSEMBLY, BATTERY CHARGE MGMT. UNIT, AUTOMATIC TRANSFER SWITCH, BATTERIES, HEATER MATS, CONDUIT, AND WIRING. TESTED OPERATION OF NEW UPS SYSTEM.                                                                                                                                                           |          |          |
| 8        | LABOR HOURS (2 MEN X 4 HOURS)                                                                                                                                                                                                                                                                                                                                                                                | 99.00    | 792.00   |
| 4        | EQUIPMENT HOURS (BUCKET / SERVICE TRUCK)                                                                                                                                                                                                                                                                                                                                                                     | 45.00    | 180.00   |
|          | MATERIALS:                                                                                                                                                                                                                                                                                                                                                                                                   |          |          |
| 1        | UPS ASSEMBLY W/CABINET AND ACCESSORIES                                                                                                                                                                                                                                                                                                                                                                       | 7,008.00 | 7,008.00 |

TERMS: NET 30 DAYS  
1.5% FINANCE CHARGE PER MONTH ADDED TO ALL DELINQUENT ACCOUNTS

**Total****\$8,709.00**