



**Monroe Council Agenda
Regular Meeting of Council
December 16, 2025 – 6:30 PM
233 South Main Street, Monroe, Ohio**

Pledge of Allegiance

Roll Call

Approval of the Minutes

Visitors

Committee Reports

Public Works Committee

Finance Committee

Administrative Liaison Committee

Technology Committee

Public Involvement Committee

Public Safety Committee

Old Business

Ordinance No. 2025-45. An Ordinance rezoning real property containing approximately 84.6 acres, more or less, located at North Main Street from U-R Urban Residential and G-C General Commercial to G-R General Residential and U-R Urban Residential and authorizing the City Manager to enter into a Planned Unit Development Agreement by and between the City of Monroe and Bridge Development Group.

Sponsor: Tom Smith

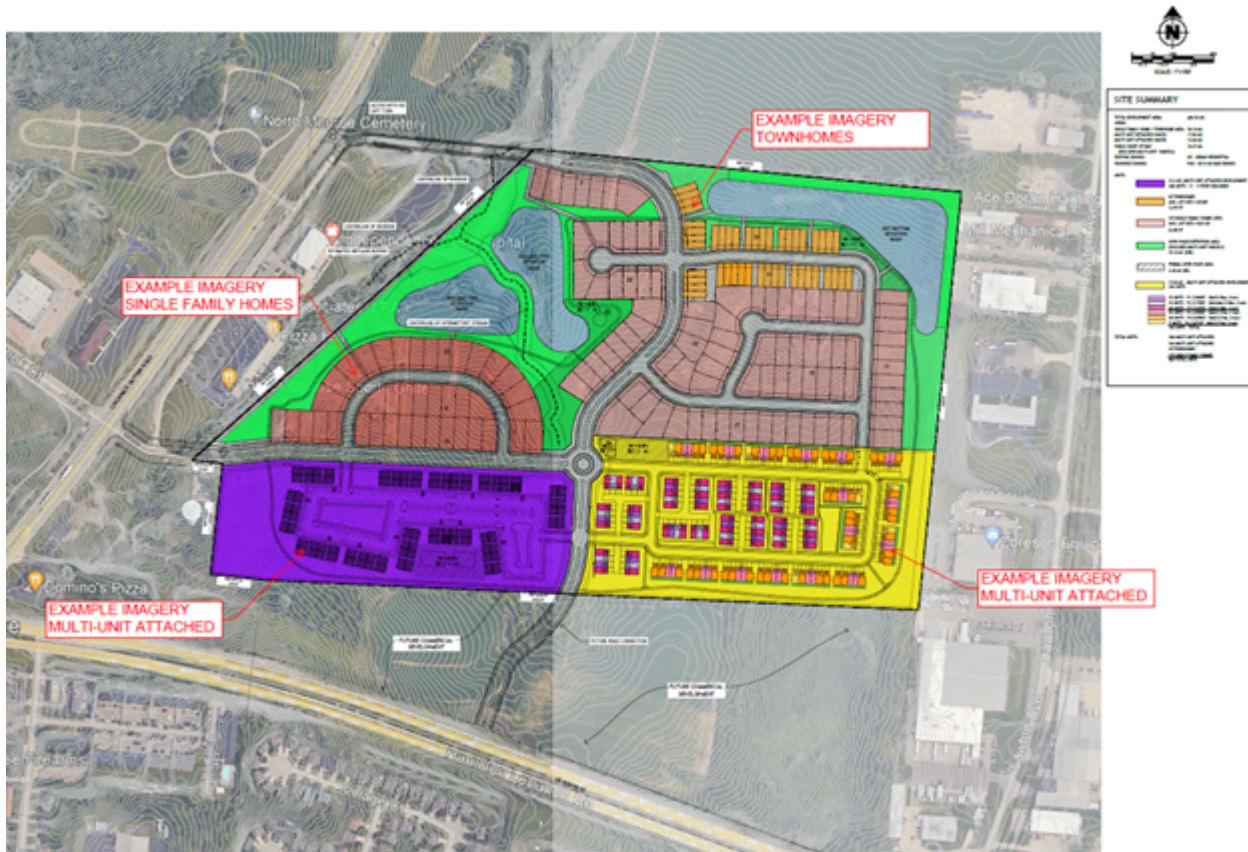
Strategic Priority: Strategic Growth and Development

Background: The applicant proposes the PUD in order to request flexibility with the zoning code for requirements such as minimum setbacks and building type adjustments.



Analysis

The purpose of the PUD is to offer a certain amount of flexibility within the code in order to encourage innovative design and to avoid monotony sometimes associated with larger developments. The proposed PUD and associated Master Development Plan (MDP) are for a 600-unit residential development consisting of single-unit detached homes, attached single-unit homes, and multi-unit homes.





Zoning Code Amendment. City of Monroe Planning and Zoning Code Section 1207.23 (C)(1): Zoning Map Amendment expresses the review criteria for a zoning map amendment. That criterion includes:

1. Compliance with the common review criteria detailed in Table 1207.07-1 of the code
2. Changing Conditions
3. Impact Mitigation
4. Community Need
5. Strategic Objectives
6. No Single Factor and Case Determination

Common Review Criteria. This request meets all applicable common review criteria, except where requested through the PUD process.

Changing Conditions. The proposed amendment corrects an error or meets the challenge of some changing condition, trend, or fact since the time that the original map designations were established. Conditions have not changed since the adoption of the current zoning map in spring 2024.

Impact Mitigation. The proposal helps to mitigate adverse impacts of the use and development of land on the natural or built environments, including, but not limited to, mobility, air quality, water quality, noise levels, stormwater management, and vegetation, or will be neutral with respect to these issues

As with any development, there will be impact on the natural environment. Any future development on this property will need to be designed to mitigate these concerns. For example, when development occurs, water quality, stormwater management, site mobility, and other relevant environmental and operational factors, will be enforced, enhanced, and brought up to City standards for all acreage of the development.

In addition, and as required by code, the applicant has submitted a landscape plan to include buffer yards along all sides of the development that abut commercial, agricultural, and industrial land uses.

Community Need. Whether the proposed amendment addresses a demonstrated community need. The proposed project aims to add diversity to Monroe's housing stock as identified in Land Use Recommendations #7, #12; Housing Recommendations #4, #6, #7, #12, #13, #14 of the Comprehensive Plan (pgs. 140, 145, 151, 153, 154, 159-161) and the 2018 Housing Study (pgs. 69, 73, and 78).

Strategic Objectives. The proposal advances the strategic objectives of the City Council, such as fiscal responsibility, efficient use of infrastructure and public services, and other articulated City objectives. The proposed amendment aligns with the City Council's strategic objectives in that it includes a significant internal trail network, contributing to the Parks and Connectivity objective of City Council.

No Single Factor and Case Determination. No single factor listed above may control and not all factors may be applicable in each case. Each case shall be determined on its own facts.

Planned Unit Development. City of Monroe Planning and Zoning Code Section 1207.23 (C)(2): Planned



Unit Development expresses the review criteria for a PUD. That criterion includes:

1. Compliance with the common review criteria detailed in table 1207.07-1 of the code
2. Balanced Community
3. Arrangement of Land Uses
4. Amenity Offset
5. Comprehensive Transportation System
6. Cultural or Recreational Facilities
7. Relationship to Natural or Built Environment
8. Public Utilities, Facilities, and Services

Common Review Criteria. The request meets all applicable common review criteria as denoted in Table 1207.07-1, Common Review Criteria;

Balanced Community. A variety of housing types, employment opportunities, or commercial services to achieve a balanced community.

The proposal offers multiple housing types that will add diversity to the city's housing stock and attract a variety of buyers.

Arrangement of Land Uses. An orderly and creative arrangement of all land uses with respect to each other and to the entire community.

The housing types are arranged in such a way that transitions well from the commercially zoned areas fronting Cincinnati Dayton Road and State Route 63, with a majority of the multi-unit housing shown closest to the undeveloped, commercially zoned parcels along State Route 63 and a majority of the single-unit detached homes tucked further back within the development.

Amenity Offset. Each proposed modification of any subdivision or zoning regulation is compensated for by a significant increase in other site amenities or design element(s) that exceed the minimum requirements established.

Through the PUD process, the applicant requests modifications to minimum code requirements including the following:

- Subdivision Waiver:
- Request to exceed the maximum block width of 800 FT.
- GR Residential:
- Townhouse Lot Width- 40 FT lot width to 26 FT lot width
- Townhouse Rear Yard Setback- 20 FT setback to 10 FT setback
- Townhouse Parking Placement- Current code dictates parking is in the rear only. Applicant requests front-loaded parking.
- UR Urban Residential:
- Multiplex housing type does not include front-load parking



- Multiplex housing does not permit more than one visible entrance from a public ROW (impacting 8 units)

Comprehensive Transportation System. A planned and integrated comprehensive transportation system providing for a separation of pedestrian and vehicular traffic, that shall include facilities for roadways, trails, and pedestrian walkways;

The applicant has planned for a separate trail network within the development to contribute to the required formal open space requirement. The internal trail network will be a minimum width of 8 FT. As part of Planning Commission's recommendation, a section of path along the north side of Overbrook Drive from Cincinnati Dayton Road into the development will be widened to 11 FT in order for future connectivity to a larger city-wide trail network.

Cultural or Recreational Facilities. The provisions of cultural or recreational facilities for all segments of the community;

Code requires 5% formal open space for residential PUD's. In total, 4.2 AC is required in formal open space and may include programmed spaces such as playgrounds, seating areas, trails, pavilions, or clubhouses. As proposed, the development shows for 0.5 acres for a clubhouse at the center of the project area and 1.5 acres for a play area along the west side of the project area.

The proposed trail network contributes to the total acreage of proposed formal open space, for a total of 4.3 AC of formal open space.

Relationship to Natural and Built Environment. The location of general building envelopes to take maximum advantage of the natural and built environment; and

The development takes advantage of topography and existing streams with wet detention basins that are activated by trails.

Public Utilities, Facilities, and Services. The staging of development in a manner that can be accommodated by the timely provision of public utilities, facilities, and services.

The phasing plan submitted by the applicant shows two phases for construction and designates two access points with the first phase of development in order to meet City requirements.

The Planning Commission recommendation is contingent on the following conditions:

1. Formal open space be increased to no less than 5% of the gross project acreage (this has been addressed and will be shown on the preliminary plat as well as in the development agreement).
2. Sidewalk widths to meet minimum code standards (this has been addressed and is shown on the MDP).
3. The pedestrian connection on the north side of Overbrook Drive from Cincinnati Dayton Road to Lot 1 shall be an 11 FT shared use path constructed of either asphalt or concrete (this has been addressed and is shown on the MDP)
4. The internal path network shall be no less than 8 FT wide and be constructed of asphalt or concrete (this has been addressed and is referenced in the PUD agreement section 3(B)(4).



5. An alternate street tree location plan will be required for the entire project, including proposed private streets, at the time of Preliminary Plat submittal and is referenced in the PUD agreement section 3(G).
6. A stub connecting to the adjacent property to the north is required. Staff will work with the applicant on the specifics of that connection and associated right-of-way dedication needed as determined by the City Engineer. This will be addressed at the time of Preliminary Plat submittal and is referenced in the PUD agreement in section 3(A)(2).
7. The design and location of the northern North Main Street access point as shown on the MDP shall be submitted with the Preliminary Plat with approval by the City Engineer.
8. That a line-of-sight & Noise Attenuation Cross Section analysis be conducted. This is addressed in the PUD agreement section 3(G)(2).
9. That the minimum rear yard setback for Townhomes be 12 FT (this has been addressed and is referenced in the PUD agreement in section 3(D)(1)(i)).
10. All other department reviews, including the pending Traffic Impact Study, be addressed as approved by staff.

On November 18, 2025, the Planning Commission held a public hearing and reviewed the applications. In a vote of 4-0 with one member of the Commission being excused, the Planning Commission recommended that City Council approve the proposed zoning map amendment and PUD overlay.

Ordinance No. 2025-46. An Ordinance authorizing the City Manager to enter into an amended Planned Unit Development Agreement by and between the City of Monroe and Mount Pleasant Ohio Living to modify Phases 4 and 7 of the development plan.

Sponsor: Tom Smith

Strategic Priority: Strategic Growth and Development

Background: The purpose of the PUD is to offer a certain amount of flexibility within the code in order to encourage innovative design and to avoid monotony sometimes associated with larger developments.

Planned Unit Development. City of Monroe Planning and Zoning Code Section 1202.07: Planned Unit Development expresses six review criteria for a PUD. That criterion includes:

1. Purpose. Ensure against any misuse; Generate the reuse or redevelopment of a site; Land use compatibility; and to allow for regulatory flexibility
2. Eligibility
3. Purposes not intended. PUD can't be used to circumvent the code
4. Permitted uses to be based on underlying code
5. Provide for areas of flexibility within the code, including lot sizes, density, and setbacks
6. To allow for regulatory flexibility with development standards



Purpose. The proposed continued development of Mt Pleasant Ohio Living is in accordance with the City's Comprehensive Plan as it contributes to connectivity efforts with its continued interior sidewalk and roadway connections planned to be completed with future developments. The development also provides a diverse mix of housing types including ranch style single-family homes, two story multi-unit apartments, and a larger scale care facility designed for a specific demographic of the community.

The proposed amendment does not aim to change the previously approved PUD layout. To safeguard the existing conditions of the undeveloped site, a proposed emergency access road will align with the future route of Seminary Drive. This approach is intended to minimize the overall impact of the development both now and in the future. The street being expanded as part of the proposed phase 4 will be designed to meet current city standards, including multi-modal pathways, vehicular movement, and on-street parking.

Eligibility. There is already a PUD in place. This application is an amendment to the existing PUD. Because the layout is not changing, open space that is already planned for will remain the same as part of this proposed amendment.

Purposes Not Intended. The application is to amend the existing PUD.

Permitted Uses. The application also does not seek to change or add any additional permitted uses or alter the underlying base code of NR – Neighborhood Conservation PUD.

Areas of Flexibility. The applicant also does not intend to alter any lot sizes, density requirements, setbacks, or bufferyards that have already been approved as part of the current PUD.

Development Standards. Because the layout is not changing, open spaces that are already planned will remain the same as part of this proposed amendment. The amendment supports the goal of internal connectivity with the further expansion of Seminary Drive, bringing it closer to its planned connection.

Master Development Plan.

City of Monroe Planning and Zoning Code Section 1207.16: Master Development Plan expresses four review criteria for a PUD. That criterion includes:

1. Site Layout
2. Quality Design
3. Phasing
4. Singel Site Design

Site Layout: The amendment does not change the site layout.

Quality Design. The amendment does not change or alter the design of the existing PUD.

Phasing. The amendment to the phasing plan for this development involves modifying Phase 4. Instead of including the (2) 20-unit buildings, Phase 4 will now consist of the two homes along Seminary Drive and seven homes on Liberty Court. The two 20-unit buildings will be relocated to Phase 7. The applicant stated that the change to the phasing plan is due to current market demand. Notwithstanding, they still intend to construct the 20-unit building in a later phase, depending on



market conditions.

Single Site Design. The Mount Pleasant Ohio Living PUD contains multiple parcels that are contiguous to one another.

Planning Commission recommendation contingent on compliance with the following:

1. That an emergency access road will be constructed to connect both sections of Seminary Drive with the development of Phase 4.
2. That the section of the emergency access road crossing the creek shall be designed and constructed as a permanent structure as approved with Phase 4 construction plans.

On November 18, 2025, The Planning Commission held a public hearing and reviewed the application. In a vote of 4-0 with one member of the Commission being excused, the Planning Commission recommended that City Council approve the proposed zoning map amendment to the existing PUD.

Ordinance No. 2025-47. An Ordinance rezoning real property containing approximately 37.3 acres, more or less, located along Greentree Road from N-C Neighborhood Conservation to R-R Rural Residential zoning.

Sponsor: Tom Smith

Strategic Priority: Strategic Growth and Development

Background: Zoning Code Amendment. City of Monroe Planning and Zoning Code Section 1207.23: Zoning Map Amendment expresses the review criteria for a zoning map amendment. That criterion includes:

1. Compliance with the common review criteria detailed in table 1207.07-1 of the code
2. Changing Conditions
3. Impact Mitigation
4. Community Need
5. Strategic Objectives
6. No Single Factor and Case Determination

Common Review Criteria. This request meets all applicable common review criteria.

The request meets all applicable common review criteria. One of the common review criteria focuses on compatibility with the surrounding properties and uses. The property is surrounded almost entirely by RR Rural Residential zoning on the east, west, and south sides. The private drive used to access the homes from Greentree Road abuts LI Light Industrial zoning.

Changing Conditions. The proposed amendment corrects an error or meets the challenge of some changing condition, trend, or fact since the time that the original map designations were established.



Conditions have not changed since the adoption of the current zoning map in spring 2024.

Impact Mitigation. The proposal helps to mitigate adverse impacts of the use and development of land on the natural or built environments, including, but not limited to, mobility, air quality, water quality, noise levels, stormwater management, and vegetation, or will be neutral with respect to these issues.

This proposal is not associated with any plans for development. As stated in their application, the property owners wish to continue utilizing the property for larger lot residential uses with the ability for some agricultural uses.

Community Need. Whether the proposed amendment addresses a demonstrated community need.

Not applicable.

Strategic Objectives. The proposal advances the strategic objectives of the City Council, such as fiscal responsibility, efficient use of infrastructure and public services, and other articulated City objectives.

Not applicable.

No Single Factor and Case Determination. No single factor listed above may control and not all factors may be applicable in each case. Each case shall be determined on its own facts.

On November 18, 2025, The Planning Commission held a public hearing and reviewed the application. In a vote of 4-0 with one member of the Commission being excused, the Planning Commission recommended that City Council approve the proposed zoning map amendment.

Ordinance No. 2025-48. An Ordinance amending and supplementing various sections of the Planning and Zoning Code.

Sponsor: Tom Smith

Strategic Priority: Strategic Growth and Development

Background: Zoning Text Amendment. City of Monroe Planning and Zoning Code Section 1207.22: Zoning Text Amendment expresses the review criteria for a zoning map amendment. That criterion includes:

1. Common review criteria detailed in table 1207.07-1 of the code
2. Changing Conditions
3. Impact Mitigation
4. Community Need
5. Strategic Objectives
6. No Single Factor and Case Determination



Common Review Criteria. This request meets all applicable common review criteria.

The proposed amendments is in compliance with all applicable common review criteria. Many of the proposed amendments aim to continuously improve upon the Code's clarity and ease of use in a way that plainly articulates the City's desired outcomes.

Changing Conditions. The proposed amendment corrects an error or meets the challenge of some changing condition, trend, or fact since the time that the original map designations were established.

On November 18, 2025, The Planning Commission held a public hearing and reviewed the application. In a vote of 4-0 with one member of the Commission being excused, the Planning Commission recommended that City Council approve the proposed zoning map amendment.

Conditions have not changed since the adoption of the current zoning map in spring 2024.

Impact Mitigation. The proposal helps to mitigate adverse impacts of the use and development of land on the natural or built environments, including, but not limited to, mobility, air quality, water quality, noise levels, stormwater management, and vegetation, or will be neutral with respect to these issues.

This proposal is not associated with any plans for development.

Community Need. Whether the proposed amendment addresses a demonstrated community need.

Not applicable.

Strategic Objectives. The proposal advances the strategic objectives of the City Council, such as fiscal responsibility, efficient use of infrastructure and public services, and other articulated City objectives.

This set of amendments addresses Council's Strategic Growth and Development objectives in that it provides additional clarity to residential and non-residential dimensional standards as well strengthening the Table summaries.

No Single Factor and Case Determination. No single factor listed above may control and not all factors may be applicable in each case. Each case shall be determined on its own facts.

Ordinance No. 2025-49. An Ordinance approving a final plat for Section 5, Block D, in the Monroe Crossings Subdivision.

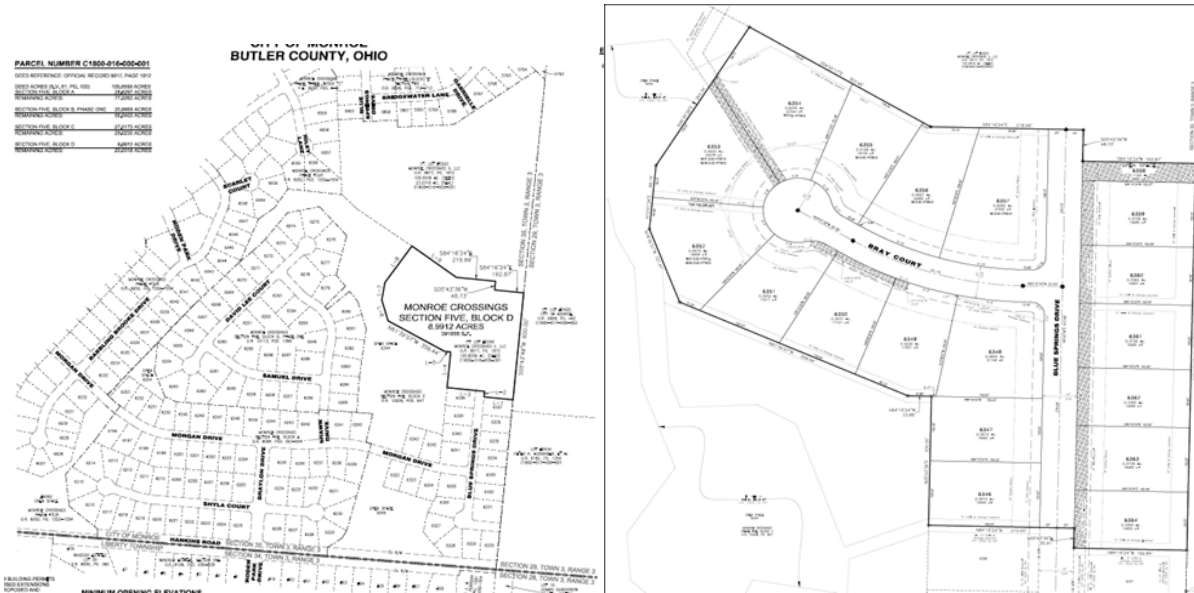
Sponsor: Tom Smith

Strategic Priority: Strategic Growth and Development

Background: This plat will include the construction of 18 single-family residential lots. This phase is approximately 8.99 acres of the 105.6 total acres comprising Section 5. The average lot size is 18,393



square feet and the average lot width is 100 feet. The proposed density is 2.0 units per acre. The development is in conformance with the requirements of the Suburban Residential zone.



Final Plat Highlighting Section 5 Block D

Ordinance No. 2025-52. An Ordinance amending and supplementing Section 286 of the Codified Ordinances to adjust Fees.

Sponsor: Gary Morton and Tom Smith

Strategic Priority: Good Governance

Background: The development and public works departments worked together to reorganize and update Chapter 286 - Fees. This chapter is intended to be reviewed and updated annually. Staff will send out a separate document defining all the rates that are changing. Due to the reorganization of the chapter, it was not possible to provide a red-line version.

Ordinance No. 2025-53. An Ordinance amending Section 1040.10 of the Codified Ordinances to increase the rate charged for water furnished by the city.

Sponsor: Jake Burton

Strategic Priority: Well Managed Services and Infrastructure

Background: City Council passed Ordinance No. 2021-52 on October 26, 2021 establishing the water rates beginning January 1, 2022 through December 31, 2025 based upon the water rate study dated September 14, 2021, increasing the rate by 5% on January 1st of each year. The City of Monroe entered into a contract in February 2004, with two subsequent amendments,



and the contract was set to expire on September 30, 2024. City Council passed Resolution No. 52-2024 on September 24, 2024 to authorize Contract Amendment # 3 to extend the contract through May 31, 2025 to allow for continued negotiations toward a long-term contract renewal. The Butler County Board of Commissioners issued a letter dated May 28, 2025 informing the city "that should an agreement not be reached prior to the May 31, 2025 expiration, the Board will continue to supply water to the City in anticipation of a new Agreement being reached imminently. If a new agreement is not reached by July 31, 2025, please accept this notice that the Board will begin charging the City \$3.84/kgal effective August 1, 2025." As of December 1, 2025, a long-term agreement has not been reached, and the city is being charged at the new rate. The city's previous rate was \$3.76/kgal on the first 24,000,000 gallons of usage, and \$1.73/kgal on all usage exceeding 24,000,000 gallons, which equates to an average blended rate of \$2.97/kgal. The new rate of \$3.84/kgal equates to an increase of 29% that is being charged to the City from Butler County, or more than \$400,000 annually. Per the previous contract terms, beginning on July 1, 2013 and continuing annually on every July 1st thereafter, the rate has been adjusted at the same percentage as the change in the Consumer Price Index, which averaged approximately 2.6% annually over the last 10 years.

The impacts of this increase to the City's Water Fund and water operations and capital project funding were discussed in detail at the October 28, 2025 Finance Committee meeting, and further discussed during the 2026 Operating Budget presentation at the November 11, 2025 Council meeting. The amounts billed from Butler County at the new rate beginning August 1, 2025 have been factored into fund balance forecasts. In order for current water operations and future water infrastructure improvements to occur, it is recommended to increase the Monroe water rate by the 29% increase received from Butler County effective January 1, 2026. As no other utility bill increases are anticipated in 2026, this increase for Water usage and Water Flat fee equates to an estimated monthly \$16.09 or 14% total utility bill increase for an average family of four water use. This increase will allow future water rate increases to be consistent with a water rate study to be performed during 2026.

New Business

Ordinance No. 2025-54. An Ordinance amending and supplementing Ordinance No. 2025-50, otherwise known as the permanent appropriations ordinance, to meet current expenses and other expenditures of the City of Monroe, during fiscal year ending December 31, 2025.

Sponsor: Jake Burton

Strategic Priority: Good Governance

Background: Police overtime has exceeded the 2025 budget due to vacancies throughout the year within the Patrol Officer position. The additional funds needed can be offset by budget savings within the operating expenditures budget, resulting in no increase to the overall Police budget. This supplemental appropriation increases overtime by \$70,000 and reduces operating expenditures by \$70,000.



Resolution No. 85-2025. A Resolution accepting the lowest and/or best quote submitted for the office remodeling project and authorizing the City Manager to enter into a contract by and between the City of Monroe and Trade 31.

Sponsor: Gary Morton and Kacey Waggaman

Strategic Priority: Well Managed Services and Infrastructure

Background: The City Manager's Office area was initially designed with a large receptionist area that is open and adjacent to the kitchenette and seating area. The Communications and Management Assistant currently sits in this area, and it is very disruptive to the work she is doing. She has been going into the conference room when it's available, but then she is not available to answer the phone or buzz people into the office. We received two quotes for the base office remodel, and they were within \$825 of each other. We recommend proceeding with Trade 31's quote for the base office and alternate #2, so that the office and flooring can be completed simultaneously, minimizing disruption to the office. Trade 31 is a sister company to HGC Construction, the contractor for the Public Works Facility.

Base \$40,340.01: The remodel will remove the current built-in desk area and create an office with a storefront and window, which will mimic the current office next to the conference room. Electrical, HVAC and fire suppression will also be adjusted for the new space.

Alternate #2 \$10,882.44: Additionally, the wood-looking LVT flooring has been damaged for several years. A cleaning company had used an improper process on it shortly after it was installed. The office remodel will impact the flooring, so it made sense to replace all the damaged LVT at the same time.

Alternate #1 \$29,251.11: Staff does not recommend this option. We had the contractor price out creating another office in the open seating area, as office space at the City Building is very limited. There is no immediate need for an additional office in the City Manager's Office area; therefore, due to the overall cost, we are not requesting approval for this.

Resolution No. 86-2025. A Resolution approving a Then-and-Now Certificate in the amount of \$4,274.00 to Winchester Property Management, LLC for Christmas on the Plaza 2025 food and beverage.

Sponsor: Beth Combs

Strategic Priority: Well Managed Services and Infrastructure

Background: Winchester Property Management, LLC, also known as Victory Lane Pizza, served 582 slices of pizza and 240 cups of hot chocolate in two hours. These items were free to residents.



Resolution No. 87-2025. A Resolution approving a Then-and-Now Certificate in the amount of \$11,150.00 to The Cincinnati Circus Company for Christmas on the Plaza 2025 entertainment services.

Sponsor: Beth Combs

Strategic Priority: Well Managed Services and Infrastructure

Background: The Cincinnati Circus Company provided balloon artists, face painters, tent, mini train rides, petting zoo and pony rides, and decoration.

Resolution No. 88-2025. A Resolution authorizing the City Manager to enter into a Memorandum of Understanding by and between the City of Monroe and Corridor 75 Park, Ltd. for infrastructure improvements.

Sponsor: Gary Morton

Strategic Priority: Well Managed Services and Infrastructure

Background: As the Council is aware, we've been working with Corridor 75 Park, Ltd., on infrastructure improvements necessary to support a significant industrial development opportunity on their 778-acre site, which straddles Butler and Warren Counties. A prospective buyer is interested in the property, but the sale hinges on securing roadway improvements—specifically, extending Gateway Boulevard and improving Butler-Warren Road. The attached Memorandum of Understanding captures the current status of those discussions. This is not a binding agreement—it simply documents our mutual intent and sets the stage for the actual Dedication Agreement and Development Agreement, which we'll bring back to Council once the terms are finalized.

The Project

The project has two pieces. First, we'd extend Gateway Boulevard through Corridor 75's property to connect with Mason Road and Butler-Warren Road, including a new roundabout at that intersection. Second, we'd widen and reconstruct Butler-Warren Road along the frontage of the development site—adding pavement width, curb and gutter, and storm drainage to bring it up to City standards. As per Exhibit A, we're examining approximately 7.94 acres of permanent right-of-way and 2.00 acres of temporary construction easements across multiple parcels. Corridor 75 is donating the right-of-way from their holdings. There's also a minor land swap involved—we'd transfer approximately 0.43 acres of the City Parcel (Warren County 11-05-300-024) to Corridor 75 in exchange for 0.46 acres that would come to us.

What Each Party Commits To

Corridor 75 agrees to donate the right-of-way free and clear, provide title insurance, and indemnify the City against any environmental issues that predate the transfer. Their donation is contingent on the sale to the Third-Party Buyer actually closing.

The City agrees to work with the buyer on designing and constructing the improvements (cost sharing to be spelled out in the Development Agreement), provide a survey of the donated areas,



transfer the City Parcel via quitclaim deed, and cooperate with Corridor 75's efforts to treat the donation as a bargain sale for tax purposes. We retain complete discretion over design, construction, and whether we ultimately enter into the Development Agreement.

Legal Notes

The MOU is explicitly non-binding. Section 7 includes a waiver of estoppel claims—neither party can later argue they relied on this document to their detriment. The MOU expires June 1, 2026, or upon execution of the Dedication Agreement, whichever comes first. Either party can walk away before then. Ohio law governs.

Fiscal Impact

No direct fiscal impact from executing this MOU. Cost responsibilities for design and construction will be negotiated with the Third-Party Buyer and detailed in the Development Agreement. The donated right-of-way represents a significant offset to the acquisition costs that the City would otherwise incur. Each party pays its own legal and advisory fees during negotiations.

Recommendation

I recommend that the Council authorize the City Manager to execute this MOU. It moves us forward on infrastructure that would unlock a significant development opportunity while preserving our flexibility on the terms of the binding agreements still to come. The environmental indemnification, along with our retained discretion on design and construction, protects the City's interests. We'll be back with the Dedication Agreement and Development Agreement once negotiations wrap up.

Administrative Reports

Executive Session

To consider the employment of a public employee or official.

Adjournment