

1. Agenda

Documents:

[2026.01.07 COUNCIL AGENDA.PDF](#)

2. Minutes - December 17, 2025

Documents:

[2025.12.17 COUNCIL MINUTES.PDF](#)

3. Resolution No. 2025.30 School Travel Plan

Documents:

[RES NO. 2025.30 - SCHOOL TRAVEL PLAN APPLICATION - DATA REQUEST
MEMO - SUNBURY.PDF](#)
[RES NO. 2025.30 SCHOOL TRAVEL PLAN GRANT APPLICATION.PDF](#)

4. Resolution No. 2026.01 3B's And K Road Maintenance Agreement

Documents:

[RES NO. 2026.01 - EXHIBIT 3BS AND K ROAD MAINTENANCE
AGREEMENT.PDF](#)

5. Resolution No. 2026.02 Adoption Of Cybersecurity Policy

Documents:

[RES NO. 2026.02 ADOPTION OF CYBERSECURITY POLICY.PDF](#)

**AGENDA OF BUSINESS
REGULAR MEETING OF COUNCIL
SUNBURY, OHIO
January 7, 2026 at 7:30 P.M.**

SILENT PRAYER & PLEDGE OF ALLEGIANCE

Oaths of Office – Administered by Mayor Joe St. John

- Damin Cappel, City Council
- Nancy Crawford, City Council
- Tim Gose, City Council
- John Grumney, City Council
- Marc Long, City Council (partial term ending December 31, 2027)

ROLL CALL: Mr. Damin Cappel, Mrs. Cindi Cooper, Ms. Nancy Crawford, Mr. Tim Gose, Mr. John Grumney, Mr. Marc Long, and Mr. Joseph St. John.

MINUTES:

- December 17, 2025 Meeting Minutes

VISITORS

COMMITTEE REPORTS

POLICE REPORT

ADMINISTRATOR’S REPORT

ENGINEER’S REPORT

RESOLUTIONS

Third Readings

Second Readings

RESOLUTION 2025.30

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO PREPARE AND SUBMIT A GRANT APPLICATION TO THE OHIO DEPARTMENT OF TRANSPORTATION TO DEVELOP A SAFE ROUTES TO SCHOOL TRAVEL PLAN AND TO EXECUTE CONTRACTS AS REQUIRED

First Readings

RESOLUTION 2026.01

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR THE MAINTENANCE OF A SEGMENT OF 3Bs AND K ROAD FROM US36/3R37 TO CHESHIRE ROAD

RESOLUTION 2026.02

A RESOLUTION TO ESTABLISH A CYBERSECURITY POLICY FOR THE CITY OF SUNBURY

**AGENDA OF BUSINESS
REGULAR MEETING OF COUNCIL
SUNBURY, OHIO
January 7, 2026 at 7:30 P.M.**

ORDINANCES

Third Readings

ORDINANCE NO. 2025.36

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A TAX INCREMENT FINANCING REIMBURSEMENT AGREEMENT WITH SUNBURY DEVELOPMENT, LLC

Second Readings

ORDINANCE NO. 2025.38

AN ORDINANCE AMENDING THE SOUTHERN BOUNDARY LANDSCAPE SCREENING PLAN FOR AN APPROVED PLANNED COMMERCIAL AREA DEVELOPMENT PLAN FOR THE MEADOWS AT SUNBURY APARTMENTS LOCATED AT 400 OVERLAND DRIVE, SUNBURY, OHIO.

First Readings

ORDINANCE NO. 2026.03

AN ORDINANCE AWARDED THE CONTRACT FOR JR SMITH PARK IMPROVEMENTS TO 2K GENERAL COMPANY, INC. OF DELAWARE COUNTY AND DECLARING AN EMERGENCY

ORDINANCE 2026.04

AN ORDINANCE APPROVING THE COMMERCIAL SITE PLAN AND BUILDING APPLICATION OF UNITED DAIRY FARMERS FOR THE REDEVELOPMENT OF A NEW CONVENIENCE STORE AND FUELING STATION TO BE LOCATED AT 303 W. GRANVILLE STREET.

NEW / UNFINISHED BUSINESS

- City Council Rules for 2026
- City Council and Public Board Appointments
 - i. Executive Session per ORC 121.22(G)(1) – to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public official or employee.
- Return to public session and consider appointments.
 - i. Selection of City Council President
 - ii. Board of Zoning Appeals – Appointment
 - iii. New Community Authority - Appointments

**AGENDA OF BUSINESS
REGULAR MEETING OF COUNCIL
SUNBURY, OHIO
January 7, 2026 at 7:30 P.M.**

ADJOURNMENT

- Regular Meeting – January 21, 2026 at 7:30 pm

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December 17, 2025**

Mayor Joe St. John opened the Sunbury City Council (“Council”) meeting at 7:30 p.m., December 17, 2025, with a moment of silent prayer and then the Pledge of Allegiance.

ROLL CALL

Those answering roll call: Molly Drayer, Cindi Cooper, Dave Martin, Damin Cappel, Tim Gose, John Grumney, and Joseph St. John. Other staff in attendance included City Administrator Daryl Hennessy, Legal Counsel Dave Brehm, Clerk of Council Alyssa Graziano, and Deputy Police Chief Shawn Wade.

MINUTES

Motion by **Cooper** and seconded by **Martin** to approve the December 3, 2025, regular meeting minutes. Upon roll, 7 yeas; the minutes were approved.

VISITORS

There were no visitors who wished to speak to Council.

COMMITTEE REPORTS

Mr. Grumney stated that the Finance Committee met this evening, where Ms. Steffan reviewed several key items, including the 2026 budget and upcoming capital projects. The committee also discussed the third reading of the wage and salary ordinance. He also mentioned that the cybersecurity program is expected to be completed in January 2026. The meeting concluded with a review of year-to-date financial reports, including revenues, expenses, the check register, and tax collections.

Mr. Martin highlighted the Fire Department Employee Appreciation Banquet, noting that everyone had a tremendous time and that the event had a wonderful family atmosphere. He also reported that the regular Fire Board meeting went smoothly, with finances in good shape and the board managing business very effectively. The second building remains on track to open in March 2026, with the Fire Chief and Assistant Fire Chief closely overseeing the contractors to ensure the project stays on schedule. Mr. Gose stated that there was a special Fire Board meeting that was held earlier in the month, but it immediately went into executive session.

POLICE REPORT

Deputy Police Chief Wade reported that recent Christmas party received overwhelmingly positive feedback. He highlighted community engagement efforts, including Officer Belcher’s participation in the “Shop with a Cop” program, as well as officers’ involvement in Operation Santa’s Sleigh at Nationwide Children’s Hospital. On the training front, Sergeant Meade is enrolled in the upcoming leadership development class, following the recent completion of the program by Sergeant Meacham and Sergeant Holden. Once completed, all three sergeants will have participated in this important leadership training.

ADMINISTRATOR’S REPORT

Mr. Hennessy thanked everyone who assisted with Christmas on the Square, noting that it was a safe and successful event. Regarding snow and ice management, he noted that the recent storm was the most significant to date, and while the team learned lessons for future events, communication with residents about parking could have been improved. Mr. Hennessy also highlighted that the Services team is now maintaining 76 lane miles of roadway, up from the previous estimate of 60 miles. He concluded by thanking the team for their hard work and welcoming any suggestions for further improvements.

ENGINEER’S REPORT

Ms. Odebralski reported that the long-awaited bid opening for J.R. Smith Park was held on December 12th with three bidders, and the low bid of \$3.57 million came in remarkably close to the engineer’s estimate of

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just over \$3.55 million. All bids, including base and alternate bids, were reviewed for accuracy, and Verdantas, the design team, will provide a recommendation to award the contract, which is planned to go before council in January 2026. She also noted that winter weather has delayed some projects, including the corner parking lot, with completion and striping dependent on favorable conditions. Additionally, the Delco Water Company's waterline project on Cherry Street has been delayed for three to four weeks, with installation and service expected to be completed by the end of January 2026.

RESOLUTIONS

RESOLUTION NO. 2025.28

RESOLUTION ACCEPTING THE ROADWAY SAFETY ACTION PLAN: SAFE STREETS AND ROADS FOR ALL PRESENTED BY VERDANTAS AND DIRECTING CITY STAFF TO WORK TOWARD IMPLEMENTING THE PLAN

Motion on the Resolution by **Cappel**, seconded by **Gose**, upon roll approved 7-0.

RESOLUTION 2025.30

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO PREPARE AND SUBMIT A GRANT APPLICATION TO THE OHIO DEPARTMENT OF TRANSPORTATION TO DEVELOP A SAFE ROUTES TO SCHOOL TRAVEL PLAN AND TO EXECUTE CONTRACTS AS REQUIRED

Council conducted the first reading of the Resolution.

ORDINANCES

ORDINANCE NO. 2025.35

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT A RIGHT OF WAY EASEMENT FROM SUNBURY DEVELOPMENT LLC TO THE CITY OF SUNBURY AND DECLARING AN EMERGENCY

Motion on the Emergency by **Grumney**, seconded by **St. John**, upon roll approved 7-0.

Motion on the Ordinance by **Grumney**, seconded by **Drayer**, upon roll approved 7-0.

ORDINANCE 2026.01

AN ORDINANCE TO APPROVE EXPENSES AND OTHER EXPENDITURES OF THE CITY OF SUNBURY, DELAWARE COUNTY, STATE OF OHIO, DURING THE FISCAL YEAR BEGINNING JANUARY 1, 2026 AND ENDING DECEMBER 31, 2026

Motion on the Ordinance by **Martin**, seconded by **Gose**, upon roll approved 7-0.

ORDINANCE NO. 2026.02

AN ORDINANCE ADOPTING WAGE AND SALARY STRUCTURES FOR THE CITY OF SUNBURY FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2026

Motion on the Ordinance by **St. John**, seconded by **Grumney**, upon roll approved 7-0.

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ORDINANCE NO. 2025.36

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A TAX INCREMENT FINANCING REIMBURSEMENT AGREEMENT WITH SUNBURY DEVELOPMENT, LLC

Council conducted the second reading of the Ordinance.

ORDINANCE NO. 2025.37

AN ORDINANCE DECLARING THE IMPROVEMENT TO A CERTAIN PARCEL OF REAL PROPERTY TO BE A PUBLIC PURPOSE AND EXEMPT FROM TAXATION; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND AND PROVIDING FOR THE COLLECTION AND DEPOSIT OF SERVICE PAYMENTS INTO THAT FUND; SPECIFYING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS DIRECTLY BENEFITING THE PARCEL; AND DECLARING AN EMERGENCY.

Motion to Suspend the Rules by **Cooper**, seconded by **St. John**, upon roll approved 7-0.

Motion on the Emergency by **Cooper**, seconded by **St. John**, upon roll approved 7-0.

Motion on the Ordinance by **Cooper**, seconded by **St. John**, upon roll approved 7-0.

ORDINANCE NO. 2025.38

AN ORDINANCE AMENDING THE SOUTHERN BOUNDARY LANDSCAPE SCREENING PLAN FOR AN APPROVED PLANNED COMMERCIAL AREA DEVELOPMENT PLAN FOR THE MEADOWS AT SUNBURY APARTMENTS LOCATED AT 400 OVERLAND DRIVE, SUNBURY, OHIO.

Council conducted the second reading of the Ordinance.

NEW / UNFINISHED BUSINESS

Motion by **St. John** to appoint Alyssa Graziano as an alternate Clerk of Council, seconded by **Martin**, upon roll approved 7-0

Motion by **Cooper** to approve the Special Event Permit Policy and Rental Policy, seconded by **Cappel**, upon roll approved 7-0.

Motion by **St. John** to cancel the December 31, 2025, council meeting, seconded by **Gose**, upon roll approved 6-1 (Drayer no).

Mayor St. John read a proclamation declaring December 17, 2025, Dave Martin Appreciation Day in Sunbury, Ohio. He highlighted Mr. Martin's extensive dedication to the residents of Sunbury and the surrounding area through his decades long career in public service, community involvement, and civic leadership. Mayor St. John then presented Mr. Martin the key to the city and thanked him for his support of our community.

Motion by **St. John** to enter into executive session, seconded by **Cooper**, upon roll approved 7-0.

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Motion by **St. John** to reconvene in public session, seconded by **Grumney**, upon roll approved 7-0.
Motion by **St. John** to appoint Marc Long to City Council to fill the remainder of Molly Drayer's term ending December 31, 2027, seconded by **Cooper**, upon roll approved 6-0-1.

Motion by **St. John** to appoint Shannon Stark to the Planning and Zoning Commission, Keith Palma to the Planning and Zoning Commission, Kurt Shrewsbury to the Board of Zoning Appeals, Barry Bennett to the Board of Zoning Appeals, Jody Grieger to the Joint Recreation District, and Amy Berger to the Personnel Board of Appeals, seconded by **Cooper**, upon roll approved 7-0.

ADJOURNMENT

There being no further business for the Council, **Martin** moved to adjourn. The motion was seconded by **Gose**. Upon roll approved 7-0.

Joseph St. John, Mayor

ATTEST:

Alyssa Graziano, Clerk of Council

Data Request Memo

RE: ODOT Safe Routes to School Funding Application

To: City of Sunbury / Big Walnut Local Schools

From: Carpenter Marty Transportation

Date: January 6, 2026

Carpenter Marty Transportation (CM) will assist the City of Sunbury with a funding application to develop a School Travel Plan (STP) through ODOT's Safe Routes to School program. The below requested information is necessary to complete the application process. Please complete the below form with as much detail as possible. A complete and robust application will increase the chances of funding being rewarded. CM has provided example text in red. Please review and refine the text as needed.

Attachments Needed

- Letters of Support from all of the following: regional planning organization, the local jurisdiction, and school district.
 - CM has already reached out to MORPC (regional planning organization) on behalf of the City.
 - We will need a letter of support from the school district as well as the City.
- Copy of proposed Ordinance (attached to the accompanying email). Original will be required if selected.
- Provide student address data (no names) for all students at each of the target schools. An example spreadsheet to input this information has been provided. Let us know if you want us to take the lead in contacting the schools.

Applicant Information

<i>Applicant (name of agency or organization applying)</i>	<i>City of Sunbury</i>
<i>ODOT District</i>	<i>6</i>
<i>County</i>	<i>Delaware</i>
<i>Primary Contact</i>	<i>Gina Balsamo</i>
<i>Email</i>	<i>gbalsamo@cmtran.com</i>
<i>Phone</i>	<i>614.656.2429</i>
<i>Address</i>	<i>6612 Singletree Drive Columbus, OH 43229</i>
<i>Metropolitan Planning Organization (MPO) or Regional Transportation Planning Organization (RTPO), if applicable</i>	<i>MORPC</i>

Project Information

<i>School District</i>	<i>Sunbury</i>
<i>List who will be the local leader(s) in the STP development process (name, organization, title)</i>	<i>Ryan McLane, Big Walnut School District, Superintendent; James Hall, Big Walnut School District, Facilities Manager; Carla Odebralski, City of Sunbury, Director of Planning & Engineering; Joe St. John, City of Sunbury, Mayor</i>
<i>Are you developing a new plan or doing an update?</i>	<i>New Plan</i>
<i>Select the type of assistance you are seeking</i>	<i>Reimbursement for hiring a locally selected party (through quality based selection)</i>

Describe the schools you seek to develop an STP for (name, location, number of students)

*Big Walnut High School
713 Miller Drive,
Sunbury, OH 43074
XXX students*

*Big Walnut Middle School
555 S Old 3C Road
Sunbury, OH 43074
XXX students*

*Big Walnut Intermediate School
777 Cheshire Road
Sunbury, OH 43074
XXX students*

*Big Walnut Elementary School
940 S Old 3C Road
Sunbury, OH 43074
XXX students*

*General Rosecrans Elementary School
301 S Miller Drive
Sunbury, OH 43074
XXX students*

*Helen Souders Elementary School
4121 Miller-Paul Road
Galena, OH 43021
XXX students*

*Prairie Run Elementary School
701 North Miller Drive
Sunbury, OH 43074
XXX students*

*Early Learning Center at Harrison Street
70 Harrison Street
Sunbury, OH 43074
XXX Students*

How will developing an STP help you address gaps or opportunities for student connectivity to school?

NOTE: Identify gaps in existing infrastructure with a focus on school travel. Mention that having an STP in place will help with future planning for infrastructure, programs, and policy improvements.

The City of Sunbury and Big Walnut School District are strongly committed to expanding safe and accessible walking and bicycling options for students and their families. Despite this shared commitment, the community continues to face significant infrastructure and safety challenges that limit families' ability to choose active transportation over personal vehicles.

The Big Walnut School District spans 109 square miles and includes eight school buildings. Although the District provides busing, substantial opportunities exist to increase safe walking and biking access for K-12 students. Many households are located within a reasonable distance of school facilities. However, parents may hesitate to allow their kids to walk or bike to school due to concerns around speeding traffic, inadequate crossings, and gaps in the sidewalk network.

The development of a new STP will enable the City and District to systematically identify and prioritize critical infrastructure needs. This includes addressing sidewalk gaps; high-risk corridors; insufficient crossing infrastructure and missing curb ramps; and areas where visibility or signage is insufficient. The STP will also generate the data and analytical framework necessary to pursue external funding for projects that enhance student connectivity and safety.

By creating a data-driven, community-supported STP, Sunbury will be well positioned to apply for Safe Routes to School (SRTS) infrastructure grants and related funding programs. The plan will also guide non-infrastructure strategies such as safety education, strategic crossing-guard deployment, and policies that encourage active travel. Ultimately, the STP will serve as a foundational tool for coordinated infrastructure investment, programming, and policy improvements that ensure that walking and biking to school becomes a safe, convenient, and viable option for all students.

Are there any existing safety concerns for students walking or biking to school?

NOTE: Describe existing issues/concerns with current school travel. What have you heard from parents/caregivers or staff? Do most students currently travel via bus or car? Have there been any specific incidents (e.g. crashes, near-misses) which can be addressed in an STP?

In the past 10 years (Jan 2015 – Dec 2024), there have been seven pedestrian and bicycle crashes, one of which resulted in a fatality and four having minor injuries. All were within a mile of at least one of the local school buildings.

Describe why your community needs assistance in order to develop a School Travel Plan.
<p>NOTE: Focus on possible staff, expertise, and/or funding limitations.</p> <p><i>Big Walnut School District has never had an STP. A formal STP process would help the City and District evaluate current network conditions, travel behavior, and community priorities; and create an implementation plan of proven countermeasure that reflects current safety needs for all schools within the District.</i></p> <p><i>The City and School District have limited staff capacity and lack the specialized expertise needed to develop a robust, data-driven plan that meets ODOT's technical requirements. Sunbury does not have dedicated transportation planning or data analysis staff, and the City's Planning Department is primarily focused on land use planning, zoning, and compliance.</i></p> <p><i>Assistance from ODOT and its planning consultants is essential to:</i></p> <ul style="list-style-type: none"> • <i>Conduct accurate data collection, such as student travel tallies, parent surveys, and walk/bike audits.</i> • <i>Provide technical analysis of pedestrian and traffic safety conditions near each school.</i> • <i>Develop evidence-based countermeasures tailored to the unique urban context of Sunbury.</i> • <i>Ensure alignment with ODOT SRTS standards and eligibility for future funding opportunities.</i> <p><i>In short, the City and School District have the commitment and local leadership to support a comprehensive plan but need state-level expertise and resources to create one that is technically sound and actionable. ODOT's assistance will allow Sunbury to build a strong, implementable STP that reflects the community's long-term vision for safe, connected, and equitable school travel.</i></p>

What percent of students are economically disadvantaged?
<p>NOTE: This information can be obtained via online resources. However, if the school district has additional information that can be provided (e.g. number of students who receive free lunches), that will be beneficial for the application.</p> <p><i>According to the Ohio Department of Education's most recent District Report Card (2024), approximately 18% of students in Big Walnut School District are classified as economically disadvantaged.</i></p>

Describe any Safe Routes to School related activities that have occurred in your community over the past year.

NOTE: If applicable. Examples include walk/bike to school days, roadway safety education programs, driver education programs. These can be school or City examples.

Briefly describe the main partners you will be engaging to develop and implement your STP and their potential roles.

NOTE: Think about who would be included in the stakeholder group and those who will be champions of the plan. Examples include teachers/staff, City staff, school principals, parents/caregivers, neighborhood groups, emergency services (police and fire), City Council or Planning Commission representatives, local business leaders, etc.

The Sunbury STP will be developed through a multi-agency partnership that reflects a strong local coalition of leadership, technical expertise, and community engagement:

- *Ryan McLane, Superintendent, Big Walnut School District– District liaison and coordinator for student travel data and parent communication.*
- *James Hall, Facilities Manager, Big Walnut School District – Oversees facility and operations coordination*
- *Carla Odebralski, City of Sunbury, Director of Planning & Engineering/City Engineer - Leads city infrastructure coordination, including engineering input*
- *Joe St. John, Mayor, City of Sunbury – Provides executive oversight, ensures alignment with citywide infrastructure and policy goals.*
- *Sunbury Police Department – Advises on crossing guard placement, traffic enforcement, and school-zone safety.*
- *Parent-Teacher Organizations and Community Advocates – Provide firsthand input on travel challenges and help build community support.*

This team combines municipal leadership, school administration, and community representation, ensuring that the resulting plan will be both actionable and widely supported.

RESOLUTION 2025.30

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO PREPARE AND
SUBMIT A GRANT APPLICATION TO THE OHIO DEPARTMENT OF
TRANSPORTATION TO DEVELOP A SAFE ROUTES TO SCHOOL TRAVEL PLAN
AND TO EXECUTE THE CONTRACTS AS REQUIRED**

WHEREAS, the United States Congress has set aside monies to develop Safe Routes to School (“SRTS”) Travel Plans and award such funds through the State of Ohio, Department of Transportation; and

WHEREAS, the City of Sunbury, a Local Public Agency (“LPA”) can apply for grant funding to assist with the development of a school travel plan; and

WHEREAS, city staff are working with representatives of Carpenter Marty Transportation and estimate that the cost to complete a plan for LPA is **\$60,369.05**, of which 100% is eligible for grant assistance.

NOW, THEREFORE BE IT ORDAINED by the Council of the City of Sunbury, Delaware County, State of Ohio, that:

SECTION I. The City Administrator work with Carpenter Marty Transportation to prepare an application for SRTS funds to develop a school travel plan and submit the same to the State of Ohio, Department of Transportation. The cost of the project is estimated at **\$60,369.05**, of which the LPA, if awarded the STRS funds, agrees to pay One Hundred Percent (100%) of the cost over and above the maximum amount provided by the State of Ohio, Department of Transportation. If the application is approved for the funding the LPA will work with Carpenter Marty Transportation and the Director of the Ohio Department of Transportation to execute contracts and other documents

SECTION II: It is found and determined that all formal actions of this Council concerning and related to the adoption of this Resolution were adopted in open meetings of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were meetings open to the public, and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

WHEREFORE, pursuant to Section 4.07 of the Charter of the City of Sunbury, this Resolution shall be in effect immediately after its passage.

VOTE ON SUSPENSION OF THE RULES

YEAS

NAYS

VOTE ON RESOLUTION 2025.30

YEAS

NAYS

PASSED: _____, 2025

Joseph St. John, Mayor

ATTEST:

Clerk of Council

CERTIFICATION

I hereby certify on this ___ day of _____, 2025, that the foregoing is a true and accurate copy of the Resolution passed at the meeting held on _____, 2025 of the City of Sunbury, County of Delaware, State of Ohio.

Clerk of Council

MAINTENANCE AGREEMENT

THREE B'S AND K ROAD (TOWNSHIP ROAD #35) FROM CHESHIRE ROAD (COUNTY ROAD #72) TO US36/SR37

THIS AGREEMENT is made by and among the City of Sunbury (the "City"), the Berlin Township Board of Trustees "Berlin", the Berkshire Township Board of Trustees ("Berkshire") and the City of Sunbury ("Sunbury"), herein individually referred to as a "Party" and collectively referred to as the "Parties" to the Agreement.

WITNESSETH

In consideration of the terms and conditions hereinafter stated, the parties agree as follows:

1. **PURPOSE.** Three B's and K Road, also known as Township Road #35 is located partially within Berkshire Township, Berlin Township and the City of Sunbury. This agreement shall set forth the responsibility for maintenance and improvement of Three B's and K Road between Cheshire Road (CR 72) and US36/SR37 by Berlin, Berkshire and Sunbury for the mutual benefit of all parties and the convenience and welfare of the public.
2. **AUTHORITY.**
 - 2.1 Pursuant to Section 723.01 of the Ohio Revised Code (ORC), except as provided in section 5501.49 of the Revised Code, the legislative authority of a municipal corporation shall have the care, supervision, and control of the public highways, streets, avenues, alleys, sidewalks, public grounds, bridges, aqueducts, and viaducts within the municipal corporation.
 - 2.2 Pursuant to Section 5571.02 of the ORC, the board of township trustees shall have control of the township roads of its township and, except for those township roads the board places on non-maintained status pursuant to section 5571.20 of the Revised Code, shall keep them in good repair.
 - 2.3 Pursuant to Section 505.90 of the ORC, the board of township trustees of one or more townships and the legislative authority of one or more municipal corporations may enter into an agreement to jointly provide for the maintenance, repair, and improvement of township and municipal roads located within the townships and municipal corporations
 - 2.4 Pursuant to Section 9.482 of the ORC, a political subdivision may enter into an agreement with another political subdivision whereby the contracting political subdivision undertakes, and is authorized by the contracting recipient subdivision, to exercise any power, perform any function, or render any service, on behalf of the contracting recipient subdivision or its legislative authority, that such subdivision or legislative authority may exercise, perform, or render.
3. **DEFINITIONS.**
 - 3.1 **Road or Roadway.** South 3B's & K Road (Township Road 35), including all portions of the road and land encompassing the public right of way.
 - 3.2 **Jurisdiction.** The area or segment of the road lying within the township boundary or corporation limit of a Party to this Agreement.
 - 3.3 **Vegetation Maintenance.** Mowing, trimming, spraying of herbicide, removal of trees and brush, live or dead.
 - 3.4 **Snow and Ice Control.** Plowing, salting, applying brine or other treatments, or otherwise removing snow and ice.

3.5 Routine and Minor Maintenance. Work associated with the ordinary and customary operation and upkeep of a public roadway, and/or any other work that does not result in a change in the use, capacity or function of the roadway, including, but not limited to the following, and any other work deemed by both parties to be routine or minor maintenance, except for Vegetation Maintenance and Snow and Ice Control:

- a. **Pavement.** Patching, paving, sealing, filling of holes, graveling and related operations.
- b. **Traffic Control.** Installing applying and maintaining pavement markings, raised pavement markers, road signs, reflectors and related operations. Including repair or replacement due to damage associated with impact from a vehicle, equipment or load.
- c. **Roadside and Safety.** Regrading of slopes, repairing or replacing guardrails or other barriers and related operations, including repair or replacement due to damage from impact from a vehicle, equipment or load.
- d. **Drainage.** Maintaining, repairing and/or replacing of culverts and non-county bridges, storm sewers, catch basins, manholes or other drainage conduit and structures, cleaning and keeping open ditches, except for the repair of any drainage conveyance or structure due to damage by flood.
- e. **Acquisition of Land.** Acquisition of public right of way, in fee simple or lesser estate, for the sole purpose of performing Routine and Minor Maintenance.

3.6 Major Maintenance and Improvement. Work that results in a change in the use, capacity or function of the roadway, including but not limited to the following:

- a. **Widening Improvement.** Widening of the existing pavement.
- b. **Roadside Improvement.** Widening or constructing shoulders or roadside recovery areas, whether paved or unpaved, involving relocating or setting back ditches.
- c. **Intersection Improvement.** Improving or altering existing intersections or constructing new intersections by installing new pavement intersecting the existing roadway or adding turn lanes, traffic signals, roundabouts, or otherwise reconfiguring intersections, except for changing the assignment of right of way at an existing intersection by installing stop or yield signs and stop lines.
- d. **Drainage Improvement.** Adding or replacing culverts, storm sewers, catch basins, manholes when performed in conjunction with a Widening, Roadside or Intersection Improvement.
- e. **Major Maintenance or Repair.** Repair or replacement of the road, or portions thereof, resulting from natural disaster, flood, explosion, fire, hazardous chemical spills, war, strike, riots or Force Majeure.
- f. **Acquisition of Land.** Acquisition of public right of way, in fee simple or lesser estate, for the sole purpose of performing Major Maintenance and Improvement.

4. ROAD SEGMENTS. Road segments shall be as depicted in “Exhibit A”.

5. RESPONSIBILITIES.

5.1 Vegetation Maintenance. The Parties shall carry out Vegetation Maintenance by separate agreement with the understanding that each Party shall ensure that its statutory requirements are met with respect to areas within its jurisdiction.

5.2 Snow and Ice Control. The Parties shall carry out Snow and Ice control by separate agreement with the understanding that each Party shall ensure that its statutory requirements are met with respect to areas within its jurisdiction.

5.3 Routine or Minor Maintenance. The Parties shall carry out Routine and Minor Maintenance at the sole cost and expense of the Party associated with the segment shown in Exhibit A.

5.4 Major Maintenance and Improvement By One Party. For any Major Maintenance or Improvement located wholly within the bounds of a single Party’s jurisdiction, that Party may undertake such work in its sole discretion and at its own cost and expense. Where the limits of such work end at or near the limit of its jurisdiction and a portion of the work occurs outside of the boundary of that Party, the other Party(ies) shall cooperate in good faith to permit the work to be performed in such areas and shall not unreasonably withhold permission for such Party to perform work. By way of example, and not limitation, a Party may

not unreasonably withhold permission for the Party making the Improvement to connect drainage pavement, drainage, traffic control or other roadway features to the existing roadway or portions thereof, or to erect and maintain signs or barricades for the maintenance of traffic outside of the work zone.

5.5 Major Maintenance and Improvement Involving Multiple Jurisdictions. Major Maintenance and Improvement defined in Section 3.2, involving more than one Party, shall require a separate project agreement by and between the affected Parties.

- 6. ACQUISITION OF ADDITIONAL RIGHT OF WAY.** As part of any action undertaken by a Party or multiple Parties in conjunction with Major Maintenance or Improvement, the respective Party shall be responsible for acquiring and paying for any additional rights of way located within the bounds of its township or corporation limit unless otherwise specified in that project agreement.
- 7. LICENSES AND PERMITS FOR WORK WITHIN THE ROAD.** Each Township and the City shall administer permits for work within their respective jurisdiction, including construction of utilities, driveways or any other work within Three B's and K Road.
- 8. NOTICE OF CLOSURE OR WORK AFFECTING OTHER JURISDICTION.** Should any Party require closing the road to traffic for performance of its duties under this Agreement, that Party shall notify the other Parties of the planned action at the earliest date practicable. The plans for the maintenance activity shall provide for the maintenance of traffic as set forth by Section 5543.17 of the Ohio Revised Code.
- 9. ANNUAL REVIEW.** The Parties agree, through their designated representative(s), to meet not less than once per year to discuss and determine if any changes to this agreement are warranted, unless each Party consents, in writing, that such meeting is not necessary.
- 10. AUTOMATIC RENEWAL.** This agreement shall become effective on the date last approved by the Parties to this Agreement and shall renew automatically on the first day of January of each year thereafter, in perpetuity, without any further action required by any of the parties of this agreement.
- 11. SUSPENSION OR TERMINATION.** For the mutual benefit of the Parties and the safety, convenience and welfare of the public, this Agreement shall not be suspended or terminated without cause, except upon filing proper written Notice with the other political subdivisions at least twelve (12) months in advance of the date of automatic renewal, stating the intention of the Township or City to suspend or terminate the agreement for cause, and upon such renewal date the Party's responsibilities under this Agreement shall be suspended or terminated as set forth in the Notice. This Agreement shall continue to be in full force and effect upon a minimum of two remaining Parties except within context under which the terms and conditions of this Agreement foreclose.
- 12. NOTICE.** Notices required under this Agreement shall be transmitted in writing to all mailing addresses listed below:
 - a. City of Sunbury:**
City Administrator
9 East Granville Street
Sunbury, Ohio 43074
 - b. Berkshire Township:**
Township Administrator
1454 Rome Corners Road
Galena, Ohio 43021
 - c. Berlin Township:**
Township Administrator
3271 Cheshire Road
Delaware, Ohio 43015

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement.

BERLIN TOWNSHIP BOARD OF TRUSTEES:

By resolution _____ on the _____ day of _____, 2026.

Ron Bullard, Township Trustee

Don Sutton, Township Trustee

Meghan Raehll, Township Trustee

Approved as to form:

Melissa A. Schiffel, Prosecuting Attorney

BERKSHIRE TOWNSHIP BOARD OF TRUSTEES:

By resolution _____ on the _____ day of _____, 2026.

Mike Datillo, Township Trustee

Paul Disantis, Township Trustee

Mary Howard, Township Trustee

Approved as to form:

Melissa A. Schiffel, Prosecuting Attorney

CITY OF SUNBURY:

By resolution _____ on the _____ day of _____, 2026.

Daryl Hennessy, City Administrator

SUNBURY CITY ENGINEER:

Date: _____

Carla Odebralski, P.E., City Engineer

Approved as to form:

_____, City Attorney

EXHIBIT A

Segment Map	Segment # and Length	From (South Limit)	To (North Limit)	Responsibility for Routine and Minor Maintenance
	<p>Segment 1 0.865 miles</p>	<p>Sherman Road (T.R. 104) Not Including Intersection</p>	<p>U.S. 36 / S.R. 37 (ODOT Jurisdiction)</p>	<p>City of Sunbury</p>
	<p>Segment 2 1.504 miles</p>	<p>Falling Meadows Drive (T.R. 1481) Including Intersection</p>	<p>Sherman Road (T.R. 104) Including Intersection</p>	<p>Berkshire Township</p>
	<p>Segment 3 1.577 miles</p>	<p>Plumb Road (T.R. 105) Including Intersection</p>	<p>Falling Meadows Drive (T.R. 1481) Not Including Intersection</p>	<p>Berlin Township</p>

RESOLUTION 2026.02

A RESOLUTION TO ESTABLISH A CYBERSECURITY POLICY FOR THE CITY OF SUNBURY

WHEREAS, the Ohio General Assembly enacted House Bill 96, establishing Section 9.64 of the Ohio Revised Code, which requires each political subdivision to adopt a cybersecurity program designed to safeguard its data, information technology systems, and related resources, ensuring their confidentiality, integrity, and availability; and

WHEREAS, Section 9.64 mandates that such a cybersecurity program be consistent with generally accepted cybersecurity standards and best practices, including those developed by the National Institute of Security and Technology (NIST) and the Center for Internet Security (CIS); and

WHEREAS, Section 9.64(B) further provides that, in the event of a ransomware incident, a political subdivision shall not pay or otherwise comply with a ransom demand unless formally authorized by its legislative authority through passage of a resolution or ordinance, which must specifically state why the payment or compliance is in the best interest of the political subdivision; and

WHEREAS, the City of Sunbury recognizes the importance of maintaining effective cybersecurity measures to protect City operations, data, and public trust.

NOW THEREFORE, BE IT RESOLVED by the Council for the City of Sunbury, Delaware County, State of Ohio, that:

SECTION I: The Council for the City of Sunbury hereby adopts and approves the city’s cybersecurity program in accordance with the requirements of Ohio Revised Code Section 9.64, ensuring alignment with National Institute of Standards and Technology (NIST) and the Center for Internet Security (CIS) best practices and authorizes the city manager to designate a program administrator.

SECTION II: It is found and determined that all formal actions of this Council concerning and related to the adoption of this Resolution were adopted in open meetings of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were meetings open to the public, and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

WHEREFORE, pursuant to Section 4.07 of the Charter of the City of Sunbury, this Resolution shall be in effect immediately after its passage.

VOTE ON SUSPENSION OF THE RULES

YEAS

NAYS

VOTE ON RESOLUTION 2026.02

YEAS

NAYS

PASSED: _____, 2026

Joseph St. John, Mayor

ATTEST:

Alyssa Graziano, Clerk of Council

CERTIFICATION

I hereby certify on this ___ day of _____, 2026, that the foregoing is a true and accurate copy of the Resolution passed at the meeting held on _____, 2026 of the City of Sunbury, County of Delaware, State of Ohio.

Alyssa Graziano, Clerk of Council