MINUTES
ORANGE VILLAGE COUNCIL
COUNCIL MEETING
AUGUST 12, 2026
7:00 PM

1. Council President, Lisa Perry, called the Council Meeting of August 12, 2026 to order at

2. Pledge of Allegiance

3. Roll call

Members Present:	Bilsky, Foster, Vincent, Kurland, Ullner, Boyle, Perry
Members Absent:	
Others Present:	Steve Byron, Law Director
	Larry Genova, Fire Chief
	Michael Roberts, Police Chief
	Bob Zugan, Service Director
	Dana Kavander, Treasurer
	Anna Girardi, Council Clerk

Council President requested to address the variance request discussion to the beginning of the meeting, there were no objections from council members.

3655 Orange Place Development

- Discussion ensued regarding the request for multiple variances for the property (former Red Lobster site) to permit a new 5 story motel
- Council acknowledged the significant potential benefits of redeveloping a long-vacant property but stated that the application must be evaluated under the Village's current zoning code, even while recognizing that portions of the code may warrant future modernization
- Mr. Soltis spoke on behalf of the project
    - Mr. Soltis sent an email to Council Representatives concerning the variance requests (see Exhibit A)

A Motion to refer the variances back to the Planning and Zoning Commission to engage with the developers as well as interested parties to provide answers to the questions presented by Council was made by Ms. Ullner seconded by Mrs. Vincent.

Ayes:	Bilsky, Foster, Vincent, Kurland, Ullner, Boyle, Perry
Nays:	None

Council Rules Governing Public Comments

- Council reviewed proposed rules for public comment, discussion ensued
    - Council President Perry emphasized the importance of respectful and civil discourse, particularly given concerns about increasingly hostile rhetoric at recent meetings
- Council agreed on a three-minute limit for the current meeting, with the ability to extend an individual's time through a Council motion and majority vote when appropriate
- Law Director Byron stated the draft rules and sign-in form will be revised for clarity and simplicity and returned to Council for formal adoption at a future meeting

4. A Motion to declare a 2016 RAM 3500 VIN# 3C7WRTAJ1GG310630 and Western 8.5' snowplow serial #16050210995376974 as surplus, to be disposed of at the Mayor's discretion was made by Mrs. Kurland seconded by Mrs. Vincent.

   Ayes: Bilsky, Foster, Vincent, Kurland, Ullner, Boyle, Perry
   Nays: None

5. A Motion to approve the Treasurer's Report for June, 2026 was made by Mrs. Perry seconded by Mrs. Vincent.

   Mrs. Kavander explained the Treasurer's Report for June, 2026

   Ayes: Bilsky, Foster, Vincent, Kurland, Ullner, Boyle, Perry
   Nays: None

6. A Motion to approve the Tax Administrator's Report for June, 2026 was made by Mrs. Perry seconded by Mr. Foster.

   Mrs. Kavander explained the Tax Administrator's Report for June, 2026

   Ayes: Bilsky, Foster, Vincent, Kurland, Ullner, Boyle, Perry
   Nays: None

   Mrs. Kavander explained that the audit for 2024 and 2025 was finalized by the Auditor of State's Office. The report can be found on our website

7. A discussion of the Bills to be paid in the month of August in the amount of $424,586.13 and additional July expenses in the amount of $114,657.12.

8. Audience comments relating to agenda items only

   Joseph Lewis, 165 Jackson Dr
   - Respectfully asked Council to reconsider the TIF for the development
     - Feels Pulte does not need a TIF to be profitable
   - Inquired as to what % of taxes the TIF be and how many years
   - Mrs. Perry stated that Mr. Lewis could submit his letter for inclusion in the record (information was not received by the Council Clerk as of August 27)

   Gittel Blum, 245 Orange Tree Dr
   - Felt TIF is for the benefit of Pulte
     - Thought TIF's were used for impoverished areas
   - Feels this is a tax benefit for the developer
   - Doesn't seem to benefit Orange as a whole
     - Takes money away from the county
   - Letter sent to all council members

Time was up – Ms. Ullner made a motion to allow more time to continue her comments since she was representing neighbors that were unable to attend seconded by Mr. Foster.

Ayes: Bilsky, Foster, Vincent, Kurland, Ullner, Boyle, Perry
Nays: None

Council President Perry allotted Ms. Blum two more minutes for her comments.

Andrew Spitz, 145 Jackson Dr

- Taking away tax dollars from County services to benefit Pulte so they can pay for the road
  - Should not be a debate – why give away tax dollars that can be used for the entire county
  - Many other developments in the area were done so without a TIF

9. Old Business of Pending Legislation and Motions

- None

10. New Business and Consideration of:

A. ORDINANCE 2026-23
AN ORDINANCE AMENDING SUBSECTION (A) OF SECTION 509.08, CONSTRUCTION HOURS, OF CHAPTER 509, DISORDERLY CONDUCT AND PEACE DISTURBANCE, OF THE CODIFIED ORDINANCES OF ORANGE VILLAGE TO PREVENT EXTERIOR CONSTRUCTION WORK, WHICH IS AUDIBLE FROM A NEIGHBORING PROPERTY, FROM COMMENCING BEFORE 8:00 AM ON WEEKDAYS AND DECLARING AN EMERGENCY. 1st Reading

Administration requests suspension of the rules.

A Motion to suspend the rules for Ordinance 2026-23 was made by Ms. Ullner seconded by Mrs. Vincent.

Ayes: Bilsky, Foster, Vincent, Kurland, Ullner, Boyle, Perry
Nays: None

A Motion for passage of Ordinance 2026-23 was made by Mrs. Perry seconded by Mrs. Vincent.

Mayor Kline stated a letter was sent today to all of council from the Village Engineer, Brian Mader, concerning the start time change to 8am. Mayor Kline stated Council should consider the letter that he sent. Ms. Ullner stated she takes offense to the letter and would like it entered into the minutes (exhibit B). Mrs. Vincent stated there may be a change order for items that may take longer but she feels 8am is a good time so residents can have a peaceful morning. Mr. Boyle stated that Mayor Kline is able to make exceptions and recognized that there will be more development and he felt it is important for the residents.

Ayes: Bilsky, Foster, Vincent, Kurland, Ullner, Boyle, Perry
Nays: None

B. ORDINANCE 2026-24
AN ORDINANCE ENACTING CHAPTER 374, POWERED PERSONAL TRANSPORTATION DEVICE" REGULATIONS FOR THE USE OF ELECTRIC BICYCLES AND ELECTRIC SCOOTERS ON VILLAGE STREETS AND RECREATIONAL TRAILS, REPEALING CERTAIN ORDINANCES AND DECLARING AN EMERGENCY. 1st Reading

Mrs. Perry would like to set up a committee to study this Ordinance. She would like to know if a Council member to chair the committee. Council members were not in favor of a committee. Discussion ensued concerning ebikes focusing on public safety, enforcement, parental responsibilities, current Ohio law and if additional regulations are necessary.

Chief Roberts stated the police department has studied the issue for more than a year stating these bikes are capable of moving at 40 mph, silently.

C. RESOLUTION 2026-4

A RESOLUTION DELINEATING OVERLAYS IN RELATION TO THE PROPOSED CANYONS INCENTIVE DISTRICTS WITHIN ORANGE VILLAGE, OHIO; ADOPTING A WRITTEN ECONOMIC DEVELOPMENT PLAN AS TO THE SAME; SETTING THE TIME AND PLACE OF A PUBLIC HEARING; AUTHORIZING AND RATIFYING THE GIVING OF NOTICE TO THE ORANGE CITY SCHOOL DISTRICT AND THE CUYAHOGA COUNTY COUNCIL, ALL PURSUANT TO OHIO REVISED CODE SECTION 5709.40(C) AND ITS RELATED RULES AND LAWS AND DECLARING AN EMERGENCY.

Mayor Kline provided an overview of a TIF. We currently have two TIFs.
The estimated value is $10 million of that amount approximately $2.8 million will come to Orange Village through property taxes. $2.4 million will go to the county for the library, Metroparks and Health Services. $4 million is additional value that Orange Village could capture for eligible future public improvements through the TIF, of this $4 million $800,000 will go to Pulte as a reimbursement. Must be passed by November in order for the Village to capture the full value during 2026.

Mr. Boyle stated that he submitted several questions concerning the development agreement to the Law Director. As of today, the Law Director has not responded. His questions were read into the minutes.

All--I am frantically attempting to get up to speed on the contents of the Development Agreement with OMNI regarding the Canyons Project. I have a few questions regarding the TIF language.

1. On page 7, Paragraph 6 it reads that the Village Council will consider two TIF ordinances. I do not see that these have been passed. Did they pass prior to my arrival on Council? If so, can you send me copies of those pieces of legislation?
2. If the two pieces of legislation have not been approved yet, what are Council's obligations? As I read it, the Council only is required to "consider" the legislation, not required to approve. Is the project contingent on the TIF being approved?
3. Has the TIF been approved by Council? What votes has the Council taken on the TIF's?
4. Where is this $10M figure coming from? I did not see it in the Agreement.
5. There has been ongoing discussion that the property tax may be repealed in the State. How would that play out if it were repealed?
6. There is a reference on page 5 of a "traffic study dated September 22, 2023. Please send me a copy of that document.

Several Council members stated they needed additional clarification and supporting information before making a decision.

A Motion to table Resolution 2026-4 was made by Ms. Ullner seconded by Mrs. Vincent.

Ayes: Bilsky, Foster, Vincent, Kurland, Ullner, Boyle, Perry
Nays: None

Mrs. Kurland would like to know how Council can receive clarification. She would like a presentation for the residents and Council. They would also like information in writing prior to the meeting. September 2nd is the last day to vote on this Resolution.

D. DISCUSSION ITEMS

- Council President Perry moved these items to the beginning of the meeting without objection from Council members.

11. Audience comments relating to matters which advance the good of the Village

Marie O'Leary Stark, 29340 Hidden Valley Drive

- Spoke in favor of and provided information concerning the Orange School Levy

Time was up – Mrs. Vincent made a motion to allow more time for Ms. Stark to continue her comments since she was representing neighbors that were unable to attend seconded by Mrs. Kurland

Ayes: Bilsky, Foster, Vincent, Kurland, Ullner, Boyle, Perry
Nays: None

Council President Perry allotted Ms. Stark two more minutes for her comments.

Elizabeth Bach, 28749 Emery Road

- Orange Community Artisan and Farmers Market
  - Dates for 2027, second Saturday of the month
    - July 10, August 14, September 11, October 9
  - Thanked Bob Zugan and the Service Department for all their assistance
- Thanked members of Council that have come to the market

John Loftus, 4231 Lander

- Electric rates remain high
  - Alternatives – wind/solar power
    - Provided information to Mayor, have not heard back
- Use of alternative methods for new fire department

Liz Gregory, 454 Crystal Lake Drive

- Ask Council if Pulte comes for a future development, common denominator is Pulte that is causing problems

Angela Ugran, 30150 Jackson Road

- Thank you for invoking time limits for comments
- Spoke concerning the variance requests
- Ebikes
  - Great deal of discussion
  - Felt that the people wanted to discuss this a bit more
    - Feels further study is probably in order
- Pulte lost a great deal of credibility in the community

Andrew Spitz, 145 Jackson Dr

- Orange Ordinance 1174.09 where deep basins are constructed protection must be provided
  - No fence at the area, feels silt fence is not adequate
  - minimize possibility of adverse effects
- Adequate stormwater management
- Requesting Orange Village enforce their ordinances

- Request 10 foot solid protection privacy fence

Time was up – Ms. Ullner made a motion to allow Mr. Spitz to continue with his comments seconded by Mrs. Vincent.

Ayes: Bilsky, Foster, Vincent, Kurland, Ullner, Boyle, Perry
Nays: None

Council President Perry allotted Mr. Spitz two more minutes for his comments.

Mrs. Perry requested Mr. Spitz please email his comments to her or Anna Girardi, comments were not received as of August 28, 2026.

12. Comments by the Mayor
    - Good news – Lander Road was opened to two-way traffic yesterday afternoon
    - Paper Shredding is this Friday, August 14 at Pepper Pike City Hall from 9am until noon
        - There is a 5-bag limit (grocery bag)
    - Join us August 15 for a summer concert at the Mulcahy Pavilion in Orange Village Park. Replay a 7-piece band playing music from the 1960s through the 1980s will perform at 6pm.
    - Update on the Miles Road Water line Project
        - Enbridge has completed gas line mapping
        - All parties agreed that Terrace can resume work tomorrow, August 13
            - Enbridge will provide an onsite response team
    - Road programs
        - Concrete repairs will continue on Lander north of Harvard, Orange Place and Emery Roads
            - All areas will remain open with flaggers will be utilized
        - Asphalt repairs will begin Thursday, August 13 on Orangewood between Lander Road and Beechmont trail
            - Two-way traffic will be maintained whenever possible, however traffic many be reduced to a single lane and may be closed briefly during construction hours
    - Orange schools start on Thursday, August 20
        - Please drive safely and watch for children and construction workers/vehicles
    - Repainting the exterior of Village Hall
    - Thanked Elizabeth and her crew for the Orange Artisan and Farmers Market
        - Great addition to the community
    - Construction status report was sent out today with the progress of Pulte's work
        - Will come out on Wednesday
    - Spoke with Pulte to provide public work sessions to discuss the buffer zone design and the rest of phase three design

13. Comments by the Council President
    - Thanked Elizabeth for starting the Orange Artisan and Farmers Market
    - Appreciate everyone attending and speaking
        - We are listening

14. Comments by Council Members

Bilsky

- Thanked everyone for coming out
    - Appreciate your comments

Foster
- Thanked everyone for their time and patience
- Veterans Committee working with Arts & Culture for Sept 3 event
  - Kent State Honor Guard and Men of Independence Choir
- Event at Browns field – Cuyahoga County Veterans Association – Sept 12

Vincent
- Thanked Elizabeth in growing the market
- Parking in cul de sac legislation
  - Let landscapers know
- Reminded parents to utilize the school buses to transport their children
  - Stopping for buses is very important
- Thanked everyone for speaking
- Like to request to attend and invite residents to meeting with Enbridge
- Community Art Fest, August 15 – 10am – 2pm
- Arts & Culture – Summer Concert Series – Replay – Sat. Aug. 15 6pm – Mulcahy Pavilion
- September 3 – Men of Independence
- Orange School Levy Ballot
  - Thanked all who spoke on behalf of the Orange School Levy Ballot and encouraged people to check out the website to become more aware of the issues.

Kurland
- Thanked everyone that came out to speak
- Orange Artisan and Farmers Market is amazing
- Disappointed in the TIF situation, would like clarification of the benefits and cost is
- Tree buffer – part of original conversation for the Omni
  - Not sure how we got to this point
  - It is a travesty and need to make sure it can never happen again
- Sustainability Committee hope to get up and running in September

Ullner
- Orange
- 1147.09G – apply to Pulte, no fencing around the area for safety of residents and children
  - Would like to see what will be done about this
    - Mayor Kline will contact the Building Commissioner
- Thanked Mayor Kline but would like it to be more comprehensive

Boyle
- Orange Artisan and Farmers Market – fantastic opportunity for all
- 15 years since Orange Schools passed a levy
- Thanked everyone for their time tonight

15. Adjournment of the Council Meeting of August 12, 2026

Council President Perry adjourned the Council Meeting of August 12, 2026 at 9:30 p.m.

Annamarie Girardi
Council Clerk

Lisa Perry
Council President

EXHIBIT A

From: Gregory`Soltis <ov-contact@orangevillage.com>
Sent: Wednesday, 12 August 2026 16:15:42
To: perryl@orangevillage.com <perryl@orangevillage.com>
Subject: Contact From Orangevillage.com

[**!!WARNING!!:** This email originated outside of this email system. DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.]

First Name:	Gregory
Last Name:	Soltis
Email:	
Message:	Dear Councilwoman Perry, Ahead of our discussion of the Tempo by Hilton proposed for 3655 Orange Place, I wanted to put the full reasoning behind our request in writing. There has been a tremendous amount of work, discussion, market testing, design study, and coordination with the Village over the past year, and I think it is important that Council have the broader context in which the four remaining variance requests should be considered. I would also respectfully request the opportunity, as part of the Council review process, for the applicant and design team to present the project and the basis for the requested relief in a focused and complete way. Given the amount of coordination, technical study, market analysis, and design work that has gone into the application, I believe Council will be best served by hearing that information directly, followed by public comment, Council discussion, and an opportunity for the applicant to respond to questions or concerns before any final action is taken. That sequence allows the project to be considered on a complete public record and gives everyone the benefit of hearing and responding to the same information. Why the variance process matters: One point that seemed to be missing from some of the discussion at the previous meeting is the purpose of a variance itself. Zoning is important. It protects neighborhoods, separates incompatible uses, regulates development intensity, manages traffic and infrastructure, and provides property owners with some predictability about what can happen around them. At the same time, a zoning code cannot be a static mathematical formula. No ordinance can anticipate every parcel, every unusual physical condition, every economic shift, every technological change, or every way in which transportation, development patterns, and the community itself will change over many decades. That is why zoning includes a variance process. A variance is not a way around the zoning code. It is part of the zoning system. Orange Village's Charter gives Council the authority to consider relief where strict application of a dimensional regulation creates practical difficulties, while preserving the spirit and intent of the Code, protecting public health, safety, and welfare, and achieving substantial

traveler. It responds to the millions of square feet of employment, office, medical, retail, and commercial activity that now surrounds this corridor.
It is also not a generic freeway hotel prototype simply being repeated on another interchange property.
The project has been designed as a four-sided piece of architecture with a carefully developed material palette, landscaped arrival court, pedestrian connections, and an architectural presence intended to raise the quality of development along Orange Place.
We have worked to make the building feel appropriate to what this district is maturing into rather than simply reproducing the development pattern that existed when the district was first established.
The project is also the result of a much longer process than may be apparent from the current application.
Since June 2025, the applicant has worked closely with Village administration, economic development staff, planning staff, and others to explore potential development solutions for this property. Residential, retail, restaurant, medical, office, and other possibilities were discussed and evaluated before arriving at the current Tempo proposal.
The property was then professionally marketed for approximately ten months by an experienced Beachwood-based real estate brokerage specializing in restaurant and retail placement. The marketing effort included site signage, CoStar exposure, direct outreach, and discussions with national, regional, and local users.
The market did not produce a viable restaurant, retail, office, or medical user for the property.
The response to hospitality was very different.
Hilton had already identified the Orange Village and Beachwood submarket as a location where it saw demand for Tempo. Once this particular property was presented, Hilton supported the project, and multiple national hotel operators independently evaluated and underwrote the 132-room program.
The market evidence does not replace the zoning criteria, nor should it. But it does help explain the practical difficulty before Council. This is a longstanding commercial property where multiple alternative commercial uses were explored and professionally tested. The market has demonstrated substantial demand for an expressly permitted hotel use.
Seven items have become four Council variances:
I also want to clearly explain how the requested relief has evolved through the review process.
The initial submission identified seven items that appeared to require zoning relief.
Following review with Village staff, the loading-zone issue was removed, leaving six items.
Planning and Zoning subsequently reviewed those six variance requests and voted 4-0 to recommend approval to Council. That recommendation does not replace Council's independent judgment, but I believe it is important context. The Village's planning body considered the dimensional constraints, the proposed use, and the overall project and members present unanimously recommended that the requested relief be approved.
Further review of the Village's ordinances and consultation with Village staff and legal review have now reduced the matters requiring Council action from six to four.
Ordinance 2017-30 removed the former 325-square-foot motel room-size requirement. That dimensional requirement is therefore no longer a basis for a Council variance.
Council also adopted Ordinance 2026-12 earlier this year, substantially expanding Planning and Zoning's authority under Chapter 1162 to approve deviations from parking and

The side-yard variance requests 4 feet 10 inches of relief.
The context of that request is important.
One of the stated purposes of the U-4A district is the protection of nearby residential neighborhoods, particularly through increased yards and buffering where commercial properties adjoin residential uses.
That is not the condition we have here today.
There is no single-family residential property immediately adjoining this side of the hotel.
This portion of Orange Place is surrounded by hotel, commercial, and mixed-use development, and other hotels are located immediately north and south of the property.
More than 30 feet of building separation remains.
The requested relief therefore does not eliminate a setback or reduce the enhanced buffer intended to protect an adjoining residential neighborhood. It is a modest adjustment within an established commercial and hospitality context.
Front Yard: 100 feet required, 82 feet proposed
The front-yard variance should be understood spatially and contextually rather than simply as a difference between 100 feet and 82 feet.
There is still substantial physical separation between Orange Place and the building. The frontage contains landscaping, pedestrian space, parking, circulation, the arrival and drop-off area, and the hotel's entry sequence before reaching the building itself.
There is also an urban-design reason for locating the building where we have.
The neighboring hotel and commercial properties establish a building relationship with Orange Place in which their primary façades and architectural elements are considerably more present along the corridor than a strict 100-foot line would suggest. The proposed 82-foot setback allows Tempo to relate more naturally to that established pattern rather than retreating unnecessarily behind the neighboring development.
Importantly, the building's location was also adjusted in response to concerns raised during the review process about privacy and potential shadows on future development to the east.
Rather than dismiss those concerns, we responded to them.
The hotel was positioned farther toward Orange Place in order to increase separation from the property to the east. The resulting plan provides 162 feet of rear building setback, 62 feet more than the zoning code requires. We also prepared a shadow study specifically to evaluate the late-day summer conditions that had been raised as a concern. That analysis demonstrates that the hotel's shadow does not reach the proposed neighboring pool during the modeled late-afternoon and evening summer conditions.
So the proposed front-yard location is not arbitrary. It is the result of balancing several competing objectives: fitting appropriately within the Orange Place streetscape, maintaining the operation of the site, and responding to privacy and shadow concerns raised by the neighboring property.
It is also important to understand that the 162 feet behind the hotel is not unused land into which the building can simply be moved another 18 feet.
That area contains parking, drive aisles, circulation, loading and service functions, equipment, enclosed dumpsters and storage, and a substantial grade transition along the eastern edge of the site.
Moving the building 18 feet east would therefore not simply eliminate one dimensional issue. It would transfer the problem into parking, loading, circulation, landscaping, service operations, and the increased separation we deliberately created to the east.

The project's economic benefits are not, by themselves, a basis for granting a variance. The four requests still have to satisfy the applicable dimensional and practical-difficulty standards.

But I do think the broader public benefit is relevant when Council considers whether this permitted use advances the planning objectives Orange has established for its limited commercial areas.

According to the project's financial analysis, redevelopment is projected to increase the property's market value from approximately $2.34 million to approximately $23.48 million.

The analysis estimates approximately $298,000 per year in direct Village revenue at stabilization, 30 to 36 permanent hospitality positions, and approximately $2.29 million in annual on-site payroll.

It also estimates approximately $2.2 million annually in off-property guest spending within the Village, much of it expected to occur at nearby Pinecrest.

The Orange City School District would receive the benefit of a substantially increased property-tax base without the additional enrollment that would have accompanied a residential development of the property.

Those benefits are consistent with the direction of Orange's Master Plan, which calls for productive reinvestment in the Village's limited commercial areas as a means of supporting services and protecting the residential tax base.

Closing

I want to return to the point with which I began.

We are not asking Council to disregard the zoning code.

We are asking Council to use the variance process for the purpose for which it exists.

This is an expressly permitted hotel use on a longstanding commercial parcel that the applicant did not create.

The owner and Village have spent more than a year evaluating potential uses and development approaches for the property. The market was tested. Alternative uses were explored. The current proposal emerged from that process rather than preceding it.

Planning and Zoning reviewed the dimensional relief and voted 4-0 to recommend approval.

Continued legal and staff review has further narrowed what began as seven potential relief items to four Council variances. The other issues are being handled through the processes established by the Village's own ordinances.

The four remaining variances are not requests for amenities or discretionary enhancements. They are dimensional adjustments necessary for the Tempo program to fit responsibly on this particular 2.26-acre property.

The surrounding land-use context has evolved considerably from the landscape in which the Motorist Services District was originally conceived. The property no longer immediately adjoins the kind of residential neighborhood the enhanced U-4A protections were intended to shield. The design builds compactly upward rather than consuming more of the site horizontally. The side and front setbacks continue to perform their intended functions. The building provides substantially more rear separation than required. The massing and shadow studies demonstrate that the additional height does not create the adverse impacts that were raised as concerns.

If the four remaining dimensional variances cannot be approved, the current Tempo project cannot proceed, and after the extensive market testing and development work

EXHIBIT B

From: Brian Mader
To: Anna Girardi
Subject: Noise Ordinance
Date: Wednesday, August 12, 2026 5:16:29 PM

[**!!WARNING!!:** This email originated outside of this email system. DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.]

Anna can you forward to council or print and give this to them tonight.

Dear members of Council

I just want to make my position known relating to the moving of the starting time for construction to 8:00 A.M. All municipalities we represent and design projects for all have a 7:00 A.M start time. Construction seasons are very limited. Projects (municipal or private) have short time frames to complete the work. Contractor's start early and complete projects as quick as possible so they are able to move on to the next project. Most workdays are done at 3:30 in a typical 8 hour day or work to 5:30 if completing 4 - 10 hour days when starting at 7:00 A.M. Many contractors have moved more to the 4 – 10's allowing for makeup days because of bad weather and provides the ability of getting additional work completed on the extra day if projects fall behind. Limiting the working hours restricts the contractor's ability to schedule long work days, meaning projects will be likely 5 eight hour days rather than 4 – 10 hour days and eliminating the ability to make up the weather days. To most this does not seem like a big deal but when accounting for start-up time each morning and clean up in the evening projects can lose a number of production hours each week and will extend projects, especially as you approach the fall months when we can say you can work until 6:00 but it gets dark at 5:00.

As mentioned at the last Council discussion of restricting hours some construction tasks are not something you just stop because it is 6:00. When paving you don't get to just quit at a specific time as a contractor need to pave out so there are not additional cold joint or open holes. Starting an hour later compromises the ability to finish tasks. Yes, there is a clause to allow for working later or starting earlier but it does not make sense if we need to seek permission on every project. It is the same with a roofer who works late to finish a roof rather than leaving a small portion unfinished or a landscaper who is behind in cutting grass because it rained for 4 straight days and he needs to work late to catch up.

For most working activities these are short lived inconveniences. Roofing projects last 2-3 days and done for 25 years. Grass cutting lasts less than an hour once a week for the summer months. For major municipal projects we are on roadways once every 20+ years or for a couple of weeks once every 5 years if doing repair work.

Restrictions will also have a cost component. Contractor will need to bid to not start until 8:00 and must be done at 6:00. Meaning projects in Orange may last a little

EXHIBIT C

From: Mamie Higgins
Sent: Wednesday, 12 August 2026 18:32:51
Subject: Re: TIF Application and Broken Commitments

Mayor and Council,

I regretfully cannot attend tonight - please consider this email my public statement of concern.

While your response answers some questions - many of our previously stated concerns have still not been addressed.

Thank you for clarifying regarding the Village's asserted "contractual obligation" to enact the proposed TIF. Please identify the specific agreement and provision that creates this obligation, and provide the exact language requiring enactment of this particular ordinance, including its duration, amount, and structure. L We also request clarification of the statutory authority permitting the Village to contractually bind future Councils to exercise legislative discretion under R.C. 5709.40 in a predetermined manner.

We also request clarification of the financial basis for the TIF. The $4 million figure requires context, including what it represents, what portion of infrastructure costs would exist absent the TIF, and what restrictions apply to its use. Please identify what Village priorities or projects would be displaced by dedicating these future revenues to the development. Most importantly, has the Village evaluated the net financial impact by comparing the project proceeding with and without the TIF?The Village is only one part of the public investment supporting our community. Diverting future tax revenue from the County and entities like the Library and Metroparks may benefit the development in the short term, but is potentially shortsighted for the broader community. To date, no evidence has been provided demonstrating an incremental net benefit to the Village.

Finally, our concern is not the general legality of TIFs or prior discussion of this proposal, but whether a substantial public financial benefit should be granted to a private developer with approximately $17 billion in assets without a demonstrated necessity for the subsidy. If the Village contends Council lacks discretion due to a contractual obligation, please provide the legal basis and supporting authority. Residents are entitled to a clear explanation of what was promised, by whom, and why Council is purportedly unable to reconsider it given the long-term diversion of public tax revenue involved.

Mamie Higgins and Derek Prothro
155 Jackson Drive

EXHIBIT C

From: Derek Prothro
Sent: Wednesday, 12 August 2026 11:45:14

Subject: Concern regarding the Proposed Canyons TIF

Dear Mayor and Members of Orange Village Council,

We are writing as Orange Village residents who are unable to attend tonight's meeting, but we respectfully ask that our concerns regarding the proposed Canyons TIF be entered into the public record.

Our concern is whether Orange Village should give up future tax revenue to subsidize a large, profitable private homebuilder for a development that does not appear to require public financial assistance.

Pulte is a multi-billion-dollar national homebuilder. This is not a contaminated or blighted property requiring economic revitalization. Pulte is marketing homes in the Canyons beginning at approximately $531,000 and substantially higher. We therefore believe the Village should require a compelling demonstration that this project cannot proceed profitably without a TIF.

There is also a significant issue of trust between Pulte and the surrounding residents.

The Planning and Zoning Commission originally approved Phase 3 based in part on maintaining a tree buffer. Despite those requirements, Pulte proceeded with destruction of this area without notice to neighboring residents or returning to the Planning and Zoning Commission for final approval.

It is difficult to justify asking existing residents to subsidize a developer that has already created significant division with its neighbors and, in our view, failed to honor the protections that were intended to preserve the relationship between the existing neighborhood and the new development.

There is also a broader financial concern. Orange Village is already a desirable community because of **decades of investment by its residents and public institutions** - our roads, emergency services, parks, schools, library, Metroparks and other infrastructure. Pulte benefits enormously from that existing investment and from the resulting property values. We question why residents should then surrender future tax revenue to further reduce Pulte's development costs.

We also ask Council to provide clear answers regarding the proposed TIF:

- **What percentage of the incremental property taxes will be diverted—75%, 100%, or another amount?**
- **For exactly how many years?**
- **Is this truly a non-school TIF, and where is that designation stated in the legislation?**
- **How much annual and cumulative revenue would otherwise go to Orange Village, Cuyahoga County Public Library, Cleveland Metroparks, and the other taxing jurisdictions?**