

AGENDA - Village of Kirkersville

September 3, 2025

Opening: Pledge of Allegiance

Roll Call:	Holly Branham	Darren Coe	Mark Davis
	Dave Engel	Jim Kincaid	Carrie Slone

1. Approval of Agenda
2. Approval of Minutes August 6, 2025
3. Public Poll – Nate Green
4. Village Official Report

Mayor
BPA
Police Department
Street Commissioner
Fire Board
Engineer
Planning and Zoning
Solicitor
Finance Committee
Fiscal Officer

5. Legislative Actions

Second Reading – Ordinance 05-2025 – An Ordinance to reappropriate funds for current expenses and other expenditures of the Village of Kirkersville, State of Ohio during the fiscal year ending December 31, 2025 and declaring an emergency.

First Reading – Ordinance 07-2025 – An Ordinance adopting an amended and updated Village of Kirkersville Planning and Zoning Code.

First Reading – Resolution 11-2025 – A Resolution authorizing and directing the Mayor and Fiscal Officer to execute a donation agreement with Harrison Township for the Keller Road Resurfacing project and declaring an emergency.

First Reading- Resolution 12-2025 – A Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the Cuntly Auditor and declaring an emergency.

First Reading – Resolution 13-2025 – A Resolution approving the Economic Development (TREX) Transfer Form submitted by 7-Eleven Inc., authorizing the Mayor to complete and sign the Transfer Form, and declaring an emergency.

6. Bills - \$21,787.61
7. Old Business
8. New Business
9. Public Poll – 3 minutes
10. Council Poll
11. Adjournment

Village of Kirkersville Council Meeting Minutes

August 6, 2025

Mayor Ashcraft called the meeting to order at 7:00 p.m.

Members in attendance: Darren Coe, Mark Davis, Dave Engel and Carrie Slone

Absent: Jim Kincaid

Also Present: Fiscal Officer Shirley Roskoski and Solicitor Brian Zets

Agenda

I was moved by Engel, seconded by Davis to approve the agenda. Following vote on the motion is recorded: yea, 4; Coe, Davis, Engel and Slone. Nay, none.

Minutes

It was moved by Davis, seconded by Slone to approve the minutes of July 2, 2025. Following vote on the motion is recorded: yea, 4; Coe, Davis, Engel and Slone. Nay, none.

Public Poll

Nate Green, Montrose Group, said he was here to answer any questions about the JEDD agreement. He looked into the question about income tax from the JEDD going to the fire department. He said the best way to do this is to have the developer pay a comparable amount to the fire department annually, in lieu of taxes.

Council member Coe said the JEDD is there to pay off the loan. What's the time frame to pay off the loan? Nate did not know.

Council member Engel said we will need a lot more development to pay the loan off early. We don't have a lot of options here.

Judy Casto, 107 W. Main, said she received a zoning violation for her flashing lottery sign. She said the school has flashing light all the time.

Mayor

Mayor Ashcraft said the fines for the month were \$177.00. We will need a special meeting to hire a new Police Chief.

Mayor Ashcraft said that Holly Branham resigned from Council. She is moving out of the village.

Streets

Mayor Ashcraft said he received a quote from Slone Tree in the amount of \$6,850.00 to trim back and/or remove some trees along the fence line at the treatment plant.

It was moved by Davis, seconded by Coe to approve \$6,850.00 for this tree work.

Following vote on the motion is recorded: yea, 4; Coe, Davis, Engel and Slone. Nay, none.

Mayor Ashcraft said he received a quote from Tom Lott to do some repairs west of town and to do some ditch work. The quote was for \$2,000.00. He also received a quote from him to replace the post and sign for the mile marker at a cost of \$1,100.00.

It was moved by Coe, seconded by Davis to approve \$3,100.00 for the above-mentioned work.

Following vote on the motion is recorded: yea, 4; Coe, Davis, Engel and Slone. Nay, none.

Engineer

Mayor Ashcraft said when Speedway gets up and running, Randy will do a final walk through Before he signs off on it. They have a few things left to take care of.

Solicitor

Brian said I worked with the County Prosecutor on that agreement for Keller Road. We have no authority over the project in any way.

I worked on some miscellaneous Mayor's Court and Municipal Court's matters. Nothing out of the ordinary.

Since Randy nor Jack are here. I was on a team meeting with jack today. The folks from Tire Mart are ready to move forward with their project.

Finance

Council member Davis read the following fund balances:

General	208,742.36	Indigent Drivers	400.00
Street	83,841.63	Am. Rescue Plan	15.00
State Hwy.	36,232.87	Enfct. & Education	80.00
State Grant	720.00	Court Computer	1,736.86
Drug Law Enfct.	3,964.11	Sewer Operating	307,232.90

For a total of \$642,965.73

Legislative Actions

Third Reading – Resolution 09-2025 – A Resolution approving a contract to create a joint Economic development District (Kirkersville JEDD District No.1) and authorizing the Mayor to execute the same.

It was moved by Davis, seconded by Coe to adopt Resolution 09-2025. Following vote on the motion is recorded: yea, 4; Coe, Davis, Engel and Slone. Nay, none.

First Reading- Ordinance 05-2025 – An ordinance to reappropriate fund for current expensed and other expenditure of the Village of Kirkersville, State of Ohio during the fiscal year ending December 31, 2025 and declaring an emergency.

Bills

It was moved by Davis, seconded by Engel to pay the bills in the amount of \$30,994.10. Following vote on the motion is recorded: yea, 4; Coe, Davis, Engel and Slone. Nay, none.

New Business

Council member Coe said the Children at Play sign is missing on Loop Rd.

Mayor Ashcraft said Issue 2 is coming up so Randy will be working on an application for Palmer Rd.

Public Poll

A resident said the speed limit sign on Loop Rd. has branches hanging over it.

Adjournment

There being no further business, it was moved by Engel, seconded by Slone to adjourn. Following vote on the motion is recorded: yea, 4; Coe, Davis, Engel and Slone. Nay, none. Meeting adjourned at 7:38 p.m.

Fiscal Officer

Mayor

AN ORDINANCE TO REAPPROPRIATE FUNDS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF KIRKERSVILLE, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2025 AND DECLARING AN EMERGENCY.

SECTION 1. Be it resolved by the Council of the Village of Kirkersville, State of Ohio, that to provide for current expenses and other expenditures of the said Village of Kirkersville during the fiscal year ending December 31, 2025, the following sums be and they are hereby set aside and appropriated as follows:

SECTION 2. That there be appropriated from the GENERAL FUND

COMMUNITY ENVIRONMENT

Community Planning and Zoning

Personal Services	10,391.00
All other Expenses	28,000.00 (Increase of 10,000.00)

Lands and Buildings

All other expenditures	80,568.64 (Increase of 7,000.00)
Total Lands and Buildings	80,568.64

Total increase in General Fund	17,000.00
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SECTION 3. And the Fiscal Officer is hereby authorized to draw warrants on the Village Treasurer for payments from any of the foregoing appropriations upon receiving proper certificates and vouchers thereof, approved by an ordinance of Council to make the expenditures; provided that no warrants shall be drawn or paid for salaries or wages except to persons employed by authority of and in accordance with law or ordinance. Provided further that the appropriations for contingencies can only be expended upon two-thirds vote of Council for items of expense constituting a legal obligation against the Village, and for purposes other than those covered by other specific appropriations herein made.

SECTION 6. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision making bodies of the Village of Kirkersville which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

SECTION 7. That this ordinance is declared an emergency measure necessary for the public health, safety, and welfare of the residents of Kirkersville and that this ordinance shall take effect immediately upon its passage.

Passed in Council this ____ day of August 2025.

Attest: _____
Fiscal Officer

Mayor

ORDINANCE NO. 07-2025

ADOPTED: _____

AN ORDINANCE ADOPTING AN AMENDED AND UPDATED VILLAGE OF
KIRKERSVILLE PLANNING AND ZONING CODE

WHEREAS, the Village of Kirkersville's Zoning Ordinance with its iconic cover was created and adopted in 1990; and

WHEREAS, over the years, Council for the Village of Kirkersville has amended several sections of the Zoning Ordinance. However, this has been managed one section at a time, when needed; and

WHEREAS in 2010, the Planning Commission started, but never finished, a comprehensive review of the Zoning Ordinance; and

WHEREAS in 2024, the Planning Commission again accepted the arduous task of reviewing the Zoning Ordinance. After many meetings and countless hours, the Planning Commission recommended language for new and updated zoning regulations. And, legal review is complete; and

WHEREAS, Council for the Village of Kirkersville now wants to thank the Planning Commission and adopt an updated Planning and Zoning Code.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF
KIRKERSVILLE, LICKING COUNTY, OHIO THAT:**

SECTION 1: Council for the Village of Kirkersville hereby adopts the amended and updated Planning and Zoning Code of the Village of Kirkersville, Ohio as set forth in Exhibit A which is attached hereto and incorporated herein by reference.

SECTION 2: All ordinances or parts of ordinances in conflict with this Planning and Zoning Code or inconsistent with the provisions of this Code are hereby repealed, as allowed by law, to the extent necessary to give this Code full force and effect.

SECTION 3: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements of the laws of the State of Ohio.

SECTION 4: This Ordinance shall take effect at the earliest time allowed by law.

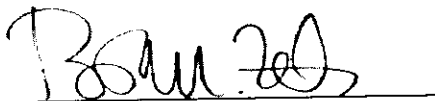
Passed in Council this ____ day of _____ 2025.

Terry Ashcraft, Mayor

ATTEST: _____
Shirley Roskoski, Clerk of Council

APPROVED:

Approved as to form this 25th day of August 2025:



Brian M. Zets
Village Solicitor

RESOLUTION NO. 11-2025

ADOPTED: _____

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR AND FISCAL OFFICER TO EXECUTE A DONATION AGREEMENT WITH HARRISON TOWNSHIP FOR THE KELLER ROAD RESURFACING PROJECT AND DECLARING AN EMERGENCY

WHEREAS, Harrison Township is in the process of advertising for, and awarding a bid for, the resurfacing of Keller Road; and

WHEREAS, a portion of Keller Road which is set to be resurfaced is located within the Village of Kirkersville, an unincorporated area of the Township. More specifically, this will begin at the intersection where SR 158 ends and Keller Road begins, and will run approximately 5,500 feet to the eastern border of the Township; and

WHEREAS, Harrison Township agreed to include the portion of Keller Road, which is within the Village, in its project in exchange for the Village donating \$10,000.00 to the Project; and

WHEREAS, Council for the Village of Kirkersville wants to take advantage of this offer because it would cost the Village more to resurface this stretch of Keller Road if the Village did the work as a separate project.

NOW, **THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF KIRKERSVILLE, OHIO THAT:**

SECTION 1: Council for the Village of Kirkersville hereby authorizes and directs the Mayor and Fiscal Officer to execute a Donation Agreement with Harrison Township, in substantially the same form and content as the agreement attached hereto as Exhibit A and incorporated herein by reference.

SECTION 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements of the laws of the State of Ohio.

SECTION 3: This Resolution is hereby declared an emergency measure necessary for the health, safety and welfare of the residents of the Village and for the further reason that the Village needs to enter into this agreement as soon as possible not to delay this project. Wherefore, provided this Resolution receives the required affirmative votes of Council, it shall take effect and be in full force immediately upon passage by Council.

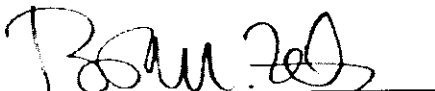
Passed in Council this ____ day of _____ 2025.

Terry Ashcraft, Mayor

ATTEST: _____
Clerk of Council

APPROVED:

Approved as to form this 31st day of July 2025:



Brian M. Zets
Village Solicitor

**DONATION AGREEMENT
BETWEEN
HARRISON TOWNSHIP, LICKING COUNTY, OHIO
AND
VILLAGE OF KIRKERSVILLE, LICKING COUNTY, OHIO**

This Agreement is entered into between the Harrison Township Board of Trustees, whose address is 6750 Outville Road, Pataskala, Ohio 43062 (hereinafter "the Township") and the Village of Kirkersville, whose address is 135 North 4th Street, Kirkersville, Ohio 43033 (hereinafter "the Village"), collectively referred to as "Parties," for the donation of funds by the Village to the Township for the resurfacing of Keller Road.

WHEREAS, the Township is currently in the process of advertising for and awarding a bid for the resurfacing of Keller Road (hereinafter "the Project");

WHEREAS, the Project begins at the intersection where Ohio State Route 158 ends and Keller Road begins, and runs for approximately 5,500 feet to the eastern border of the Township;

WHEREAS, a portion of Keller Road, which is set to be resurfaced as part of the Project, is located within the Village;

WHEREAS, in exchange to for the resurfacing of Keller Road within the Village, the Village agrees to donate funds to the Township for the Project;

WHEREFORE, the Village hereby agrees to donate funds for the Project pursuant to the terms set forth herein:

OBLIGATIONS OF THE TOWNSHIP: The Township shall advertise for bids and award the contract in accordance with Ohio law. Upon awarding the contract, the Township shall work with the selected contractor and oversee the Project to its ultimate completion.

OBLIGATIONS OF THE VILLAGE: The Village shall pay Ten Thousand dollars (\$10,000.00) to the Township as a contribution to the Project. The payment by the Village to the Township shall be made after the contract for the Project is awarded but before work on the Project begins. Payment shall be made via a method that is mutually acceptable to the Parties. The Village has no obligation, duty, or responsibility to manage, oversee, and/or inspect anything related to the Project.

LIMITATION OF LIABILITY: Only to the extent allowed under R.C. Ch. 2744, each party agrees to be solely responsible for any negligent acts or negligent omissions by or through itself, its agents, employees, and contracted servants, and each party further agrees to defend itself and themselves, and pay any judgments and costs arising out of such negligent acts or negligent omissions, and nothing in this Agreement shall impute or transfer any such responsibility from one party to the other party. This Agreement shall in no way serve to supersede, waive, limit and/or otherwise affect any rights, privileges and/or

immunities afforded to either party under any applicable laws including, but not limited to, those contained in Chapter 2744 of the Revised Code of the State of Ohio.

ENFORCEABILITY/SEVERABILITY: If any portion of this Agreement proves to be invalid or unconstitutional, the same shall not be held to invalidate or impair the validity, force, or effect of any other portion of the Agreement unless it clearly appears that such other portion is wholly or necessarily dependent for its operation upon the portion so held invalid or unconstitutional.

REMEDIES: If either Party is in breach with respect to any of the provisions of the Agreement, the aggrieved Party shall be entitled to any applicable remedy provided by this Agreement, or any available remedy at law or in equity in any court of competent jurisdiction in Licking County, Ohio. The remedies provided in this Agreement shall be separate and cumulative and shall not in any way abridge, modify, or preclude any other rights or remedies to which a Party is entitled either at law or in equity.

BINDING EFFECT: The Parties each bind themselves and their successors and permitted assigns to the other Parties of the Agreement and the successors and permitted assigns of such other Parties, in respect to all covenants of this Agreement. Nothing herein shall be construed as creating any personal liability on the part of any officer or agent of any public body which may be a party hereto.

PUBLIC RECORDS: The Parties agree to maintain records pertaining to this Agreement in compliance with R.C. 149.43 (the "Public Records Law"). The Parties both understand and acknowledge that this Agreement, and any reports, data, or other information supplied to a Party due to work performed pursuant to this Agreement, may be subject to disclosure as a public record in accordance with the Public Records Law. The Parties agree to cooperate with each other so that they both may comply with any public records requests.

GOVERNING LAW; VENUE: This Agreement and any modifications, amendments, or alterations shall be governed, construed, interpreted, and enforced under the laws of the State of Ohio, and any legal action thereof shall be commenced in a court of competent jurisdiction of Licking County, Ohio.

NOTICES: Any notice or other communication required under this Agreement shall be deemed to have been given to each Party if sent via regular U.S. Mail to the following addresses:

As to the Township:

Harrison Township Board of Trustees
6750 Outville Road
Pataskala, Ohio 43062

As to the Village:

Mayor Terry Ashcraft
135 North 4th Street
Kirkersville, Ohio 43033

Either Party may, from time to time, change the address at which any notice or other communication is to be delivered or mailed, by giving the other Party written notice of such change.

TERM: This Agreement shall be in full force and effect from the date of the last signature below until the completion of the Project.

TERMINATION: Either Party may terminate this Agreement for any reason upon seven (7) days written notice to the other Party prior to the expiration of the mutually stated term or any additional term thereafter.

CAPTIONS: The captions herein are not part of this Agreement, but are merely guides to locate the various provisions contained herein.

COUNTERPARTS: This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which, together, shall constitute one and the same Agreement.

ENTIRE CONTRACT; MODIFICATION: This Agreement embodies the entire agreement between the parties, and any prior understanding, agreement, or representation of any kind preceding the date of this Agreement shall not be binding upon either party except to the extent incorporated into this Agreement. There are no promises, terms, conditions, or obligations other than those contained within this Agreement. This Agreement shall supersede all previous communications, representations, or contracts, either written or oral, between the parties to this Agreement. The Parties shall not modify this Agreement in any manner except by an instrument in writing, executed by both Parties. All amendments shall be in writing and must be in compliance with all applicable budgetary and legal requirements.

(Signature page to follow)

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SIGNATURES

VILLAGE OF KIRKERSVILLE

Mayor Terry Ashcraft

Date

Fiscal Officer Shirley Roskoski

Date

HARRISON TOWNSHIP

Mark Van Buren, Trustee

Date

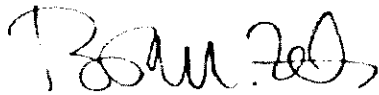
Ray Foor, Trustee

Date

Eric Smith, Trustee

Date

APPROVED AS TO FORM:



Brian Zets, Village Solicitor

7.31.25

Date

Bryce Ramsay, Assistant Prosecuting Attorney

Date

CERTIFICATE OF AVAILABLE FUNDS

I certify that the money required to meet this contract has hereby been lawfully appropriated for such purpose and is in the treasury or in the process of collection to the credit of this fund, free from any previous obligation or certification as required by Ohio Revised Code § 5705.01 to § 5705.47.

Date

Shirley Roskoski, Fiscal Officer

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR AND DECLARING AN EMERGENCY

WHEREAS, the Budget Commission of Licking County, Ohio has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within the ten mill limitation

THEREFORE BE IT RESOLVED BY THE Council of the Village of Kirkersville, Licking County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said Village the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

Fund	Amount Approved by Budget com- mission Inside 10m limitation	Amount to be derived from levies outside 10m. limitation	County Auditor's Estimate of Tax Rate to be levied	
			Inside 10M Limit	Outside 10M Limit
General District 026	33,087.00	0.00	2.000	0.000
District 099	98.00	0.00	1.900	
Total	33,185.00	0.00	2.000	0.00

and be it further

RESOLVED, That the Clerk of Council be and is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

SECTION 1. All prior legislation, or any parts thereof, which is/are inconsistent with this Ordinance is/are hereby repealed as to the inconsistent parts thereof.

SECTION 3: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements of the laws of the State of Ohio.

SECTION 4: Council declares this to be an emergency measure immediately necessary for the preservation of the public peace, health, and safety of this municipality and the further reason that the Village needs to return this resolution to the County Auditor by October 1, 2024. Wherefore, provided this Ordinance receives the required affirmative votes of Council, this Ordinance shall take effect and be in force immediately upon passage by Council.

Adopted in Council this _____ day of September 2025

Attest: _____
Fiscal Officer

Mayor

RESOLUTION NO. 13-2025

ADOPTED _____

A RESOLUTION APPROVING THE ECONOMIC DEVELOPMENT (TREX) TRANSFER FORM SUBMITTED BY 7-ELEVEN INC., AUTHORIZING THE MAYOR TO COMPLETE AND SIGN THE TRANSFER FORM, AND DECLARING AN EMERGENCY

WHEREAS, Jennifer Mendola, Assistant Secretary of 7-Eleven Inc., submitted an Economic Development Transfer Form for a C-1 Permit and a C-2 Permit to be TREX'd to its newly constructed location in Kirkersville, Ohio, to wit: Speedway Store #42389; and

WHEREAS, a C-1 Permit allows the holder to sell beer in its original, sealed container for carryout only, with no on-site consumption allowed; and

WHEREAS, a C-2 Permit allows the retail sale of wine and mixed beverages (containing 4-21% alcohol by volume) in sealed containers for carry-out only; and

WHEREAS, R.C. 4303.29 permits the transfer of ownership and location of a permit from a municipal corporation or the unincorporated area of a township to an economic development project located in another municipal corporation or the unincorporated area of another township in which no additional permits of that class may be issued to the applicant under R.C. 4303.29 (B)(2)(a). However, the transfer may occur only if the applicant notifies the municipal corporation to which the location of the permit will be transferred regarding the transfer and the municipal corporation acknowledges in writing to the division of liquor control that the transfer will be to an economic development project; and

WHEREAS, approval by the Village of Kirkersville does not prohibit the Village from requesting a hearing under R.C. 4303.26 (a hearing on the advisability of the issuance, transfer of ownership, or transfer of location of the permit); and

WHEREAS, approval by the Village of Kirkersville only allows the Division of Liquor Control to start processing the application. The applicant still must meet all applicable rules and regulations before the permit can be issued; and

WHEREAS, the applicant identified several factors for the Village of Kirkersville to consider, such as (all amounts are approximations):

❖ Total amount invested in this project:	\$12,000,000.00
❖ Ohio Unemployment Tax:	\$ 1,500.00
❖ Sales Tax	\$ 150,000.00
❖ State Withholding Tax	* 8,000.00
❖ Total number of jobs created:	20 - 30

NOW, **THEREFORE, BE IT RESOLVED** by the Council of the Village of Kirkersville, County of Licking, State of Ohio, a majority of the members elected thereto concurring:

SECTION 1: Council for the Village of Kirkersville approves the Economic Development Transfer Form (TRES) submitted by Jennifer Mendola, for 7-Eleven Inc. to transfer these licenses to its newly constructed location in Kirkersville, Ohio, to wit: Speedway Store #42389.

SECTION 2: Council for the Village of Kirkersville authorizes the Mayor to complete and sign Section G of the TRES Form submitted by Jennifer Mendola for 7-Eleven Inc.

SECTION 3: All prior legislation, or any parts thereof, which is/are inconsistent with this Resolution is/are hereby repealed as to the inconsistent parts thereof.

SECTION 4: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision-making bodies of the Village of Kirkersville which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

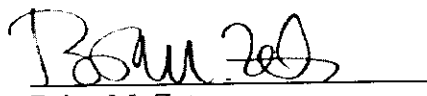
SECTION 5: This Resolution is hereby declared an emergency measure necessary for the health, safety and welfare of the residents of the Village and for the further reason that the Village needs to return the form as soon as possible to not delay the transfer and the opening of this new business. Wherefore, provided this Resolution receives the required affirmative votes of Council, it shall take effect and be in full force immediately upon passage by Council.

Terry Ashcraft, Mayor

ATTEST: _____
Shirley Roskoski, Clerk of Council

APPROVED:

Approved as to form this 28th day of August 2025:



Brian M. Zets
Village Solicitor



Jason R. Canvasser
T (313) 965-8257
F (313) 309-6857
Email: JCanvasser@ClarkHill.com

Clark Hill
500 Woodward Ave., Suite 3500
Detroit, MI 48226
T (313) 965-8300
F (313) 965-8252

August 18, 2025

VIA FEDERAL EXPRESS

Village of Kirkersville
Attn: Mayor's Court
135 N 4th Street
Kirkersville, OH 43033

Re: TREX Application for 7-Eleven, Inc. dba Speedway Store #42389
Address: 10085 Outville Road SW, Kirkersville, OH 43033

To Whom It May Concern:

Clark Hill PLC is legal counsel to 7-Eleven, Inc. Please direct all communications relating to this matter to my attention.

Enclosed please find a completed TREX Application along with the below items which serve as application for approval to transfer C1 and C2 licenses into the Kirkersville jurisdiction:

- Form DLC 4244_TREX, Economic Development Transfer Form;
- Copy of Site Plan;
- Copy of Building Plan; and
- Copy of Real Estate documents.

If you have any questions, or need additional information, do not hesitate to contact me.

Sincerely,

CLARK HILL

Jason R. Canvasser

JRC:tf



Department of Commerce

Division of Liquor Control

Division Use Only	
Check #: _____	Permit # _____
# of Checks: _____	
Check Amt: _____	

ECONOMIC DEVELOPMENT TRANSFER FORM (Trex)

Ohio Revised Code 4303.29(B)(2)(b)

READ BEFORE YOU START THIS APPLICATION

Certain permits in Ohio are subject to a quota based upon a formula that factors in the total population of the city, village, or township where the permit will be issued and a ratio, specific to particular permit classes, as set forth in Ohio law (Learn more in our [Quota Resource Guide](#)). When transferring a specific quota permit (i.e., D-1, D-2, etc.) that will move locations to a NEW city, village, or township from where it is currently issued, there must be available spots in that new quota before the Division can process the transfer. If, for a particular quota permit class, there are NO spots available in the new quota, then the applicant has a few choices as discussed in our [Trex Resource Guide](#). This form covers the specific permit classes that can be Trex'd under the Ohio law provision noted at the top of this application. A few things to understand before proceeding with the Trex option are that:

- The Division can **ONLY** process the Trex transfer application if the city, village, or township where the permit will transfer to **APPROVES** the transfer as an economic development project. The city, village, or township can document its approval by signing our form below in Section E.
- **ONLY** after we receive this completed form with the transfer application will the Division Superintendent review it for processing.
- The city, village, or township, despite approving the Trex transfer can still object to the issuance of your permit at the applied for location and the applicant must still be WET ([Review our Local Option Election Guide](#) for more information) for the requested sales at that address and meet all other rules and regulations before the permit(s) can be issued at that new location.

For this form to be deemed complete, you must fully and legibly complete this application, including:

- Answering all required questions ("*" indicates a required field);
- Submitting this application with your Transfer Application; and
- Securing signatures from the appropriate local government officials listed below.

SECTION A – Issued Permit Holder Information (i.e. Seller)	
* This section MUST be completed.	
* Issued Permit Holder's Business Name as on File with the Division: Speedway LLC	* Issued Permit Holder #: 84189942140

SECTION B – New Business Owner's Information (i.e., Buyer) <input type="checkbox"/> N/A-Seller REMAINS the owner and is ONLY moving locations.	
* ONLY fill out this section if the ownership and location is changing.	
* Business Entity or Sole Proprietor Name ("Applicant") (MUST match name listed on transfer application): 7-Eleven, Inc.	

Section C – New Permit Premises Address Information		
* This section MUST be completed.		
* New Permit Premises Address: 10085 Outville Road SW		
* New Township (if outside city limits):	* New City: Kirkersville	* New County: Licking

SECTION D – Transferred Permits subject to TREX

* This section identifies the permit classes that are being transferred into a **NEW** city, village, or township, consistent with the Transfer Application, that **REQUIRE TREX** sign-off from the local government official that signed below.

* Select the Permit Type(s) being transferred that need to be TREX'd:

☒ C-1 ☒ C-2 ☐ D-1 ☐ D-2 ☐ D-3 ☐ D-5

* Note – there may be other permit types, like a C-2X, D-3A, or D-6, that are also part of your transfer that are not listed above. Your complete transfer listing needs to be identified on your transfer application (DLC 4120) that you must send with this signed TREX form.

Remember this form is **ONLY** for those permit classes that are subject to the quota and would require TREX sign-off because there are no permits available for the given class in the **NEW** locality when the transfer is filed. For example, you can be transferring a D-1, D-2, D-3 permit from City A to City B. In City B, there are D-1 and D-3 permits available, but no D-2 permits. In this situation, the only permit class that would **REQUIRE TREX** sign-off is the D-2.

Section E – Information that MAY be Used to Determine if the Transfer is an Economic Development Project

R.C. 4303.29(B)(2)(b)(ii) lists several factors the local legislative authority (City, Village or Township) can use when determining if it should approve this transfer as an Economic Development Project. While the law provides broad discretion to the legislative authority when making this decision, **SOME** factors that may be useful to the legislative authority in making its decision, include the:

- Total amount invested in this project: \$ 12 Million
- Total number of jobs that will be created by this project: 20 - 30
- Existing or estimated Tax Revenue generated by this project:
 - Ohio Unemployment Tax \$ Approx. \$1,500
 - Property Tax \$ Approx. \$14,500
 - Sales Tax \$ Approx. \$150,000
 - State Withholding Tax \$ Approx. \$8,000
 - Other: _____ \$ _____

You may also be asked to provide a projected earnings statement (brand new business), or a profit and loss statement (existing business), or a copy of building plans/drawings outlining any construction plans.

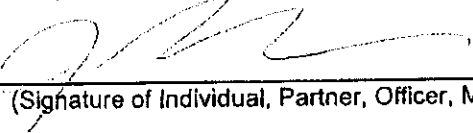
Section F – Applicant Signature

* This section **MUST** be signed by either the applicant in:

- **Section A** if the seller **REMAINS** the owner of the permit and is **ONLY** moving the permit address to a **NEW** city, village, or township from where it is currently issued; **OR**
- **Section B** if the ownership of the permit is changing **AND** the new permit address will be in a **NEW** city, village, or township from where the permit is currently issued.

By signing below, I certify and understand that:

- I have authority to execute this document;
- The information provided is true, correct, and complete to the best of my knowledge and belief;
- Failing to complete this form, consistent with the above listed instructions, will result in this form and/or transfer application being returned to me, unprocessed, until a corrected, complete application is received by the Division;
- During the review of this form and/or my transfer application, further documentation may be needed, and I agree to comply timely and understand that failure to comply could delay the processing of my application;
- Even if the city, township, or village approves my TREX transfer application, the Division **MUST** still notify the applicable legislative authority about your transfer application and that legislative authority has the right to object to the issuance of the permit even for those permit classes that it approved as part of this TREX process; **AND**
- If this TREX form is required, the Division **CANNOT** process the transfer application until it is submitted with this completed (in its entirety) and signed form.



(Signature of Individual, Partner, Officer, Managing Member, or 5% or more Shareholder or Member)

Jennifer Mendola

(Please Print Name)

Assistant Secretary

(Title)

08/15/2025

(Date)

3200 Hackberry Road, Irving, TX 75063

(Street Address, City, State, Zip Code)

800-255-0711

(Telephone with Area Code)

SECTION G – NEW City, Village, or Township Signature

* This section **MUST** be completed by the City, Village or Township in which this Economic Development Project (TRES) will be located. Legislative officials who can sign this section are, as applicable, the/a:

- Mayor,
- City Council Member,
- Law Director,
- Clerk of Council,
- Township Fiscal Officer,
- County or Township Trustee Board Member; or
- Other legislative office holder not specified with the authority to act on behalf of the applicable jurisdiction where the permit will be located.

THE APPLICANT MUST PROVIDE AN EXECUTED COPY OF THIS FORM WITH ITS TRANSFER APPLICATION.

The City, Village or Township of Kirkersville has considered the above-named applicant's TRES application consistent with the factors outlined in R.C. 4303.29(B)(2)(b) and hereby agrees and accepts that this transfer will be an economic development project within its jurisdiction.

By signing this form, I, the city, village, or township official listed below, acknowledges and understands that:

- I have the authority on behalf of my local government to sign this form;
- My signature, on behalf of my jurisdiction, means the Division can continue to process the applicant's transfer application for the applicable TRES'd permit classes;
- The city, village, or township will still be notified about the potential issuance of this permit and that it retains the right to object to this transfer for any and all permit classes applied for by the applicant;
- Once the applied for permit classes are transferred to the applicant within the city's, village's, or township's jurisdiction, the permit can then be transferred to other owners at the same location or to other locations within the city, village, or township by either the current or future owners subject to notice and hearing provisions under R.C. 4303.26;
- The TRES process ONLY contemplates the Division's ability to start processing the applicant's transfer application for the affected permit classes, the applicant **MUST** still meet any rules and regulations before the permit can be issued and the new location must also be wet for the type of permit classes that the applicant seeks to operate at the new location; and
- It is within the city, village, or township's sole discretion, consistent with Ohio law, to decide whether to approve the applicant's TRES application as an economic development project.

(Signature of Local Official specified above)

(Please Print Name)

(Title)

(Date)

(Government Email Address)

(Telephone with Area Code)

Applicant **MUST** submit the transfer application, this TRES form, and any other required forms to:

Ohio Department of Commerce – Division of Liquor Control
c/o Licensing New & Transfer Section
6606 Tussing Road
Reynoldsburg, OH 43068-9005

For Questions call (614) 644-3155
Or email fileinquiry@com.ohio.gov

Office Hours: 8:00 a.m. - 5:00 p.m. EST

ARTICLE DEVELOPMENT INFORMATION

[illegible]

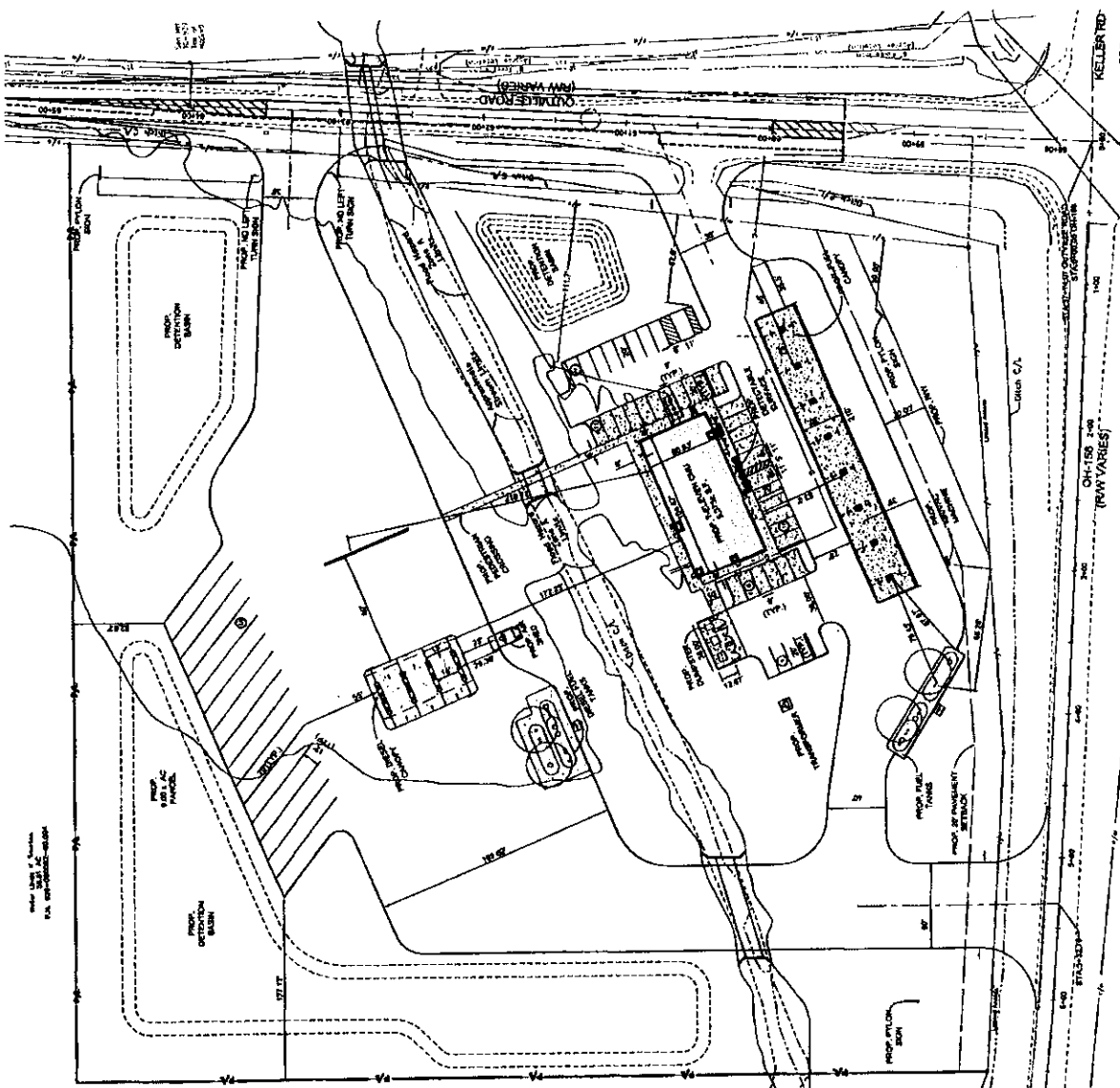
NOTES
CONSTRUCTION SHALL BE CONSTRUCTED PER
ELEVEN PROTOTYPICAL ENCLOSURE

PARKING CALCULATIONS

PARKING CALCULATIONS				
AREA	SQUARE FOOTAGE	MIN. PARKING REQ'D*	TOTAL PARKING PROVIDED	PARKING RATIO
OVERALL BUILDING	5,274 S.F.	22	49	2.77:1000 S.F. 1.17:100 S.F.
TRUCK PARKING			16	

*FOR THE VILLAGE OF HORSESHOE VALLEY ZONING CODE, 1 HUNDRED SPACE IS REQUIRED FOR EVERY 400 S.F. OF SEAL SPACE.

NOTE:
LEFT TURN MOVEMENTS DURING THE NORTHEAST TRUCK ACCESS TO
DUTVILLE ROAD ARE NOT PERMITTED.
TRUCK LOADING OR UNLOADING IS NOT PERMITTED.
OVERNIGHT TRUCK PARKING IS NOT PERMITTED.



Fund Status

As Of 9/2/2025

Fund Number	Fund Name	% of Total Pooled	Fund Balance	Investments (Non-Pooled)	Checking & Pooled Investments (Pooled)
1000	General	34.568%	\$222,110.81	\$0.00	\$222,110.81
2011	Street Construction Maint. & Repair	12.874%	\$82,721.21	\$0.00	\$82,721.21
2021	State Highway	5.679%	\$36,489.50	\$0.00	\$36,489.50
2061	State Grant	0.000%	\$0.00	\$0.00	\$0.00
2062	State Grant	0.112%	\$720.00	\$0.00	\$720.00
2081	Drug Law Enforcement	0.617%	\$3,964.11	\$0.00	\$3,964.11
2082	Indigent Drivers Interlock & Alcohol Mon	0.062%	\$400.00	\$0.00	\$400.00
2151	Coronavirus Relief Fund	0.000%	\$0.00	\$0.00	\$0.00
2152	American Rescue Plan	0.002%	\$15.00	\$0.00	\$15.00
2271	Enforcement and Education	0.012%	\$80.00	\$0.00	\$80.00
2901	Mayor's Court Computer Fund	0.273%	\$1,752.86	\$0.00	\$1,752.86
2902	Other Special Revenue	0.000%	\$0.00	\$0.00	\$0.00
4901	Other Capital Projects	0.000%	\$0.00	\$0.00	\$0.00
5201	Sewer Operating	45.801%	\$294,287.62	\$0.00	\$294,287.62
9901	Other Agency	0.000%	\$0.00	\$0.00	\$0.00
All Funds Total			\$642,541.11	\$0.00	\$642,541.11
Pooled Investments					\$0.00
Secondary Checking Accounts					\$0.00
Available Primary Checking Balance					\$642,541.11

Last reconciled to bank: 07/31/2025 – Total other adjusting factors: \$0.00

Payment Listing

UAN v2025.2

8/6/2025 to 9/30/2025

Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
240-2025	08/11/2025	08/11/2025	EW	US Treasury	\$452.54	O
241-2025	08/11/2025	08/11/2025	EW	OHIO PUBLIC EMPLOYEES RETIREMENT S	\$1,134.97	O
243-2025	08/18/2025	08/18/2025	CH	Isaac Wiles	\$551.50	O
244-2025	08/18/2025	08/18/2025	CH	Isaac Wiles	\$693.00	O
247-2025	08/23/2025	08/23/2025	CH	Time Warner Cable	\$183.89	O
248-2025	08/23/2025	08/23/2025	CH	Time Warner Cable	\$266.72	O
249-2025	08/23/2025	08/23/2025	CH	U. S. Bank Equipment Finance	\$138.37	O
251-2025	08/23/2025	08/23/2025	CH	American Electric Power	\$764.50	O
252-2025	08/23/2025	08/23/2025	CH	American Electric Power	\$251.43	O
253-2025	08/23/2025	08/23/2025	CH	American Electric Power	\$43.38	O
254-2025	08/23/2025	08/23/2025	CH	American Electric Power	\$39.08	O
255-2025	08/23/2025	08/23/2025	CH	American Electric Power	\$155.55	O
257-2025	08/23/2025	08/23/2025	CH	Columbia Gas of Ohio	\$53.89	O
258-2025	08/23/2025	08/23/2025	CH	Columbia Gas of Ohio	\$53.89	O
14680	08/06/2025	08/06/2025	PR	TERRY W. ASHCRAFT	\$370.41	O
14681	08/06/2025	08/06/2025	PR	Victoria H Coe	\$943.91	O
14685	08/13/2025	08/06/2025	AW	Dave VanDyke	\$388.00	O
14686	08/13/2025	08/06/2025	AW	Gary's Place	\$35.00	O
14687	08/13/2025	08/06/2025	AW	Slone Tree Service	\$7,000.00	O
14688	08/13/2025	08/06/2025	AW	Treasurer State of Ohio - LEADS	\$350.00	O
14689	08/13/2025	08/06/2025	AW	Licking County Health Department	\$665.00	O
14691	08/13/2025	08/06/2025	AW	Kevin C. Shannon, Esq.	\$300.00	O
14695	08/18/2025	08/18/2025	PR	Shirley A Roskoski	\$478.79	O
14698	08/23/2025	08/23/2025	AW	A.M.C.C.O.	\$200.00	O
14699	08/23/2025	08/23/2025	AW	Arcadis Engineering Services Inc.	\$5,795.00	O
14702	09/01/2025	09/01/2025	PR	Shirley A Roskoski	\$478.79	O
Total Payments:					\$21,787.61	
Total Conversion Vouchers:					\$0.00	
Total Less Conversion Vouchers:					\$21,787.61	

Type: AM - Accounting Manual Warrant, AW - Accounting Warrant, IM - Investment Manual Warrant, IW - Investment Warrant, PM - Payroll Manual Warrant, PR - Payroll Warrant, RW - Reduction of Receipt Warrant, SW - Skipped Warrant, WH - Withholding Warrant, WM - Withholding Manual, WS - Special Warrant, CH - Electronic Payment Advice, IL - Investment Loss, EP - Payroll EFT Voucher, CV - Payroll Conversion Voucher, SV - Payroll Special Voucher, EW - Withholding Voucher, POS ADJ - Positive Adjustment, NEG ADJ - Negative Adjustment, POS REAL - Positive Reallocation, NEG REAL - Negative Reallocation

Status: O - Outstanding, C - Cleared, V - Voided, B - Batch

* Asterisked amounts are not included in report totals. These transactions occurred outside the reported date range but are listed for reference.