

**URBANA CITY COUNCIL
REGULAR SESSION MEETING**

May 2, 2023

(To be held in the Training Room on the 3rd Floor of the Municipal Building)

Urbana City Council meetings are streamed via Facebook Live. These live streams can be found by visiting the City Council of Urbana, Ohio Facebook page via clicking on the link on the City Council's website: <https://www.urbanaohio.com/city-council.html>

All comments must be made in person. Due to this, the ability to comment on City Council Facebook streams will be disabled.

- **Call to Order**
- **Roll Call**
- **Pledge of Allegiance**
- **Approval of Minutes:** Urbana City Council Regular Meeting Minutes of April 18, 2023.
- **Communications:**
 1. Urbana Shade Tree Commission Meeting Minutes from November 2022 (See Attached)
 2. Safety Committee Meeting Minutes from April 13, 2023 (See Attached)
 3. North Central Ohio Solid Waste District 2022 Landfill Disposal Annual Report (Emailed April 27, 2023)
- **Board of Control:**
 1. The Board of Control recommends Council authorize a purchase order to The Champaign Family YMCA in the amount of \$96,283.00 for the management of the Wendell Stokes Municipal Pool for the 2023 season (see attached). This expense will be charged to General Fund – Pool and is in the 2023 budget at \$63,900.00. **VOTE: 2-0**
 2. The Board of Control recommends Council authorize the Director of Administration to enter in a contract with A & B Asphalt in the amount of \$551,479.37. This bid was the lowest and best bid of two bids received (see attached). The engineer's estimate was \$625,000.00. This expense will be charged to various funds and is in the 2023 budget. **VOTE: 2-0**

Footnote – Purchase Orders \$2,501 - \$50,000 for March 2023 (see attached)

Citizen Comments: (In Person Only; Must Sign-in)

Ordinances and Resolutions

Old Business:

Third Reading: None

Second Reading:

Ordinance 4592-23: An ordinance to change the term “Captain” to the phrase “Fire Division Member in the Bureau of Fire Prevention” in Section 1501.01 of the Urbana Codified Ordinances. (Three readings required)

New Business:

First Reading:

Resolution 2633-23: A resolution to authorize the Director of Finance to transfer \$330,000.00 from the Perpetual Investment Fund to the Neighborhood Curb, Gutter, and Sidewalk Fund, for the purpose of repair/replacement of curbs, gutters, and sidewalks along the streets of the City of Urbana, Champaign County, Ohio. (Suspension of the rules requested)

Resolution 2661-23: A resolution to amend Resolution 2433-22 to modify or increase appropriations within various funds of the City of Urbana, Ohio for current expenses during the fiscal year ending December 31, 2023. (Supplemental Appropriations) (Suspension of the rules requested)

Resolution 2662-23: A resolution to authorize the Director of Administration to execute an economic development transfer form (TRES) from the Ohio Department of Commerce, Division of Liquor Control on behalf of Aldi, Inc. (Ohio) for their new grocery/retail store at 741 Scioto Street, and declaring an emergency. (One reading required)

- **Department Liaison Reports:**
 - **Miscellaneous Business:**
 1. Council
 2. Administration
 3. Council Clerk
 - **Next Meeting:** Tuesday, May 16, 2023
 - **Adjourn**
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**URBANA CITY COUNCIL
REGULAR SESSION MEETING
TUESDAY, APRIL 18, 2023**

President Hess called the City of Urbana Regular Session Meeting to order at 6:00 pm.

City Staff attending: Director of Administration Kerry Brugger, Director of Finance Chris Boettcher, Director of Law Mark Feinstein, Mayor Bill Bean, Community Development Manager Doug Crabill, Grimes Municipal Airport Manager Elton Cultice and Fire Chief Dean Ortlieb.

President Called Roll: Ms. Jumper, present; Mr. Scott, present; Mr. Paul, present; Ms. Truelove, present; Mr. Thackery, present; Mrs. Collier, present; and Mrs. Bean, present.

Mayoral Proclamation – Arbor Day

Mayor Bean read aloud his proclamation declaring April 28th Arbor Day in the City of Urbana.

Mr. Crabill stated that he was attending the Tree City awards for Central Ohio on behalf of the City tomorrow. This will be the 21st year Urbana receives the award. In order to be a Tree City, he noted that a city must have an ordinance, tree commission, an annual Arbor day celebration, and spend at least \$2 per capita on trees. He also noted that the Arbor Day tree planting ceremony will be at the YMCA in memory of Tom Coles. Finally, he stated that the Urbana Shade Tree Commission recently held its first meeting of the year.

Mr. Thackery stated that he would like to see the Arbor Day tree celebration held downtown next year.

Airport Update

Mr. Cultice recited the list of events to be held at the airport in the upcoming year. These updates were also included in First Quarter Divisional Highlights.

Mr. Paul asked how airport traffic had been. Mr. Cultice stated it has been fantastic since the warmer weather has arrived.

Minutes

Mr. Thackery moved to put the minutes of April 4, 2023 on the floor for discussion and possible approval. Mr. Paul seconded.

No comments/questions from Council.

Voice vote on approval of the minutes: all ayes; nays, none.

Motion passed 7-0

Communications:

1. Damage Assessment Workshop (Ohio EMA) – E-mailed April 13, 2023
2. First Quarter Divisional Highlights (See Attached)

Mrs. Bean moved to put the communication on the floor for discussion. Mr. Thackery seconded.

Mrs. Bean stated the divisional highlights was a fabulous document to educate the public. She is very proud of all the hard work involved. She noticed the only change was from the Law Director, and she thanked him for updating his role in the ordinance process.

Mr. Thackery asked Chief Ortlieb about the process for obtaining a grant for the ladder truck. Chief Ortlieb stated he was in the process of writing the grant with the window opening in November. He stated it was a hard grant to receive, but believed Urbana had a good chance as our current ladder truck is over twenty-five years old.

Mr. Thackery stated it was great that the water treatment plants are complying with the EPA. He then asked how far along the City was with the new meter installation. Ms. Boettcher stated the City is still learning the new software but all meters should be installed.

Mr. Thackery then asked what the City does with the thirty-two tons of debris collected by the street sweeper. Mr. Brugger responded that it gets loaded by dump trucks and hauled to the landfill.

Mr. Paul asked if the City had 850 tons of salt to start the year. Mr. Brugger stated last year the City ordered 600 tons, though he couldn't recall where the City had started. Mr. Paul asked how much salt is currently on hand. Mr. Brugger replied about 1,000 tons either on hand or coming by delivery by June 1st. Mr. Paul then inquired about how much storage was the salt barn. Mr. Brugger confirmed the capacity was about 1,500 tons.

Mr. Paul asked about street light outages and swapping out light bulbs. Mr. Crabill stated that the City is converting the remaining bulbs to LED. Previously the City would have to wait until the bulbs failed, but now they can switch without any additional costs.

Mr. Paul stated he was glad to see work on the pond. He concluded his remarks by commenting on departmental operating budgets and inquiring into community development's high percentage. Mr. Crabill stated the vast majority of that accounts for the \$50,000 check that is sent to the CEP within the first couple of months.

President Hess asked if there was extra grit in the latest batch of salt. Mr. Brugger stated he was not aware of any change in the mixture.

Mr. Thackery added his kudos to administration and finance as it appears the City is right on track financially, having spent 26% of finances in the first quarter.

Voice vote for acceptance of the communication. All ayes, nays none.

Administrative Reports – Board of Control: None

Citizen Comments: None

ORDINANCES AND RESOLUTIONS

Third Reading: None

Second Reading: None

First Reading:

Ordinance 4474-23: An ordinance to revise the codified ordinances by adopting current replacement pages. (One reading required)

Mr. Paul moved to put this ordinance on the floor for discussion and possible passage. Mr. Thackery seconded.

Mr. Feinstein stated that the only update from Walter Drane this quarter was to our ordinances. The new replacement pages reflect the changes to the City's CRAs and to the Nuisance code.

No comments/questions from Council.

Roll call on passage: Mr. Scott, yes; Mr. Paul, yes; Ms. Truelove, yes; Mr. Thackery, yes; Mrs. Collier, yes; Mrs. Bean, yes; and Ms. Jumper, yes.

Ordinance passes 7-0.

Ordinance 4592-23: An ordinance to change the term "Captain" to the phrase "Fire Division Member in the Bureau of Fire Prevention" in Section 1501.01 of the Urbana Codified Ordinances. (Three readings required)

Mrs. Bean moved to put this ordinance on the floor for discussion. Mr. Scott seconded.

Chief Ortlieb stated local authority allows the local fire code to adopt the state fire code. The State authorizes certified inspectors to investigate hazards. Currently, the City has firefighters in the Fire Prevention Bureau. This ordinance authorizes anyone in the Bureau to be named Fire Marshall, instead of solely a Fire Captain. This title is not a promotion and does not come with extra compensation.

Mr. Paul asked if the City is limited to only one Fire Marshall. Chief Ortlieb stated the City can have multiple fire inspectors, but only one Fire Marshall to be a front to the public.

President Hess declared this ordinance to have had its first reading.

Resolution 2449-23: A resolution authorizing the Director of Administration of the City of Urbana, County of Champaign, to participate in the Ohio Department of Transportation's (ODOT)

Winter Road Salt Contracts (018-24) awarded in 2023, and declaring an emergency. (One reading required)

Mr. Paul moved to put this resolution on the floor for discussion and possible passage. Ms. Jumper seconded.

Mr. Brugger stated that Council has already addressed most of the topic already. With the light winter, Mr. Brugger informed Council that the City did not has as much usage as past years. This allows the City to soften its bid and allow the budget to recover.

No comments/questions from Council.

Roll call on passage: Mr. Paul, yes; Ms. Truelove, yes; Mr. Thackery, yes; Mrs. Collier, yes; Mrs. Bean, yes; Ms. Jumper, yes; and Mr. Scott, yes.

Resolution passes 7-0.

Resolution 2659-23: A resolution to authorize the mayor or designee to apply to the Champaign County Commissioners under the program year 2023 Community Development Block Grant (“CDBG”) Community Development Allocation Program in cooperation with Urbana Township for the North Edgewood Avenue resurfacing project and declaring an emergency. (One reading required)

Mr. Thackery moved to put this resolution on the floor for discussion and possible passage. Mrs. Bean seconded.

Mr. Crabill stated that this grant is available every two years. In 2021, the City received a grant for the curb ramp project. This year, the City is asking for a resurfacing project on a road it shares with Urbana Township. The Engineer’s estimate is \$146,000. Without the grant, the City’s share would be approximately \$74,000. With the grant, the City commitment would only be about \$5,000. The County can select two projects to receive grants. Mr. Crabill believes Mechanicsburg, Saint Paris and North Lewisburg are also thought to be applying.

Mr. Paul asked what would happen to the project if the grant does not come through. Mr. Crabill replied that the City would either have to wait two more years or potentially fund the project completely. The township was not overly keen on completely funding the project locally.

Roll call on passage: Ms. Truelove, yes; Mr. Thackery, yes; Mrs. Collier, yes; Mrs. Bean, yes; Ms. Jumper, yes; Mr. Scott, yes; and Mr. Paul, yes.

Resolution passes 7-0.

Resolution 2660-23: A resolution to appropriate and approve the use of American Rescue Plan Act (ARPA) funds received by the City of Urbana toward eligible water, sanitary sewer, and/or stormwater infrastructure as permissible for CHP-S. High Street-0.00 (ODOT PID #112019), in

compliance with applicable rules and reporting requirements, and declaring an emergency. (One reading required)

Mr. Paul moved to put this resolution on the floor for discussion and possible passage. Mr. Thackery seconded.

Mr. Crabill stated each community was allocated funds. This resolution allows those funds to be used by the City. The total Urbana received was almost \$1.2 million. Each city has to know what they will do with the money by the end of 2024 and spend the money by the end of 2026.

Mr. Paul asked if the cost of the High Street project was more than this amount. Mr. Crabill stated the price of the project has increased. If all of the other sources come together (such as a \$3 million ODOT grant, \$800,000 Ohio Public Works grant, and \$1,000,000 interest free Public Works loan), the City can move forward towards construction.

Roll call on passage: Mr. Thackery, yes; Mrs. Collier, yes; Mrs. Bean, yes; Ms. Jumper, yes; Mr. Scott, yes; Mr. Paul, yes; and Ms. Truelove, yes.

Resolution passes 7-0.

Department Liaison Reports:

Mrs. Collier stated the Safety meeting was last week with herself and both Chiefs. She stated it was a good meeting and minutes will be coming out soon.

Mrs. Bean stated that there would not be a Planning Commission meeting for the month of April.

Miscellaneous Business:

Mr. Scott congratulated Administration for having no Board of Control items this meeting.

Ms. Truelove asked if the City had ever considered electric vehicles with a charging station. Mr. Brugger stated the conversation had been held, but the City does not have the local infrastructure. They would continue to look at it. Ms. Truelove asked also if the City had ever considered having a dumpster day. Mr. Brugger stated the City had a curbside pickup in 2016 which went pretty well. The City had been kicking around something similar but other issues pop up that take priority. Finally, Ms. Truelove expressed her concern for a tree that will be removed on High Street. She understood it needs to be done, but still feels remorse.

Mr. Thackery added that the downtown has lost trees and would like to see them replaced. He also mentioned how nice the pace of ALDI's was coming along.

Mrs. Bean stated it was an honor to eat at Pequeño's soft opening. She enjoyed it and encouraged everyone to go.

Ms. Boettcher stated it was a busy day at the Finance Department for the tax deadline. She added everything went well and there were lots of happy faces.

Mr. Brugger informed Council that the next meeting should have the City pool agreement for approval. The plan is to have the YMCA run it again. He also added that Mr. Cultice's term as OAA president will be ending soon. The City was fortunate to have him serve in that capacity.

Mr. Crabill informed Council to anticipate the asphalt bid at the next meeting. The City received two bids back, with one being much lower than the estimate. Also, the City received four bids for crack sealing, with two of those being below the estimate.

Mr. Crabill also stated the Miami Street curb and gutter project starts tomorrow with saw cutting. The ODOT resurfacing bids are more favorable than last year, with the City only having to provide \$2,000 as compared to \$10,000 last year. He added that High Street bids are due in early May.

Mr. Crabill stated the DORA has been receiving more interest lately. Unfortunately, the decals weren't weather resistant. Instead, the City is moving to Plan B, which is painting the decals. The decals must be in place to officially start the DORA.

Finally, he added that he was still working on the Dugan Place project, with another meeting with the homebuilder scheduled for next week.

Chief Ortlieb stated there was a fire this afternoon. UPD was also on scene and the Street department also helped out. He appreciated the interdepartmental assistance. Chief also urged the attendance of the damage assessment class. He teased that damage can only be reported on buildings, which starts to classify the level of EF. This allows the declaration of a potential state disaster.

Mr. Paul asked for confirmation that the latest windstorm did not contain a touchdown. Chief Ortlieb confirmed that there was rotation but no touchdown. There were trees down, but that does not constitute damage. Mr. Paul asked where the path would have been. Chief responded that the path would have included dispatch, UPD, UFD, and the Sheriff's Office. FEMA steps in and the County has a plan for such a contingency, but the City is still working on trying to be fully prepared for such a situation.

Mayor Bean thanked Council for voting on the passed legislation.

Council Clerk Steffan reminded everyone that there is not a Council meeting scheduled for July 4th and to time any future legislation according to when it would need to be passed according to the gap in the schedule.

President Hess mentioned the green Ford Ranger truck had been parked in the parking lot across from the Municipal building for a long period of time.

Mr. Thackery moved to enter executive session pursuant to Ohio Revised Code section 121.22(G)(3). Mrs. Bean seconded. Voice vote on approval: all ayes, nays none. Motion passes 7-0.

Council entered executive session at 7:17 pm.

Mr. Thackery moved to resume the normal Council meeting at 7:34 pm. Mrs. Bean seconded. Voice vote on approval: all ayes, nays none.

Ms. Jumper moved to adjourn. Ms. Truelove seconded. Voice vote on approval: all ayes, nays none. Motion passes 7-0.

ADJOURNED AT 7:34 p.m.

NEXT SCHEDULED MEETING

May 2, 2023 at 6:00 p.m.

Council Clerk

Council President

City of Urbana Shade Tree Commission Minutes – November 16, 2022 at 7:00PM (174)

Roll Call and Introductions:

Present: Jim Lemon, Doug Crabill, Stephanie Truelove, and Doug George.

Guest: Lynn Mintchell, possible Shade Tree Commission candidate for 2023.

Absent: Charles Moody, Mark Muirhead, and Cindy Dunham.

Reading and Approval of Minutes (10/13/2022)

The minutes from the October 13, 2022 meeting were approved as prepared. Stephanie Truelove motioned to accept these minutes, and Jim Lemon seconded this motion. This set of minutes was approved unanimously 4-0.

Old Business:

Memorial Tree Program Update (Update Listing & GPS/GIS Update): Doug Crabill reported that efforts continue to update all Memorial Tree records into the city's GPS/GIS system to include multiple database fields, including Latitude/Longitude coordinates. He also noted that these efforts are important for overall record keeping of the Memorial Tree plantings. This topic was discussed in detail, and Doug Crabill and Jim Lemon will schedule time with Engineering Technician, Clay Miller to work through these updates.

Oak Dale Cemetery-Arboretum Update: Doug Crabill reported that he hoped to submit the accreditation application to ArbNet (Morton Arboretum) for certification of Oak Dale Cemetery as a Level 1 arboretum soon from the draft application that Kerry Brugger had put together. In addition, Doug Crabill reported that the Oak Dale Cemetery Board has previously asked for an update regarding status. Stephanie Truelove shared that she is a member of the Oak Dale Cemetery Board, and she can serve as a liaison. Doug Crabill provided an update and shared that he was working to finalize the DORA plan for Downtown Urbana. Once that plan is completed, he will dedicate time to focus on this nomination process.

Karen Kerns Dresser Donation (Naming & Sign): Doug Crabill stated that Kerry Brugger reported that proposals for a new sign at the Oak Dale Cemetery entrance for Greenwood Arboretum had been received and that the proposed sign would be similar in material and style to the existing sign for Oak Dale Cemetery. In addition, new landscaping was previously installed at the Oak Dale Cemetery entrance in the fall of 2021. Doug Crabill reported that Arbor Day 2023 has been set as a prospective dedication date for this signage at Oak Dale Cemetery.

Policies and Procedures (Administrative Regulation): Doug Crabill explained that the Shade Tree Commission will need to continue to develop policies and procedures that will address items not specifically addressed by the tree ordinance. Wooster, OH has a great example of policies and procedures. Potential policies include removal, owner planted trees, road/right of way blockage, reasons to warrant removal, planting/site preparation, and tree canopy goals. Kerry Brugger

previously provided a draft document for a process flow for tree removals based on tree inventory results for review/evaluation by the commission. Doug Crabill shared that he would be working with other city staff to develop a notification process to initiate tree removals where needed by property owners.

Bareroot Trees: Doug Crabill mentioned that he had previously spoken to Scott Wiesler, SoilMoist sales representative, at the Tree City USA Awards in Mt. Vernon the prior week. Scott Wiesler suggested Schichtel's Nursery near Buffalo, NY for bareroot stock. Jim Lemon reported that he had contacted this nursery and obtained a catalog. In addition, he reported additional details regarding the purchase of bareroot nursery stock through this nursery. The idea of a cost share program for a private tree canopy planting was discussed.

Dr. E.W.B. Curry-Memorial Tree & Bur Oak @ PreK-8 School: Doug Crabill reported that students at Urbana Junior High had spearheaded an effort to plant a Memorial Tree at Oak Dale Cemetery in memory of Dr. E.W.B. Curry near the family gravesite. He reported that a local donor had paid the application fee, and payment had been made for the tree at Oak Dale Cemetery. In addition, Doug Crabill shared that a Bur Oak from the Tree City USA awards in Mt. Vernon had been planted at the school campus on September 14, 2022 at 2PM.

Trimming Projects: Mark Muirhead reported that limb clearance projects were recently completed around the city to address school bus clearance concerns.

Dead Trees: Doug Crabill and Mark Muirhead discussed the need to compile a list of dead trees around the city in order to notify property owners.

ODNR Tree Pruning Workshop: Doug Crabill reported that the city would still like to host a tree pruning workshop with ODNR Urban Forester, Alistair Reynolds. Mark Muirhead suggested that Doug Crabill contact Alistair Reynolds in order to schedule a date for this workshop with city staff over the winter months.

Memorial Trees (Fall 2022): Doug Crabill reported that the Memorial Tree orders were lower this year due to less promotion of the program. However, he reported that orders had been placed and trees would be planted in later November/early December.

Tree City USA Update: Doug Crabill reported that the 2022 nomination for Tree City USA is due December 2, 2022.

Oak Dale Cemetery-New Tree Plantings: Doug Crabill reported that some additional tree plantings may be completed this fall at Oak Dale Cemetery in conjunction with the Memorial Tree plantings.

New Business: None.

Misc. Business: None.

Meeting adjourned. Motion to adjourn, Jim Lemon; Stephanie Truelove, second; all in favor (4-0).

Safety Minutes

April 13, 2023

5:00 PM

Attending: Chief Ortlieb, Chief Lingrell

Mary Collier

Emergency Preparedness

Knowing that emergencies and disasters can do local damage or cripple a whole region. Being proactive and taking a few steps now can be useful in many situations. Knowing who is in charge, where to go, who will pay for large purchases that may be needed, who will purchase them are just a few important questions. Preparing for a disaster makes sense to keep Urbana safe.

Fire Prevention Language

We discussed the upcoming ordinance to change some of the language of The Urbana Codified Ordinances in the Fire Division.

Staff Shortages

Shortage of police staff was discussed. With the DORA beginning and downtown activities beginning on a regular basis it is important to prepare for large crowds.

Future Meetings

Safety Meetings will be the second Thursday of each month in the Training Room at 5:00 PM. Everyone is welcome.



2023 POOL MANAGEMENT AGREEMENT EXTENSION

This agreement is between the City of Urbana, an Ohio municipal corporation (the “City”), and the Champaign County Family YMCA, (“YMCA”), an Ohio non-profit institution, for the management and operation of the Wendell Stokes Municipal Pool (“the Pool”), located in the City’s Melvin Miller Park.

This agreement is a one (1) year extension of the previous agreement between the parties, effective January 1, 2017, and terminating December 31, 2017. It is agreed that said Agreement is extended for an additional term, thru December 31, 2023.

This agreement extension incorporates the *original* Attachment A without altering any provisions of that document other than the effective date; the swim season opening date of May 27, 2023; swim season closing date of August 13, 2023; the YMCA’s 2023 operating budget. (See Attachment B); and the Urbana City Pool Rates for 2023 (See Attachment C). No other modifications are made to any of the provisions regarding parties, premises, or responsibilities of the parties to this agreement.

This agreement may not be modified verbally or in any other manner other than by written agreement signed by authorized representatives of the parties or their respective successors in interest.

To evidence the parties’ agreement to this Agreement, the parties have executed and delivered it on this date of _____, 2023, but in effect as of January 1, 2023.

For the City of Urbana

For the Champaign County Family YMCA

By: _____

By: _____

Kerry Brugger
Director of Administration

Paul Waldsmith, CEO

Approved as to form:

By: _____

By: _____

Mark Feinstein, Director of Law

Legal Counsel, YMCA



BOC #1

2023 POOL MANAGEMENT AGREEMENT EXTENSION

ATTACHMENT 'B'

DESCRIPTION	
SUMMARY	
CITY POOL MGMT SERVICES	\$ 27,500.00
CITY POOL PROGRAM SERVICES	\$ 68,783.00
TOTAL	\$ 96,283.00
DETAIL	
WAGES - POOL MANAGER	\$ 7,800.00
WAGES - POOL ASST MGR	\$ 6,720.00
WAGES - LIFEGUARD	\$ 29,832.00
WAGES - LIFEGUARDS RENTAL	\$ 1,500.00
WAGES - CITY POOL MAINTENANCE	\$ 3,870.00
WAGES - FICA EXPENSE	\$ 3,804.00
WAGES - WORKERS COMP. EXP.	\$ 1,157.00
TRAINING	\$ 150.00
PROGRAM SUPPLIES	\$ 1,300.00
LICENSES/PERMITS	\$ 650.00
REPAIR - REPLACEMENT COSTS	\$ 2,000.00
POOL CHEMICALS/SUPPLIES	\$ 10,000.00
TOTAL PROGRAM EXPENSES	\$ 68,783.00
MANAGEMENT FEE	\$ 27,500.00



BOC #1

URBANA CITY POOL RATES - 2023

ATTACHMENT 'C'

Individual Season Pass:

- Adults (age 18 to 59) \$80.00
- Children (age 3 to 17) \$70.00
- Senior (age 60+) \$65.00

Family Season Pass:

- 2-3 persons \$150.00
- 4 persons \$165.00
- 5 persons \$175.00
- 6 persons \$185.00
- 7 persons \$195.00
- Additional persons \$20.00 each
- Babysitter/Babysat Child \$30.00 each

** Note: Replacement pass is \$5 per pass, if lost or stolen

Daily Admission:

- Children 2 and under Free
- Adult (age 18 to 59) \$6.00
- Child (age 3 to 17) \$5.00
- Senior (age 60+) \$5.00

Swim Lesson Rates: (Swim Lesson Information Sheet Attached)

- 1st session is free, each additional session is \$10 per child (for season pass holders)
- \$25.00 per session per child for non-season pass holders
- Private lessons (Saturday mornings): \$25.00 for 3 one-half hour sessions

Pool Rental Rates: (Pool Rental Agreement Attached)

- \$200 per rental (includes lifeguards)
- ** Note: \$100 non-refundable deposit to reserve date

KB 3/15/23

RB 3/15/23

CB 3-15-23

A & B Asphalt Corp. Purchase Requisition

<u>Line</u>	<u>Description</u>	<u>Account Number</u>	<u>Amount</u>
1	2023 Asphalt - Capital	401-120-555-201	\$270,000.00
2	2023 Asphalt - General Fund - <i>supplemental resolution</i>	100-115-555-201	\$255,032.37
3	2023 Asphalt - Sewer Maint - 23 manholes adjusted to grade	610-136-558-205	\$25,300.00
4	2023 Asphalt - Water - 31 water valve adjusted to grade	605-130-557-203	\$1,147.00
			<u>\$551,479.37</u>

2023 Asphalt Program (#8429277)

Owner: Urbana OH, City of

Solicitor: Urbana OH, City of

04/12/2023 10:30 AM EDT

Line	Item Code	Item Description	UofM	Quantity	A&B Asphalt, Corp		Shelly Company	
					Unit Price2	Extension3	Unit Price4	Extension5
Base Bid - Streets								
1	253	PAVEMENT REPAIR	S.Y.	259	\$94.00	\$24,346.00	\$120.00	\$31,080.00
2	254	PAVEMENT PLANING, ASPHALT CONCRETE, 1.5"-2"	S.Y.	13,498	\$2.85	\$38,469.30	\$3.00	\$40,494.00
3	407	TACK COAT @ 0.08 GAL/SY	GAL.	408	\$3.00	\$1,224.00	\$2.50	\$1,020.00
4	411	STABILIZED CRUSHED AGGREGATE	C.Y.	85	\$100.00	\$8,500.00	\$130.00	\$11,050.00
5	422	SINGLE CHIP SEAL, TYPE A	S.Y.	19,244	\$2.69	\$51,766.36	\$3.78	\$72,742.32
6	441	1.5" ASPHALT CONCRETE SURFACE COURSE, TYPE 1, (448), PG 64-22	C.Y.	1,008	\$217.00	\$218,736.00	\$230.00	\$231,840.00
7	441	2.5" ASPHALT CONCRETE INTERMEDIATE COURSE, TYPE 2, (448), PG 64-22	C.Y.	234	\$213.00	\$49,842.00	\$210.00	\$49,140.00
8	441	2" ASPHALT CONCRETE PATCH, TYPE 2, (448), PG 64-22	C.Y.	92	\$305.00	\$28,060.00	\$330.00	\$30,360.00
9	611	MANHOLE, ADJUSTED TO GRADE	EACH	23	\$1,100.00	\$25,300.00	\$995.00	\$22,885.00
10	614	MAINTAINING TRAFFIC	LUMP	1	\$5,200.00	\$5,200.00	\$40,000.00	\$40,000.00
11	624	MOBILIZATION	LUMP	1	\$8,743.34	\$8,743.34	\$17,000.00	\$17,000.00
12	638	WATER VALVE, ADJUSTED TO GRADE	EACH	31	\$37.00	\$1,147.00	\$50.00	\$1,550.00
13	644	STOP LINE, 24"	FEET	93	\$9.95	\$925.35	\$9.95	\$925.35
14	644	CROSSWALK LINE, 12"	FEET	75	\$4.65	\$348.75	\$4.65	\$348.75
15	644	DOUBLE YELLOW CENTER LINE	FEET	898	\$2.20	\$1,975.60	\$2.20	\$1,975.60
16	103.05	CONTRACT BOND	LUMP	1	\$2,131.32	\$2,131.32	\$2,500.00	\$2,500.00
17		SPECIAL FULL DEPTH RECLAMATION (FDR) CHEMICAL STABILIZATION	S.Y.	3,365	\$25.19	\$84,764.35	\$25.19	\$84,764.35
Base Bid Total:						\$551,479.37		\$639,675.37

MARCH 2023
PURCHASE ORDERS \$2,501-\$50,000

PURCHASE ORDER # :	VENDOR :	PURCHASE ORDER AMOUNT :	DEPARTMENT :	EXPLANATION :	BOC APPROVAL DATE & VOTE:
30835	SOUTHEASTERN EQUIPMENT	\$ 3,658.82	STREET	REPAIRS TO STREET BROOM	BOC 3.3.2023(2)
30839	PHOENIX FIRE SERVICE	\$ 7,090.00	FIRE	2 TURNOUT COATS AND 2 TURNOUT PANTS	BOC 3.1.2023(3)
30849	JIM'S AUTO CARE	\$ 4,543.88	POLICE	AUTO BODY REPAIRS TO CAR #32	BOC 3.8.2023(3)
30850	HI-VAC	\$ 2,710.00	SEWER	UNLOADER VALVE & HYDRAULIC CYLINDER - BOOM EXTENSION	BOC 3.8.2023(3)
30851	SECURITY FENCE	\$ 4,500.00	STREET	ANNUAL TRAFFIC SIGNAL CONFLICT MONITOR TESTING	BOC 3.8.2023(3)
30852	BURGESS & NIPLE	\$ 49,973.00	ENGINEERING	ENGINEERING DESIGN SERVICES (GWYNNE ST BRIDGE REPAIR)	BOC 3.8.2023(3)
30870	UTILITY TRUCK EQUIPMENT	\$ 35,470.00	STREET	REBUILD AND/OR REPLACE UPPER & LOWER BOOMS ON BUCKET TRUCK	BOC 3.15.2023(3)
30871	TRUITT ROOFING	\$ 39,950.00	WWTP	REPLACE LAB BUILDING AND OPERATIONS ROOF	BOC 3.15.2023(3)
30872	COMPTON POWER EQUIPMENT	\$ 25,000.00	CEMETERY	2 GRASSHOPER 729 BT- 52" FRONT MOUNT MOWERS FOR CEMETERY	BOC 3.15.2023(3)
30876	EAST JORDAN IRON WORKS	\$ 10,320.50	SEWER	30 MANHOLE FRAMES AND LIDS	BOC 3.1.2023(3)
30877	MURPHY TRACTOR & EQUIPMENT	\$ 8,739.00	STREET	84" PICK UP BROOM BUCKET WITH WATER KIT	BOC 3.15.2023(3)
30878	MIDWAY TRAILER SALES	\$ 18,065.00	STREET	2022 BEHNKE SKID LOADER/ROLLER TRAILER	BOC 3.22.2023(3)
30879	LJB, INC	\$ 13,085.00	ENGINEERING	BIKE TRAIL SAFETY IMPROVEMENT PART 2, RIGHT OF WAY PLAN DESIGN	BOC 3.22.2023(3)
30880	SEDGWICK	\$ 2,875.00	FINANCE	GROUP RETRO ENROLLMENT (PY2024)	BOC 3.22.2023(3)
30901	MADRIVER TOP SOIL	\$ 10,000.00	RECYCLING	2023 BRUSH GRINDING/ HAULING	BOC 3.29.2023(3)
30902	SJM STUDIO, LLC	\$ 3,500.00	NON-DEPT	ARCHITECTURAL SERVICES FOR SCHEMATIC DESIGN OF OAK DALE SUPERINTENDENT'S OFFICE	BOC 3.29.2023(3)
30903	A-1 ABLE	\$ 6,380.00	NON-DEPT	2023 MOSQUITO MANAGEMENT PROGRAM (11 SCHEDULED TREATMENTS)	BOC 3.29.2023(3)

Chris Boettcher, Secretary

ORDINANCE NO. 4592-23

AN ORDINANCE TO CHANGE THE TERM “CAPTAIN” TO THE PHRASE “FIRE DIVISION MEMBER IN THE BUREAU OF FIRE PREVENTION” IN SECTION 1501.01 OF THE URBANA CODIFIED ORDINANCES (Three (3) readings required, no public hearing required).

Department Requesting: Fire Division

Sponsor: Councilwoman Mary Collier

WHEREAS, Section 1505.01 of the Urbana Codified Ordinances reads, in pertinent part, that “(a) The Ohio Fire Code shall be enforced by the Bureau of Fire Prevention in the Fire Division of the City, which is created and established, and which shall be operated under the supervision of the Chief of the Fire Division.

(b) The Chief of the Fire Division may detail the members of the Fire Division as inspectors as shall from time to time be necessary. In the event that a certified Fire Safety Inspector is not currently employed by the City, the Director of Administration is authorized to employ the professional services of a qualified person.”; and

WHEREAS, the current version of Section 1501.01 of the Urbana Codified Ordinances reads, in Subsection (e), that “For the purposes of this chapter, references to the “Fire Official” and the “Fire Marshal” in the Ohio Fire Code shall mean the Chief of the fire division and the **Captain** named by him under Section 1505.01(a) [Emphasis Added]; and

WHEREAS, it is the desire of the Fire Chief that he have authority to assign the most qualified individuals, regardless of rank, to the Bureau of Fire prevention; and

WHEREAS, lawfully, any Fire Division member with the necessary certification to enforce the fire code can be assigned by the fire chief to the Bureau of Fire Prevention, regardless of rank;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Urbana, County of Champaign and State of Ohio:

SECTION ONE:

Section 1501.01 of the Urbana Codified Ordinances is hereby amended to read as follows:

“1501.01 ADOPTION.

(a) For the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, the most current edition of the Ohio Fire Code as adopted by the Ohio Division of State Fire Marshal, including all appendices, incorporated matter and amendments as are made from time to time, is hereby adopted.

(b) The International Code Council’s most current edition of the International Fire Code is hereby adopted.

(c) The provisions of this chapter and the Ohio Fire Code shall apply to all lands and properties within the City of Urbana.

(d) A complete copy of the Ohio Fire Code shall be kept on file in the office of the Fire Chief.

(e) For the purposes of this chapter, references to the “Fire Official” and the “Fire Marshal” in the Ohio Fire Code shall mean the Chief of the fire division and the ~~Captain~~ **fire division member in the Bureau of Fire Prevention** named by him under Section 1505.01(a).

(f) For the purpose of this Chapter (k) [B] Section 1101 of Section 1301:7-7-10 of the Ohio Administrative Code is amended to read exits shall be indicated with exit signs in accordance with requirements for new buildings listed in the most current edition of the Ohio Building Code and the Administrative Code thereof.”

SECTION TWO:

All actions of City Council related to this legislation were conducted in open meetings pursuant to Urbana Codified Ordinance 107.01 and Ohio Revised Code 121.22.

SECTION THREE:

This ordinance shall become effective on the earliest date allowed by law.

President, City of Urbana Council

PASSED: _____

ATTEST: _____
Clerk of Council

This Ordinance approved by me this ____ day of _____, 2023.

Mayor, City of Urbana

REVIEWED: *W. M. Peterson* 4/10/23
Director of Law Date

Jumper:	_____ Yay	_____ Nay	_____ N/A
Scott:	_____ Yay	_____ Nay	_____ N/A
Paul:	_____ Yay	_____ Nay	_____ N/A
Truelove:	_____ Yay	_____ Nay	_____ N/A
Thackery:	_____ Yay	_____ Nay	_____ N/A
Collier:	_____ Yay	_____ Nay	_____ N/A
Bean:	_____ Yay	_____ Nay	_____ N/A

RESOLUTION 2633-23

A RESOLUTION TO AUTHORIZE THE DIRECTOR OF FINANCE TO TRANSFER \$330,000.00 FROM THE PERPETUAL INVESTMENT FUND TO THE NEIGHBORHOOD CURB, GUTTER, AND SIDEWALK FUND, FOR THE PURPOSE OF REPAIR/REPLACEMENT OF CURBS, GUTTERS, AND SIDEWALKS ALONG STREETS OF THE CITY OF URBANA, CHAMPAIGN COUNTY, OHIO. (SUSPENSION OF RULES REQUESTED)

Department Requesting: Finance

Sponsor: Dwight Paul

WHEREAS, the current balance in the Perpetual Investment Fund is \$916,594.42, and the Neighborhood Curb, Gutter, and Sidewalk Fund balance is \$223,641.04 and

WHEREAS, the City is desirous of providing funds to specifically address the current disrepair of street curbs and gutters throughout the City, and

WHEREAS, the 2023 program is anticipated to cost \$549,000.00, which will pay the cost to repair/replace the curbs, gutters, and sidewalks up front with property owners being invoiced for their share of the costs, and, if necessary, unpaid balances being assessed to the parcels over a five-year period.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Urbana, County of Champaign and State of Ohio:

SECTION ONE:

The Urbana City Council hereby authorizes the Director of Finance to transfer \$330,000.00 (three hundred thirty thousand dollars) from the Perpetual Investment Fund to the Neighborhood Curb, Gutter, and Sidewalk Fund.

SECTION TWO:

The Director of Finance shall physically control the Fund. All disbursements shall be made in compliance with City purchasing regulations as established by the Board of Control.

SECTION THREE:

That it is found and determined that all formal actions of this City Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this City Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION FOUR:

That this Resolution shall take effect and be in force upon signature by the Mayor under the provisions of Urbana City Charter §2.15.


President, City of Urbana Council

PASSED: _____

ATTEST: _____
Clerk of Council

This Ordinance approved by me this ____ day of _____, 2023.

Mayor, City of Urbana

REVIEWED:  4/27/23
Director of Law Date

Jumper: ____ Yay ____ Nay ____ N/A

Scott: ____ Yay ____ Nay ____ N/A

Paul: ____ Yay ____ Nay ____ N/A

Truelove: ____ Yay ____ Nay ____ N/A

Thackery: ____ Yay ____ Nay ____ N/A

Collier: ____ Yay ____ Nay ____ N/A

Bean: ____ Yay ____ Nay ____ N/A

RESOLUTION 2661-23

A RESOLUTION TO AMEND RESOLUTION 2433-22 TO MODIFY OR INCREASE APPROPRIATIONS WITHIN VARIOUS FUNDS OF THE CITY OF URBANA, OHIO FOR CURRENT EXPENSES DURING THE FISCAL YEAR ENDING DECEMBER 31, 2023. (SUPPLEMENTAL APPROPRIATIONS)(SUSPENSION OF RULES REQUESTED)

Department Requesting: Finance

Sponsor: Dwight Paul

WHEREAS, the Director of Finance has determined that expenses will exceed current appropriations in various line items as approved by Resolution 2433-22 for the fiscal year ending December 31, 2023, and that sufficient unencumbered funds are available for supplemental appropriations,

WHEREAS, Ohio Revised Code §5705.41(B) prohibits the expenditure of money unless it has been appropriated; and

WHEREAS the Ohio Revised Code §705.18 permits municipalities to amend appropriations for a fiscal year as needed;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Urbana, County of Champaign and State of Ohio:

SECTION ONE: That there is hereby a modification to the appropriated balances within the various funds of the City of Urbana the following sums:

GENERAL FUND

100-115 MISC-NON-DEPARTMENTAL

Supplies, Materials, Other	\$335,000
Total	\$335,000

GENERAL FUND Total	\$335,000
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PERMISSIVE MOTOR VEHICLE LICENSE TAX FUND

207 PERMISSIVE MOTOR VEHICLE LICENSE TAX

Supplies, Materials, Other	\$140,000
Total	\$140,000

PERMISSIVE MOTOR VEHICLE TAX FUND Total	\$140,000
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NEIGHBORHOOD CURB, GUTTER, & SIDEWALK FUND

420	NEIGHBORHOOD CURB, GUTTER, & SIDEWALK	
	Supplies, Materials, Other	\$65,000
	Total	\$65,000

NEIGHBORHOOD CURB, GUTTER, & SIDEWALK	
Total	\$65,000

SECTION TWO:

That the Clerk of Council is hereby directed to certify a copy of this Resolution to the Budget Commission of Champaign County, Ohio.

SECTION THREE:

That this Resolution shall take effect and be in force upon signature by the Mayor under the provisions of Urbana City Charter §2.15.

President, City of Urbana Council

PASSED: _____

ATTEST: _____
Clerk of Council

This Ordinance approved by me this ____ day of _____, 2023.

Mayor, City of Urbana

REVIEWED: *W. M. Jumper* 4/27/23
Director of Law Date

- Jumper: ____ Yay ____ Nay ____ N/A
- Scott: ____ Yay ____ Nay ____ N/A
- Paul: ____ Yay ____ Nay ____ N/A
- Truelove: ____ Yay ____ Nay ____ N/A
- Thackery: ____ Yay ____ Nay ____ N/A
- Collier: ____ Yay ____ Nay ____ N/A
- Bean: ____ Yay ____ Nay ____ N/A

RESOLUTION NO. 2662-23

A RESOLUTION TO AUTHORIZE THE DIRECTOR OF ADMINISTRATION TO EXECUTE AN ECONOMIC DEVELOPMENT TRANSFER FORM (TRES) FROM THE OHIO DEPARTMENT OF COMMERCE, DIVISION OF LIQUOR CONTROL ON BEHALF OF ALDI INC. (OHIO) FOR THEIR NEW GROCERY/RETAIL STORE AT 741 SCIOTO STREET, AND DECLARING AN EMERGENCY.

Department Requesting: Community Development Sponsor: Councilman Pat Thackery

WHEREAS, Aldi Inc. (Ohio) is redeveloping/constructing a new grocery/retail store to be located on ±3.794 acres at 741 Scioto St., Urbana, OH 43078 PPN: K48-25-11-02-28-013-00; and

WHEREAS, construction of this new grocery/retail store is quickly progressing and is on schedule with this new store anticipated to be operational and open for business in July of 2023; and

WHEREAS, no Class C liquor permits are presently available within the City of Urbana as this class of liquor permit is quota limited by Ohio law based on the population size of the municipality and all available Class C liquor permits are issued and in use within the City of Urbana; and

WHEREAS, Aldi Inc. (Ohio) desires to sell beer, as well as wine and mixed beverages, for off premise consumption, which specifically requires a C Class permit (C1, C2); and

WHEREAS, mixed beverages sold under a C2 permit do NOT include spirits (i.e. spirituous liquor such as vodka, bourbon, tequila, etc. over 21% alcohol by volume); and

WHEREAS, Ohio law allows for a liquor permit applicant to request from a municipality or township the opportunity to locate a liquor permit in another area of the state that is at or over quota and transfer those liquor permits to their location into the township or municipality that is at or over their respective quota for economic development purposes; and

WHEREAS, with only a limited number of permits allotted to Urbana under the quota system, the Economic Development (TRES) process allows for a local government jurisdiction such as Urbana to review such requests and allow for a business in the community to obtain a liquor permit as part of an economic development project; and

WHEREAS, Aldi Inc. (Ohio) is seeking the City's approval to transfer the needed C1 and C2 permits into Urbana; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Urbana, County of Champaign and State of Ohio:

SECTION ONE:

That the redeveloping/construction of a new grocery/retail store to be located on ±3.794 acres at 741 Scioto St., Urbana, OH 43078 PPN: K48-25-11-02-28-013-00 constitutes an economic development project for purposes of the State of Ohio's TRES process for liquor permits.

SECTION TWO:

That the Director of Administration is hereby authorized to execute the Economic Development Transfer Form (TRES) from the Ohio Department of Commerce, Division of Liquor Control attached hereto as Exhibit A to this Resolution on behalf of Aldi Inc. (Ohio) for their new grocery/retail store at 741 Scioto Street in Urbana.

SECTION THREE:

All actions of Council related to this legislation were conducted in open meetings pursuant to Urbana Codified Ordinance 107.01 and O.R.C. 121.22.

SECTION FOUR:

That this Resolution shall be considered an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare and in order for the applicant to obtain the requested permit in a timely manner, this Resolution shall be in full force and effect immediately upon its passage and signature by the Mayor.

President, City of Urbana Council

PASSED: _____

ATTEST: _____
Clerk of Council

This Resolution approved by me this ____ day of _____, 2023.

Mayor, City of Urbana

REVIEWED: *Mark W. Jensen* 4/26/23
Director of Law Date

Jumper: ____ Yay ____ Nay ____ N/A

Scott: ____ Yay ____ Nay ____ N/A

Paul: ____ Yay ____ Nay ____ N/A

Truelove ____ Yay ____ Nay ____ N/A

Thackery: ____ Yay ____ Nay ____ N/A

Collier: ____ Yay ____ Nay ____ N/A

Bean: ____ Yay ____ Nay ____ N/A

Exhibit A



**Department
of Commerce**

Division of Liquor Control

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

ECONOMIC DEVELOPMENT TRANSFER FORM (TRES)

[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 [TRES Resource Guide](#). This form covers the specific permit classes that can be TRES'd under the Ohio law provision noted at the top of this application. A few things to understand before proceeding with the TRES option are that:

- The Division can **ONLY** process the TRES 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 TRES 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: ALDI INC. OHIO		* Issued Permit Holder #: 0100778
SECTION B – New Business Owner's Information (i.e., Buyer) <input checked="" 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): ALDI #69		
Section C – New Permit Premises Address Information * This section MUST be completed.		
* New Permit Premises Address: 741 SCIOTO STREET		
* New Township (if outside city limits):	* New City: URBANA	* New County: CHAMPAIGN

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: \$ 5,248,500
- Total number of jobs that will be created by this project: 16
- Existing or estimated Tax Revenue generated by this project:
 - Ohio Unemployment Tax \$ 4,000
 - Property Tax \$ 40,000
 - Sales Tax \$ 130,000
 - State Withholding Tax \$ 10,000
 - 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)

Eric Riegger

Sec/Treasurer

4/12/23

(Please Print Name)

(Title)

(Date)

1200 N. Kirk Rd, Batavia, IL 60510

630-879-8100

(Street Address, City, State, Zip Code)

(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 _____ 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