

**URBANA CITY COUNCIL
PUBLIC HEARING**

TUESDAY, NOVEMBER 17, 2020, 6:00 P.M.

(The UCC Regular Session Meeting will be held in Training Room in the Municipal Building)

Please join my meeting from your computer, tablet or smartphone.

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**DUE TO PANDEMIC, WE WOULD ENCOURAGE CALL-INS
PLEASE MUTE YOUR PHONES**

The Urbana City Council will hold a public hearing to provide the public the opportunity to review and comment on the following:

1. Vacate the 20' wide alley (0.046 AC) beginning at the northeast corner of Lot 288 of Depositors Addition, south 100.9' to the southwest corner of lot 276 of Depositors Addition, west 20' to a point of lot 288 of Depositors Addition, then north 100.57' to the place of the beginning.
2. Vacate the 20' wide alley (0.21 AC) beginning at the northwest corner of Lot 292 of Depositors Addition, south 150' to the southwest line of Lot 292 of Depositors Addition, Southeast 116.15' to the north line of Fyffe St., Northwest 105.9' to a point that intersects with the extension of the west line of 136 Hagenbuch St., North 50' to the southwest corner of 136 Hagenbuch St., East 50' to the southeast corner of Lot 294 of Depositors Addition, north 150' to a point in part Lot 297 of Depositors Addition, then finally, east 20' to the original place of beginning.
3. Amend the City of Urbana's Official Zoning Map by rezoning four parcels of land located at 136 Hagenbuch St., 736 N. Main St., & 738 N. Main St. (Parcel IDs: K48-25-00-04-02-075-00 & K48-25-00-04-02-059-00, K48-25-00-04-02-058-00, K48-25-00-04-02-057-00) which are currently zoned R-2 Medium Density Residential District to M-1 Manufacturing District.

**URBANA CITY COUNCIL
REGULAR SESSION MEETING**

Call to Order

Roll Call

Pledge of Allegiance

Approval of Minutes

Urbana City Council Regular Session Meeting Minutes of November 3, 2020, in addition to Urbana City Council Work Session Meeting Minutes of November 10, 2020.

Communications

1. Planning Commission Meeting Minutes of April 27, 2020, July 13, 2020, and September 28, 2020. (See attached)
2. DP&L summary of rates to be proposed and typical bill comparisons. (See attached)
3. Shade Tree Commission Minutes of June 11, 2020, July 9, 2020, August 13, 2020, September 10, 2020, and October 8, 2020. (See attached)
4. Notice to Legislative Authority from the Ohio Division of Liquor Control, regarding Urbana Hotel, LLC. (Request for hearing must be voted on)
5. Board of Zoning Appeals Meeting Minutes of October 12, 2020. (See attached)

Board of Control

1. The Board of Control recommends Council authorize the Director of Administration to enter into a three-year contract from 2021-2023 with Dowden Farms to cash rent 272.3 acres of farm ground north of Grimes Field for \$266.26 per acre per year. The total yearly cash rent under this contract is \$72,502.60 per year and represents an increase of 27% over the previous contract agreement. This bid was the highest bid of the five bids received (see attached). **VOTE 3-0**

Citizen Comments

Ordinances and Resolutions

First Reading

Resolution No. 2433-20

A Resolution to appropriate money for the several objects and purposes which the City of Urbana, Ohio must provide for the fiscal year ending December 31, 2021. (Requires three readings)

Resolution No. 2466-21

A Resolution authorizing the acceptance of the Victims of Crime Act (“VOCA”) Grant as administered by the Ohio Attorney General, and declaring an emergency. (Suspension of rules requested)

Resolution No. 2592-20

A Resolution authorizing specific expenditures of the City of Urbana’s share of Coronavirus Relief Funds as legislated in the Coronavirus Aid, Relief, and Economic Security Act, and declaring an emergency. (Suspension of Rules Requested)

Ordinance No. 4388-21

An Ordinance authorizing the Indigent Defense Agreement with the Champaign County Commissions to allow the City and County to receive partial reimbursement from the Ohio Public Defender Commission for the indigent expenses in the Champaign County Municipal Court. (Requires three readings)

Ordinance No. 4528-20

An Ordinance to approve and adopt the Urbana South Main Street Corridor Plan as an official planning guide of the City of Urbana, Ohio. (Requires three readings) (Tabled at last meeting by Councilman Paul)

Second Reading

Ordinance No. 4529-20

An Ordinance to vacate the 20’ wide alley (0.046 AC) beginning at the northeast corner of Lot 288 of Depositors Addition, south 100.9’ to the southwest corner of lot 276 of Depositors Addition, west 20’ to a point of lot 288 of Depositors Addition, then north 100.57’ to the place of the beginning. (Requires three readings)

Ordinance No. 4530-20

An Ordinance to vacate the 20' wide alley (0.21 AC) beginning at the northwest corner of Lot 292 of Depositors Addition, south 150' to the southwest line of Lot 292 of Depositors Addition, Southeast 116.15' to the north line of Fyffe St., Northwest 105.9' to a point that intersects with the extension of the west line of 136 Hagenbuch St., North 50' to the southwest corner of 136 Hagenbuch St., East 50' to the southeast corner of Lot 294 of Depositors Addition, north 150' to a point in part Lot 297 of Depositors Addition, then finally, east 20' to the original place of beginning. (Requires three readings)

Ordinance No. 4531-20

An Ordinance to amend the City of Urbana's Official Zoning Map by rezoning four parcels of land located at 136 Hagenbuch St., 736 N. Main St., & 738 N. Main St. (Parcel IDs: K48-25-00-04-02-075-00 & K48-25-00-04-02-059-00, K48-25-00-04-02-058-00, K48-25-00-04-02-057-00) which are currently zoned R-2 Medium Density Residential District to M-1 Manufacturing District. (Requires three readings)

Third Reading

Miscellaneous Business

Adjourn

**URBANA CITY COUNCIL
REGULAR SESSION MEETING
TUESDAY, NOVEMBER 3, 2020**

President Hess called the City of Urbana Regular Session Meeting to order at 6:00 p.m. City staff attending: Mayor Bill Bean, Director of Administration Kerry Brugger, Director of Finance Chris Boettcher, Director of Law Mark Feinstein, and Community Development Manager Doug Crabill.

PRESIDENT CALLED ROLL: Mr. Fields, present; Mr. Hoffman, present; Mr. Paul, present; Mr. Scott, present; Mr. Thackery, present; Mrs. Collier, present; and Mr. Ebert, present.

MINUTES

Mr. Thackery moved to put the minutes of October 20, 2020, on the floor for discussion and possible passage. Mr. Paul seconded. Voice vote on approval: all ayes; nays, none.

Motion passed 7-0.

COMMUNICATIONS

1. Notice to Legislative Authority from the Ohio Division of Liquor Control, regarding Urbana Hotel, LLC.
2. Third Quarter Activities Report.

Mr. Thackery moved to put the communications on the floor for further discussion and possible passage. Mr. Paul seconded. Voice vote on approval: all ayes; nays, none.

Motion passed 7-0.

ADMINISTRATIVE REPORTS - BOARD OF CONTROL

None

CITIZEN COMMENTS

Michael Smith – 507 N. Main St, spoke regarding rezoning of the Old Civista Bank Drive-Thru. He stated that if you rezone that property, it degrades the property value of all of the surrounding properties. He stated that he worries about the traffic that it would cause also. He advised to

take it down, put in a park and that would add more beauty to the City as you enter the downtown area, or leaving the City.

Ordinances and Resolutions

First Reading –

Ordinance No. 4528-20

An Ordinance to approve and adopt the Urbana South Main Street Corridor Plan as an official planning guide of the City of Urbana.

Mr. Crabill stated that this is just moving forward on the adoption of the plan.

Mr. Thackery said that he would like to see a printed copy of the plan to review.

Mr. Fields concurred with Mr. Thackery's statement.

Mr. Paul motioned to table this Ordinance. Mr. Thackery seconded.

Voice vote on approval of tabling: ayes, 6; nays, 1, by Mr. Hoffman.

Ordinance tabled.

Ordinance No. 4529-20

An Ordinance to vacate the 20' wide alley (0.046 AC) beginning at the northeast corner of Lot 288 of Depositors Addition, south 100.09' to the southwest corner of lot 276 of Depositors Addition, west 20' to a point of lot 288 of Depositors Addition then north 100.57' to the place of the beginning.

Mr. Crabill advised there would be a Public Hearing for this at the next Council meeting.

Mr. Paul moved to put this Ordinance on the floor for discussion. Mr. Thackery seconded.

President Hess declared this Ordinance to have its first reading.

Ordinance No. 4530-20

An Ordinance to vacate the 20' wide alley (0.21 AC) beginning at the northwest corner of Lot 292 of Depositors Addition, south 150' to the southwest line of Lot 292 of Depositors Addition, southeast 116.15' to the north line of Fyffe St., northwest 105.9 to a point that intersects with the extension of the west line of 136 Hagenbuch St., north 50' to the southwest corner of 136 Hagenbuch St., east 50' to the southeast corner of Lot 294 of Depositors Addition, north 150' to

a point in part Lot 297 of Depositors Addition, then finally, east 20' to the original place of beginning.

Mr. Crabill stated that this was an expansion that Ultra Met would like to undertake. This would expand approximately 5,000 square feet.

Mr. Paul asked if they would be adding employees as well.

Mrs. Bailey stated that all the details are not yet available.

Mr. Thackery moved to put this Ordinance on the floor for discussion. Mr. Paul seconded.

President Hess declared this Ordinance to have its first reading.

Ordinance No. 4531-20

An Ordinance to amend the City of Urbana's Official Zoning Map by rezoning four parcels of land located at 136 Hagenbuch St., 736 N. Main St., & 738 N. Main St. (Parcel IDs: K48-25-00-04-02-075-00 & K48-25-00-04-02-059-00, K48-25-00-04-02-058-00, K48-25-00-04-02-057-00) which are currently zoned R-2 Medium Density Residential District to M-1 Manufacturing District.

Mr. Paul moved to put this Ordinance on the floor for discussion. Mr. Thackery seconded.

President Hess declared this Ordinance to have its first reading.

Second Reading –

None

Third Reading –

Ordinance No. 4526-20

An Ordinance to amend the City of Urbana's Official Zoning Map by Rezoning approximately 4 acres +/- at the intersection of North Main Street and Gwynne Street currently zoned BR-1 Business Residential District to B-2 General Business District.

Mr. Crabill stated that this rezoning request was to help facilitate redevelopment for that property.

Mr. Hoffman stated that Council still controls what would replace that business.

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

President Hess called for a roll call for passage: Mr. Hoffman, yes; Mr. Paul, no; Mr. Scott, no; Mr. Thackery, no; Mrs. Collier, no; Mr. Ebert, no; and Mr. Fields, no.

Ordinance failed 1-6.

Ordinance No. 4527-20

An Ordinance to approve and adopt the Champaign County Comprehensive Plan 2020 Update as an official planning guide of the City of Urbana.

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

President Hess called for a roll call for passage: Mr. Paul, yes; Mr. Scott, yes; Mr. Thackery, yes; Mrs. Collier, yes; Mr. Ebert, yes; Mr. Fields, yes; and Mr. Hoffman, yes.

Ordinance passed 7-0.

MISCELLANEOUS BUSINESS/WORK SESSION

Mr. Hoffman stated that he hopes that Council takes into consideration of the residents surrounding Ultra Met.

Mr. Fields gave thanks to the Street Department for getting the leaves.

Mrs. Bailey stated that she was asked from the County Commissioners to disburse some of their Cares Act Funds that were received. She added that they have \$10,000.00 for reimbursements to keep businesses up and running. She also stated that the deadline for applications is November 13, 2020. Monies awarded would be direct deposited into the business' account. She said that it must be a business within Champaign County and this was a grant, not a loan. Applications available on the website of CEP.

Ms. Boettcher said that it was budget season and that she would be meeting with department heads and would be reaching out to Council soon to discuss the budget.

President Hess thanked Ms. Boettcher for the use of the funds for the tables, microphones, computer, etc.

Mr. Brugger stated that the leaf pickup was underway. He advised that everyone to put leaves out to the curbs and they must be leaves only. He also spoke about the Scioto Street sewer project and advised that the south side was pretty much done. He added that they were going to continue over onto the north side, but they have decided to postpone that so the street would be open for winter. He said that regarding the Sanitary Sewer Project (Cemetery), they were working their way east and that they wanted to get the Cemetery part done first. He said there was some activity on Market St., in that Columbia Gas was doing some survey work and some gas line work. He spoke about the activity on S. High St. and stated they were doing soil sampling to verify soil conditions and getting data to upload. He also thanked Brad Yost and Chris Boettcher for their efforts with the sound system, computer, microphones, table and chairs, etc.

Mayor Bean spoke about the National Wreath Across America and advised the laying of the wreaths would partake December 19, 2020 at 12:00 p.m. He added that you may still purchase a wreath for \$15.00 from DAR, by contacting Pet Detwiler. He said that it was a good way to honor those soldiers. He added that there were approximately 1,100 veterans buried at Oakdale Cemetery and there were 500 wreaths last year. He also mentioned that they held a tour at the Cemetery and it was well received. Further, he invited Council and anyone else who may be interested, to attend the Community Collaboration Meeting at the Historical Society Museum on November 4, 2020, at 8:30 a.m.

Mr. Fields moved to adjourn. Mr. Thackery seconded. Voice vote on approval: all ayes; nays, none.

Motion passes 7-0.

ADJOURN AT 6:56 p.m.

NEXT SCHEDULED MEETING

November 17, 2020, at 6:00 p.m.

Council Clerk

Council President

**URBANA CITY COUNCIL
WORK SESSION MEETING MINUTES
TUESDAY, NOVEMBER 10, 2020 @ 6:00 p.m.**

President Pro Tem Dwight Paul called the work session meeting of the Urbana City Council to order at 6:05 p.m. City council attending: Gene Fields, Rich Ebert, Pat Thackery, and Mary Collier. City staff attending: Director of Administration Kerry Brugger and Community Development Manager Doug Crabill.

President Pro Tem Paul turned the floor over to Mr. Thackery to begin discussion regarding Solid Waste. Mr. Thackery stated that enforcing what we have or having something enforceable is our problem to be addressed. Mr. Crabill stated that there is nothing existing on the books regarding solid waste. He further stated there are some items in the Nuisance Code that are being enforced. He advised that per Cat Jones of the Zoning Department, there have been 170 cases specific to solid waste this year. He further stated that Springfield has an ordinance that basically states that the land owner or tenant must have trash service. He also stated that there are a few ways to proceed with this, by having one contractor through a competitive bid process, and that we currently have a recycling contractor in which the contract expires in August, 2022. Another way he described was a hybrid of the two, by letting residents sign up privately and/or sign up with the City and let the City bill for trash through the utility bill. He also said he could prepare more information with more details. Mr. Thackery said that we needed to do something that was unique to the City. Mr. Crabill advised that in previous discussion, it was stated that if it did go through the City, there would be one hauler. Mr. Thackery stated that if the resident chooses the hauler, it could be flexible for the consumer and the City would stay out of it. Mr. Ebert stated that something needed to be done and enforcement is the problem. He added that an ordinance needed to be formed to make it enforceable. Mr. Crabill went through the nuisance process. Mr. Brugger stated that Mr. Feinstein was pushing for administrative remedies rather than Court remedies. Mrs. Collier stated that if the City requires recycling, why not add trash to it and put it on the utility bill. Mr. Thackery stated that it should be a single source with a competitive bid, and add it to the utility bill and also to have dumpsters sized for the unit. Mr. Fields was against having it put onto the utility bill.

Mr. Thackery spoke on the next topic, Parking Enforcement. He stated that it was discussed that meters could be put in and he sees where that could be an advantage, but he also sees where it could be a disadvantage. Mr. Brugger said that when we start filling in the downtown area with residents, there would be an issue. The street striping isn't complete, someone would need to be hired for parking enforcement and somebody would need to manage the parking lots. Mr. Crabill stated that technology has come a long way and there are units now that help keep track of parking automatically. Mr. Thackery said that technology should be the way the City should head. He added that this is a situation that we don't have to do immediately, but it is a coming issue. Mr. Crabill added that there was enough parking for downtown, we just need to manage it.

Mr. Brugger spoke on the next topic, Chapter 1129. Mr. Brugger said that there was not substance to this chapter. He stated that when you get a permit to build a fence, you have a year to begin. He stated that in this chapter, things are stretched out time wise and it needed to be more specific. He also stated that there was more detail in the permit than in the actual chapter. President Pro Tem Paul stated "We need enforcement, we need a body."

Some discussion took place on the topic of Committees. President Pro Tem Paul stated he was glad this was being discussed now instead of the beginning of the new year. Some of the committees that were agreed upon are as follows:

- Ordinance Review Committee/Nuisance Committee
- Hard Surfaces (Curbs, Sidewalks, Streets) Committee
- Trash Pick Up Committee
- Safety Committee
- Building Maintenance Code Committee

Mr. Crabill then spoke of the Designated Outdoor Refreshment Area (DORA). He stated that there could be one DOR per a community our size and that this would allow an individual to legally walk around a designated area in a designate time with an alcoholic beverage. Mr. Crabill provided a hand out and did a presentation on this issue.

ADJOURN: 7:55 p.m.



Planning Commission

April 27, 2020, Meeting Minutes

Attendance

Members Present: Kerry Brugger; Kimberly Gordon-Brooks (Vice-Chair); Bill Bean; and Steve Brandeberry (Alternate).

Member(s) Absent: Eric Samuelsson (Chair); Jennifer Dunham-Young; Richard Kerns; and Bill Kremer (Alternate).

Guests Present: Adam Moore (Zoning & Compliance); and Cat Tanujaya (Zoning & Compliance).

Call to Order

Action: Steve Brandeberry called the meeting to order at 6:05 PM.

Pledge of Allegiance and Reading of Rules of the Meeting

Action: Bill Bean made a motion to suspend the pledge of Allegiance and the reading of the rules of the meeting. Kimberly Gordon-Brooks seconded the motion.

Discussion: None.

Vote: 4 (Yay) – 0 (Nay)
Motion passed.

Prior Meeting Minutes

Action: Kerry Brugger made a motion to approve the meeting minutes from February 24, 2020. Bill Bean seconded the motion.

Discussion: None.

Vote: 4 (Yay) – 0 (Nay)
Motion passed.

New Business – Application(s)

Case # 1: PC-2020-005 – 944 S. Main St. – Erin Patton State Farm – Façade Modifications

Application, Staff Comments & Recommendations: Adam Moore read the application, provided the background, and read the staff report to the Board. Erin Patton would like to re-paint the existing structure from tan to white. The trim will stay black to match the roof fascia.

Testimony in Favor: None.

Testimony Against: None.

Discussion: None.

Action: Bill Bean made a motion to **approve the application as presented**. Kimberly Gordon-Brooks seconded the motion.



Vote: 4 (Yay) – 0 (Nay)
Motion passed.

Case # 2: PC-2020-006 – 1472 E. US Highway 26 – Edward Jones – Sign Proposal

Application, Staff Comments & Recommendations: Adam Moore read the application, provided the background, and read the staff report to the Board.

Testimony in Favor: None.

Testimony Against: None.

Discussion: Adam Moore - Edward Jones is moving into the former Dairy Corner space. The wall sign will be individual channel letters mounted on a raceway. The raceway will be painted to match the building. Two new signs will also be placed on the current multi-tenant panel since Edward Jones will occupy two spaces. Two window signs are requested, one on the door itself and one on the window on the right of the door. The window signs requested is greater than the allowable 25%. The window sign on the door covers 26.25% of the surface and the other window sign covers 74.8% of the surface, however, both signs won't be translucent and people will still be able to see inside the building.

Bill and Kim have no issues or comments.

Action: Kimberly Gordon-Brooks made a motion to **approve the application as presented.**
Bill Bean seconded the motion.

Vote: 4 (Yay) – 0 (Nay)
Motion passed.

Miscellaneous Business

Discussion **Sign Ordinance:** Kerry Brugger explained that a revised Sign Ordinance is currently being reviewed and will be brought to the Board at the next meeting.

Adjournment

Action: Bill Bean made a motion to adjourn at 6:18 PM.
Kimberly Gordon-Brooks seconded the motion.

Vote: 4 (Yay) – 0 (Nay)
Motion passed.



Planning Commission

July 13, 2020, Meeting Minutes

Attendance

- Members Present:** Eric Samuelsson (Chair); Kerry Brugger; Richard Kerns; Kimberly Gordon-Brooks (Vice-Chair); Bill Bean; and Steve Brandeberry (Alternate).
- Member(s) Absent:** Jennifer Dunham-Young; and Bill Kremer (Alternate).
- Guests Present:** Adam Moore (Zoning & Compliance); Cat Tanujaya (Zoning & Compliance); Jim Sawyer (All Aboard Outdoor Storage Engineer); Jarrod Shaffer (6291 Millerstown Eris Rd.); and Brenda Lackey (6291 Millerstown Eris Rd.).

Call to Order and Pledge of Allegiance

- Action:** Eric Samuelsson called the meeting to order at 6:00 PM.

Reading of Rules of the Meeting

- Action:** Steve Brandeberry made a motion to suspend the reading of the rules of the meeting. Bill Bean seconded the motion.
- Discussion:** None.
- Vote:** 6 (Yay) – 0 (Nay)
Motion passed.

Prior Meeting Minutes

- Action:** Kerry Brugger made a motion to approve the meeting minutes from April 27, 2020. Steve Brandeberry seconded the motion.
- Discussion:** None.
- Vote:** 6 (Yay) – 0 (Nay)
Motion passed.

New Business – Application(s)

Case # 1: PC-2020-008 – 776 Scioto Street – East Main Investments LLC (Ramsey’s Mattress) – Wall Sign Review

- Application, Staff Comments & Recommendations:** Adam Moore read the application, provided the background, and read the staff report to the Board.
- Testimony in Favor:** None.
- Testimony Against:** None.
- Discussion:** The Board doesn’t have any questions or issue with the proposal.



Action: Steve Brandeberry made a motion to approve the application as presented.
Bill Bean seconded the motion.

Vote: 6 (Yay) – 0 (Nay)
Motion passed.

Case # 2: PC-2020-009 – 770 Scioto Street – East Main Investments LLC (Fashion Wireless) – Wall Sign Review

Application, Staff Comments & Recommendations: Adam Moore read the application, provided the background, and read the staff report to the Board.

Testimony in Favor: None.

Testimony Against: None.

Discussion: Adam Moore explained that the sign will be individual channel letters mounted on the raceway. Kerry Brugger expressed concern regarding the number of signs posted on the windows but does not have any issue with the proposed wall sign. Mr. Moore explained that a sign must be fixed to the glass and if you put something right up to the window, then it's not considered a sign.

Action: Bill Bean made a motion to approve the application as presented.
Steve Brandeberry seconded the motion.

Vote: 6 (Yay) – 0 (Nay)
Motion passed.

Case # 3: PC-2020-010 – James Avenue (K48-25-00-01-12-010-00) – All Aboard Outdoor Storage – Site Plan Review

Application, Staff Comments & Recommendations: Adam Moore read the application, provided the background, and read the staff report to the Board.

Testimony in Favor: None.

Testimony Against: None.

Discussion: Jarrod Shaffer (6291 Millerstown Eris Rd.) explained that there will be six buildings all located on one lot. The lot has been surveyed. There will be 24 units per building. There will be no full-time employee on the premises, possibly just one for a meet and greet. Full sanitary facility is required. Mr. Shaffer explained that the owner would like to have an early start and have the buildings far away from the driveway due to people possibly driving in with moving trucks, RVs or boats. Based on the TRC meeting, Engineering had several comments to be addressed. Mr. Shaffer explained that they will be putting in the 1% slope and a retention basin for the water flow. They are also working on the stormwater management. Initially there will be gravel placed for the first six months and there will be dust but they will be waiting for it to settle before placing the hard surface. Mr. Shaffer also commented that he is working with the City to address all of the comments from the TRC.

Action: Steve Brandeberry made a motion to approve the application contingent upon all outstanding TRC/staff comments being addressed and incorporated into the plan.
Kerry Brugger seconded the motion.

Vote: 6 (Yay) – 0 (Nay)
Motion passed.



Case # 4: PC-2020-012 – 707 Scioto Street – Avcap Urbana, LLC – Preliminary Lot Split and Taco Bell Realignment

**Application, Staff
Comments &
Recommendations:**

Adam Moore read the application, provided the background, and read the staff report to the Board.

Testimony in Favor:

None.

Testimony Against:

None.

Discussion:

Adam Moore explained that this lot will be split into 4 lots. Tim Hortons is not part of this split since it's on its own lot. Taco Bell would like to add a second drive thru. Taco Bell is planning on closing the current curb cut on Jefferson and adding a new one further south on Jefferson for the new drive thru traffic.

Action:

Steve Brandeberry made a motion to **approve the application contingent upon all outstanding TRC/staff comments being addressed and incorporated into the plan.**

Kerry Brugger seconded the motion.

Vote:

6 (Yay) – 0 (Nay)

Motion passed.

Miscellaneous Business

Discussion

New Developments: Kerry Brugger explained that there's interest in new development behind Kroger. New housing is also in development for Laurel Oak.

Adjournment

Action:

Kerry Brugger made a motion to adjourn at 7:03 PM.

Kimberly Gordon-Brooks seconded the motion.

Vote:

6 (Yay) – 0 (Nay)

Motion passed.



Planning Commission

September 28, 2020, Meeting Minutes

Attendance

Members Present: Kerry Brugger; Jennifer Dunham-Young; Richard Kerns; Kimberly Gordon-Brooks (Vice-Chair); Bill Bean; and Steve Brandeberry (Alternate).

Member(s) Absent: Eric Samuelsson (Chair); and Bill Kremer (Alternate).

Guests Present: Adam Moore (Zoning & Compliance); Cat Tanujaya (Zoning & Compliance); Doug Crabill (Community Development); and Joe Korte (409 Scioto St.).

Call to Order and Pledge of Allegiance

Action: Steve Brandeberry called the meeting to order at 6:00 PM.

Prior Meeting Minutes

Action: Rich Kerns made a motion to approve the meeting minutes from July 27, 2020.
Bill Bean seconded the motion.

Discussion: None.

Vote: 6 (Yay) – 0 (Nay)
Motion passed.

Reading of Rules of the Meeting

Action: Bill Bean made a motion to suspend the reading of the rules of the meeting.
Rich Kerns seconded the motion.

Discussion: None.

Vote: 6 (Yay) – 0 (Nay)
Motion passed.

New Business – Application(s)

Case # 1: PC-2020-016 – City of Urbana Planning & Zoning Staff – North Main Street Rezoning

Application, Staff Comments & Recommendations: Adam Moore read the application, provided the background, and read the staff report to the Board.

Testimony in Favor: None.

Testimony Against: None.

Discussion: Doug Crabill (Community Development) explained that the section that Lincoln and Main currently occupies was rezoned in the past as B-2. The section that is being requested to be rezoned is currently BR-1 and is contiguous to the B-2 zone. The request to rezone is so that the old Civista Bank can be reutilized for a



business that is allowed under B-2. The BR-1 principal use is for single, multi-family residential, and personal services, such as a massage or beauty parlor. Office is a conditional use, but after that use ceased for a year, then another conditional use request must be made. The former Civista Bank as it stands today can only be used as a single family dwelling, multi-family dwelling or personal services. In order for a business that does not fall under “personal services” in a BR-1 to operate, they will have to request a conditional use. The rezoning will allow for future development to continue in this area. There are 3 dwellings in that area (one owner-occupied and two rentals). If the area is rezoned to B-2 then the 3 dwelling will become legally conforming and retain its current use.

Steve Brandeberry –

- Can a restaurant conduct business in the old Civista Bank Property?
 - Doug Crabill – As it is currently zoned today, no. Rezoning is required. You can only make it into a house.
 - Adam Moore – It’s highly unlikely to see residential on that property as it currently sits.
- Is the City asking for the rezoning or the owner?
 - Mr. Crabill – The owner did not request it.
- This is not a spot zoning correct?
 - Mr. Crabill – No because the area next to it is zoned as B-2 and further up Speedway is also zoned as B-2.

Kim Gordon-Brooks –

- Will the rezoning only occur on one side of the street?
 - Mr. Crabill – Yes because there are already businesses on the one side of the street. The other side of the street consists of dwellings. The idea is to hopefully have this area redevelop.
- Has anyone spoke with the owners in the area that will be affected by the rezoning? It’s common courtesy to speak to them before this occurs.
 - Mr. Crabill – The request will be sent to Council for 3 readings with a public hearing before it can pass. The owners of the affect area will be notified at that time.

Bill Bean wished that if the owner is having a difficult time selling the property to come forward and request the rezoning. However, Mr. Bean doesn’t know how to repurpose the property as it currently stands. Mr. Brandeberry acknowledged that they are having problems selling the property. Mr. Brandeberry agrees that the owner should have made the request but overall, the rezoning will be beneficial for the City in the long run.

Action: Kerry Brugger made a motion to recommend the rezoning request to City Council. Kimberly Gordon-Brooks seconded the motion.

Vote: 6 (Yay) – 0 (Nay)
Motion passed.

Case # 2: PC-2020-017 – City of Urbana Planning & Zoning Staff – Beech Street Vacation

Application, Staff Comments & Recommendations:

Adam Moore read the application, provided the background, and read the staff report to the Board.

Testimony in Favor: None.

Testimony Against: None.



Discussion: Doug Crabill explained the City has been working to redevelop the Q3 site for about 10 years now. At one time, Beech Street ran from Storms Avenue, across Dugan's ditch through the Q3 site, continuing west all the way to the County Engineer's complex and at one time it went all the way to Edgewood. Over time Beech Street has been done away with due to the railroad and other developments. Right now, Beech Street running from Dugan's ditch to the double railroad was never vacated. This stretch no longer functions as a street and is unvacated.

Action: Bill Bean made a motion to recommend the street vacation request to City Council.
Kerry Brugger seconded the motion.

Vote: 6 (Yay) – 0 (Nay)
Motion passed.

Case # 3: PC-2020-018 – Joe Korte (FMI) – 750 South Edgewood Avenue – Site Plan Review

Application, Staff Comments & Recommendations: Adam Moore read the application, provided the background, and read the staff report to the Board.

Testimony in Favor: None.

Testimony Against: None.

Discussion: Adam Moore explained that the request is to build a 7,680 sq. ft. building. The Technical Review Committee met and submitted all comments to the architect.

TRC requested and inquired clarification on the following items:

- What are the overall plans such as site layout for future development? We need more information on the long-term plan on how this site is going to be develop.
- What is the plan for exterior lighting?
- Will there be future buildings, parking, driveways? Developments over 10,000 sq. ft. of impervious surface including gravel will require stormwater.
- Engineering requested a site plan with elevation and 1' contours.
- The current site plan does not depict the entire site and only shows a portion of it. How will this development connect back to South Edgewood?
- What is the plan for water and sewer? Where will it come from, how is it going to work, how will it be connected, etc.?
- Where will the tap be installed?
- What is the purpose of the building since there are no water or sewer drawings in the plan?
- Will there be car lifts for oil change? Drains on the floor may be required to avoid oil run off permeating into the ground.

Joe Korte (409 Scioto St.) explained that his property is too far away from the sewer main on South Edgewood and that they will be doing a septic system. Mr. Korte is currently working with the EPA and sewer engineer on the septic system. There will be a 400', leach field from the furthest point of the property to North-West of the building. The car lifts will be for maintenance on personal vehicles. Mr. Korte can also use an oil separator. A soil analysis was done and the EPA has provided a verbal approval. There's a fire hydrant north of the water tower on the property. Chad Hall said that Mr. Korte can tap into that for water for the building. The building will be used mostly for storing large equipment for his construction business. Mr. Korte would like to discuss the driveway since it's on Bundy's property and the City is currently using it to get to the water tower and Mr. Korte is using that same driveway to get to his property.

Kerry Brugger feels that there's a lot of questions still unanswered such as, will there be fencing or some type of screening? Where will the equipment be stored, indoors or outdoors? Mr. Brugger is in favor of tabling this since there are a lot more questions to be answered. Doug Crabill explained that the site plan review is a process to contemplate future development and phases.



Adam Moore – What is your long-term plan for the property?

- Mr. Korte – My plan is to put 5 more 40'x60' buildings. It would not be cost effective for me to do the site plans for them all if I'm only building one right now. That's why it not on the plans. Right now, I just want to put up one structure on the property and I'll propose the plan for the others when I'm ready to build 5 more buildings.

Bill Bean agreed with Mr. Brugger. Mr. Bean is not comfortable in moving forward with the application with so many unanswered questions.

Joe Korte – If I were to submit the plan for all of the buildings, is there a time limit?

- Mr. Moore – No.

Action: Kerry Brugger made a motion to **table the application**.
Kimberly Gordon-Brooks seconded the motion.

Vote: 6 (Yay) – 0 (Nay)
Motion passed.

Case # 4: **PC-2020-019 – N&G Takhar Oil LLC – 1273 S US Highway 69 – Sign Review**

Application, Staff Comments & Recommendations: Adam Moore read the application, provided the background, and read the staff report to the Board.

Testimony in Favor: None.

Testimony Against: None.

Discussion: Adam Moore explained that this is a rebrand to Sunoco. They are changing the face of the monument sign, re-wrap the canopy with the standard logo. Mr. Moore has no issue with the request.

The Board did not have any further questions or discussions.

Action: Bill Bean made a motion to **approve the application as presented**.
Rich Kerns seconded the motion.

Vote: 6 (Yay) – 0 (Nay)
Motion passed.

Case # 4: **PC-2020-020 – City of Urbana Planning & Zoning Staff – Champaign County Comprehensive Plan**

Application, Staff Comments & Recommendations: Adam Moore read the application, provided the background, and read the staff report to the Board.

Testimony in Favor: None.

Testimony Against: None.

Discussion: Doug Crabill explained that the last Comprehensive Plan update for Champaign County was in 2004. This is a very high level plan with goals that applies to municipalities, such as the Cities within the plan. In 2018 the County Commissioner provided funds for the plan update which includes the City of Urbana, the village of Mechanicsburg, village of North Lewisburg, village of St. Paris and about 9-12 townships who contributed to this plan. The LUC spearheaded the project with an initial survey in October of 2018 with 711 responses. There were about 19 steering committees and sub-committees meetings held as well as 24 key leaders



interviewed. There's a mission statement in the plan. The plan also looks at the current conditions in the County. The plan consists of subsections such as agriculture; economic development; land use; parks and recreations; cultural and natural resources; transportation; and utilities. Last week the County Commissioners had a public hearing regarding this plan and all the comments were positive. There was also a public open house earlier this year held at the Public Community Center in which the public comments from that meeting were included into the plan. The Commissioners are planning to adopt this plan and want each community to adopt it as well. This is the plan that unites the County from a land use point. As development proposals come forward in the City, we'll be able to point to this plan and say whether or not it's consistent with the plan.

The Board did not have any further questions or discussions.

Action: Bill Bean made a motion to **recommend the adoption of the Champaign County Comprehensive Plan to City Council.**
Kerry Brugger seconded the motion.

Vote: 6 (Yay) – 0 (Nay)
Motion passed.

Adjournment

Action: Bill Bean made a motion to adjourn at 7:05 PM.
Rich Kerns seconded the motion.

Vote: 6 (Yay) – 0 (Nay)
Motion passed.

October 30, 2020

Dear Community Leader:

The Dayton Power and Light Company ("DP&L") provides this letter as notice of its plan to file for an increase in distribution rates with the Public Utilities Commission of Ohio ("PUCO") next month. DP&L cares about our customers and recognizes the ongoing challenges caused by the COVID-19 pandemic, including the need for access to safe, reliable, and cost-effective service. DP&L's dedication to acting in its customers' best interests is demonstrated by the fact that DP&L's residential rates currently are the lowest in the state and will continue to be the lowest even after the proposed increase is implemented. We understand DP&L's important role in everyday life and how electricity prices affect the budgets of our customers and the communities we serve.

To maintain high-quality service, DP&L has completed substantial investments in our distribution infrastructure since our last distribution rate case in 2015, including many necessitated by the 2019 Memorial Day tornados. In addition, many investments were planned as part of the resolution of the last rate case but are not yet included in distribution rates. DP&L and the industry as a whole continue to incur cost increases for services such as those relating to vegetation management. DP&L is also proposing in this case programs that will give customers greater control of their energy usage and reduce their overall costs. All of these investments and programs ensure that customers will continue to receive safe, reliable, and cost-effective service.

To continue this progress, on November 30, 2020, DP&L will ask the PUCO to approve an adjustment to its base distribution rates. If approved, this application will result in an increase of \$11.26 to a typical 1,000 kWh residential customer's monthly bill, which is approximately an 11.76% increase to their total bill. We know that you are interested in the effect of this proceeding on your community. If we compare this proposal to DP&L's typical bill prior to the removal of DP&L's Distribution Modernization Rider and reversion to its Electric Security Plan 1, which took place in December 2019, this proposed monthly increase would be \$3.16.

Attached to this letter is a summary of the rates to be proposed and typical bill comparisons. The proposed rates and timing of implementation of new rates are subject to change after public input and PUCO action. Details regarding DP&L's application, including proposed tariff schedules and typical bill comparisons, are on the PUCO's electronic docket for this case, Case No. 20-1651-EL-AIR, at <http://dis.puc.state.oh.us/CaseRecord.aspx?CaseNo=201651&x=0&y=0>. If you have any questions about this case or would like a hard copy or compact disc of the proposed tariff schedules or typical bill comparisons, please contact Thomas Tatham at thomas.tatham@aes.com.

Sincerely,

/s/ Lisa Krueger

Lisa Krueger
President and Chief Executive Officer

THE DAYTON POWER AND LIGHT COMPANY

NOTICE OF INTENT TO FILE

This document shall serve as notice that DP&L intends to file an application for an increase in electric distribution rates, for approval of changes in accounting methods, and for tariff changes.

SERVICE AREA INCLUDED

The application will include all of DP&L's service area.

TEST PERIOD AND DATE CERTAIN

Test Year: June 1, 2020 through May 31, 2021

Date Certain: June 30, 2020

The Dayton Power and Light Company
Case No.: 20-1651-EL-AIR

Summary of Rates

| Description | Current Rate | | | | Proposed Rate | | | |
|--|-----------------|--------------|--------------|--------------|-----------------|--------------|--------------|--------------|
| | Customer Charge | kWh | kW / Lamps | kVar | Customer Charge | kWh | kW / Lamps | kVar |
| Residential Non-Heating | \$ 7.00 | \$ 0.0233154 | | | \$ 15.66 | \$ 0.0280745 | | |
| Residential Heating | \$ 7.00 | \$ 0.0233154 | | | \$ 15.66 | \$ 0.0280745 | | |
| Unmetered Secondary Service | \$ 14.16 | | \$ 3.6569905 | | \$ 15.20 | | \$ 5.5571065 | |
| Secondary Single Phase | \$ 16.73 | | \$ 3.6569905 | | \$ 15.91 | | \$ 5.5571065 | |
| Secondary Three Phase | \$ 25.77 | | \$ 3.6569905 | | \$ 30.24 | | \$ 5.5571065 | |
| Secondary Single Phase-County Fair | \$ 16.73 | \$ 0.0121124 | | | \$ 15.91 | \$ 0.0173408 | | |
| Secondary Three Phase-County Fair | \$ 25.77 | \$ 0.0121124 | | | \$ 30.24 | \$ 0.0173408 | | |
| Secondary Single Phase-Low Load Factor | \$ 16.73 | \$ 0.0112602 | | | \$ 15.91 | \$ 0.0810244 | | |
| Secondary Three Phase-Low Load Factor | \$ 25.77 | \$ 0.0112602 | | | \$ 30.24 | \$ 0.0810244 | | |
| Primary | \$ 242.12 | | \$ 2.0325100 | \$ 0.6984153 | \$ 275.72 | | \$ 4.1733540 | \$ 0.3676695 |
| Primary-County Fair | \$ 242.12 | \$ 0.0052124 | | | \$ 275.72 | \$ 0.0095319 | | |
| Primary-Low Load Factor | \$ 242.12 | \$ 0.0051169 | | | \$ 275.72 | \$ 0.0645834 | | |
| Primary Substation | \$ 463.47 | | \$ 0.6144982 | \$ 0.2058894 | \$ 138.58 | | \$ 0.8872766 | \$ 0.1958016 |
| High Voltage | \$ 1,124.11 | | | | \$ 496.51 | | | |
| Street Lighting | \$ 8.60 | \$ 0.0152357 | | | \$ 8.89 | \$ 0.0234491 | | |
| Private Outdoor Lighting | | | | | | | | |
| Pole Charges | \$ 1.32 | | | | \$ 1.11 | | | |
| Ornamental Pole Charges | \$ 1.32 | | | | \$ 1.11 | | | |
| Aerial Spans | \$ 0.60 | | | | \$ 0.55 | | | |
| Fixtures | \$ 9.11 | | \$ 1.06 | | \$ 14.09 | | \$ 0.84 | |

The Dayton Power and Light Company
Case No 20-1651-El-AIR

Typical Bill Comparison
Residential

Data: 3 Months Actual & 9 Months Estimated
Type of Filing: Original
Work Paper Reference No(s): None

PFN - Exhibit 4
Schedule E-5
Page 1 of 11

| Line No. | Rate Code | Level of Demand (kW) | Level of Usage (kWh) | Current Bill | Base Distribution Increase / (Decrease) | Energy Efficiency Rider (Decrease) | Current Total Bill Increase / (Decrease) | Proposed Total Bill | % Change |
|----------|-----------|-------------------------|-------------------------|--------------|---|---------------------------------------|--|---------------------|-----------------|
| (A) | (B) | (C) | (D) | (E) | (F) | (G) | (H) = Sum (F) to (G) | (I) = (E) + (G) | (J) = (G) / (E) |
| 1 | RNH | 0.0 | 50 | \$12.84 | \$8.90 | (\$0.11) | \$8.79 | \$21.63 | 68.46% |
| 2 | | 0.0 | 100 | \$17.21 | \$9.14 | (\$0.22) | \$8.92 | \$26.13 | 51.83% |
| 3 | | 0.0 | 200 | \$25.97 | \$9.61 | (\$0.43) | \$9.18 | \$35.15 | 35.35% |
| 4 | | 0.0 | 400 | \$43.49 | \$10.56 | (\$0.88) | \$9.70 | \$53.19 | 22.30% |
| 5 | | 0.0 | 500 | \$52.26 | \$11.04 | (\$1.08) | \$9.96 | \$62.22 | 19.08% |
| 6 | | 0.0 | 750 | \$74.17 | \$12.23 | (\$1.62) | \$10.61 | \$84.78 | 14.30% |
| 7 | | 0.0 | 1,000 | \$95.77 | \$13.42 | (\$2.16) | \$11.26 | \$107.03 | 11.76% |
| 8 | | 0.0 | 1,200 | \$113.06 | \$14.37 | (\$2.59) | \$11.78 | \$124.84 | 10.42% |
| 9 | | 0.0 | 1,400 | \$130.34 | \$15.32 | (\$3.03) | \$12.29 | \$142.63 | 9.43% |
| 10 | | 0.0 | 1,500 | \$138.99 | \$15.80 | (\$3.24) | \$12.56 | \$151.55 | 9.04% |
| 11 | | 0.0 | 2,000 | \$182.19 | \$18.18 | (\$4.32) | \$13.86 | \$196.05 | 7.61% |
| 12 | | 0.0 | 2,500 | \$225.21 | \$20.56 | (\$5.41) | \$15.15 | \$240.36 | 6.73% |
| 13 | | 0.0 | 3,000 | \$268.18 | \$22.94 | (\$6.49) | \$16.45 | \$284.63 | 6.13% |
| 14 | | 0.0 | 4,000 | \$354.14 | \$27.70 | (\$8.65) | \$19.05 | \$373.19 | 5.38% |
| 15 | | 0.0 | 5,000 | \$440.10 | \$32.46 | (\$10.81) | \$21.65 | \$461.75 | 4.92% |
| 16 | | 0.0 | 7,500 | \$655.06 | \$44.35 | (\$16.22) | \$28.13 | \$683.19 | 4.29% |

The Dayton Power and Light Company
Case No 20-1651-EI-AIR

Typical Bill Comparison
Residential Heating (Winter)

Data: 3 Months Actual & 9 Months Estimated
Type of Filing: Original
Work Paper Reference No(s): None

PFN - Exhibit 4
Schedule E-5
Page 2 of 11

| Line No. | Rate Code | Level of Demand (kW) | Level of Usage (kWh) | Current Bill | Base Distribution Increase / (Decrease) | Energy Efficiency Rider (Decrease) | Current Total Bill Increase / (Decrease) | Proposed Total Bill | % Change |
|----------|-----------|-------------------------|-------------------------|--------------|---|------------------------------------|--|---------------------|-----------------|
| (A) | (B) | (C) | (D) | (E) | (F) | (G) | (H) = Sum (F) to (G) | (I) = (E) + (G) | (J) = (G) / (E) |
| 1 | RH-W | 0.0 | 50 | \$12.50 | \$8.90 | (\$0.11) | \$8.79 | \$21.29 | 70.32% |
| 2 | | 0.0 | 100 | \$16.53 | \$9.14 | (\$0.22) | \$8.92 | \$25.45 | 53.96% |
| 3 | | 0.0 | 200 | \$24.61 | \$9.61 | (\$0.43) | \$9.18 | \$33.79 | 37.30% |
| 4 | | 0.0 | 400 | \$40.77 | \$10.56 | (\$0.88) | \$9.70 | \$50.47 | 23.79% |
| 5 | | 0.0 | 500 | \$48.86 | \$11.04 | (\$1.08) | \$9.96 | \$58.82 | 20.38% |
| 6 | | 0.0 | 750 | \$69.06 | \$12.23 | (\$1.62) | \$10.61 | \$79.67 | 15.36% |
| 7 | | 0.0 | 1,000 | \$88.48 | \$13.42 | (\$2.16) | \$11.26 | \$99.72 | 12.73% |
| 8 | | 0.0 | 1,200 | \$103.96 | \$14.37 | (\$2.59) | \$11.78 | \$115.74 | 11.33% |
| 9 | | 0.0 | 1,400 | \$119.47 | \$15.32 | (\$3.03) | \$12.29 | \$131.76 | 10.29% |
| 10 | | 0.0 | 1,500 | \$127.24 | \$15.80 | (\$3.24) | \$12.56 | \$139.80 | 9.87% |
| 11 | | 0.0 | 2,000 | \$166.01 | \$18.18 | (\$4.32) | \$13.86 | \$179.87 | 8.35% |
| 12 | | 0.0 | 2,500 | \$204.58 | \$20.56 | (\$5.41) | \$15.15 | \$219.73 | 7.41% |
| 13 | | 0.0 | 3,000 | \$243.13 | \$22.94 | (\$6.49) | \$16.45 | \$259.58 | 6.77% |
| 14 | | 0.0 | 4,000 | \$320.21 | \$27.70 | (\$8.65) | \$19.05 | \$339.26 | 5.95% |
| 15 | | 0.0 | 5,000 | \$397.31 | \$32.46 | (\$10.81) | \$21.65 | \$418.96 | 5.45% |
| 16 | | 0.0 | 7,500 | \$590.08 | \$44.35 | (\$16.22) | \$28.13 | \$618.21 | 4.77% |

The Dayton Power and Light Company
Case No 20-1651-EI-AIR

Typical Bill Comparison
Residential Heating (Summer)

Data: 3 Months Actual & 9 Months Estimated
Type of Filing: Original
Work Paper Reference No(s): None

PFN - Exhibit 4
Schedule E-5
Page 3 of 11

| Line No. | Rate Code | Level of Demand (kW) | Level of Usage (kWh) | Current Bill | Base Distribution Increase / (Decrease) | Energy Efficiency Rider (Decrease) | Current Total Bill Increase / (Decrease) | Proposed Total Bill | % Change |
|----------|-----------|-------------------------|-------------------------|--------------|---|---------------------------------------|--|---------------------|-----------------|
| (A) | (B) | (C) | (D) | (E) | (F) | (G) | (H) = Sum (F) to (G) | (I) = (E) + (G) | (J) = (G) / (E) |
| 1 | RH-S | 0.0 | 50 | \$12.84 | \$8.90 | (\$0.11) | \$8.79 | \$21.63 | 68.46% |
| 2 | | 0.0 | 100 | \$17.21 | \$9.14 | (\$0.22) | \$8.92 | \$26.13 | 51.83% |
| 3 | | 0.0 | 200 | \$25.97 | \$9.61 | (\$0.43) | \$9.18 | \$35.15 | 35.35% |
| 4 | | 0.0 | 400 | \$43.49 | \$10.56 | (\$0.66) | \$9.70 | \$53.19 | 22.30% |
| 5 | | 0.0 | 500 | \$52.26 | \$11.04 | (\$1.08) | \$9.96 | \$62.22 | 19.08% |
| 6 | | 0.0 | 750 | \$74.17 | \$12.23 | (\$1.62) | \$10.61 | \$84.78 | 14.30% |
| 7 | | 0.0 | 1,000 | \$95.77 | \$13.42 | (\$2.16) | \$11.26 | \$107.03 | 11.76% |
| 8 | | 0.0 | 1,200 | \$113.08 | \$14.37 | (\$2.59) | \$11.78 | \$124.84 | 10.42% |
| 9 | | 0.0 | 1,400 | \$130.34 | \$15.32 | (\$3.03) | \$12.29 | \$142.63 | 9.43% |
| 10 | | 0.0 | 1,500 | \$138.69 | \$15.60 | (\$3.24) | \$12.56 | \$151.55 | 9.04% |
| 11 | | 0.0 | 2,000 | \$182.19 | \$18.18 | (\$4.32) | \$13.86 | \$198.05 | 7.61% |
| 12 | | 0.0 | 2,500 | \$225.21 | \$20.56 | (\$5.41) | \$15.15 | \$240.36 | 6.73% |
| 13 | | 0.0 | 3,000 | \$268.18 | \$22.94 | (\$6.49) | \$16.45 | \$284.63 | 6.13% |
| 14 | | 0.0 | 4,000 | \$354.14 | \$27.70 | (\$8.65) | \$19.05 | \$373.19 | 5.38% |
| 15 | | 0.0 | 5,000 | \$440.10 | \$32.46 | (\$10.81) | \$21.65 | \$461.75 | 4.92% |
| 16 | | 0.0 | 7,500 | \$655.08 | \$44.35 | (\$16.22) | \$28.13 | \$683.19 | 4.29% |

The Dayton Power and Light Company
Case No 20-1651-EI-AIR

Typical Bill Comparison
Secondary Unmetered

Data: 3 Months Actual & 9 Months Estimated
Type of Filing: Original
Work Paper Reference No(s): None

PFN - Exhibit 4
Schedule E-5
Page 4 of 11

| Line No. | Rate Code | Level of Demand (kW) | Level of Usage (kWh) | Current Bill (E) | Base Distribution Increase / (Decrease) (F) | Energy Efficiency Rider (Decrease) (G) | Current Total Bill Increase / (Decrease) (H) = Sum (F) to (G) | Proposed Total Bill (I) = (E) + (G) | % Change (J) = (G) / (E) |
|----------|-----------|-------------------------|-------------------------|---------------------|--|---|--|--|-----------------------------|
| 1 | UM-SEC | 5.0 | 50 | \$20.42 | \$10.54 | (\$0.11) | \$10.43 | \$30.85 | 51.08% |
| 2 | | 5.0 | 100 | \$23.57 | \$10.54 | (\$0.21) | \$10.33 | \$33.90 | 43.83% |
| 3 | | 5.0 | 150 | \$26.73 | \$10.54 | (\$0.32) | \$10.22 | \$36.95 | 38.23% |
| 4 | | 5.0 | 200 | \$29.88 | \$10.54 | (\$0.42) | \$10.12 | \$40.00 | 33.87% |
| 5 | | 5.0 | 300 | \$38.19 | \$10.54 | (\$0.63) | \$9.91 | \$48.10 | 27.38% |
| 6 | | 5.0 | 400 | \$42.50 | \$10.54 | (\$0.85) | \$9.69 | \$52.19 | 22.80% |
| 7 | | 5.0 | 500 | \$48.81 | \$10.54 | (\$1.06) | \$9.48 | \$58.29 | 19.42% |
| 8 | | 5.0 | 600 | \$55.13 | \$10.54 | (\$1.27) | \$9.27 | \$64.40 | 16.81% |
| 9 | | 5.0 | 800 | \$67.74 | \$10.54 | (\$1.69) | \$8.85 | \$76.59 | 13.08% |
| 10 | | 5.0 | 1,000 | \$80.37 | \$10.54 | (\$2.12) | \$8.42 | \$88.79 | 10.48% |
| 11 | | 5.0 | 1,200 | \$92.98 | \$10.54 | (\$2.54) | \$8.00 | \$100.98 | 8.60% |
| 12 | | 5.0 | 1,400 | \$105.59 | \$10.54 | (\$2.96) | \$7.58 | \$113.17 | 7.18% |
| 13 | | 5.0 | 1,600 | \$117.83 | \$10.54 | (\$3.39) | \$7.15 | \$124.98 | 6.07% |
| 14 | | 5.0 | 2,000 | \$141.54 | \$10.54 | (\$4.23) | \$6.31 | \$147.85 | 4.46% |
| 15 | | 5.0 | 2,200 | \$153.31 | \$10.54 | (\$4.66) | \$5.88 | \$159.19 | 3.84% |
| 16 | | 5.0 | 2,400 | \$165.08 | \$10.54 | (\$5.08) | \$5.46 | \$170.54 | 3.31% |

The Dayton Power and Light Company
Case No 20-1651-EI-AIR

Typical Bill Comparison
Secondary Single Phase

Data: 3 Months Actual & 9 Months Estimated
Type of Filing: Original
Work Paper Reference No(s): None

PFN - Exhibit 4
Schedule E-5
Page 5 of 11

| Line No. | Rate Code | Level of Demand (kW) | Level of Usage (kWh) | Current Bill (E) | Base Distribution Increase / (Decrease) (F) | Energy Efficiency Rider (Decrease) (G) | Current Total Bill Increase / (Decrease) (H) = Sum (F) to (G) | Proposed Total Bill (I) = (E) + (G) | % Change (J) = (G) / (E) |
|----------|-----------|----------------------|----------------------|------------------|---|--|---|-------------------------------------|--------------------------|
| (A) | (B) | (C) | (D) | (E) | (F) | (G) | (H) = Sum (F) to (G) | (I) = (E) + (G) | (J) = (G) / (E) |
| 1 | 1PSEC | 5 | 750 | \$87.19 | \$8.68 | (\$1.59) | \$7.09 | \$94.28 | 8.13% |
| 2 | | 5 | 1,500 | \$138.90 | \$8.68 | (\$3.17) | \$5.51 | \$142.41 | 4.02% |
| 3 | | 10 | 1,500 | \$154.60 | \$18.18 | (\$3.17) | \$15.01 | \$169.61 | 9.71% |
| 4 | | 25 | 5,000 | \$449.19 | \$48.68 | (\$10.58) | \$38.10 | \$485.29 | 8.04% |
| 5 | | 25 | 7,500 | \$596.24 | \$48.68 | (\$15.87) | \$30.81 | \$627.05 | 5.17% |
| 6 | | 25 | 10,000 | \$743.28 | \$48.68 | (\$21.16) | \$25.52 | \$768.80 | 3.43% |
| 7 | | 50 | 15,000 | \$1,170.11 | \$94.19 | (\$31.74) | \$62.45 | \$1,232.56 | 5.34% |
| 8 | | 50 | 25,000 | \$1,752.68 | \$94.19 | (\$52.90) | \$41.29 | \$1,793.97 | 2.38% |
| 9 | | 200 | 50,000 | \$4,005.62 | \$379.20 | (\$105.81) | \$273.39 | \$4,279.01 | 6.83% |
| 10 | | 200 | 100,000 | \$6,918.43 | \$379.20 | (\$211.61) | \$167.59 | \$7,086.02 | 2.42% |
| 11 | | 300 | 125,000 | \$8,905.88 | \$569.21 | (\$264.51) | \$304.70 | \$9,210.58 | 3.42% |
| 12 | | 500 | 200,000 | \$14,303.38 | \$949.24 | (\$423.22) | \$526.02 | \$14,829.40 | 3.68% |
| 13 | | 1,000 | 300,000 | \$22,739.14 | \$1,899.30 | (\$634.83) | \$1,264.47 | \$24,003.61 | 5.56% |
| 14 | | 1,000 | 500,000 | \$34,300.40 | \$1,899.30 | (\$1,058.05) | \$841.25 | \$35,141.65 | 2.45% |
| 15 | | 2,500 | 750,000 | \$56,717.33 | \$4,749.47 | (\$1,587.08) | \$3,162.39 | \$59,879.72 | 5.58% |
| 16 | | 2,500 | 1,000,000 | \$70,782.55 | \$4,749.47 | (\$2,116.10) | \$2,633.37 | \$73,415.92 | 3.72% |

The Dayton Power and Light Company
Case No 20-1651-EI-AJR

Typical Bill Comparison
Secondary Three Phase

Data: 3 Months Actual & 9 Months Estimated
Type of Filing: Original
Work Paper Reference No(s): None

PFN - Exhibit 4
Schedule E-5
Page 6 of 11

| Line No. | Rate Code | Level of Demand (kW) | Level of Usage (kWh) | Current Bill | Base Distribution Increase / (Decrease) | Energy Efficiency Rider (Decrease) | Current Total Bill Increase / (Decrease) | Proposed Total Bill | % Change |
|----------|-----------|-------------------------|-------------------------|--------------|---|---------------------------------------|--|---------------------|-----------------|
| (A) | (B) | (C) | (D) | (E) | (F) | (G) | (H) = Sum (F) to (G) | (I) = (E) + (G) | (J) = (G) / (E) |
| 1 | 3PSEC | 5 | 500 | \$73.51 | \$13.97 | (\$1.08) | \$12.91 | \$86.42 | 17.58% |
| 2 | | 5 | 1,500 | \$145.69 | \$13.97 | (\$3.17) | \$10.80 | \$156.49 | 7.41% |
| 3 | | 10 | 1,500 | \$163.40 | \$23.47 | (\$3.17) | \$20.30 | \$183.70 | 12.42% |
| 4 | | 25 | 5,000 | \$457.99 | \$51.97 | (\$10.58) | \$41.39 | \$499.38 | 9.04% |
| 5 | | 25 | 7,500 | \$605.04 | \$51.97 | (\$15.87) | \$36.10 | \$641.14 | 5.97% |
| 6 | | 25 | 10,000 | \$752.08 | \$51.97 | (\$21.16) | \$30.81 | \$782.89 | 4.10% |
| 7 | | 50 | 25,000 | \$1,761.47 | \$99.48 | (\$52.90) | \$46.58 | \$1,808.05 | 2.64% |
| 8 | | 200 | 50,000 | \$4,014.42 | \$384.49 | (\$105.81) | \$278.68 | \$4,293.10 | 6.94% |
| 9 | | 200 | 125,000 | \$8,383.64 | \$384.49 | (\$264.51) | \$119.98 | \$8,503.62 | 1.43% |
| 10 | | 500 | 200,000 | \$14,312.18 | \$954.53 | (\$423.22) | \$531.31 | \$14,843.49 | 3.71% |
| 11 | | 1,000 | 300,000 | \$22,747.94 | \$1,904.59 | (\$634.83) | \$1,269.76 | \$24,017.70 | 5.58% |
| 12 | | 1,000 | 500,000 | \$34,309.20 | \$1,904.59 | (\$1,058.05) | \$846.54 | \$35,155.74 | 2.47% |
| 13 | | 2,500 | 750,000 | \$56,726.13 | \$4,754.76 | (\$1,587.08) | \$3,167.68 | \$59,893.81 | 5.58% |
| 14 | | 2,500 | 1,000,000 | \$70,791.35 | \$4,754.76 | (\$2,116.10) | \$2,638.66 | \$73,430.01 | 3.73% |
| 15 | | 5,000 | 1,500,000 | \$111,813.37 | \$9,505.05 | (\$3,174.15) | \$6,330.90 | \$118,144.27 | 5.68% |
| 16 | | 5,000 | 2,000,000 | \$139,559.77 | \$9,505.05 | (\$4,232.20) | \$5,272.85 | \$144,832.62 | 3.78% |

The Dayton Power and Light Company
Case No 20-1651-EI-AIR

Typical Bill Comparison
Primary Service

Data: 3 Months Actual & 9 Months Estimated
Type of Filing: Original
Work Paper Reference No(s): None

PFN - Exhibit 4
Schedule E-5
Page 7 of 11

| Line No. | Rate Code | Level of Demand | | Level of Usage | Current Bill | Base Distribution Increase / (Decrease) | Energy Efficiency Rider (Decrease) | Current Total Bill Increase / (Decrease) | Proposed Total Bill | % Change |
|----------|-----------|-----------------|----------|----------------|----------------|---|------------------------------------|--|---------------------|-----------------|
| (A) | (B) | (kW) | (kVar) | (kWh) | (E) | (F) | (G) | (H) = Sum (F) to (G) | (I) = (E) + (G) | (J) = (G) / (E) |
| 1 | PRI | 5 | 2.4 | 1,000 | \$316.72 | \$43.51 | (\$1.33) | \$42.18 | \$358.90 | 13.32% |
| 2 | | 5 | 2.4 | 2,500 | \$401.43 | \$43.51 | (\$3.34) | \$40.17 | \$441.60 | 10.01% |
| 3 | | 10 | 4.8 | 5,000 | \$562.78 | \$53.42 | (\$6.67) | \$46.75 | \$609.53 | 8.31% |
| 4 | | 25 | 12.1 | 7,500 | \$766.14 | \$83.12 | (\$10.01) | \$73.11 | \$839.25 | 9.54% |
| 5 | | 25 | 12.1 | 10,000 | \$906.53 | \$83.12 | (\$13.34) | \$69.78 | \$976.31 | 7.70% |
| 6 | | 50 | 24.2 | 20,000 | \$1,570.19 | \$132.64 | (\$26.68) | \$105.96 | \$1,676.15 | 6.75% |
| 7 | | 50 | 24.2 | 30,000 | \$2,126.18 | \$132.64 | (\$40.02) | \$92.62 | \$2,218.80 | 4.38% |
| 8 | | 200 | 96.9 | 50,000 | \$3,867.48 | \$429.72 | (\$66.71) | \$363.01 | \$4,230.49 | 9.39% |
| 9 | | 200 | 96.9 | 75,000 | \$5,257.45 | \$429.72 | (\$100.06) | \$329.66 | \$5,587.11 | 6.27% |
| 10 | | 200 | 96.9 | 100,000 | \$6,647.40 | \$429.72 | (\$133.41) | \$296.31 | \$6,943.71 | 4.46% |
| 11 | | 500 | 242.2 | 250,000 | \$16,245.80 | \$1,023.92 | (\$333.53) | \$690.39 | \$16,936.19 | 4.25% |
| 12 | | 1,000 | 484.3 | 500,000 | \$32,243.03 | \$2,014.26 | (\$667.05) | \$1,347.21 | \$33,590.24 | 4.16% |
| 13 | | 2,500 | 1,210.8 | 1,000,000 | \$65,948.90 | \$4,985.24 | (\$1,334.10) | \$3,651.14 | \$69,600.04 | 5.54% |
| 14 | | 5,000 | 2,421.6 | 2,500,000 | \$156,364.78 | \$9,936.89 | (\$3,335.25) | \$6,601.64 | \$162,966.42 | 4.22% |
| 15 | | 10,000 | 4,843.2 | 5,000,000 | \$310,553.95 | \$19,840.17 | (\$6,670.50) | \$13,169.67 | \$323,723.62 | 4.24% |
| 16 | | 25,000 | 12,108.1 | 7,500,000 | \$508,695.55 | \$49,550.00 | (\$10,005.75) | \$39,544.25 | \$548,239.80 | 7.60% |
| 17 | | 25,000 | 12,108.1 | 10,000,000 | \$639,908.55 | \$49,550.00 | (\$13,341.00) | \$36,209.00 | \$676,117.55 | 5.66% |
| 18 | | 50,000 | 24,216.1 | 15,000,000 | \$1,011,215.40 | \$99,066.43 | (\$20,011.50) | \$79,054.93 | \$1,090,270.33 | 7.82% |

The Dayton Power and Light Company
Case No 20-1651-EI-AIR

Typical Bill Comparison
Primary Substation

Data: 3 Months Actual & 9 Months Estimated
Type of Filing: Original
Work Paper Reference No(s): None

PFN - Exhibit 4
Schedule E-5
Page 8 of 11

| Line No. | Rate Code | Level of Demand | | Level of Usage | Current Bill | Base Distribution Increase / (Decrease) | Energy Efficiency Rider (Decrease) | Current Total Bill Increase / (Decrease) | Proposed Total Bill | % Change |
|----------|-----------|-----------------|--------|----------------|----------------|---|------------------------------------|--|---------------------|-----------------|
| (A) | (B) | (kW) | (kVar) | (kWh) | (E) | (F) | (G) | (H) = Sum (F) to (G) | (I) = (E) + (G) | (J) = (G) / (E) |
| 1 | PRI-SUB | 3,000 | 1,453 | 1,000,000 | \$63,295.34 | \$478.79 | (\$1,154.20) | (\$675.41) | \$62,619.93 | -1.07% |
| 2 | | 5,000 | 2,422 | 2,000,000 | \$121,390.08 | \$1,014.57 | (\$2,308.40) | (\$1,293.83) | \$120,096.25 | -1.07% |
| 3 | | 5,000 | 2,422 | 3,000,000 | \$173,885.78 | \$1,014.57 | (\$3,462.60) | (\$2,448.03) | \$171,417.75 | -1.41% |
| 4 | | 10,000 | 4,843 | 4,000,000 | \$240,389.11 | \$2,354.04 | (\$4,616.80) | (\$2,262.76) | \$238,126.35 | -0.94% |
| 5 | | 10,000 | 4,843 | 5,000,000 | \$292,864.81 | \$2,354.04 | (\$5,771.00) | (\$3,416.96) | \$289,447.85 | -1.17% |
| 6 | | 15,000 | 7,265 | 6,000,000 | \$359,388.15 | \$3,693.50 | (\$6,925.20) | (\$3,231.70) | \$356,156.45 | -0.90% |
| 7 | | 15,000 | 7,265 | 7,000,000 | \$411,883.85 | \$3,693.50 | (\$6,079.40) | (\$4,385.90) | \$407,477.95 | -1.06% |
| 8 | | 15,000 | 7,265 | 8,000,000 | \$464,339.55 | \$3,693.50 | (\$9,233.60) | (\$5,540.10) | \$458,799.45 | -1.19% |
| 9 | | 25,000 | 12,108 | 9,000,000 | \$544,910.52 | \$6,372.43 | (\$10,387.80) | (\$4,015.37) | \$540,895.15 | -0.74% |
| 10 | | 25,000 | 12,108 | 10,000,000 | \$597,386.22 | \$6,372.43 | (\$11,542.00) | (\$5,169.57) | \$592,216.65 | -0.87% |
| 11 | | 30,000 | 14,530 | 12,500,000 | \$742,623.10 | \$7,711.89 | (\$14,427.50) | (\$6,715.61) | \$735,907.49 | -0.90% |
| 12 | | 30,000 | 14,530 | 15,000,000 | \$873,812.35 | \$7,711.89 | (\$17,313.00) | (\$9,601.11) | \$864,211.24 | -1.10% |
| 13 | | 50,000 | 24,216 | 17,500,000 | \$1,061,192.12 | \$13,069.74 | (\$20,198.50) | (\$7,128.76) | \$1,054,063.36 | -0.67% |
| 14 | | 50,000 | 24,216 | 20,000,000 | \$1,192,381.37 | \$13,069.74 | (\$23,084.00) | (\$10,014.26) | \$1,182,367.11 | -0.84% |
| 15 | | 50,000 | 24,216 | 25,000,000 | \$1,454,759.87 | \$13,069.74 | (\$28,855.00) | (\$15,785.26) | \$1,438,974.61 | -1.09% |

The Dayton Power and Light Company
Case No 20-1651-EI-AIR

Typical Bill Comparison
High Voltage Service

Data: 3 Months Actual & 9 Months Estimated
Type of Filing: Original
Work Paper Reference No(s): None

PFN - Exhibit 4
Schedule E-5
Page 9 of 11

| Line No. | Rate Code | Level of Demand (kW) | Level of Usage (kWh) | Current Bill | Base Distribution Increase / (Decrease) | Energy Efficiency Rider (Decrease) | Current Total Bill Increase / (Decrease) | Proposed Total Bill | % Change |
|----------|-----------|-------------------------|-------------------------|----------------|---|------------------------------------|--|---------------------|-----------------|
| (A) | (B) | (C) | (D) | (E) | (F) | (G) | (H) = Sum (F) to (G) | (I) = (E) + (G) | (J) = (G) / (E) |
| 1 | HV | 1,000 | 500,000 | \$30,368.65 | (\$827.60) | (\$385.40) | (\$1,013.00) | \$29,355.65 | -3.34% |
| 2 | | 2,000 | 1,000,000 | \$59,244.02 | (\$827.60) | (\$770.80) | (\$1,398.40) | \$57,845.62 | -2.36% |
| 3 | | 3,000 | 1,500,000 | \$87,349.00 | (\$827.60) | (\$1,156.20) | (\$1,783.80) | \$85,565.20 | -2.04% |
| 4 | | 3,500 | 2,000,000 | \$114,412.24 | (\$827.60) | (\$1,541.60) | (\$2,169.20) | \$112,243.04 | -1.90% |
| 5 | | 5,000 | 2,500,000 | \$143,558.95 | (\$827.60) | (\$1,927.00) | (\$2,554.60) | \$141,004.35 | -1.78% |
| 6 | | 7,500 | 3,000,000 | \$174,789.15 | (\$827.60) | (\$2,312.40) | (\$2,940.00) | \$171,849.15 | -1.68% |
| 7 | | 7,500 | 4,000,000 | \$228,832.15 | (\$827.60) | (\$3,083.20) | (\$3,710.80) | \$223,121.35 | -1.64% |
| 8 | | 10,000 | 5,000,000 | \$284,083.84 | (\$827.60) | (\$3,854.00) | (\$4,481.60) | \$279,602.24 | -1.58% |
| 9 | | 10,000 | 6,000,000 | \$336,126.84 | (\$827.60) | (\$4,624.80) | (\$5,252.40) | \$330,874.44 | -1.56% |
| 10 | | 12,500 | 7,000,000 | \$393,378.54 | (\$827.60) | (\$5,395.60) | (\$6,023.20) | \$387,355.34 | -1.53% |
| 11 | | 12,500 | 8,000,000 | \$445,421.54 | (\$827.60) | (\$6,166.40) | (\$6,794.00) | \$438,627.54 | -1.53% |
| 12 | | 15,000 | 9,000,000 | \$502,673.22 | (\$827.60) | (\$6,937.20) | (\$7,564.80) | \$495,108.42 | -1.50% |
| 13 | | 20,000 | 10,000,000 | \$565,133.61 | (\$827.60) | (\$7,708.00) | (\$8,335.60) | \$556,798.01 | -1.47% |
| 14 | | 40,000 | 20,000,000 | \$1,127,233.14 | (\$827.60) | (\$15,416.00) | (\$16,043.60) | \$1,111,189.54 | -1.42% |
| 15 | | 60,000 | 30,000,000 | \$1,689,332.68 | (\$827.60) | (\$23,124.00) | (\$23,751.60) | \$1,665,581.08 | -1.41% |

The Dayton Power and Light Company
Case No 20-1651-EI-AIR

Typical Bill Comparison
Private Outdoor Lighting

Data: 3 Months Actual & 9 Months Estimated
Type of Filing: Original
Work Paper Reference No(s): None

PFN - Exhibit 4
Schedule E-5
Page 10 of 11

| Line No. | Rate Code | Level of Demand (kW) | Level of Usage (kWh) | Current Bill (E) | Base Distribution Increase / (Decrease) (F) | Energy Efficiency Rider (Decrease) (G) | Current Total Bill Increase / (Decrease) (H) = Sum (F) to (G) | Proposed Total Bill (I) = (E) + (G) | % Change (J) = (G) / (E) |
|----------|-----------|----------------------|----------------------|------------------|---|--|---|-------------------------------------|--------------------------|
| (A) | (B) | (C) | (D) | (E) | (F) | (G) | (H) = Sum (F) to (G) | (I) = (E) + (G) | (J) = (G) / (E) |
| 1 | POL | 7000 | | | | | | | |
| 2 | | Mercury | 75 | \$10.91 | \$ 4.76 | \$0.00 | \$4.76 | \$15.67 | 43.63% |
| 3 | | 21000 | | | | | | | |
| 4 | | Mercury | 154 | \$21.33 | \$ 4.76 | \$0.00 | \$4.76 | \$26.09 | 22.32% |
| 5 | | 2500 | | | | | | | |
| 6 | | Incandescent | 64 | \$10.04 | \$ 4.76 | \$0.00 | \$4.76 | \$14.80 | 47.41% |
| 7 | | 7000 | | | | | | | |
| 8 | | Fluorescent | 66 | \$11.07 | \$ 4.76 | \$0.00 | \$4.76 | \$15.83 | 43.00% |
| 9 | | 4000 | | | | | | | |
| 10 | | Mercury | 43 | \$10.10 | \$ 4.76 | \$0.00 | \$4.76 | \$14.86 | 47.13% |
| 11 | | 9500 | | | | | | | |
| 12 | | High Pressure Sod. | 39 | \$8.80 | \$ 4.76 | \$0.00 | \$4.76 | \$13.56 | 54.09% |
| 13 | | 28000 | | | | | | | |
| 14 | | High Pressure Sod. | 96 | \$12.67 | \$ 4.76 | \$0.00 | \$4.76 | \$17.43 | 37.57% |
| 15 | | 3600 | | | | | | | |
| 16 | | LED | 14 | \$10.92 | \$ 4.76 | \$0.00 | \$4.76 | \$15.68 | 43.59% |
| 17 | | 8400 | | | | | | | |
| 18 | | LED | 30 | \$11.82 | \$ 4.76 | \$0.00 | \$4.76 | \$16.58 | 40.27% |

The Dayton Power and Light Company
Case No 20-1651-EI-AIR

Typical Bill Comparison
Street Lighting

Data: 3 Months Actual & 9 Months Estimated
Type of Filing: Original
Work Paper Reference No(s): None

PFN - Exhibit 4
Schedule E-5
Page 11 of 11

| Line No. | Rate Code | Level of Demand (kW) | Level of Usage (kWh) | Current Bill (E) | Base Distribution Increase / (Decrease) (F) | Energy Efficiency Rider (Decrease) (G) | Current Total Bill Increase / (Decrease) (H) = Sum (F) to (G) | Proposed Total Bill (I) = (E) + (G) | % Change (J) = (G) / (E) |
|----------|-----------|-------------------------|-------------------------|---------------------|--|---|--|--|-----------------------------|
| 1 | SL | 0 | 50 | \$15.53 | \$0.70 | (\$0.09) | \$0.61 | \$16.14 | 3.93% |
| 2 | | 0 | 100 | \$19.21 | \$1.11 | (\$0.19) | \$0.92 | \$20.13 | 4.79% |
| 3 | | 0 | 200 | \$26.56 | \$1.93 | (\$0.37) | \$1.56 | \$28.12 | 5.87% |
| 4 | | 0 | 400 | \$41.28 | \$3.58 | (\$0.75) | \$2.83 | \$44.11 | 6.88% |
| 5 | | 0 | 500 | \$48.83 | \$4.40 | (\$0.83) | \$3.47 | \$52.10 | 7.14% |
| 6 | | 0 | 750 | \$67.03 | \$6.45 | (\$1.40) | \$5.05 | \$72.08 | 7.53% |
| 7 | | 0 | 1,000 | \$85.41 | \$8.50 | (\$1.87) | \$6.63 | \$92.04 | 7.78% |
| 8 | | 0 | 1,200 | \$100.12 | \$10.15 | (\$2.24) | \$7.91 | \$108.03 | 7.90% |
| 9 | | 0 | 1,400 | \$114.84 | \$11.79 | (\$2.62) | \$9.17 | \$124.01 | 7.99% |
| 10 | | 0 | 1,600 | \$129.53 | \$13.43 | (\$2.99) | \$10.44 | \$139.97 | 8.06% |
| 11 | | 0 | 2,000 | \$158.97 | \$16.72 | (\$3.74) | \$12.98 | \$171.95 | 8.17% |
| 12 | | 0 | 2,500 | \$195.51 | \$20.82 | (\$4.67) | \$16.15 | \$211.66 | 8.26% |
| 13 | | 0 | 3,000 | \$232.07 | \$24.93 | (\$5.61) | \$19.32 | \$251.39 | 8.33% |
| 14 | | 0 | 4,000 | \$305.14 | \$33.14 | (\$7.48) | \$25.66 | \$330.80 | 8.41% |
| 15 | | 0 | 5,000 | \$378.26 | \$41.36 | (\$9.35) | \$32.01 | \$410.27 | 8.46% |

City of Urbana Shade Tree Commission Minutes – June 11, 2020 at 7:00PM (156)

Roll Call and Introductions:

Present: Doug Crabill, Ward Lutz, Jim Lemon, and Colin Stein

Reading and Approval of Minutes (11/14/2019)

Ward Lutz made a motion to approve the meeting minutes from 11/14/2019 as prepared. Jim Lemon seconded the motion. All members in attendance voted (4-0) in favor of approving the minutes as prepared.

Old Business:

Possible Changes to Chapter 905 (Trees): Doug Crabill provided a copy of the final version of the new tree ordinance which was passed by Urbana City Council on January 21, 2020. He briefly outlined the final version of the ordinance.

Maintenance and Trimming Projects: Doug Crabill reported that additional maintenance and trimming work needs to be organized and completed as part of the city's Tree City USA commitment. He discussed a combination of city labor and volunteer labor to complete necessary projects with these costs being counted toward the city's per capita match.

Memorial Tree Program Update: Doug Crabill reported that the markers for the trees planted last fall were ordered and required installation soon. Ward Lutz and Jim Lemon offered to help with the installation of these ten (10) markers as soon as they are received from Bryce Hill. Doug Crabill also mentioned that the listing of Memorial Tree donors and locations will need to be updated.

Oakdale Cemetery-Arboretum Update: Doug Crabill reported that effort will be placed on the ArbNet application in 2020.

-Karen Kerns Dresser Donation: Doug Crabill reported that an additional ten (10) trees were planted last fall at Oakdale Cemetery from this donation. He also mentioned that he had recently spoken to a family member about a sign to honor Karen's legacy and donation. Discussions took place about naming the arboretum at the cemetery in Karen's honor. Ward Lutz provided background on the cemetery being named Greenwood originally in 1855 with a name change to Oak Dale (two words) in 1856.

New Business:

-2020 Street Tree Inventory: Jim Lemon reported that he had started the street tree inventory update, including the measurement of each tree since the trees have not been measured in five years. He estimated that these efforts have taken over 30 hours to complete as of the date of the

meeting. In addition, he reported that inventory work is still required on the main thoroughfares of the city in the coming weeks to complete the field inventory with data entry to follow.

-Tree Work Permit: Doug Crabill explained the new tree work permit that is required by the new ordinance for tree plantings and removals within the right of way. Jim Lemon asked how removals would be approved or not approved under the permit process. In addition, the commission discussed the process for how trees planted without permits would be handled by the city. The commission felt that this topic would require further communication with the public.

-Policies and Procedures: Doug Crabill explained that the Shade Tree Commission will need 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.

-Tree Program Funding: Doug Crabill explained the \$2.00 per capita requirement for Tree City USA which equates to \$23,346.00 per year. He explained that the city does not plan to fund street tree removals moving forward. The commission discussed how to achieve the \$2.00 per capita requirement including volunteer labor, city in-kind work, etc. Jim Lemon stated that the city needs to develop capacity beyond volunteers.

Misc. Business: New members are needed to serve the 1st Ward, 2nd Ward, and 4th Ward. Doug Crabill also reported that no Tree City USA observance is required in 2020 due to Covid-19.

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

City of Urbana Shade Tree Commission Minutes – July 9, 2020 at 5:00PM (157)

Roll Call and Introductions:

Present: Doug Crabill, Ward Lutz, Jim Lemon, and Colin Stein

In addition, Doug Crabill introduced the new Shade Tree Commission members who were present at the meeting: Charles Moody and Doug George.

Reading and Approval of Minutes (6/11/2020)

Ward Lutz made a motion to approve the meeting minutes from 6/11/2020 as prepared. Jim Lemon seconded the motion. All members in attendance voted (6-0) in favor of approving the minutes as prepared.

Old Business:

Maintenance and Trimming Projects: Doug Crabill reported that additional maintenance and trimming work needs to be completed, including many of the recent bareroot plantings. In addition, he mentioned that young tree pruning/trimming is also needed at Oak Dale Cemetery.

Memorial Tree Program Update: Doug Crabill reported that all of the tree markers for the Memorial Tree Program that were planted in the fall of 2019 have been installed. Ward Lutz and Jim Lemon completed these installations. Doug Crabill reported that the listing of Memorial Trees is due to be updated.

Oakdale Cemetery-Arboretum Update: Doug Crabill reported that the goal in 2020 is to submit an accreditation application to ArbNet (Morton Arboretum) for certification of Oak Dale Cemetery as a Level 1 arboretum. Kerry Brugger has already prepared a draft application. A minimum of twenty-five species are required to qualify as a Level 1 Arboretum. Over time, part of this effort will include an updated inventory of trees at Oak Dale Cemetery, including GPS coordinates for each tree.

-Karen Kerns Dresser Donation: Doug Crabill reported that an additional ten (10) trees were planted last fall at Oakdale Cemetery from this donation. Based on recent discussions with Karen's family and the commission's discussion at the June meeting, Doug Crabill shared a conceptual name for the arboretum at Oak Dale Cemetery in honor of Karen. The conceptual name is Greenwood Arboretum at Oak Dale Cemetery in Memory of Karen Kerns Dresser.

-2020 Street Tree Inventory: Jim Lemon reported that he had completed the street tree inventory update, including the measurement of each tree since the trees have not been measured since 2015. He thanked his wife, Sue, for her assistance in completing the inventory. Also, he reported approximately 1,019 trees are active in the database and within the treelawn. In addition, he

mentioned that only 5-6 trees had been downgraded in condition from the last tree inventory update.

-Policies and Procedures: Doug Crabill explained that the Shade Tree Commission will need 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 and owner planted trees.

-Tree Program Funding: Doug Crabill explained that funding options would continue to be explored in the future, including a potential rewrite of the compost ordinance to include some type of fee for street trees.

New Business:

-Watering/Mulching: Doug Crabill mentioned that mulching needed to be completed before the warmest summer weather set in. In addition, he mentioned that watering may be required during the summer months.

Misc. Business: None.

Meeting adjourned. Motion to adjourn, Jim Lemon; Charles Moody, second; all in favor (6-0).

City of Urbana Shade Tree Commission Minutes – August 13, 2020 at 5:00PM (158)

Roll Call and Introductions:

Present: Doug Crabill, Ward Lutz, Jim Lemon, Colin Stein, Charles Moody, and Doug George.

Reading and Approval of Minutes (7/9/2020)

The minutes of the July 9, 2020 meeting were not prepared in time for the meeting. No action was taken on these minutes.

Old Business:

Maintenance and Trimming Projects: Commission members discussed areas of the city that require trimming/pruning. Specific areas discussed were as follows: Scioto Street, US 36 East, East Water Street, and recently planted bareroot trees.

Memorial Tree Program Update: Doug Crabill reported that the listing of Memorial Trees is due to be updated. In addition, he reported that the recent dry spell with dry winds may have resulted in some mortality of recently planted trees. Doug Crabill and Jim Lemon watered all of the trees, but a few of them may have received water too late.

Oakdale Cemetery-Arboretum Update: Doug Crabill reported that the goal in 2020 is to submit an accreditation application to ArbNet (Morton Arboretum) for certification of Oak Dale Cemetery as a Level 1 arboretum. Kerry Brugger has already prepared a draft application. A minimum of twenty-five species are required to qualify as a Level 1 Arboretum. Over time, part of this effort will include an updated inventory of trees at Oak Dale Cemetery, including GPS coordinates for each tree. Doug Crabill reported that he would be participating in an upcoming webinar regarding ArbNet certification.

-Karen Kerns Dresser Donation: At the July meeting, Doug Crabill had shared a conceptual name for the arboretum at Oak Dale Cemetery in honor of Karen. The conceptual name was Greenwood Arboretum at Oak Dale Cemetery in Memory of Karen Kerns Dresser. He requested that the commission make a recommendation to adopt this name with approval of the Oak Dale Cemetery Board and Urbana City Council to follow. Charles Moody made a motion to recommend the name of Greenwood Arboretum at Oak Dale Cemetery in Memory of Karen Kerns Dresser, and Jim Lemon seconded this motion. All in attendance voted 6-0 in favor of this naming recommendation.

-Policies and Procedures: Doug Crabill explained that the Shade Tree Commission will need 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.

-Tree Program Funding: Doug Crabill explained that funding options would continue to be explored in the future, including a potential rewrite of the compost ordinance to include some type of fee for street trees.

-Watering/Mulching: Doug Crabill reported that the staff at Oak Dale Cemetery had been able to mulch the newest trees to conserve moisture, and he reported that Bob Jumper had assigned a staff member to water trees at Oak Dale Cemetery. Jim Lemon reported that he had teamed with the park staff to water at Melvin Miller Park during the recent dry weather.

New Business:

Memorial Tree Program (Fall 2020 Planting): Doug Crabill reported that he was working on a press release for applications for the fall 2020 planting for the Memorial Tree Program. He reported that he had already received three applications. In addition, he reported that the program this year would include tree planting at the Old Graveyard at the intersection of North Kenton Street and East Ward Street.

Misc. Business: Doug Crabill reported that ODNR was offering free webinars in place of the yearly fall conference. Members were encouraged to sign up and participate on their own.

Meeting adjourned. Motion to adjourn, Colin Stein; Doug George, second; all in favor (6-0).

City of Urbana Shade Tree Commission Minutes – September 10, 2020 at 5:00PM (159)

Roll Call and Introductions:

Present: Colin Stein, Jim Lemon, Doug Crabill, and Ward Lutz

Reading and Approval of Minutes (7/9/2020) & (8/13/2020)

The minutes from the July 9, 2020 meeting and the August 13, 2020 meeting were not prepared in time for the meeting. No action was taken on these minutes.

Old Business:

Maintenance and Trimming Projects: Ward Lutz and Jim Lemon reported that they completed some trimming on Miami Street and Park Avenue. They were not able to limb up trees, but they were able to remove suckers, water sprouts, etc. Furthermore, the commission members discussed how best to trim and stack debris in other locations for pickup in order to ensure social distancing protocols are followed.

Memorial Tree Program Update: Doug Crabill reported that the listing of Memorial Trees is due to be updated, and Ward Lutz offered to help with monitoring the condition and status of each Memorial Tree. Furthermore, Doug Crabill stated that he would work with Engineering Technician, Clay Miller, to get all of the Memorial Trees entered into the city's GPS/GIS system.

Oakdale Cemetery-Arboretum Update: Doug Crabill reported that the goal in 2020 is to submit an accreditation application to ArbNet (Morton Arboretum) for certification of Oak Dale Cemetery as a Level 1 arboretum. Kerry Brugger has already prepared a draft application. A minimum of twenty-five species are required to qualify as a Level 1 Arboretum. Over time, part of this effort will include an updated inventory of trees at Oak Dale Cemetery, including GPS coordinates for each tree. Doug Crabill reported that he had recently participated in a webinar regarding ArbNet certification.

Karen Kerns Dresser Donation: Doug Crabill shared that the Oak Dale Cemetery Board had also adopted the name of Greenwood Arboretum at Oak Dale Cemetery in Memory of Karen Kerns Dresser. In addition, he reported that the next step would be formal adoption of the naming of the arboretum at Oak Dale Cemetery through council legislation. Furthermore, the commission discussed potential signage locations for the arboretum, but no decision was made.

Policies and Procedures: 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. During this meeting, the commission adopted

one policy which calls for removal of any poor trees by city crews for trees that measure less than 10" DBH and in which city crews can safely complete removal where no extenuating circumstances are present. Jim Lemon motioned to approve this policy recommendation and Ward Lutz seconded this motion. All voted in attendance voted in favor. Motion passed 4-0.

Tree Program Funding: Doug Crabill explained that funding options would continue to be explored in the future, including a potential rewrite of the compost ordinance to include some type of fee for street trees.

Watering/Mulching: The commission discussed how to procure mulch for the tree commission's use. Doug Crabill will talk to Ryan Lantz about coordinating with his mulch deliveries.

Memorial Tree Program (Fall 2020 Planting): Doug Crabill reported that a press release had been published for the fall 2020 planting for the Memorial Tree Program. In addition, he reported that the program this year would include tree planting at the Old Graveyard at the intersection of North Kenton Street and East Ward Street.

New Business:

2020 Tree City USA Application: Doug Crabill reported that the Tree City USA application is due in early December, and he will be starting work on the application.

Misc. Business: Jim Lemon shared that he was hoping to secure a new bareroot tree source since the city's old supplier had been purchased by a larger supplier. Doug Crabill offered to contact Don Creamer in Washington Court House.

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

City of Urbana Shade Tree Commission Minutes – October 8, 2020 at 5:00PM (160)

Roll Call and Introductions:

Present: Colin Stein, Jim Lemon, Doug Crabill, Ward Lutz, and Charles Moody.

By Phone: Doug George

Guest: Kerry Brugger

Reading and Approval of Minutes (7/9/2020) & (8/13/2020) & (9/10/2020)

The minutes from the July 9, 2020 meeting and the August 13, 2020 meeting were approved as prepared. Ward Lutz motioned to accept the meeting minutes from July 9, 2020 and August 13, 2020. Charles Moody seconded this motion. The two sets of minutes were approved unanimously 6-0. Lastly, the minutes of the September 10, 2020 meeting were not prepared for the meeting, and no action was taken on this set of minutes as a result.

Old Business:

Maintenance and Trimming Projects: Jim Lemon reported that no new progress had been made on tree trimming projects, but that the cooler weather was more conducive to this work.

Memorial Tree Program Update: Ward Lutz reported that he located and evaluated the status of each Memorial Tree and marker. Furthermore, Doug Crabill stated that Engineering Technician, Clay Miller had been able to enter almost all of the Memorial trees at Oak Dale Cemetery and Melvin Miller Park into the city's GPS/GIS system.

Oakdale Cemetery-Arboretum Update: Doug Crabill reported that the goal in 2020 is to submit an accreditation application to ArbNet (Morton Arboretum) for certification of Oak Dale Cemetery as a Level 1 arboretum. Kerry Brugger has already prepared a draft application. A minimum of twenty-five species are required to qualify as a Level 1 Arboretum. Over time, part of this effort will include an updated inventory of trees at Oak Dale Cemetery, including GPS coordinates for each tree. Doug Crabill reported that he had started to review the draft of the application that Kerry Brugger had prepared previously.

Karen Kerns Dresser Donation: Doug Crabill shared that Urbana City Council had passed a resolution to formal adoption the naming of Greenwood Arboretum at Oak Dale Cemetery in Memory of Karen Kerns Dresser. Kerry Brugger shared his concept of installing a kiosk at the half circle adjacent to the cemetery house, and he further explained that the kiosk could be similar to the kiosk that was installed at the disc golf course at Melvin Miller Park. Doug Crabill and Kerry Brugger reported that they would also start work on a signage concept for the arboretum with input from Noel Kerns.

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 provided a draft document for a process flow for tree removals based on tree inventory results for review/evaluation by the commission.

Memorial Tree Program (Fall 2020 Planting): Doug Crabill reported that a press release had been placed in the newspaper, and that applications had been received. In addition, he stated there would be a few replacements that would have to be included in the total number of trees to be planted.

2020 Tree City USA Application: Doug Crabill reported that the Tree City USA application is due in early December, and he will be starting work on the application.

New Business:

Misc. Business: Doug Crabill shared that he had spoken to Don Creamer in Washington Court House about bareroot tree availability. He had identified a potential supplier, but this supplier would require for the plant material to be picked up at a customer's location somewhere in Ohio. Don Creamer offered to share any information with Doug Crabill as he pinned down more details.

Meeting adjourned. Motion to adjourn, Colin Stein; Jim Lemon, second; all in favor (6-0).

**NOTICE TO LEGISLATIVE
AUTHORITY**

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

| | | | |
|-------------------|------------|------------|---|
| 9284744 | | NEW | URBANA HOTEL LLC DBA COBBLESTONE HOTEL & SUITES 170 SR55 URBANA OH 43078 |
| PERMIT NUMBER | | TYPE | |
| ISSUE DATE | | | |
| 06 10 2020 | | | |
| FILING DATE | | | |
| D5A | | | |
| PERMIT CLASSES | | | |
| 11 | 066 | A | C73207 |
| TAX DISTRICT | | | RECEIPT NO. |

FROM **10/21/2020**

| | | |
|----------------|--|-------------|
| PERMIT NUMBER | | TYPE |
| ISSUE DATE | | |
| FILING DATE | | |
| PERMIT CLASSES | | |
| TAX DISTRICT | | RECEIPT NO. |



MAILED **10/21/2020**

RESPONSES MUST BE POSTMARKED NO LATER THAN. **11/23/2020**

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

A NEW 9284744

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

**CLERK OF URBANA CITY COUNCIL
205 S MAIN ST
URBANA OHIO 43078**

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Commerce Division of Liquor Control : Web Database Search

OWNERSHIP DISCLOSURE INFORMATION

This online service will allow you to obtain ownership disclosure information for issued and pending retail liquor permit entities within the State of Ohio.

Searching Instructions

Enter the known information and click the "Search" button. For best results, search only ONE criteria at a time. If you try to put too much information and it does not match exactly, the search will return a message "No records to display".

The information is sorted based on the Permit Number in ascending order.

To do another search, click the "Reset" button.

| | SEARCH CRITERIA |
|------------------------------|-----------------|
| Permit Number | 9284744 |
| Permit Name / DBA | |
| Member / Officer Name | |

[Search](#) [Reset](#) [Main Menu](#)

| Member/Officer Name | Shares/Interest | Office Held |
|---|-----------------|-------------|
| Permit Number: 9284744; Name: URBANA HOTEL LLC DBA DBA COBBLESTONE HOTEL & SUITES; Address: 170 SR55 URBANA 43078 | | |
| HOWELL LAND DEVELOPMENT LLC | 5% MEMBER | |
| JERRY GECOWETS REV TRUST | 5% MEMBER | |
| MICHAEL FAMILY FARMS | 5% MEMBER | |
| JOHN CANESTRARO | 5% MEMBER | |
| STEVEN NOHL TRUST | 5% MEMBER | |
| MIKE NAJOR | MANAGE MEM | |

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Board of Zoning Appeals

October 12, 2020, Meeting Minutes

Attendance

- Members Present:** Vince Gonzalez (Chair); Marty Hess (Vice-Chair); Lisa Haulman; Bryant Heflin; Charlie Zerkle; and Skip Mintchell (Alternate).
- Member(s) Absent:** None.
- Guests Present:** Cat Tanujaya (Zoning & Compliance); Adam Moore (Zoning & Compliance); Larry Downs (420 N. Main St.), Geno Hill (292 Finch St.); William E. Gibson (535 N. Main St.); Grant W. Glessner (624 N. Main St.); Luke Streng (735 – 747 Scioto St. – Broker); and JD Blacklock (735 – 747 Scioto St. - Applicant).

Call to Order and Pledge of Allegiance

- Action:** Vince Gonzalez called the meeting to order at 6:00 PM.

Reading of Rules of the Meeting and Swearing-In of Witnesses

- Action:** Vince Gonzalez read the rules of the meeting and swore in all witnesses at the meeting.

Prior Meeting Minutes

- Action:** Bryant Heflin made a motion to approve the meeting minutes from September 14, 2020. Marty Hess seconded the motion.
- Discussion:** None.
- Vote:** 5 (Yay) – 0 (Nay)
Motion passed.

New Business – Application(s)

- Case # 1:** **BZA-2020-007 – 735 Scioto Street (K48-25-11-02-28-013-00) – Blacklock Partners, LLC**
A conditional use permit per Chapter 1124.04(m) to allow the participant to use the existing building as an indoor, climate-controlled, self-storage facility.

- Application:** Lisa Haulman read the application to the Board.

- Staff Comments & Recommendations:** Adam Moore provided the background and read the staff report to the Board.

- Testimony in Favor:** None.

- Testimony Against:** None.

- Discussion:** Luke Streng (735 – 747 Scioto St. – Broker) explained that old, vacant big-box retail space is currently being turned either into a multi-family unit or storage units. Storage units are much more agreeable and create lower traffic demands.



JD Blacklock (735 – 747 Scioto St. - Applicant) explained that the building was the old Save A Lot. It will be repurposed into an indoor self-storage facility. There will be no drive-thru access. Parking will be available outside and there will be carts provided inside the facility. The goal is to have the nicest and cleanest self-storage facility in town.

Lisa Haulman – How many units will be available?

- Mr. Blacklock – Around 250 to 275 units.

Marty Hess – Do you own all of the 9.2 acres lot?

- Mr. Blacklock – No. We are only purchasing the old Save a Lot and Goodwill. The rest will remain as is.
- Mr. Streg – They are currently working on a lot split. The lot with the two buildings is 3.8 acres which is the lot that we are requesting for conditional use.

How much of the parking lot front will go along with that building?

- Mr. Streg – The parking lot will be from the front of the Goodwill up until Tim Horton’s and any shared easements. We will make sure that all 5 businesses will maintain access to all of the others.

Mr. Hess’ was concerned that it’s going to create traffic/bottleneck problems along Jefferson.

- Mr. Blacklock – I’ve been in the self-storage business for pretty much my whole life and it truly is a very low, low traffic use. The average storage facility in the US is about 40,000 sq. ft. and this facility will be about that much. The newer facilities that are going into big cities as closer to 100,000 sq. ft. and in the grand scheme of things, this is a smaller facility. I do think I have some traffic impact numbers that I can provide. Honestly, I think it will produce probably 3 cars per day or so. When people store their stuff, they normally don’t see their stuff every day. They usually store it and keep it there for some time.
- Doug Crabill – We have been working with the ownership of Taco Bell to move that entrance south and improve the stacking for Taco Bell. That’s all contingent on the owner of Taco Bell purchasing the lot and other dynamics at work but we have been working with them on that to change how the drive-thru stacks.

Will there be any employees?

- Mr. Blacklock – We’ll have 2 employees there initially, possibly 3 depending on how busy the location is but we’re looking at 2 employees.

Can you store a car in the facility?

- Mr. Blacklock – You can’t store a vehicle that has any gas in it. I suppose if it’s a very small vehicle and that they emptied the gas out of like a small collector vehicle then they can store that in there. There’s no way you can fit a car even through the door. I never had anybody store a car in a climate-controlled facility. There is a loading door/dock that a truck/car can pull up to load and unload.

Bryant Heflin is glad that the vacant building is being repurposed and is looking forward to it.

Charlie Zerkle – Will this facility be open 24/7? What are the hours of operation?

- Mr. Blacklock – Monday thru Friday, 9 AM to 5 PM. Saturday will be a half-day and closed on Sunday.

Skip Mintchell – Does this include the old Big Lots? Will it include the whole building?

- Mr. Crabill – Yes and Goodwill will remain as a retail tenant since they have a lease.

Vince Gonzalez – So in your application, it says that there won’t be a drive-thru?

- Mr. Blacklock – No. We think it’s already a small space for storage. I don’t think we’re going to have room for any type of drive-up or people coming in and driving up. WE want to be very secure and be a 100% climate-controlled, interior facility.

What’s your timeframe?



- Mr. Blacklock – We’re still negotiating with the seller and CVS has some deed restrictions. There are some things we need to work through with CVS, so we’re still waiting on some documents from them. If we can get something settled with CVS within the next 30 days, then we can have a drawing of the plans in 60 days, submitting the applications to the City within 120 days. Being fully operational in one year from today.

Mr. Gonzalez wanted it to be clear that there’s no drive-thru available that will keep any traffic going in and out of the building.

- Mr. Blacklock – There will be no drive-thru.

Action: Vince Gonzalez made a motion to **approve the application with condition** that no drive-thru capabilities will be provided at the site.
Lisa Haulman seconded the motion.

Vote: 5 (Yay) – 0 (Nay)
Motion passed.

Case # 2: **BZA-2020-008 – 624 North Main Street (K48-25-11-04-34-037-00) – Lincoln & Main/PN-4 Group LLC**
Variance from Chapter 1124.08 to allow the applicant to construct a two-tier deck that is located approximately 12’ from the rear yard lot line.

Application: Lisa Haulman read the application to the Board.

Staff Comments & Recommendations: Adam Moore provided the background and read the staff report to the Board.

Testimony in Favor: Adam Moore mentioned that Neil Cordonnier from Ultra-Met sent a letter of support for this application.

Grant W. Glessner (624 N. Main St.) explained that they are looking for outdoor seating. There’s a patio that was constantly being extended. The grade was too substantial and it becomes very expensive to grade it out with concrete. The deck would be a viable solution. The two tiers are so that everyone can look at the stage.

Testimony Against: William E. Gibson (535 N. Main St.) explained that he lives close to Lincoln & Main. Mr. Gibson had been complaining about noise since August 2019. The music shakes the ground and rattles the windows. Mr. Gibson spoke with Mr. Glessner regarding the noise and Mr. Glessner apologized. Mr. Gibson feels that the deck addition will exacerbate the noise. Mr. Gibson feels that the neighborhood does not need more entertainment, just less noise. Parking in the neighborhood has been difficult. Mr. Gibson encourages businesses in Urbana if they don’t interfere with the surrounding neighbors.

Discussion: Vince Gonzalez recused himself from the discussion since he lives within 400’ of Lincoln & Main. Skip Mintchell will sit in for Mr. Gonzalez.

Charlie Zerkle – Does the City have a standard on how big a deck can be on a property?

- Adam Moore – We have nothing specific to a deck, however, there is a maximum lot occupancy standard, which is 40% in B-2.

How big is the proposed deck?

- Mr. Moore – 38’ by 16’ is 608 sq. ft., however, we have to review it when the application is submitted.

Is there an ordinance on how many people can occupy the space or how many bathrooms are required for the addition?

- Mr. Moore – That is something the building department or the health department can answer and not zoning.



Bryant Heflin – Can you clarify the “two-tiered deck”? Does that mean that one level where you will have to walk a couple of steps down or will it be on a level stacked overhead of another level?

- Grant W. Glessner – It’s a simple step down to the other level. It’s a traditional deck with the only exception of the grade of the hill. One is 14” higher than the other.

Lisa Haulman – How many extra tables will that be?

- Mr. Glessner – About four per section and depending on how many people sit at a table it can have about 32-40 people. We also understand that it will create more parking demand. We spoke to Ultra-Met on the parking to alleviate the parking issue.

Skip Mintchell is happy that the deck is on the backside because at this time there’s not much to disturb. Mr. Mintchell is ok with the request. Mr. Glessner commented that he will be leaving the tree line in the back as to not be an eyesore for the upcoming housing on Laurel Oak. Mr. Hess stated that with the railroad and bike path, there’s no concern of anything being developed on the back of the property.

Marty Hess – Is the storage building permanent with foundations or not?

- Mr. Glessner – It’s permanent.

Will the deck be under a roof?

- Mr. Glessner – No.

Mr. Hess acknowledged that this addition will bring in more business and a demand for parking. What is required for business off-street parking?

- Mr. Moore – The square footage of the business determined the number of parking spaces required. With the additional seating, there will be additional available parking spaces required.

Will the additional parking space that is shared with Ultra-Met have a dustless and durable surface?

- Mr. Glessner – Yes.

Vincent Gonzalez (132 Lafayette Ave.) felt that it will be detrimental to the neighborhood because it will increase traffic and noise. It will bring more people which create more noise. Mr. Gibson explained that the noise is not intermittent but continuous and can go on for hours. Mr. Gibson also mentioned that employees park in that area making it difficult to find parking for the residents. Mr. Glessner explained that he is working on additional parking in the back of the law firm next door that will be employee parking.

Action:

Skip Mintchell made a motion to **approve the application as presented.**
Lisa Haulman seconded the motion.

Vote:

4 (Yay) – 1 (Nay) Charlie Zerkle is the lone “No” vote.
Motion passed.

Miscellaneous Business

Discussion:

Fence Variance for Larry Downs (420 N. Main St.): Mr. Downs wanted to build an 8’ fence around his backyard instead of 6’. Mr. Downs will be applying the request for the next BZA meeting.

Senior Center: Mr. Zerkle discussed a possible water problem and traffic problem in the area. The ditch is a problem during heavy rain.

Follow through Discussion: The Board discussed how they can follow through with approved cases in the future.



Adjournment

Action: Bryant Heflin made a motion to adjourn at 7:45 PM.
Marty Hess seconded the motion.

Vote: 5 (Yay) – 0 (Nay)
Motion passed.

BOC
2 of 2

Breakdown of Cash Rent on City Farm Land

Moore's Gravel Pit Property

| <u>Department</u> | <u>Total Acres</u> | <u>Tillable Acres</u> | <u>2018-2020 \$/Acre</u> | <u>2021-2023 \$/Acre</u> | <u>2018-2020 Total \$/yr.</u> | <u>2021-2023 Total \$/yr.</u> | <u>Annual Increase</u> | <u>% Shared</u> |
|-------------------|--------------------|-----------------------|------------------------------|------------------------------|-----------------------------------|-----------------------------------|------------------------|-----------------|
| Airport | 91.3 | 57.7 | \$210.00 | \$266.26 | \$12,117.00 | \$15,363.20 | \$3,246.20 | 53% |
| Sewer | 121.1 | 50.3 | \$210.00 | \$266.26 | \$10,563.00 | \$13,392.88 | \$2,829.88 | 47% |
| Totals | 212.4 | 108.0 | | | \$22,680.00 | \$28,756.08 | \$6,076.08 | 100% |

Airport Property

| <u>Department</u> | <u>Total Acres</u> | <u>Tillable Acres</u> | <u>2018-2020 \$/Acre</u> | <u>2021-2023 \$/Acre</u> | <u>2018-2020 Total \$/yr</u> | <u>2021-2023 Total \$/yr</u> | <u>Ann Increase</u> | <u>% Shared</u> |
|-------------------|--------------------|-----------------------|------------------------------|------------------------------|----------------------------------|----------------------------------|---------------------|-----------------|
| Airport | ? | 164.3 | \$210.00 | \$266.26 | \$34,503.00 | \$43,746.52 | \$9,243.52 | 100% |

Total Yearly Income for both property's **\$72,502.60** **Total Ann Incr.** **\$15,319.60**

Semi annual Payment **\$36,251.30**

*These calculations are approximate due to the acreage being in 1/1000th of an acre in the bid.

* The reduction of percent shared by sewer is now lower due to the ODOT right way mainly on the sewer share.

A RESOLUTION TO APPROPRIATE MONEY FOR THE SEVERAL OBJECTS AND PURPOSES WHICH THE CITY OF URBANA, OHIO MUST PROVIDE FOR THE FISCAL YEAR ENDING DECEMBER 31, 2021.

WHEREAS, it is the determination of the City Council that the annual appropriation resolution for the full fiscal year 2021 should be enacted immediately in order to be effective January 1, 2021, and the Official Certificate of the Budget Commission as to estimated available revenue having been furnished, which fact and the necessity of providing for the usual daily operations of the municipal departments cause this resolution to take effect and be in force from and after the earliest period allowed by law.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF URBANA, OHIO:

SECTION ONE:

That from and out of the monies and balances known to be in various funds of the City of Urbana, Ohio and from all monies anticipated to come into said funds during the 12-month period ending December 31, 2021, there shall be and there hereby are appropriated to the use of the several departments and offices of the City and for the objects and purposes for which said City must provide the following sums for use during the fiscal year ending on December 31, 2021.

2021 Appropriation Resolution

| | |
|--------------------------------------|--------------------|
| 100-101 Council | |
| Personal Services | \$86,620 |
| Supplies, Materials, & Other | \$4,550 |
| Total | <u>\$91,170</u> |
| | |
| 100-102 Mayor-Administrator | |
| Personal Services | \$239,300 |
| Supplies, Materials, & Other | \$17,000 |
| Total | <u>\$256,300</u> |
| | |
| 100-103 Municipal Court | |
| Personal Services | \$658,800 |
| Supplies, Materials, & Other | \$94,625 |
| Total | <u>\$753,425</u> |
| | |
| 100-104 Engineering | |
| Personal Services | \$226,500 |
| Supplies, Materials, & Other | \$16,000 |
| Total | <u>\$242,500</u> |
| | |
| 100-105 Community Development | |
| Personal Services | \$71,025 |
| Supplies, Materials, & Other | \$52,825 |
| Total | <u>\$123,850</u> |
| | |
| 100-106 Police | |
| Personal Services | \$1,618,440 |
| Supplies, Materials, & Other | \$119,700 |
| Total | <u>\$1,738,140</u> |
| | |
| 100-108 Fire | |
| Personal Services | \$1,772,500 |
| Supplies, Materials, & Other | \$148,655 |
| Total | <u>\$1,921,155</u> |

| | |
|--|---------------------------|
| 100-110 Parks & Recreation-Administration | |
| Personal Services | \$135,200 |
| Supplies, Materials, & Other | <u>\$67,900</u> |
| Total | \$203,100 |
| 100-112 Recreation-Pool | |
| Personal Services | \$0 |
| Supplies, Materials, & Other | <u>\$87,050</u> |
| Total | \$87,050 |
| 100-114 Public Works & Properties | |
| Personal Services | \$12,450 |
| Supplies, Materials, & Other | <u>\$149,700</u> |
| Total | \$162,150 |
| 100-115 Non-Departmental | |
| Personal Services | \$0 |
| Supplies, Materials, & Other | <u>\$463,500</u> |
| Total | \$463,500 |
| 100-116 Compost/Mulch | |
| Personal Services | \$20,575 |
| Supplies, Materials, & Other | <u>\$2,500</u> |
| Total | \$23,075 |
| 100-118 Zoning Compliance | |
| Personal Services | \$114,650 |
| Supplies, Materials, & Other | <u>\$15,625</u> |
| Total | \$130,275 |
| 100-200 Finance-Accounting | |
| Personal Services | \$250,650 |
| Supplies, Materials, & Other | <u>\$22,750</u> |
| Total | \$273,400 |
| 100-201 Finance-Income Tax | |
| Personal Services | \$135,950 |
| Supplies, Materials, & Other | <u>\$20,600</u> |
| Total | \$156,550 |
| 100-202 Finance-Utility Billing | |
| Personal Services | \$82,850 |
| Supplies, Materials, & Other | <u>\$57,550</u> |
| Total | \$140,400 |
| 100-300 Law Department | |
| Personal Services | \$221,600 |
| Supplies, Materials, & Other | <u>\$14,250</u> |
| Total | \$235,850 |
| TOTAL GENERAL FUND | <u><u>\$7,001,890</u></u> |
| | |
| 200 Airport Operation and Maintenance | |
| Personal Services | \$55,200 |
| Supplies, Materials, and Other | <u>\$303,600</u> |
| Total | \$358,800 |

| | |
|---|--------------------|
| 205 Street Maintenance & Repair | |
| Personal Services | \$577,700 |
| Supplies, Materials, & Other | <u>\$235,500</u> |
| Total | \$813,200 |
| 210 State Highway | |
| Personal Services | |
| Supplies, Materials, & Other | <u>\$61,000</u> |
| Total | \$61,000 |
| 215 Oak Dale Cemetery | |
| Personal Services | \$92,635 |
| Supplies, Materials, & Other | <u>\$59,700</u> |
| Total | \$152,335 |
| 225 Police & Fire Pension | |
| Supplies, Materials, & Other | <u>\$115,000</u> |
| Total | \$115,000 |
| 230 Supplemental Investment | |
| Supplies, Materials, & Other | <u>\$0</u> |
| Total | \$0 |
| 235 Community Development Program Income | |
| Supplies, Materials, & Other | <u>\$0</u> |
| Total | \$0 |
| 275 Police & Fire Tax Levy Fund | |
| Personal Services | \$1,516,550 |
| Supplies, Materials, & Other | <u>\$0</u> |
| Total | \$1,516,550 |
| 401 Capital Improvements | |
| Personal Services | |
| Supplies, Materials, & Other | <u>\$1,238,100</u> |
| Total | \$1,238,100 |
| 402 Police & Fire Capital Imp. | |
| Personal Services | \$0 |
| Supplies, Materials, & Other | <u>\$300,200</u> |
| Total | \$300,200 |
| 605 Water Plant | |
| Personal Services | \$501,100 |
| Supplies, Materials, & Other | <u>\$2,021,600</u> |
| Total | \$2,522,700 |
| 610 Wastewater Treatment Plant | |
| Personal Services | \$898,250 |
| Supplies, Materials, & Other | <u>\$2,952,000</u> |
| Total | \$3,850,250 |
| 615 Recycling Fund | |
| Supplies, Materials, & Other | <u>\$160,000</u> |
| Total | \$160,000 |
| 620 Stormwater - Operating | |
| Supplies, Materials, & Other | <u>\$81,000</u> |
| | \$81,000 |

| | |
|-----------------------------------|----------------------------|
| 625 Stormwater - Capital | |
| Supplies, Materials, & Other | <u>\$189,000</u> |
| | \$189,000 |
| 805 Cemetery Trust Income Fund | |
| Supplies, Materials, & Other | <u>\$4,000</u> |
| Total | \$4,000 |
| 810 Fire Donation Trust | |
| Supplies, Materials, & Other | <u>\$15,000</u> |
| Total | \$15,000 |
| 815 Police Donation Trust | |
| Supplies, Materials, & Other | <u>\$5,000</u> |
| Total | \$5,000 |
| 820 City Beautification | |
| Supplies, Materials, and Other | <u>\$500</u> |
| Total | \$500 |
| 825 Parks & Recreation Trust Fund | |
| Supplies, Materials, and Other | <u>\$5,000</u> |
| Total | \$5,000 |
| 840 Cemetery Improvement Fund | |
| Supplies, Materials, and Other | <u>\$500</u> |
| Total | \$500 |
| GRAND TOTAL | <u><u>\$18,390,025</u></u> |

SECTION TWO:

That there is hereby deemed appropriated and exempt from the budgetary process in accordance with Urbana Codified Ordinance 133.07 to an amount equal to beginning balance plus the greater of estimated or actual receipts as follows:

| | Expected 2021 | | |
|-------------------------------------|----------------|-----------|-----------|
| | as of 11/01/21 | Receipts | Total |
| Fund #236 - CDBG Home Repair | \$31,899 | \$0 | \$31,899 |
| Fund #240 - FAA Master Plan | \$0 | \$100,000 | \$100,000 |
| Fund #250 - Law Enforcement | \$61,486 | \$18,000 | \$79,486 |
| Fund #255 - Mandatory Drug Fine | \$11,239 | \$2,000 | \$13,239 |
| Fund #257 - Diversion Program Fund | \$6,626 | \$7,000 | \$13,626 |
| Fund #260 - Indigent Alcohol | \$49,964 | \$15,000 | \$64,964 |
| Fund #265 - Probation Office | \$101,895 | \$65,000 | \$166,895 |
| Fund #270 - Victim Assistance Grant | \$0 | \$34,151 | \$34,151 |
| Fund #280 - Probation Grant | \$21,832 | \$87,326 | \$109,158 |
| Fund #403 - Court Improvement | \$221,800 | \$124,650 | \$346,450 |
| Fund #835 - Mausoleum Trust | \$46,085 | \$40,000 | \$86,085 |

SECTION THREE:

That all expenditures against the appropriations hereinbefore authorized shall be made in accordance with the authorized items of appropriations which may be amended from time to time by the City Council with the exception that the Board of Control may authorize a reallocation of appropriations between the items of appropriation for Personal Services and for Supplies, Materials, & Other within each individual department or division designated in this resolution.

SECTION FOUR:

That the Director of Finance shall be authorized to make transfers, as needed, from the General Fund to the General Fund subsidy accounts for Street and Cemetery Divisions, provided that appropriations for such transfers have been established by resolution of the City Council.

SECTION FIVE:

That the Director of Finance shall be authorized to make transfers, from time to time, of the balance in the Income Tax Fund to the General and Capital Improvement Funds of the City. Twenty-five percent of such transfers shall be credited annually to the Capital Improvement Fund and the balance to the General Fund.

SECTION SIX:

That the Supplemental Investment Fund will be used for emergency, capital improvement, or investment needs of the City and until further notice, all money currently available and all money received in the future in the Supplemental Investment Fund will remain in the Supplemental Investment Fund for the above listed purposes. As a minimum, unless otherwise stated by Council by ordinance or resolution, \$150,000.00 will remain in the Supplemental Investment Fund for investment income purposes.

SECTION SEVEN:

When financially feasible, the City of Urbana will maintain a General Fund Operating reserve of 15% as indicated by the year-end fund balance. When financially feasible, the City of Urbana will maintain a Police & Fire Operating Fund reserve of 15% as indicated by the year-end fund balance.

SECTION EIGHT:

That this resolution shall take effect and be in force from and after the earliest period allowed by law.

SECTION NINE:

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

President

ATTEST: _____

PASSED: _____

This resolution approved by me this _____ day of _____, _____.

Mayor

| | | | |
|---|-------------------------------|------------------------------|------------------------|
| Department requesting: FINANCE | | Personnel: | Director of Law review |
| Expenditure? (Y) N | Emergency? Y N | Public Hearing? Y (N) | |
| Readings required: 1 2 (3) | | if yes, dates advertised: | |
| First reading date: 11/17/20 | Second reading date: 12/01/20 | Third reading date: 12/15/20 | |
| Anticipated effective date if approved: | | | |

RESOLUTION NO. 2466-21

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE VICTIMS OF CRIME ACT (“VOCA”) GRANT AS ADMINISTERED BY THE OHIO ATTORNEY GENERAL, AND DECLARING AN EMERGENCY. (Suspension of rules requested)

WHEREAS, \$34,151.00 in federal funds has been awarded to the City of Urbana through the Ohio Attorney General pursuant to the federal Victims of Crime Act (“VOCA”) to support services to crime victims and witnesses in the jurisdiction of the Champaign County Municipal Court; and

WHEREAS, the City of Urbana has received and administered VOCA grants since 2000 through the Department of Law for victim advocate personnel and related expenses; and

WHEREAS, the grant requires a local match of 20 percent of funds or in-kind contributions; and

WHEREAS, the grant award was announced on October 27, 2020, and requires prompt acceptance by the City to preserve public safety and welfare due to the nature of victim services.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF URBANA, OHIO:

SECTION ONE: The Director of Law is hereby authorized to accept the amount awarded on behalf of the City of Urbana, and to re-apply for subsequent VOCA grants annually.

SECTION TWO: The Director of Law and Director of Finance are hereby authorized to take all necessary actions to comply with applicable legal requirements upon award of VOCA grant funds to provide services to victims of crim in the local community.

SECTION THREE: The City of Urbana agrees to appropriate the local match funds and in-kind contributions required to remain eligible for reimbursement under the terms of the VOCA grant.

SECTION FOUR: By reason of the emergency set forth in the Preamble, this Resolution shall take effect immediately upon passage by Council and approval by the Mayor.


Mary Hess, Council President

PASSED: _____

ATTEST: _____
Amy Deere, Council Clerk

This Resolution approved by me this _____ day of _____, 2020.

Bill Bean, Mayor

| | | | | |
|-----------------------------------|----------------------|-----------------------------|--|---|
| Department requesting: Law | | Personnel: Amy Deere | | Director of Law review  |
| Expenditure? Y (N) | Emergency? (Y) N | Public Hearing? Y (N) | | |
| Readings required: (1) 2 3 | | If yes, dates advertised: ; | | |
| First reading date: 11/17/2020 | Second reading date: | Third/Final reading date: | | |

Anticipated effective date if approved: 11/18/2020

RESOLUTION NO. 2592-20

A RESOLUTION AUTHORIZING SPECIFIC EXPENDITURES OF THE CITY OF URBANA'S SHARE OF CORONAVIRUS RELIEF FUNDS AS LEGISLATED IN THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT, AND DECLARING AN EMERGENCY.

WHEREAS, the Coronavirus Aid, Relief, and Economic Security Act, 116 Public Law 136, (the CARES Act) was signed into law by the President of the United States on March 27, 2020; and

WHEREAS, the Ohio General Assembly established a process for distributing funds provided by the "Coronavirus Aid, Relief, and Economic Security Act" in H.B. 481 of the 133rd General Assembly (H.B. 481); and

WHEREAS, H.B. 481 requires subdivisions receiving funds under Section 1 of the act, to pass a resolution affirming that funds from the County Coronavirus Relief Distribution Fund may be expended only to cover costs of the subdivision consistent with the requirements of section 5001 of the CARES Act as described in 42 U.S.C. 601(d), and any applicable regulations before receiving said funds; and

WHEREAS, the City of Urbana requested its share of funds from the County Coronavirus Relief Distribution Fund by emergency Resolution No. 2586-20 on July 7, 2020; and

WHEREAS, the U.S. Department of Treasury declared all public safety employees to be substantially dedicated to mitigating or responding to the COVID-19 public health emergency in its Coronavirus Relief Fund "Frequently Asked Questions"; and

WHEREAS, the Ohio Office of Budget and Management recommended that the local government Chief Executive Official declare a proclamation in some manner and document the individuals or job positions with the specific duties that meet the substantially dedicated criteria in its "Guidance and Frequently Asked Questions" for the Coronavirus Relief Fund; and

WHEREAS, the City of Urbana has identified certain expenditure of the funds that are consistent with CARES Act restrictions identified in 5001 of the CARES Act as described in 42 U.S.C. 601 (d); and

NOW THEREFORE, BE IT RESOLVED BY URBANA CITY COUNCIL:

SECTION ONE: All funds received from the County Coronavirus Relief Fund are to be expended only to cover costs of the city consistent with the requirements of section 5001 of the CARES Act as described in 42 U.S.C. 601(d), and any applicable regulations and guidance only to cover expenses that:

- (1) Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
- (2) Were not accounted for in the City of Urbana's most recently approved budget as of March 27, 2020; and
- (3) Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

SECTION TWO: The Mayor acknowledges that the public safety, public health, health care, human services, and similar employees perform specific duties that meet the substantially dedicated criteria, so the payroll expenses for said employees are an eligible expense under the CARES Act.

SECTION THREE: The Mayor acknowledges that some of the non-public safety employees have been repurposed to perform previously unbudgeted functions substantially dedicated to mitigating or

responding to the COVID-19 public health emergency, and as such, their payroll expenses are an eligible expense under the CARES Act.

SECTION FOUR: That there is hereby a modification to the appropriated balances within the Coronavirus Relief Fund of the City of Urbana by the following sums:

239-150 Coronavirus Relief

| | |
|----------------------------|---------------------|
| Personal Services | \$762,048.55 |
| Supplies, Materials, Other | <u>\$100,000.00</u> |
| Total | \$862,048.55 |

SECTION FIVE:

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

ATTEST: _____

PASSED: _____

THIS RESOLUTION APPROVED BY ME THIS ___ DAY OF _____, _____.

Mayor

| | | | | | |
|--|----------------------|---|--------------------------------|--|------------------------|
| Department requesting: Finance | | | Personnel: C. Boettcher | | Director of Law review |
| Expenditure? (Y) N | Emergency? (Y) N | | Public Hearing? Y (N) | | |
| Readings required: | (1) | 2 | 3 If yes, dates advertised: | | |
| First reading date: November 17, 2020 | Second reading date: | | Third/Final reading date: | | |

Anticipated effective date if approved: November 18, 2020

**Coronavirus Relief Fund
Frequently Asked Questions
Updated as of October 19, 2020¹**

The following answers to frequently asked questions supplement Treasury's Coronavirus Relief Fund ("Fund") Guidance for State, Territorial, Local, and Tribal Governments, updated as of September 2, 2020 ("Guidance").² Amounts paid from the Fund are subject to the restrictions outlined in the Guidance and set forth in section 601(d) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act").

A. Eligible Expenditures

1. *Are governments required to submit proposed expenditures to Treasury for approval?*

No. Governments are responsible for making determinations as to what expenditures are necessary due to the public health emergency with respect to COVID-19 and do not need to submit any proposed expenditures to Treasury.

2. *The Guidance says that funding can be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. How does a government determine whether payroll expenses for a given employee satisfy the "substantially dedicated" condition?*

The Fund is designed to provide ready funding to address unforeseen financial needs and risks created by the COVID-19 public health emergency. For this reason, and as a matter of administrative convenience in light of the emergency nature of this program, a State, territorial, local, or Tribal government may presume that payroll costs for public health and public safety employees are payments for services substantially dedicated to mitigating or responding to the COVID-19 public health emergency, unless the chief executive (or equivalent) of the relevant government determines that specific circumstances indicate otherwise.

3. *The Guidance says that a cost was not accounted for in the most recently approved budget if the cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation. What would qualify as a "substantially different use" for purposes of the Fund eligibility?*

Costs incurred for a "substantially different use" include, but are not necessarily limited to, costs of personnel and services that were budgeted for in the most recently approved budget but which, due entirely to the COVID-19 public health emergency, have been diverted to substantially different functions. This would include, for example, the costs of redeploying corrections facility staff to enable compliance with COVID-19 public health precautions through work such as enhanced sanitation or enforcing social distancing measures; the costs of redeploying police to support management and enforcement of stay-at-home orders; or the costs of diverting educational support staff or faculty to develop online learning capabilities, such as through providing information technology support that is not part of the staff or faculty's ordinary responsibilities.

¹ On August 10, 2020, these Frequently Asked Questions were revised to add Questions A.49–52. On September 2, 2020, Questions A.53–56 were added and Questions A.34 and A.38 were revised. On October 19, 2020, Questions A.57–59 and B.13 were added and Questions A.42, 49, and 53 were revised.

² The Guidance is available at <https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Guidance-for-State-Territorial-Local-and-Tribal-Governments.pdf>.

44. *May Fund payments be provided to non-profits for distribution to individuals in need of financial assistance, such as rent relief?*

Yes, non-profits may be used to distribute assistance. Regardless of how the assistance is structured, the financial assistance provided would have to be related to COVID-19.

45. *May recipients use Fund payments to remarket the recipient's convention facilities and tourism industry?*

Yes, if the costs of such remarketing satisfy the requirements of the CARES Act. Expenses incurred to publicize the resumption of activities and steps taken to ensure a safe experience may be needed due to the public health emergency. Expenses related to developing a long-term plan to reposition a recipient's convention and tourism industry and infrastructure would not be incurred due to the public health emergency and therefore may not be covered using payments from the Fund.

46. *May a State provide assistance to farmers and meat processors to expand capacity, such to cover overtime for USDA meat inspectors?*

If a State determines that expanding meat processing capacity, including by paying overtime to USDA meat inspectors, is a necessary expense incurred due to the public health emergency, such as if increased capacity is necessary to allow farmers and processors to donate meat to food banks, then such expenses are eligible expenses, provided that the expenses satisfy the other requirements set forth in section 601(d) of the Social Security Act outlined in the Guidance.

47. *The guidance provides that funding may be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. May Fund payments be used to cover such an employee's entire payroll cost or just the portion of time spent on mitigating or responding to the COVID-19 public health emergency?*

As a matter of administrative convenience, the entire payroll cost of an employee whose time is substantially dedicated to mitigating or responding to the COVID-19 public health emergency is eligible, provided that such payroll costs are incurred by December 30, 2020. An employer may also track time spent by employees related to COVID-19 and apply Fund payments on that basis but would need to do so consistently within the relevant agency or department.

48. *May Fund payments be used to cover increased administrative leave costs of public employees who could not telework in the event of a stay at home order or a case of COVID-19 in the workplace?*

The statute requires that payments be used only to cover costs that were not accounted for in the budget most recently approved as of March 27, 2020. As stated in the Guidance, a cost meets this requirement if either (a) the cost cannot lawfully be funded using a line item, allotment, or allocation within that budget or (b) the cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation. If the cost of an employee was allocated to administrative leave to a greater extent than was expected, the cost of such administrative leave may be covered using payments from the Fund.

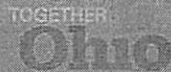


Mike DeWine, Governor
Jon Husted, Lt. Governor

Office of Budget
and Management

Kimberly Murnieks, Director

Coronavirus Relief Fund (CRF) Local Government Assistance Program



Office of Budget
and Management

Guidance & Frequently Asked Questions

Funding Period:
March 1, 2020 – December 30, 2020

NOTE: As U.S. Department of the Treasury issues future guidance and clarifications, the specific guidelines listed in this document are subject to change. Changes will be addendums to this document in the Frequently Asked Questions section.

**CORONAVIRUS RELIEF FUND (CRF)
LOCAL GOVERNMENT
ASSISTANCE PROGRAM**



Office of Budget
and Management

What constitutes "substantially dedicated" for payroll expenses of which employees can be funded with CRF funds? (Updated July 16, 2020)

Each local government must define its own thresholds of substantial dedication and maintain clear documentation of the justification for that decision.

Can payroll and benefits of a substantially dedicated employee be covered? (added October 1, 2020)

Yes, payroll and benefit costs incurred between March 1 and December 30, 2020 may be covered using CRF. Covered benefits include, but are not limited to, the costs of all types of leave (vacation, family-related sick, military, bereavement sabbatical, jury duty), employee insurance (health, life, dental, vision), retirement (pensions, 401(k)), unemployment benefit plans (federal and state), workers compensation insurance, and Federal Insurance Contributions Act (FICA) taxes (which include Social Security and Medicare taxes).

Must jurisdictions keep time sheets or other accounting of the time that an employee spends on COVID-19 related work to document that the employee is "substantially dedicated?" (updated October 1, 2020)

See Personnel section under Permissible Use of Funds section. OBM continues to recommend the local government Chief Executive Official declare a proclamation in some manner and document the individuals or job positions with the specific duties that meet the substantially dedicated criteria. The U.S. Treasury Office of Inspector General has indicated that payroll, time, and human resource records must be maintained that support payroll costs charged to the CRF. [See OIG-CA-20-028, FAQ #70 dated September 21, 2020 at <https://www.treasury.gov/about/organizational-structure/ig/Pages/CARES-Act-Reporting-and-Record-Keeping-Information.aspx>].

For personnel that were diverted to a substantially different use due entirely to the COVID-19 public health emergency to mitigating or responding to COVID-19 there must be some supporting documentation or evidence which corroborates the substantially different use and the time charged. Time sheets may be useful documentation for audit purposes.

Please be familiar with the Ohio Auditor of State's FAQ related to payroll costs and be aware the U.S. Treasury may continue to clarify the payroll expense requirements in the future.

Are overtime costs for public employees allowable? (added October 29, 2020)

Payments from the fund may only be used to cover costs that— 1. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19); 2. were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and 3. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

ORDINANCE NO. 4388-21

AN ORDINANCE AUTHORIZING THE INDIGENT DEFENSE AGREEMENT WITH THE CHAMPAIGN COUNTY COMMISSIONERS TO ALLOW THE CITY AND COUNTY TO RECEIVE PARTIAL REIMBURSEMENT FROM THE OHIO PUBLIC DEFENDER COMMISSION FOR THE INDIGENT EXPENSES IN THE CHAMPAIGN COUNTY MUNICIPAL COURT.

WHEREAS, an Agreement has been reached and proposed to be entered into by and between the Champaign County Board of County Commissioners and the City of Urbana; and

WHEREAS, that Agreement is attached hereto and designated as "Exhibit A" in unsigned form; and

WHEREAS, the City recognizes its responsibility under the laws of the State of Ohio and the United States of America to provide legal counsel to indigent persons charged with a violation of a City Ordinance for which the penalty or any possible adjudication includes the potential loss of liberty, and

WHEREAS, the County has created an appointed counsel system for this municipality whereby individual attorneys are assigned on a case by case basis for indigent defendants who qualify, and

WHEREAS, the County Commissioners, pursuant to Ohio Revised Code §120.33 and Ohio Administrative Code §120-1-09, may by a resolution enter into a contract with a City to provide effective representation of indigent persons charged with a violation of an ordinance of the City; and

WHEREAS, the County has established a schedule of fees on an hourly basis to be paid to counsel for legal services provided under the Agreement attached;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF URBANA, OHIO:

SECTION ONE: That the Director of Administration is hereby authorized and directed to enter into the attached Agreement on behalf of the City of Urbana, Ohio.

SECTION TWO: That all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of the Council and any of the decision-making bodies of the City of Urbana which resulted in such formal

actions were in meetings open to the public in compliance with all legal requirements of the City of Urbana.


Marty Hess, Council President

PASSED: _____

ATTEST: _____
Amy Deere, Council Clerk

This Ordinance approved by me this _____ day of _____, 2020.

Bill Bean, Mayor

| | | | |
|---------------------------------------|------------------------------------|---|---|
| Department requesting: Administration | | Personnel: K. Brugger | Director of Law review |
| Expenditure? (Y) N | Emergency? Y (N) | Public Hearing? Y (N) |  |
| Readings required: 1 2 (3) | | If ye, dates advertised: | |
| First reading date: 11/17/2020 | Second reading date: 12/01/2020 | Third/Final reading date: 12/15/2020 | |

Anticipated effective date if approved: 12/16/2020

AGREEMENT

THIS AGREEMENT (the "Agreement") is made and entered into by and between the Champaign County Board of County Commissioners (the "County") and the City of Urbana (the "City").

WHEREAS, the City recognizes its responsibility under the laws of the State of Ohio and the United States of America to provide legal counsel to indigent persons charged with a violation of a city ordinance for which the penalty or any possible adjudication includes the potential loss of liberty, and;

WHEREAS, the County has created an appointed counsel system for this municipality whereby individual attorneys are assigned on a case by case basis for indigent defendants who qualify, and;

WHEREAS, the County Commissioners, pursuant to Ohio Revised Code §120.33 and Ohio Administrative Code §120-1-09, may by resolution enter into a contract with a city to provide effective representation of indigent persons under which the city shall reimburse the county for counsel appointed to represent indigent persons charged with a violation of an ordinance of the city, and;

WHEREAS, the County has established a schedule of fees on an hourly basis to be paid to counsel for legal services provided hereunder, and;

WHEREAS, this Agreement has been authorized by Ordinance No. _____ of the City Council of the City of Urbana passed on the _____ day of _____, _____, and by Resolution of the Champaign County Board of County Commissioners passed on _____, 20__.

NOW, THEREFORE, in consideration of the mutual promises contained herein, intending to be legally bound, the parties agree as follows:

1. The City and County agree that the judge of the municipal court may assign, by journal entry, recorded on the Court Docket, appointed counsel to represent indigent persons in the Municipal Court on or after the commencement date and during the term of this Agreement in which the defendant is indigent and charged with the commission of a criminal offense or act which is a violation of a city ordinance and for which the penalty or any possible adjudication includes the potential loss of liberty.
2. Indigency shall be determined in accordance with the standards of indigency and other rules and guidelines established by the Ohio Public Defender Commission and the State Public Defender pursuant to Ohio Revised Code §120.03, §120.05 and Ohio Administrative Code §120-1-03. In addition to indigency

determination, all rules, standards and guidelines issued by the Office of the Ohio Public Defender and Ohio Public Defender Commission shall be followed.

3. A major purpose of this Agreement is to enable the City to obtain partial reimbursement from the Ohio Public Defender Commission of attorney fees and expenses for counsel appointed in the Municipal Court for indigent persons charged with the commission of a criminal offense or act which is a violation of city ordinance and for which the penalty or any possible adjudication includes the potential loss of liberty. Any question regarding terms or performance of this Agreement shall be resolved in favor of obtaining this result.
4. The City agrees to reimburse the County for that portion of the costs not reimbursed by the State of Ohio for providing counsel to indigent persons charged with the commission of an offense or act which is a violation of city ordinance and for which the penalty or any possible adjudication includes the potential loss of liberty.
5. Payment by the City for representation of such indigent persons in the Municipal Court shall not exceed the fee schedule in effect and adopted by the Champaign County Board of County Commissioners.
6. The duration of this Agreement shall be for the term of one year commencing on January 1, 2021 and ending on December 31, 2021.
7. If either the County or the City shall fail to fulfill, in a reasonable, timely and proper manner, its obligations under this Agreement or if either party shall substantially violate any of the covenants, Agreements, or stipulations of this Agreement, then the aggrieved party shall have the right to terminate this Agreement by giving thirty days written notice of such termination. Termination by either party shall not constitute a waiver of any other right or remedy it may have in law or in equity for breach of this Agreement by the other party.
8. This Agreement may only be amended by written agreement signed by the parties and made a part hereof.
9. There shall be no discrimination against any employee who is employed in the work covered by this Agreement or against the application for such employment because of race, color, religion, sex, age, handicap or national origin. This provision shall apply to, but not be limited to employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, raises of pay or other forms of compensation, and selection for training, including apprenticeship. The County shall insert a similar provision in any subcontract for services covered by this Agreement.
10. No personnel of the parties or member of the governing body of any locality or other public official or employee of any such locality in which, or relating to

which, the work under this Agreement is being carried out, and who exercises any functions or responsibilities in connection with the review or approval of the understanding or carrying out of and such work, shall, prior to the completion of said work, voluntarily acquire any personal interest, direct or indirect, which is incompatible or in conflict with the discharge and fulfillment of his or her functions and responsibilities with respect to the carrying out of said work.

IN WITNESS WHEREOF, the parties have hereunto set their hands this _____, 20__.

BOARD OF COUNTY COMMISSIONERS
OF CHAMPAIGN COUNTY

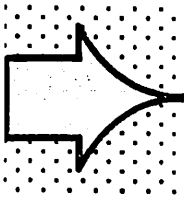
Witness by _____
_____ by _____
_____ by _____

CITY OF URBANA, OHIO

Attest by _____

Clerk

APPROVED AS TO FORM:



[Signature]
Champaign County Prosecuting Attorney

Ohio Public Defender Commission

by _____