LEBANON
historic charm. reimagined.

AGENDA
Lebanon City Council Meeting
City Building – 50 South Broadway
June 10, 2025 - 7 p.m.

Call to Order

Roll Call

Invocation

Consideration of City Council Work Session Minutes: April 14, 2025

Consideration of City Council Meeting Minutes: May 13, 2025

Recognition of Visitors

REGULAR ITEMS

PREVIOUS BUSINESS:

1) **Ordinance 2025-063 –** Adopting the 2026 – 2030 Capital Improvement Plan

   Sponsor: Messer, Norris, Eggers, Harper, Lamoreaux

   Abstract
   This ordinance approves the adoption of the 2026-2030 Capital Improvement Plan which provides direction for roadway, utility, and parks infrastructure improvement projects over the next five years

NEW BUSINESS:

2) **Ordinance 2025-069 –** Approving the first amendments to the power sales contract and related agreements with American Municipal Power, Inc. and taking other actions in connection with participation in the AMP/Lebanon "CAT" Peaking Project and Declaring an Emergency

   Sponsor: Messer

   Abstract
   This ordinance approves an amendment to the existing power sales contract, lease agreement, and interconnect agreement with AMP for 20 MW's of behind the meter generation due to operational changes and natural gas supply. The 20 MW of generation will now consist of 15 MW at the Columbia substation and 5 MW at the Monroe substation.

DISCUSSION ITEMS

(a) City Manager's Report
(b) Executive Session

ADJOURN

LEBANON
historic charm. reimagined.

Minutes for the Lebanon City Council Meeting
May 13, 2025
7:00 p.m. 50 S. Broadway, Lebanon, Ohio

Council of the City of Lebanon met in regular session in the Council Chambers at the City Building. The meeting was called to order at 7:00 p.m. on May 13, 2025, with the following members present Vice Mayor Norris, Mr. Cope, Mrs. Harper, Mr. Lamoreaux, and Mr. Sellers. Present from the City Staff were City Manager Scott Brunka, Auditor / Clerk Daniel Burke, Deputy City Manager Brian Lazor, Police Chief Jeff Mitchell, and City Planner Greg Orosz.

Mr. Cope gave the invocation. The Pledge of Allegiance was recited.

Consideration of Council Meeting Minutes: April 8, 2025.
Mr. Sellers made a motion to adopt the minutes, seconded by Mr. Cope. Roll call vote was approved unanimously.

Consideration of Council Work Session Meeting Minutes: February 19, 2025.
Mr. Cope made a motion to adopt the minutes, seconded by Mr. Lamoreaux. Roll call vote was approved unanimously.

Consideration of Council Work Session Meeting Minutes: March 17, 2025.
Mr. Cope made a motion to adopt the minutes, seconded by Mrs. Harper. Roll call vote was approved unanimously.

Police Department Swearing-in and Officer Recognition Ceremony
Police Chief Mitchell read an introduction and introduced each of the newly hired Police Officers. James Beckelhymer, Jeff Kaercher, and Joshua Massa. Police Chief Mitchell introduced David Wilson who was recently promoted to the position of Seargent. Vice Mayor Norris administered the oath of office to each employee individually.

Police Chief Mitchell introduced 2024 Police Officer of the Year Noah Barber was introduced. Officer serves as the School Resource Officer at Lebanon Christian Schools, and he was selected for this award by his peers in the Police Department. Lebanon Christian Schools Head Principal Kimberly Cope thanked Officer Barber for all his support and encouragement. City Council congratulated all the Police Department employees and thanked them for their dedication to the City of Lebanon.

Recognition of visitors - None

Public Hearing – Lebanon Zoning Code text amendments to support small lot and infill development in targeted areas. At 7:23 p.m. Mr. Sellers made a motion to open the Public Hearing, seconded by Mr. Lamoreaux. City Planner Greg Orosz reviewed the proposed changes. Mr. Orosz summarized some of the related Zoning Code updates that City Council has approved during the past few years. This Public Hearing is intended to discuss non-conforming lots which are typically smaller than the other lots in their zoning designation. The identified areas are Burt Avenue and Holland Avenue, N. Broadway near the Fire Station, Suncrest Drive and Meadow Lane. Although these changes

increase density, it also provides opportunities to develop or improve smaller, in-fill residential lots. Allowable options include single-family detached homes with front, side, or rear garages and rear-access townhome style developments. A Planned Unit Development overlay district will define the proposed options and criteria. Vice Mayor Norris asked for public comments. Resident Michael McNeil asked about setback requirements and Mr. Brunka stated that the rezoning will provide more flexibility and make it easier to develop smaller lots. Mr. Orosz agreed. Vice Mayor Norris added that there are a lot of housing options that will fit on a smaller building lot. These changes promote City Council's goal of providing additional owner occupied residential housing options in the city. At 7:40 p.m. Mr. Lamoreaux made a motion to adjourn the Public Hearing, seconded by Mr. Cope.

REGULAR ITEMS

PREVIOUS BUSINESS:

Ordinance 2025-053 – Authorizing the City Manager to execute a contract with Burgess & Niple in the amount of $288,000 for the update of the 2001 Sewer System Master Plan was read in title only by Mr. Burke. Mr. Brunka stated that this ordinance authorizes a contract with Burgess & Niple to update the Sewer System Master Plan to address capacity, condition, and future needs of the city's sewer infrastructure. The last update was in 2001. Mrs. Harper made a motion to adopt Ordinance 2025-053, seconded by Mr. Sellers. Roll call vote was approved unanimously.

NEW BUSINESS:

Resolution 2025-055 – Approving joint marketing agreements with the Warren County Agricultural Society and the Harmon Museum was read in title only by Mr. Burke. Mr. Brunka stated that this resolution authorizes joint marketing agreements with the Warren County Agricultural Society (fairgrounds) and the Harmon Museum for community-oriented events utilizing their event centers and property that generate unique economic impact for the Community. Mr. Sellers made a motion to adopt Resolution 2025-055, seconded by Mrs. Harper. Roll call vote was approved unanimously.

Ordinance 2025-056 – Approving a pre-annexation agreement with The Drees Company for the proposed Rarock Farms Development and Declaring an Emergency was read in title only by Mr. Burke. Mr. Brunka stated that this ordinance approves a pre-annexation agreement with The Drees Company for the proposed Rarock Farms development located off of Drake Rd. and S.R. 48 (Schwartz property), establishing various conditions associated with the future annexation of the property into the City. Mr. Cope made a motion to adopt Ordinance 2025-056, seconded by Mr. Sellers. Roll call vote was approved unanimously.

Ordinance 2025-057 – Approving updates to the Lebanon Zoning Code to bring non-conforming lots into compliance through targeted changes to the City's small lot and infill development regulations was read in title only by Mr. Burke. Mr. Brunka stated that this ordinance approves updates to the Lebanon Zoning Code to bring non-conforming lots into compliance by promoting small-lot infill development and building renovation where appropriate. Mr. Cope made a motion for a first reading of Ordinance 2025-057, seconded by Mrs. Harper.

Ordinance 2025-058 – Approving a Preliminary Development Agreement with High Pointe Construction and Development for 120 S. Broadway Ave. and Declaring an Emergency was read in title only by Mr. Burke. Mr. Brunka stated that this ordinance approves a preliminary development agreement with High Pointe Construction & Development for the redevelopment of the 120 South Broadway property in a manner consistent with the Downtown Master Plan and the City's goal to support economic vitality in the Central Business District. Mr. Cope made a motion to adopt Ordinance 2025-058, seconded by Mr. Sellers. Roll call vote was approved unanimously.

Ordinance 2025-059 – Authorizing the sale of approximately .008 acres of City-owned property located off of South Cherry St., and adjacent to the new parking lot in Bicentennial Park, to the adjacent property owner for $20,000 was read in title only by Mr. Burke. Mr. Brunka stated that this ordinance authorizes the sale of .008 acres of property adjacent to the new parking lot in Bicentennial Park to the property owners at 130 East Main Street for the purposes of making their current lot symmetrical. Mrs. Harper made a motion for a first reading of Ordinance 2025-059, seconded by Mr. Sellers.

Ordinance 2025-060 - Authorizing a Community Reinvestment Area (CRA) agreement with KCMG Realty to support the new JBM Packaging facility and Declaring an Emergency was read in title only by Mr. Burke. Mr. Brunka stated that this ordinance authorizes an agreement with KCMG Realty to formalize a CRA tax abatement to support the new JBM Packaging facility on Kingsview Drive, creating a positive economic impact with new job creation and property tax revenue. The CRA agreement authorizes a 50%, 10-year property tax incentive to construct the new facility. Mr. Brunka stated that J.B.M. will continue operations at their existing facility and this is an expansion. Mr. Lamoreaux made a motion to adopt Ordinance 2025-060, seconded by Mr. Sellers. Roll call vote was approved unanimously.

Ordinance 2025-061 – Approving the purchase of three police vehicles from Tim Lally Chevrolet from the State Bid List for a total amount of $156,084 and Declaring an Emergency was read in title only by Mr. Burke. Mr. Brunka stated that this ordinance authorizes the purchase of three 2025 Tahoe PPV 4-wheel drive vehicles from Tim Lally Chevrolet, consistent with the Fleet Management Plan and included in the 2025 Operating Budget. Mrs. Harper made a motion to adopt Ordinance 2025-061, seconded by Mr. Sellers. Roll call vote was approved unanimously.

Ordinance 2025-062 – Authorizing the City Manager to execute a property purchase agreement with X Factor Land LLC to purchase 3.5 acres on Glosser-Richardson Road and Cincinnati Avenue for $290,000 and Declaring an Emergency was read in title only by Mr. Burke. Mr. Brunka stated that this ordinance approves a property purchase agreement with X Factor Land, LLC to purchase 3.5 acres on Glosser-Richardson Road near Cincinnati Avenue to support the Glosser Road improvement project and roundabout. Mr. Cope made a motion to adopt Ordinance 2025-062, seconded by Mrs. Harper. Roll call vote was approved unanimously.

General Discussion Topics

City Manager's Report
This Saturday, May 17, is the grand opening event for the new performance stage at Bicentennial Park. The Parrots of the Caribbean band will begin performing at 6:00 p.m. A dedication ceremony will occur at 5:45 p.m. to recognize the significant project donation from John and Nelda Lane. This Thursday, May 15, is the Lebanon Farmers Market opening day from 4:00 – 7:00 p.m. in the parking lot at Bicentennial Park. Approximately 15 local vendors are scheduled to participate. The Lebanon community is encouraged to attend both events.

In response to a question from Mr. Lamoreaux, Mr. Brunka confirmed that the Lebanon Police Department is currently fully staffed. Mr. Lamoreaux thanked Police Chief Mitchell for continuing to hire excellent employees. Vice Mayor Norris attended the recent WalMart grand reopening, the $10,000,000 renovation was completed in four months. More than 230 people are employed at the Lebanon WalMart location.

Adjourn

Mr. Sellers made a motion to adjourn the meeting, seconded by Mr. Lamoreaux. Roll call vote was approved unanimously. The meeting was adjourned at 7:58 p.m.

Passed: June 10, 2025

_____
Mayor

_____
Clerk

Minutes of the Lebanon City Council Meeting
April 14, 2025 – 7:00 P.M.
50 S. Broadway, Lebanon, Ohio

Council of the City of Lebanon met in work session on April 14, 2025, in the conference room. The meeting was called to order at 7:00 p.m. with the following members present Mayor Messer, Mr. Cope, Mrs. Eggers, Mrs. Harper, Vice Mayor Norris, and Mr. Sellers. Mr. Sellers made a motion to excuse Mr. Lamoreaux, seconded by Mrs. Eggers. Present from the city staff were Manager Scott Brunka, Attorney Mark Yurick, Auditor / Clerk Dan Burke, and Deputy City Manager Brian Lazor.

The Pledge of Allegiance was recited.

Previous Business

Ordinance 2025-046 – Approving modifications to Section 915.02 Power Supply Cost Adjustment Clause of our codified ordinances reflecting solar power generation.

New Business

Resolution – Authorizing the Residential Facade Improvement Grant Program as outlined in the 2025 City Council Goals and Objectives. Mr. Brunka stated that this was a goal for City Council this year. Mr. Brunka stated that this is focused on the Pleasant Square neighborhood and the matching reimbursement grant is capped at $5,000. Eligible projects include doors, windows, awnings, shutters, siding and masonry work. Applications are coordinated by Economic Development Director Jason Millard and a five-person committee reviews and evaluates each request. The project must be pre-approved, and a 50% reimbursement is paid after the project is complete. $40,000 has been allocated for the program. All of City Council sponsored legislation for the next City Council meeting.

Ordinance – Authorizing the City Manager to Participate in the ODOT Co-Operative Purchasing Program. Mr. Brunka stated that the city has used this cooperative purchasing program for many years and this renews our membership. All of City Council sponsored legislation for the next City Council meeting.

Ordinance – Authorizing the Purchase of a 2025 Freightliner M2 106 Plus Single Axle Cab & Chassis from FYDA Freightliner Cincinnati as part of the ODOT Cooperative Purchasing Program in the amount of $102,299. The normal life cycle for these vehicles is between 12 and 15 years. All of City Council sponsored legislation for the next City Council meeting.

Ordinance – Authorizing the Purchase of Outfitting Equipment for a 2025 Freightliner Single Axle Cab & Chassis from Henderson Products, Inc. As part of the National Purchasing Partners Government (NPPGov) Cooperative Program in the amount of $156,154. All of City Council sponsored legislation for the next City Council meeting.

Resolution – Adopting the Lebanon Safe Streets Initiative Plan, which is a comprehensive safety action plan to advance roadway safety. Mr. Brunka stated that the consultant who completed the analysis is scheduled to share their conclusions at the next City Council meeting. The two primary areas of concern are the intersection of Columbus Avenue and Bypass 48; and the S.R. 123 and Bypass 48 corridor. Those are both projects that could be eligible for grant funding assistance. There are a variety of other improvements that the consultant will discuss. Other problem areas such as Broadway Street and Mason-Morrow-Millgrove Road are already being addressed by the city. In response to a question from Mr. Cope, Mr. Brunka stated that the equity and disadvantaged components of the analysis were required. Mr. Cope likes the heat map crash data analysis. There was a discussion about traffic signal timing on the Main Street corridor. Putting a traffic signal at Main Street and Mechanic Street is not practical due to traffic flow but a different crosswalk signal is being reviewed. In response to a question from Mrs. Harper, Mr. Brunka stated that he will check to see if there were any traffic related deaths in Lebanon in 2024. All of City Council sponsored legislation for the next City Council meeting.

Ordinance – Authorizing a contract with Precision Site Development in the amount of $1,090,120.05 for the reconstruction of Park Avenue, to include utility replacements. All of City Council sponsored legislation for the next City Council meeting.

Ordinance – Authorizing the City Manager to execute a contract with Burgess & Niple in the amount of $288,000.00 for the update of the 2001 Sewer System Master Plan. Mr. Brunka stated that the vendor will install 13 flow monitors throughout the city to monitor rain events. During rain events, stormwater infiltrates the older pipes and that can create problems. The city replaces or installs a liner in the older pipes when streets are reconstructed. This study will also determine if creek water is backflowing into the system. All of City Council sponsored legislation for the next City Council meeting.

General Discussion Topics

Naming Parkside Park
City Council discussed the names that the High School Students identified. Two names were selected, Stone House Park and Shaker Hill Trail. A resolution will be prepared for next week. Mrs. Harper will invite the students to next week's City Council Meeting.

The Arbor Day Proclamation and Poster Contest recognition is scheduled for the April 22nd City Council meeting.

Open Discussion

Mr. Brunka met with representatives from Case Towing to discuss resolving the property maintenance issues and help identify property options where the business can relocate. Vice Mayor Norris is still concerned about property maintenance issues and repeat offenders. Mr. Yurick explained the current enforcement process which is a civil complaint in Municipal Court. The only way to shorten the process is if City Council established an expedited tribunal. Municipal Court is always going to give the defendant additional time to remedy the violations and that tends to extend the process. Mr. Brunka used overgrown grass as an example. The grass needs to grow to a certain length, a violation is then issued, and the homeowner is given time to remedy the violation. If the homeowner fails to comply, the city needs to schedule a vendor to cut the grass. This process takes time. Mr. Yurick stated that most of the cases do not reach Municipal Court because the city's policy has been to give property owners the opportunity to use their resources to fix the problem instead of paying a fine. The current policy is that fines are only

imposed by Municipal Court, not the city. A few of the open cases were discussed. Mr. Brunka reminded City Council that the city has minimum standards for property maintenance and a property may not appear how we want but it still meets the minimum standards. The consensus is that City Council wants to explore an expedited property maintenance enforcement process, particularly for repeat offenders. Mr. Brunka and Mr. Yurick will develop some additional enforcement options for City Council's review and consideration.

Mrs. Harper asked if City Planner Greg Orosz can provide City Council with a quarterly written report about major projects that the Regional Planning Commission is addressing. The Regional Planning website is not very informative. Mr. Brunka stated that he will ask Mr. Orosz to distribute the future Regional Planning meeting information as part of the City Council packets. Mr. Brunka can also ask the Warren County Engineer to provide periodic updates for City Council.

Adjourn

Mr. Cope made a motion to adjourn the meeting, seconded by Vice Mayor Norris. Roll call vote was approved unanimously. The meeting was adjourned at 8:25 p.m.

Passed: June 10, 2025

_____
Mayor

_____
Clerk

ORDINANCE NO. 2025-063

AN ORDINANCE APPROVING THE 2026-2030 CAPITAL IMPROVEMENT PLAN FOR THE CITY OF LEBANON, OHIO

WHEREAS, the Capital Improvement Plan provides a projection of future capital needs relative to estimated budgetary resources for the capital improvement fund, parks and recreation fund,sewer system improvement fund, water system improvement fund, storm water fund, and the electric system improvement fund; and

WHEREAS, City Council wishes to adopt the 2026-2030 Capital Improvement Plan;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Lebanon, Ohio:

SECTION 1. That the City Council hereby approves the 2026-2030 Capital Improvement Planfor the City of Lebanon.

SECTION 2. This Ordinance shall take effect at the earliest period allowable by law.

_____
Mayor

Passed: June 10, 2025

Attest:

_____
Clerk of Council

Sponsors:
Messer, Norris, Eggers, Harper, Lamoreaux

City Manager	City Auditor	City Attorney

City of Lebanon
Staff Summary Sheet

Subject: Behind the Meter Generation Power Sales Contract for '26 – '46 – REVISION 1

Prepared by: Shawn Coffey, Director of Electric Opns June 2, 2025

1. Purpose: To execute revised documents of the Behind the Meter Generation project (Ordinance 2024-085) due to operational changes in natural gas supply.

2. Recommendation: Council approves an amendment to the existing power sales contract, lease agreement and interconnect agreement with AMP for 20 MW's of behind the meter generation. Emergency Language is requested.

3. Discussion:

a. On October 22, 2024, City Council approved Ordinance 2024-085 for the installation of Behind the Meter (BTM) natural gas generation by American Municipal Power with the following design specifications:
   1. AMP will construct 2 – 10 MW natural gas CAT modular generation systems for a total capacity of 20 MW. 1 system would be installed at Warren Sub and 1 system would be installed at Columbia Sub.
   2. The total project cost $27M. AMP will finance the project over 20 years at an interest rate of 5%.
   3. AMP will own, maintain, and operate the 2 systems and schedule energy generation to maximize the reduction in regional capacity charges.
   4. The goal is to have the generation systems online by mid-2026 to support the City's electric load increase.
   5. The fixed unit cost will be $10.14/kW-month.

b. In preplanning for the project, a call occurred between Duke Energy Natural Gas, City personnel, AMP personnel and the generator manufacturer (Caterpillar). The call occurred on August 15, 2024, and the topics discussed included the specific natural gas needs (capacity and pressures) for each site, the exact location of the two sites and requirements by Duke Energy Natural Gas. During this call, Duke stated that they could supply the natural gas needs at both proposed locations.

c. In March 2025, Duke Energy Natural Gas informed AMP that adequate gas supply could not be provided at the Warren Substation site. AMP worked with Duke to find alternative sites that could support the BTM gas needs. AMP immediately contacted the City and began exploring options to still provide 20 MW of BTM generation at the contract price.

d. The City and Amp agreed that the best solution was to install 15 MW at Columbia Substation and 5 MW of Monroe Substation. These solutions will meet the needs of the City while maintaining the original total project cost and fixed unit cost to the City.

e. Staff recommends approval of the amendments to the Power Supply Contract, Lease Agreement, and Interconnection Agreement with AMP for 20 MW of BTM peaking

generation system at a fixed unit cost of $10.14/kW-month. Due to long material lead times, Emergency Language is being requested.

ORDINANCE NO. 2025-069

APPROVING THE FIRST AMENDMENTS TO THE POWER SALES CONTRACT AND RELATED AGREEMENTS WITH AMERICAN MUNICIPAL POWER, INC. AND TAKING OTHER ACTIONS IN CONNECTION THEREWITH REGARDING PARTICIPATION IN THE AMP/ LEBANON "CAT" PEAKING PROJECT AND DECLARING AN EMERGENCY

WHEREAS, the City of Lebanon, Ohio ("Lebanon") owns and operates an electric utility system for the sale of electric power and associated energy for the benefit of its citizens, customers and taxpayers; and

WHEREAS, AMP is an Ohio nonprofit corporation, organized to own and operate facilities, or to provide otherwise, for the generation, transmission or distribution of electric power and energy, or any combination thereof, and to furnish technical services on a cooperative, nonprofit basis, for the mutual benefit of its Members, such Members, including Lebanon, being, and to be, political subdivisions of their respective states that operate, or whose members operate, electric systems in, as of the date of adoption hereof, Delaware, Indiana, Kentucky, Maryland, Michigan, Ohio, Pennsylvania, Virginia and West Virginia; and

WHEREAS, Lebanon is a member of American Municipal Power, Inc., ("AMP") and currently purchases the majority of its electric power and energy from AMP and participates in virtual ownership of generation and has the opportunity to expand its participation in both individual and joint general AMP projects with AMP; and

WHEREAS, Lebanon has determined it requires additional, long-term sources of reliable and reasonably priced electric capacity and energy for resale to its customers and has requested that AMP arrange for the same; and

WHEREAS, in furtherance of such purpose, Lebanon requested and AMP agreed and is in the process of financing and constructing, and will operate and own certain natural gas reciprocating internal combustion engine systems, and interconnection facilities ("Interconnection") interconnected with Lebanon's electric utility system to be known collectively as the AMP Lebanon CAT Peaking Project ("Project"); and

WHEREAS, prior to the adoption of this resolution, AMP and Lebanon entered into the AMP Lebanon CAT Peaking Project Power Sales Contract (hereinafter "PSC") as well as lease agreements and interconnection agreements regarding the Project; and

WHEREAS, the Parties, through no fault of their own, have discovered and agree that the expected Project, as originally contemplated to include approximately 20 megawatts ("MW") of Caterpillar ("CAT") modular generation systems, with 10 MW at the Columbia Substation and 10 MW at the Warren Substation, is no longer feasible due to issues beyond each Party's control;

WHEREAS, the CAT modular generation systems previously expected at the Warren Substation (approximately 10 MW) will be redistributed with approximately 5 MWs being added to the Monroe Substation and approximately 5 MW being added at the Columbia Substation in addition to the original 10 MWs for a total of approximately 15 MWs at the Columbia Substation, keeping the Project total at approximately 20 MWs as set forth in this Amendment and similar amendments to the leases and interconnection agreements between the Parties executed concurrently with this Amendment;

WHEREAS, for the avoidance of doubt, no CAT modular generation systems will be located at the Warren Substation;

WHEREAS, the Parties desire to amend the Power Sales Contract to modify the Project Description and the Points of Delivery on the terms and subject to the conditions set forth in this Amendment;

WHEREAS, the Parties desire to amend the leases and interconnection agreements to reflect the changes to the Project; and

WHEREAS, under the Power Sales Contract, the leases and the interconnection agreements, the amendments contemplated by the Parties must be contained in a written agreement signed by each Party.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Lebanon, Ohio:

SECTION 1. The First Amendment to the PSC, a draft of which is on file with Lebanon's Clerk and is attached hereto and incorporated herein by reference as if fully set forth is hereby approved, and the City Manager is authorized and directed to execute on behalf of Lebanon a final form of the First Amendment to the PSC, substantially in the form approved by this resolution with such changes as the City Manager and City Attorney may approve as neither inconsistent with this resolution nor materially detrimental to Lebanon, the City Manager's and City Attorney's execution of the PSC to be conclusive evidence of such approval.

SECTION 2. The First Amendment to the Lease Agreement and the First Amendment to the Interconnection Agreement, a draft of each of which is on file with Lebanon's Clerk and is attached hereto and incorporated herein by reference as if fully set forth is hereby approved, and the City Manager is authorized and directed to execute on behalf of Lebanon a final form of the First Amendment to the Lease Agreement and Interconnection Agreement, substantially in the forms approved by this resolution with such changes as the City Manager and City Attorney may approve as neither inconsistent with this resolution nor materially detrimental to Lebanon, the City Manager's and City Attorney's execution of the PSC to be conclusive evidence of such approval.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION 4. If any section, subsection, paragraph, clause or provision or any part thereof of this resolution shall be finally adjudicated by a court of competent jurisdiction to be invalid, the remainder of this resolution shall be unaffected by such adjudication and all the remaining provisions of this resolution shall remain in full force and effect as though such section, subsection, paragraph, clause or provision or any part thereof so adjudicated to be invalid had not, to the extent of such invalidity, been included herein.

SECTION 5. This Ordinance is necessary for the immediate preservation of the public peace, health safety, morals and welfare of the City of Lebanon, Ohio and for the further reason that in order to complete the generation and transmission project described herein at or near the time that the power and energy described herein will be necessary to safely and efficiently serve Lebanon's electric service

customers the described project must proceed without delay and this ordinance shall take effect immediately upon its adoption.

_____
Mayor

Passed: June 10, 2025

Attest:

_____
Clerk of Council

Sponsors:
Messer

City Manager	City Auditor	City Attorney

FIRST AMENDMENT TO LEASE AGREEMENT

This FIRST AMENDMENT TO LEASE AGREEMENT ("**Amendment**") is entered into this ____ day of _____, 2025 ("**Effective Date**"), by and between the City of Lebanon, Ohio ("**Lessor**"), and American Municipal Power, Inc. ("**Lessee**").

Preamble

A. Lessor and Lessee are parties to a Lease dated October 23, 2024 (the "**Lease**") (AMPT Contract No. 2024-010759-LEASE), under which Lessor leases to Lessee the Premises (as defined in the Lease) containing portions of certain property located at the Columbia Substation and the Warren Substation as depicted and described on Exhibit A and Exhibit A-1, attached thereto.

B. The parties desire to amend the Premises to expand the leased area at the Columbia Substation, remove the leased area at the Warren Substation and add a leased area known as Monroe Substation, located at 1040 Monroe Road, Lebanon, Ohio.

C. The parties agree to revise the Premises in the Lease as set forth in this Amendment.

Agreement

1. **Definitions**. All capitalized terms not defined in this Amendment shall have the meanings ascribed to them in the Lease.

2. **Premises**. The definition of Premises in the Lease is hereby amended to remove the following language: "Warren Substation, located at 765 Turtlecreek-Union Road, in Lebanon, Ohio" and replace it with the following language: "Monroe Substation, located at 1040 Monroe Road, in Lebanon, Ohio".

3. **Exhibits**. Exhibit A (Premises Description) and Exhibit A-1 (Premises Depiction) of the Lease are both hereby deleted and replaced with the Exhibit A and Exhibit A-1 attached to this Amendment.

4. **No Further Change**. The parties affirm that all terms and conditions of the Lease that are not expressly modified in this Amendment remain unmodified and in full force and effect. If any discrepancy between this Amendment and the Lease cannot be resolved, then the terms of this Amendment will be construed to control.

5. **Counterparts**. This Amendment and the signatures on this Amendment may be transmitted by facsimile or electronic transmission (via scan). Facsimiles or electronic transmissions (via scan) of signatures shall be deemed to constitute original signatures and facsimiles or electronic transmissions (via scan) of this Amendment, or counterparts of this Amendment containing the signatures (whether original, facsimile or

electronic transmission) of all parties shall be deemed to constitute a single, enforceable instrument.

IN WITNESS WHEREOF, the parties have caused this Amendment to be executed as of the Effective Date.

LESSEE:
American Municipal Power, Inc.

By:_____
Jolene Thompson, President/CEO

Approved as to Form:

_____
Lisa McAlister, SVP & General Counsel

LESSOR:
City of Lebanon, Ohio

By:_____
Scott Bunka, City Manager

Approved as to Form:

_____
Mark Yurick, City Attorney

EXHIBIT A
PREMISES DESCRIPTION

Monroe Substation Description: Lease area – Monroe Road

Approximately 12,000 sq. ft. area located near 1040 Monroe Road, Lebanon, OH, 45036. Leased area approximately bounded by northwest corner at $39^0$26'53.88"N, $84^0$11'04.48"W; by northcentral corner at $39^0$26'52.24"N, $84^0$11'03.70"W; northeast corner at $39^0$26'51.90"N, $84^0$11'02.94"W; southeast corner at $39^0$26'51.45"N, $84^0$11'02.98"W; and southwest corner at $39^0$26'51.50"N, $84^0$11'04.48"W; plus approximate 20' wide ingress/egress easement to Monroe Road.

Columbia Substation Description: Lease area – Columbia Road

Approximately 12,000 sq. ft. area located near 3664 Columbia Road, Lebanon, OH, 45036. Leased area approximately bounded by northwest corner at $39^0$22'53.88"N, $84^0$14'55.10"W; northeast corner at $39^0$22'53.76"N, $84^0$14'52.98"W; southeast corner at $39^0$22'52.91"N, $84^0$14'53.04"W; and southwest corner at $39^0$22'53.02"N, $84^0$14'55.16"W; plus approximate 20' wide ingress/egress easement to Columbia Road.

EXHIBIT A-1
PREMISES DEPICTION

Monroe Substation, Lebanon, OH Lease Area, 1040 Monroe Road – AMP BTM Lebanon Project

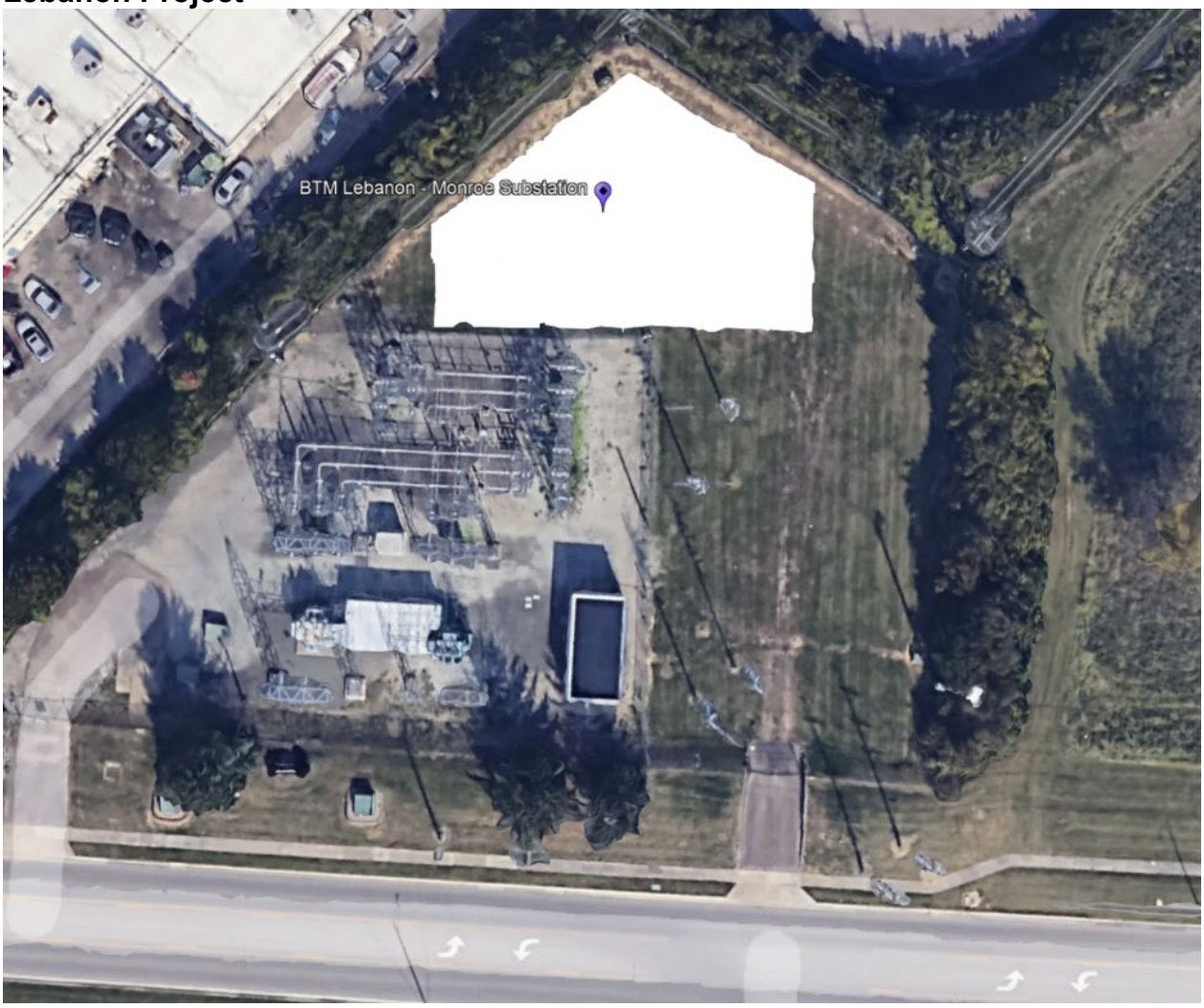
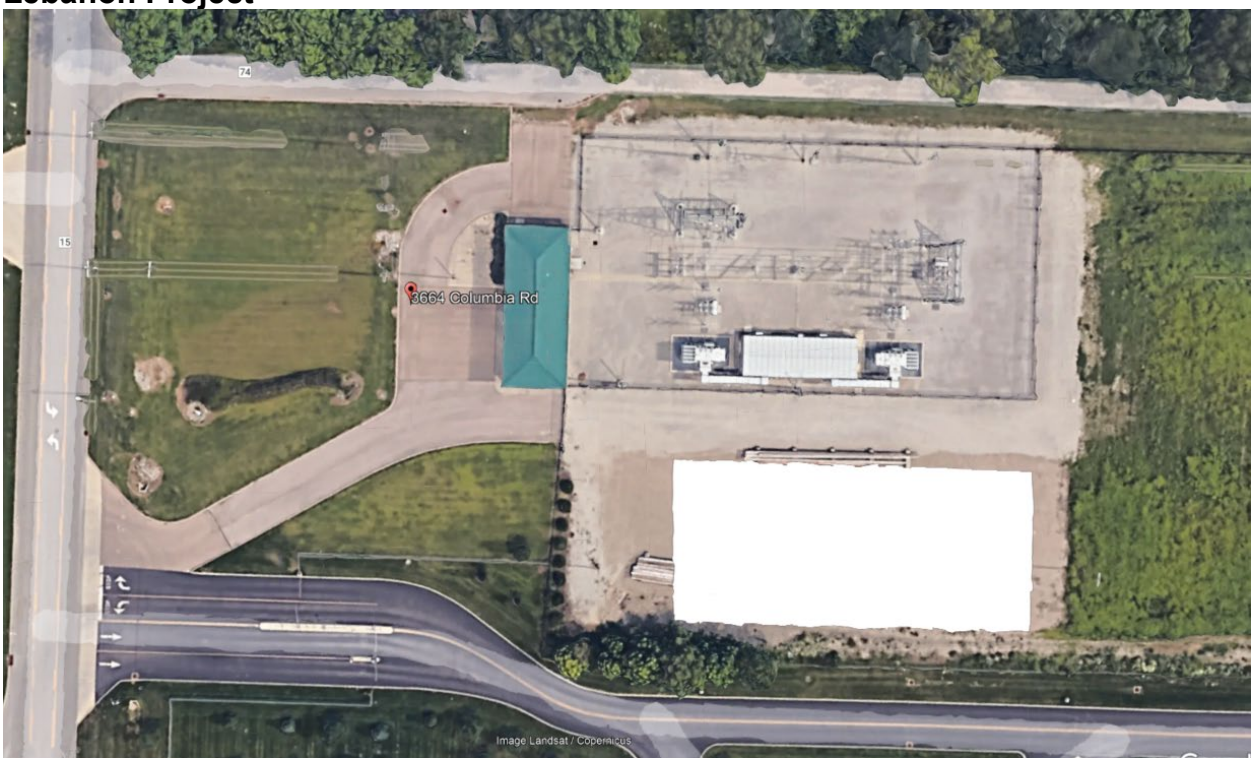


EXHIBIT A-1
PREMISES DEPICTION

Columbia Substation: Lebanon, OH Lease Area, 3664 Columbia Road – AMP BTM Lebanon Project



FIRST AMENDMENT TO THE INTERCONNECTION AGREEMENT BETWEEN THE CITY OF LEBANON, OHIO AND AMERICAN MUNICIPAL POWER, INC.

THIS FIRST AMENDMENT TO THE INTERCONNECTION AGREEMENT ("Agreement") is made this _____ day of _____, 2025 by and between American Municipal Power, Inc. ("AMP"), and the City of Lebanon, Ohio ("Purchaser").

WHEREAS, AMP and Purchaser entered into a Power Sales Contract regarding the AMP Lebanon CAT Peaking Project dated as of October 23, 2024 (the "Power Sales Contract")(AMP Contract No. 2024-010682-MAS); and

WHEREAS, the Parties, through no fault of their own, have discovered and agree that the expected AMP Lebanon Caterpillar Peaking Project ("Project"), as originally contemplated to include approximately 20 megawatts ("MW") of Caterpillar ("CAT") modular generation systems, with 10 MW at the Columbia Substation and 10 MW at the Warren Substation, is no longer feasible due to issues beyond each Party's control;

WHEREAS, the CAT modular generation systems previously expected at the Warren Substation (approximately 10 MW) will be redistributed with approximately 5 MWs being added to the Monroe Substation and approximately 5 MW being added at the Columbia Substation in addition to the original 10 MWs for a total of approximately 15 MWs at the Columbia Substation, keeping the Project total at approximately 20 MWs as set forth in this Amendment and similar amendments to the leases and interconnection agreements between the Parties executed concurrently with this Amendment;

WHEREAS, for the avoidance of doubt, no CAT modular generation systems will be located at the Warren Substation;

WHEREAS, the Parties desire to amend the Power Sales Contract to modify the Project Description and the Points of Delivery on the terms and subject to the conditions set forth in this Amendment; and

WHEREAS, under the Power Sales Contract, the amendments contemplated by the Parties must be contained in a written agreement signed by each Party.

NOW THEREFORE, the Parties agree as follows:

1. Appendix A is deleted in its entirety and replaced with the Appendix A attached hereto and incorporated herewith.

2. All other terms and conditions of the Power Sales Contract shall remain in full force and effect.

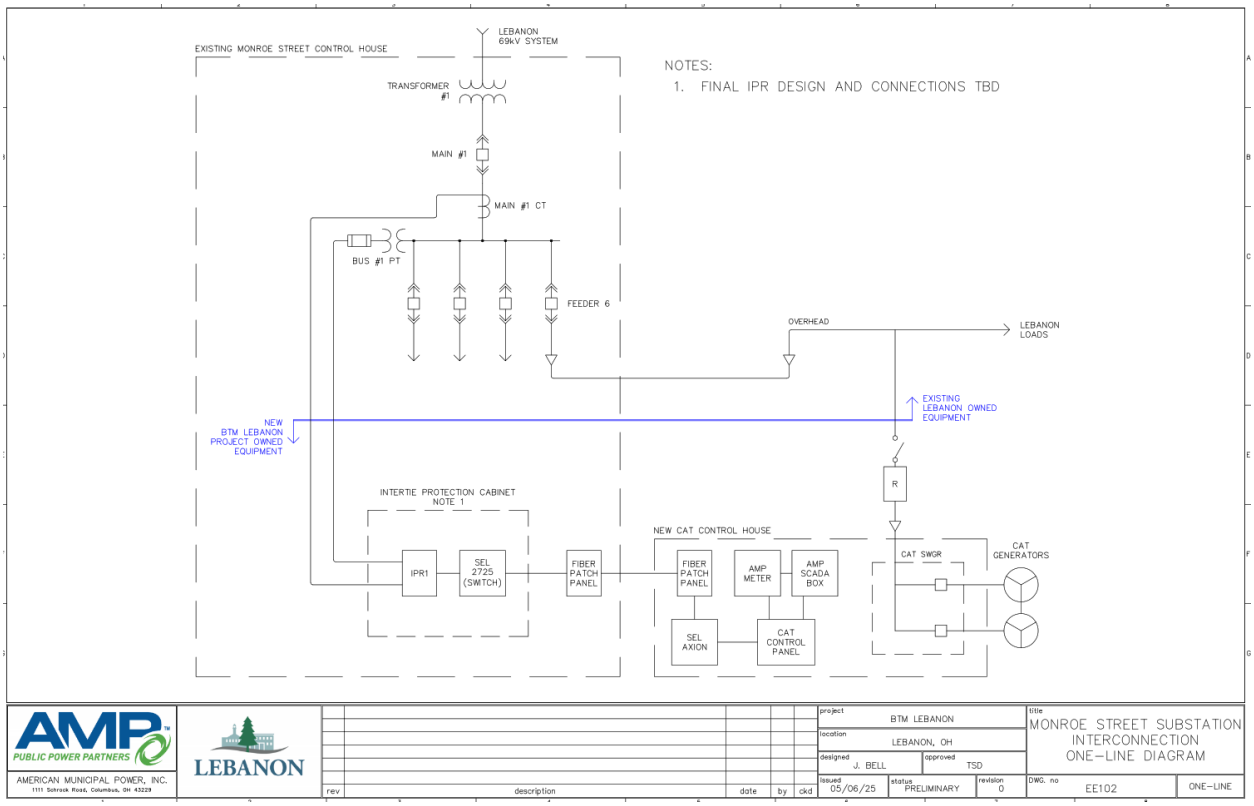
IN WITNESS WHEREOF, each of the Parties has caused this Agreement to be duly executed.

AMERICAN MUNICIPAL POWER, INC.	**CITY OF LEBANON, OHIO**
By:_____	By:_____
Jolene M. Thompson President/CEO	Scott Brunka City Manager
Approved as to Form and Attest:	Approved as to Form:
By:_____	By:_____
Lisa G. McAlister Senior VP/General Counsel	Mark Yurick City Attorney

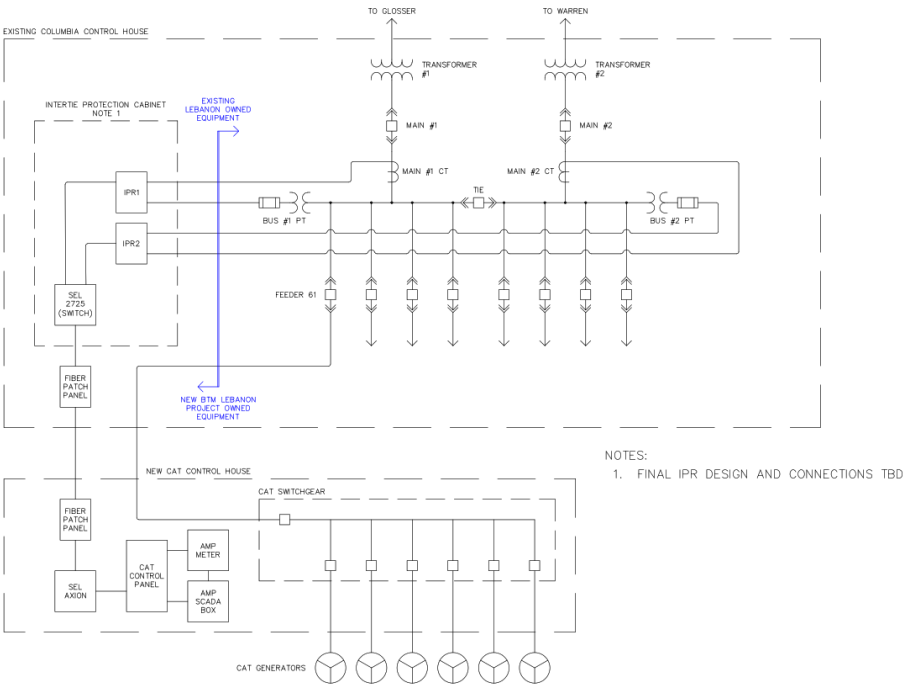
APPENDIX A

INTERCONNECTION FACILITIES

Lebanon Monroe Street Interconnection



Lebanon Columbia Interconnection



AMP PUBLIC POWER PARTNERS AMERICAN MUNICIPAL POWER, INC. 1111 Schrock Road, Columbus, OH 43229	LEBANON	rev	description	date	by	ckd	project: BTM LEBANON location: LEBANON, OH designed: J. BELL approved: TSD issued: 05/06/25 status: PRELIMINARY revision: 0	title: COLUMBIA SUBSTATION INTERCONNECTION ONE-LINE DIAGRAM DWG. no: EE101 ONE-LINE			

4869-8426-8519, v. 1

FIRST AMENDMENT TO POWER SALES CONTRACT REGARDING THE AMP LEBANON CAT PEAKING PROJECT BETWEEN AMERICAN MUNICIPAL POWER, INC. AND CITY OF LEBANON, OHIO

This First Amendment to AMP Lebanon CAT Peaking Project Power Sales Contract ("Power Sales Contract") is entered into as of _____, 2025 by and between American Municipal Power, Inc. ("AMP") on the one hand, and the City of Lebanon, Ohio ("Purchaser"), on the other hand.

WHEREAS, AMP and Purchaser entered into a Power Sales Contract regarding the AMP Lebanon CAT Peaking Project dated as of October 23, 2024 (the "Power Sales Contract")(AMP Contract No. 2024-010682-MAS); and

WHEREAS, the Parties, through no fault of their own, have discovered and agree that the expected AMP Lebanon Caterpillar Peaking Project ("Project"), as originally contemplated to include approximately 20 megawatts ("MW") of Caterpillar ("CAT") modular generation systems, with 10 MW at the Columbia Substation and 10 MW at the Warren Substation, is no longer feasible due to issues beyond each Party's control;

WHEREAS, the CAT modular generation systems previously expected at the Warren Substation (approximately 10 MW) will be redistributed with approximately 5 MWs being added to the Monroe Substation and approximately 5 MW being added at the Columbia Substation in addition to the original 10 MWs for a total of approximately 15 MWs at the Columbia Substation, keeping the Project total at approximately 20 MWs as set forth in this Amendment and similar amendments to the leases and interconnection agreements between the Parties executed concurrently with this Amendment;

WHEREAS, for the avoidance of doubt, no CAT modular generation systems will be located at the Warren Substation;

WHEREAS, the Parties desire to amend the Power Sales Contract to modify the Project Description and the Points of Delivery on the terms and subject to the conditions set forth in this Amendment; and

WHEREAS, under the Power Sales Contract, the amendments contemplated by the Parties must be contained in a written agreement signed by each Party.

NOW, THEREFORE, the Parties agree as follows:

1. Appendix C-1, Points of Delivery (Preliminary) of the Power Sales Contract is deleted in its entirety and replaced with the attached, updated Appendix C-1.

2. Appendix D, AMP Lebanon CAT Peaking Project Description (Preliminary) of the Power Sales Contract is deleted in its entirety and replaced with the attached, updated Appendix D.

3. All other terms and conditions of the Power Sales Contract shall remain in full force and effect.

IN WITNESS WHEREOF, the duly authorized representatives of the Parties have caused this First Amendment to Power Sales Contract to be executed as of the date first written above.

CITY OF LEBANON, OHIO

By:_____

Title:_____

APPROVED AS TO FORM:

By:_____

Title:_____

AMERICAN MUNICIPAL POWER, INC.

By:_____
Jolene M. Thompson
President/CEO

APPROVED AS TO FORM:

By:_____
Lisa G. McAlister
Senior Vice President/General Counsel

APPENDIX C-1
AMP LEBANON CAT PEAKING PROJECT
POINTS OF DELIVERY

Points of Delivery (Preliminary)

The Delivery Point for billing purposes as well as the actual physical Point of Delivery shall be the "Delivery Points" at the meter unless the same is modified in writing by the parties and are as set forth below.

Purchaser	Sites	Delivery Points	Interconnection Voltage
City of Lebanon	Columbia Substation	Columbia Substation	TBD
City of Lebanon	Monroe Substation	Monroe Substation	TBD

APPENDIX D

PROJECT DESCRIPTION

(AS OF MAY 1, 2025)

AMP LEBANON CAT PEAKING PROJECT
(PRELIMINARY)

A. The Project is proposed to initially consist of the development, construction and integration of CAT modular generation systems at two Sites for an approximate total project size of 20.0 megawatts ("MW").

MEMBER	SITE NAME	State	RTO	Load Zone	Approx. Size (MW)
Lebanon	Columbia Substation	OH	PJM	Duke	15 MW
Lebanon	Monroe Substation	OH	PJM	Duke	5 MW
				Total	**20 MW**

AMP will engage CAT for an all-inclusive, fixed price project to site, and install its G3520 distributed generation systems and maintain the same for a fixed maintenance price for ten years or 5,000 hours. AMP will own the CAT systems, finance their construction, and dispatch the resources. AMP will lease the land from the community for the project site and will manage the interconnection process with the local distribution system and the incumbent transmission utility. CAT will prepare the sites, design the installation, manage construction, and maintain and remotely monitor the units. Utility employees will receive maintenance and troubleshooting training for the generators from CAT.