



Tri-Cities Wastewater Authority
3777 Old Needmore Rd
Dayton, Ohio 45424
Telephone 937-236-6558

To: Matt Lindsey, MVRPC
From: Danny Knife, General Manager
Date: 2/22/2022
Subject: Tri-Cities Facility Plan Update Proposal

Mr. Lindsey,

Below are TCA's response to items 1 (A-I) of the Facility Plan Updates in regarding to our FPA modification request.

- A. GIS shapefiles attached- *Updated to reflect Vandalia Fire Station Property
- B. 2010 population= 68,088; 2040 population= 69,083; numeric change= 995; percent change= 1.5%
 - a. Vandalia does not anticipate residential development in the new area
- C.
 - 1. None of the new FPA is currently served with sanitary sewer
 - 2. All flows from new FPA will flow through the proposed lift station.
 - 3. No areas to be served with sanitary sewer will be connected to a new POTW in the next twenty years.
 - 4. None; all will be connected to new sanitary sewer
 - 5. None
 - 6. None
- D. Current flow data, plant capacities and projections attached.
 - a. Design flow of the proposed lift station in the new FPA is 146,400 gpd.
 - b. All flows from the new FPA will traverse through the proposed lift station.
 - c. Build out of industrial development in the new FPA will possibly begin in late 2022 and continue over the next decade.
 - d. Projected flows in the new FPA are not known; we are using the upper bound capacity of the proposed lift station for estimating.
 - e. Scheduled planned upgrades for the Tri-Cities Wastewater Facility are; design and construction of \$12M Phase 1 reliability improvements from 2022-2025. 10-12 MG of EQ storage design in 2022-2023. Design and construction of \$22M Phase 2 capacity improvements 2026-2029.



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- f. Projected capacity of the treatment facility after the 2026-2029 Phase 2 upgrade will be 16.1 MGD at a minimum. Currently our facility will be able to handle the proposed 146,400 gpd from the new FPA. See the information provided below from our Engineering consultant, Dan Miklos at Hazen and Sawyer, regarding plant upgrades, Phase 1 reliability improvements (2022-2025) and Phase 2 capacity improvements (2026-2029).

"The projected Average Annual flows and load at this time are ~16.1 MGD: 15 – 20 years out. The Phase 2 Solids Contact process (2026-2029) will be able to reduce effluent ammonia to meet the more stringent NPDES limits while adding additional flow capacity.

As far as the timing of the capacity improvements, as we have discussed, we all would like this to move forward at a faster pace.

If you note, the original design provided for more concentrated BOD5 load, 11.2 MGD at 200 mg/L for 18,700 lbs/day for AA flow and load.

The original design in 1985 had to estimate the incoming flow strength.

That increase in organic load is expected in ~10 years from current conditions based on member community planning department projections.

Also, Phase 1 (2022-2025) will enable two nitrification towers to operate under low flow conditions improving the current operation (only one can operate under low flow conditions).

As with the organic loading, the ammonia loading is also increasing.

Phase 1 "reliability and performance" improvements will address the increasing organic and nitrogen loading as the capacity improvements are designed and installed.

But the hydraulic capacity will become more limiting as additional secondary clarification capacity is not being added until Phase 2."

- E. Tables of current permit limits attached.
- F. Items F & G are combined into one response. It is intended that all development in the new FPA area will be connected to sanitary sewer and all flows will be directed through the proposed lift station. All flow from the new FPA will be sent to and treated by the Tri-Cities North Regional Wastewater Authority.
- G. See F.
- H. The proposed amendment to the Tri Cities FPA within the City of Vandalia aligns with Vandalia's Comprehensive Plan and Zoning Codes to provide sanitary sewer service to



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this are for commercial development. The City of Vandalia and the City of Dayton have approved an agreement that both are in favor of the amendment that removes this area from Dayton FPA to add it to the Tri Cities FPA.

- a. Zoning map attached
- I. December 20, 2019, City Council special meeting minutes are attached.

Please contact me if there are any questions.

Respectfully,

Danny Knife



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Dayton, Ohio 45424
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To: Matt Lindsey, MVRPC
From: Danny Knife, General Manager
Date: 2/11/2022
Subject: Tri-Cities Facility Plan Update Proposal

Mr. Lindsey,

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- A. GIS shapefiles attached
- B. 2010 population= 68,088; 2040 population= 69,083; numeric change= 995; percent change= 1.5%
 - a. Vandalia does not anticipate residential development in the new area
- C.
 - 1. None
 - 2. New FPA
 - 3. None
 - 4. All
 - 5. None
 - 6. None
- D. Current flow data, plant capacities and projections attached.
 - a. Scheduled planned upgrades for the Tri-Cities Wastewater Facility are; design and construction of \$12M Phase 1 reliability improvements from 2022-2025. 10-12 MG of EQ storage design in 2022-2023. Design and construction of \$22M Phase 2 capacity improvements 2026-2029.
- E. Tables of current permit limits attached.
- F. The new FPA area will utilize a modern sanitary lift station with SCADA, controls, and alarms; redundant pumps; and will be able to accept larger horsepower pumps to meet future demands.
- G. As described in (F) the treatment options include a new modern sanitary lift station with SCADA, controls and alarm systems and redundant pump that will ensure protection of pertinent critical water resources.



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- H. The proposed amendment to the Tri Cities FPA within the City of Vandalia aligns with Vandalia's Comprehensive Plan and Zoning Codes to provide sanitary sewer service to this area for commercial development. The City of Vandalia and the City of Dayton have approved an agreement that both are in favor of the amendment that removes this area from Dayton FPA to add it to the Tri Cities FPA.
- I. December 20, 2019, City Council special meeting minutes are attached.

Please contact me if there are any questions.

Respectfully,

A handwritten signature in blue ink, appearing to read "Danny Knife".

Danny Knife

Current Design - 1985

Design Conditions

TCA NRWA	Influent mg/L	Influent lbs/day	Primary Effluent mg/L	Primary Effluent lbs/day
Flow, MGD	11.2	11.2	11.2	11.2
Peak Day after Flow EQ, MGD	16.0			
Max Day, Peak Flow, MGD	30.0			
Total BOD ₅	200	18,700	150	14,000
Total TSS	200	18,700	100	9,340
Total NH3	25	2,340	25	2,340

NRWA

Average Annual Flow with Min and Max Days

	Annual Average Day (MGD)	Annual Min Day (MGD)	Annual Max Day (MGD)	Peaking Factor
2014	8.32	3.81	34.67	4.2
2015	8.93	5.14	32.24	3.6
2016	8.57	5.17	24.58	2.9
2017	9.58	5.40	31.22	3.3
2018	10.43	4.12	41.16	3.9
2019	10.70	5.29	33.66	3.1

NRWA Projected Total Flows and Loads

Cumulative with Current Conditions

Average Annual Current and Projected Cumulative Flows				
NRWA	Current	5 yr	10 yr	15 yr
Total Flows (Top), MGD	10.70	13.18	14.82	16.54
Total Flows (Low), MGD	10.70	12.53	13.71	15.07
Total Flows @ 400 gpd/HH, MGD	10.70	13.02	14.53	16.10

Average Annual Current and Projected Cumulative Loads				
TCA	Current	5 yr	10 yr	15 yr
Total BOD5, lbs/day	14,200	17,000	18,900	20,900
Total TSS, lbs/day	12,800	16,400	18,700	21,300
Total NH3, lbs/day	1,170	1,750	2,120	2,540

Top: 195 gallons/capita (2.1-3.1 capita/HH)

Bottom: 100 gallons/capita (2.1-3.1 capita/HH)

Hazen: 400 gpd/HH

Part I, A. - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

2. During the period beginning on the effective date of this modified permit and lasting until its expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from the following outfall: IPD00020001. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 001 - Final

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>						<u>Monitoring Requirements</u>			
Parameter	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Day	Continuous	All
00300 - Dissolved Oxygen - mg/l	-	5.0	-	-	-	-	-	1/Day	Continuous	All
00530 - Total Suspended Solids - mg/l	-	-	27	18	-	1146	763	4/Week	24hr Composite	All
00552 - Oil and Grease, Hexane Extr Method - mg/l	10	-	-	-	-	-	-	1 / 2 Weeks	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	2.3	1.5	-	96	63.6	5/Week	24hr Composite	Summer
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	3.8	2.5	-	159	106	5/Week	24hr Composite	Winter
00625 - Nitrogen Kjeldahl, Total - mg/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1/Week	24hr Composite	All
00671 - Orthophosphate, Dissolved (as P) - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
01009 - Barium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01074 - Nickel, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01079 - Silver, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01094 - Zinc, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01113 - Cadmium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01114 - Lead, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01118 - Chromium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01119 - Copper, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units		Loading* kg/day					Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
01220 - Chromium, Dissolved Hexavalent - ug/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
31648 - E. coli - #/100 ml	-	-	284	126	-	-	-	1/Day	Grab	Summer
34403 - Indeno(123-cd)pyrene - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
39100 - Bis(2-ethylhexyl) Phthalate - ug/l	2100	-	-	21	-	-	-	1/Month	Composite	All
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	Continuous	All
50060 - Chlorine, Total Residual - mg/l	0.037	-	-	-	-	-	-	1/Day	Multiple Grab	Summer
50092 - Mercury, Total (Low Level) - ng/l	1700	-	-	12	0.0721	-	0.000509	1/Month	Grab	All
51173 - Cyanide, Free (Low-Level) - ug/l	-	-	-	-	-	-	-	1/Month	Grab	All
61425 - Acute Toxicity, Ceriodaphnia dubia - TUa	-	-	-	-	-	-	-	1/Year	24hr Composite	June
61426 - Chronic Toxicity, Ceriodaphnia dubia - TUc	-	-	-	-	-	-	-	1/Year	24hr Composite	June
61427 - Acute Toxicity, Pimephales promelas - TUa	-	-	-	-	-	-	-	1/Year	24hr Composite	June
61428 - Chronic Toxicity, Pimephales promelas - TUc	-	-	-	-	-	-	-	1/Year	24hr Composite	June
61941 - pH, Maximum - S.U.	9.0	-	-	-	-	-	-	1/Day	Continuous	All
61942 - pH, Minimum - S.U.	-	6.5	-	-	-	-	-	1/Day	Continuous	All
70300 - Residue, Total Filterable - mg/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
80082 - CBOD 5 day - mg/l	-	-	18	12	-	763	509	3/Week	24hr Composite	All

Notes for station IPD00020001:

- Effluent loadings based on average design flow of 11.2 MGD.
- Total residual chlorine - See Part II, Item J.
- Nickel, zinc, cadmium, lead, total chromium, copper - See Part II, Item M.
- Dissolved hexavalent chromium - See Part II, Item N.
- Mercury - See Part II, Items M and R.

CITY OF VANDALIA
MONTGOMERY COUNTY, OHIO
RESOLUTION 19-R-60

A RESOLUTION AUTHORIZING AN AGREEMENT WITH THE CITY OF DAYTON REGARDING CERTAIN CITY PROPERTIES AND MATTERS ON OR NEAR THE DAYTON INTERNATIONAL AIRPORT, INCLUDING AMENDMENTS TO A DAYTON AND VANDALIA SEWER AGREEMENT, CHANGES TO RESPECTIVE FACILITY PLANNING AREAS, TRANSFER OF THE FIRE STATION PROPERTY AND DEVELOPMENT OF PROPERTY ADJACENT AND NEAR THERETO.

WHEREAS, in 1971, the city of Vandalia and the city of Dayton entered into several agreements relative to water and sanitary sewer for certain properties at and around the James M Cox Dayton Municipal Airport; and

WHEREAS, the 1971 Agreement allowed Dayton to utilize Vandalia's sanitary sewer system for such property designated as parcel C-2 in Vandalia via Ordinance 71-34 and Dayton Ordinance 24141; and

WHEREAS, Dayton has expanded its interest in other property near the airport which is not included in Parcel C-2 and desires to include such property in the parties' agreement regarding the use of Vandalia's sanitary sewer system for Dayton airport property and Vandalia is not opposed to such amendment; and

WHEREAS, under the Federal Clean Water Act owners of publicly owned treatment works (wastewater treatment plants) developed certain Facility Planning Areas (FPA) for each wastewater treatment plant that included the plant's current and projected service area, as well as additional areas in which wastewater would have to be handled by other accepted means, i.e. on-site septic systems and package plants; and

WHEREAS, Dayton and Vandalia (in conjunction with Tri-Cities North Regional Wastewater Authority) wish to amend their respective FPAs by including land currently in the other parties FPA; and

WHEREAS, Vandalia is the owner of 1.549 acres of land being parcel B02 00118 0034 commonly known as to City of Vandalia Fire Station #3; ("Vandalia Fire Station Property") and

WHEREAS, Dayton desires to develop a 43.7-acre site of City of Dayton land at the airport that has frontage on N. Dixie Drive, in Vandalia and is located adjacent to the Vandalia Fire Station Property; (the "Dixie Drive Development") and

WHEREAS, Vandalia has concerns with the Dixie Drive Development in that Vandalia believes that it will (i) result in a significant increase in truck and other vehicular traffic and thereby negatively impact Dixie Drive and Northwoods Drive; (ii) due to the location of frontage, conflict with ingress and egress points along N. Dixie Drive; (iii) limit the ability of the City to conduct

certain fire department training that currently occurs at the Vandalia Fire Station Property resulting in costs to Vandalia to buy land and construct new training facilities; (iv) negatively impact Airline Heights residential subdivision; (the "Dixie Drive Development Impacts") and

WHEREAS, Dayton has acknowledged Vandalia's concerns with the Dixie Drive Development Impacts and has agreed to work with Vandalia with respect to the Dixie Drive Development.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF VANDALIA, MONTGOMERY COUNTY, OHIO THAT:


Section 1. The City Manager or his designee is hereby authorized to execute the Agreement between the City of Dayton and City of Vandalia attached hereto and incorporated herein and to take all reasonable and necessary actions to fulfill such Agreement by executing on behalf of the City such further documents and agreements relating thereto including but not limited to any and all Federal Clean Water Act related documents necessary for the changes to the City's FPA and any and all documents, including settlement statements, deed and other closing documents for the sale of the Vandalia Fire Station Property.

Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ^{Resolution} Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 3. This ^{Resolution} ordinance shall take full force and effect from and after the earliest period allowed by law.

Passed this 20 day of December 2019

APPROVED:


Arlene Setzer, Mayor

ATTEST:


Jon Crusey, Clerk of Council

AGREEMENT

This Agreement is entered into by and between the City of Vandalia, Ohio (an Ohio municipal corporation) ("Vandalia") and City of Dayton, Ohio (an Ohio municipal corporation) ("Dayton") this 20 day of December 2019.

WHEREAS, In 1971, the city of Vandalia and the city of Dayton entered into several agreements relative to water and sanitary sewer for certain properties at and around the James M Cox Dayton Municipal Airport; and

WHEREAS, The 1971 Agreement allowed Dayton to utilize Vandalia's sanitary sewer system for such property designated as parcel C-2 in Vandalia Ordinance 71-34 and Dayton Ordinance 24141; and

WHEREAS, Dayton has expanded its interest in other property near the airport which is not included in Parcel C-2; and

WHEREAS, Dayton desires to include the property described in Exhibit A (the "Additional Property") to the parties agreement regarding the use of Vandalia's sanitary sewer system for Dayton airport property said Additional Property, as of December 9, 2019, consists of parcel R72717413 0023 being approximately 70.793 acres; parcel R72717413 0024 being approximately 46.107 acres; and parcel R72717413 0022 being approximately 34.46 acres; and

WHEREAS, Vandalia is willing to permit the Additional Property to use the Vandalia sanitary sewer system pursuant to the terms of the parties existing 1971 Agreement; and

WHEREAS, Under the Federal Clean Water Act owners of publicly owned treatment works (wastewater treatment plants) developed certain Facility Planning Area (FPA) for each wastewater treatment plant that included the plant's current and projected service area, as well as additional areas in which wastewater would have to be handled by other accepted means, i.e. on-site septic systems and package plants; and

WHEREAS, Although the original FPAs were largely based on existing drainage boundaries, other features such as property lines, roads, and corporation boundaries were also used to establish FPA boundaries; and

WHEREAS, Vandalia is a member of Tri-Cities North Regional Wastewater Authority ("Tri-Cities") and the majority of the city of Vandalia is in the Tri-Cities FPA however a portion of the western land in Vandalia that is in proximity to the western airport property is within a City of Dayton FPA; and

WHEREAS, the parties desire for the land described in the attached Exhibit B (the "New FPA Land") that is currently located in the Dayton FPA be moved to the Tri-Cities FPA; and

WHEREAS, Tri-Cities has the capacity to handle the waste water from the New FPA Land; and

WHEREAS, Dayton does not object to the proposed change in the FPA and has agreed to support the amendment in consideration of Vandalia amending the agreement as provided herein; and

WHEREAS, Vandalia is the owner of 1.549 acres of land being parcel B02 00118 0034 commonly known as to City of Vandalia Fire Station #3; ("Vandalia Fire Station Property") and

WHEREAS, Dayton desires to develop a 43.7-acre site of City of Dayton land at the airport that has frontage on N. Dixie Drive, in Vandalia and is located adjacent to the Vandalia Fire Station Property; (the "Dixie Drive Development") and

WHEREAS, Vandalia has concerns with the Dixie Drive Development in that Vandalia believes that it will (i) result in a significant increase in truck and other vehicular traffic and thereby negatively impact Dixie Drive and Northwoods Drive; (ii) due to the location of frontage, conflict with ingress and egress points along N. Dixie Drive; (iii) limit the ability of the City to conduct certain fire department training that currently occurs at the Vandalia Fire Station Property resulting in costs to Vandalia to buy land and construct new training facilities; (iv) negatively impact to Airline Heights residential subdivision; (the "Dixie Drive Development Impacts") and

WHEREAS, Dayton and Vandalia are committed to continue to work on improving the transportation network as development is attracted to the area around the airport; and

WHEREAS, Dayton acknowledges Vandalia's concerns with the Dixie Drive Development Impacts and is willing to work with Vandalia with respect to the Dixie Drive Development.

NOW, THEREFORE, for good and valuable consideration the receipt of which is hereby acknowledged the parties through their duly authorized representatives agree as follows:

1. The Additional Property shall be permitted to utilize the Vandalia sewer system under the terms and conditions set forth in Vandalia City Ordinance 71-35 as if such Additional Property were part of Parcel C-2. A copy of Ordinance 71-35 is attached hereto as Exhibit C.
2. The parties consent to a change in the City of Dayton FPA and Tri Cities FPA so that the New FPA Land shall be removed from the Dayton FPA and added to the Tri-Cities FPA and the Vandalia Fire Station Property shall be removed from the Tri Cities FPA and added to the City of Dayton FPA
3. The Dixie Drive Development shall be developed with the following provisions: (i) one entrance off of Tuskegee Airman Drive to serve development; (ii) a second emergency access only entrance may be provided at south end of development; (iii) signage directing all truck to turn left off of Tuskegee Airman Drive, toward Northwoods Blvd will be installed; (iv) Dayton shall install and maintain a new traffic signal at Tuskegee Airman Drive and Dixie Drive; (v) all outdoor lighting shall be downward shining with a full cutoff fixture with preferred maximum illumination of 0.5 foot-candles at the east and south property lines; and (vi) there shall be constructed a 12' high mound(s), with evergreens at least 6-feet in height, staggered every 15-feet on center, along Dixie Drive and along the entire south property line. The parties agree and acknowledge that the

Dixie Drive development is subject to FAA, other federal regulations and the Airport Layout Plan and Master Plan. Dayton warrants that the provisions contained herein are consistent with the Airport Layout Plan and Master Plan. Notwithstanding the provisions of this Agreement, including but not limited to section 3(v) above, if any development standards required by this agreement are prohibited by any federal regulation applicable at the time of development then Dayton shall be required to implement those standards to the maximum amount that are permissible by the FAA in the development.

4. The City of Vandalia shall transfer to Dayton all of Vandalia's right title and interest in the Vandalia Fire Station Property and any structures thereupon via a quit claim deed by at a cost of Six Hundred Twenty-Five Thousand Dollars (\$625,000) within 30 days of the execution of this Agreement.

5. Vandalia and Dayton agree to timely adopt any legislation and complete any actions necessary to adjust the corporate boundaries such that the Vandalia Fire Station Property shall be incorporated into Dayton. The parties agree to amend Parcel C-2 to include the Vandalia Fire Station Property. The Vandalia Fire Station Property shall be used solely for fire related purposes. Employee activity will be limited such that no Vandalia personnel will be subject to Dayton City tax.

6. Vandalia shall continue to occupy the Vandalia Fire Station Property after the closing. Provided, however, in the event Dayton desires to take possession of the Vandalia Fire Station Property for commercial development Dayton will provide Vandalia a 120-day notice to vacate the Vandalia Fire Station Property.

7. The recitals above and all exhibits attached hereto are incorporated herein by this reference.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, Vandalia and Dayton, each by a duly authorized representative, have executed this Agreement as of the date first set forth above.

CITY OF DAYTON, OHIO

CITY OF VANDALIA, OHIO

City Manager

City Manager

**APPROVED AS TO FORM
AND CORRECTNESS:**

**APPROVED AS TO FORM
AND CORRECTNESS:**

City Attorney

City Attorney

**APPROVED BY THE COMMISSION OF
OF THE CITY OF DAYTON, OHIO:**

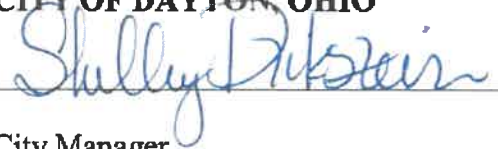
, 201__

Min/Bk. _____ Pg. _____

Clerk of the Commission

IN WITNESS WHEREOF, Vandalia and Dayton, each by a duly authorized representative, have executed this Agreement as of the date first set forth above.

CITY OF DAYTON, OHIO



City Manager

CITY OF VANDALIA, OHIO

City Manager

**APPROVED AS TO FORM
AND CORRECTNESS:**



City Attorney *mw*

**APPROVED AS TO FORM
AND CORRECTNESS:**

City Attorney

**APPROVED BY THE COMMISSION OF
OF THE CITY OF DAYTON, OHIO:**

December 11, 2019

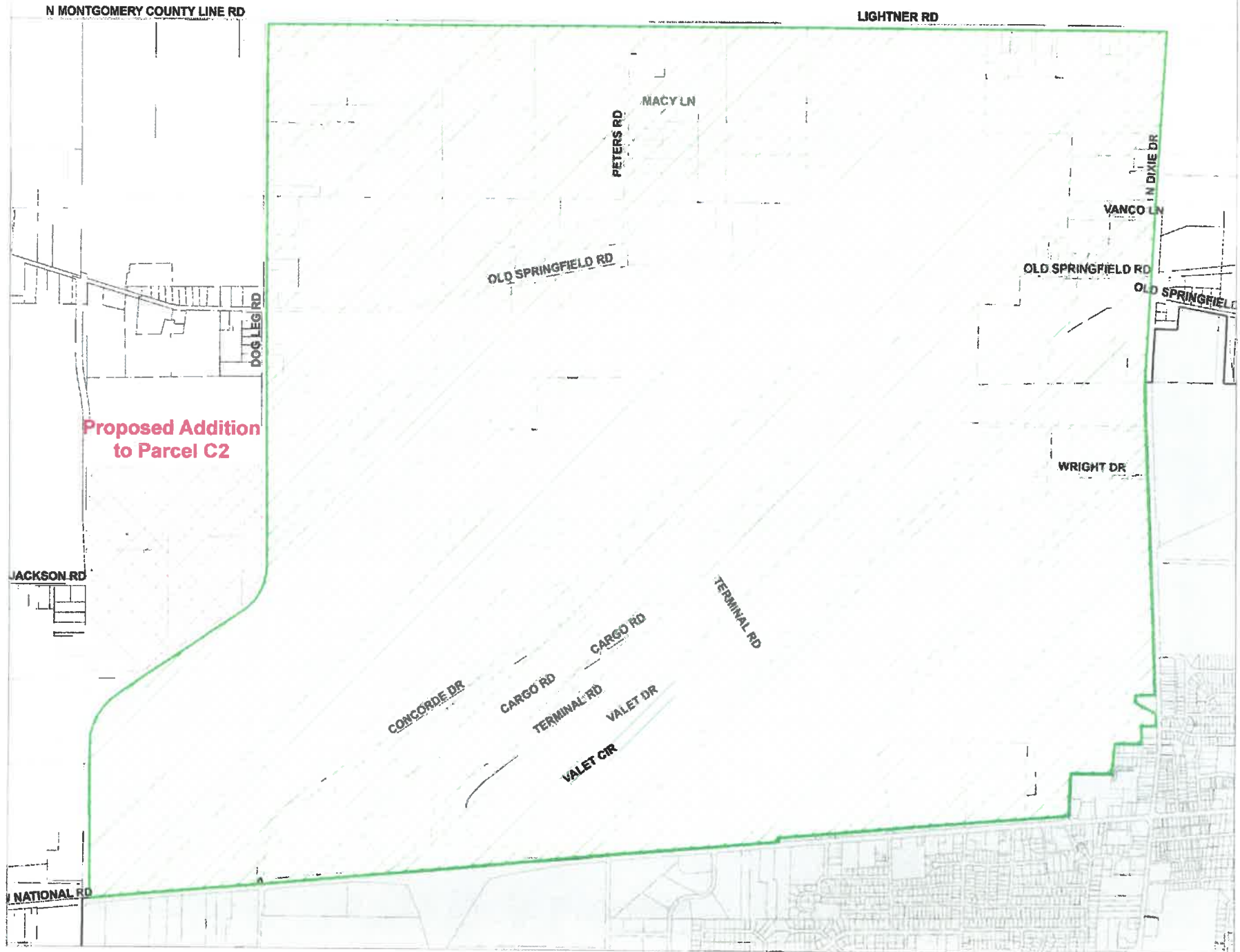
Min/Bk. I-16 Pg. _____



lev Clerk of the Commission



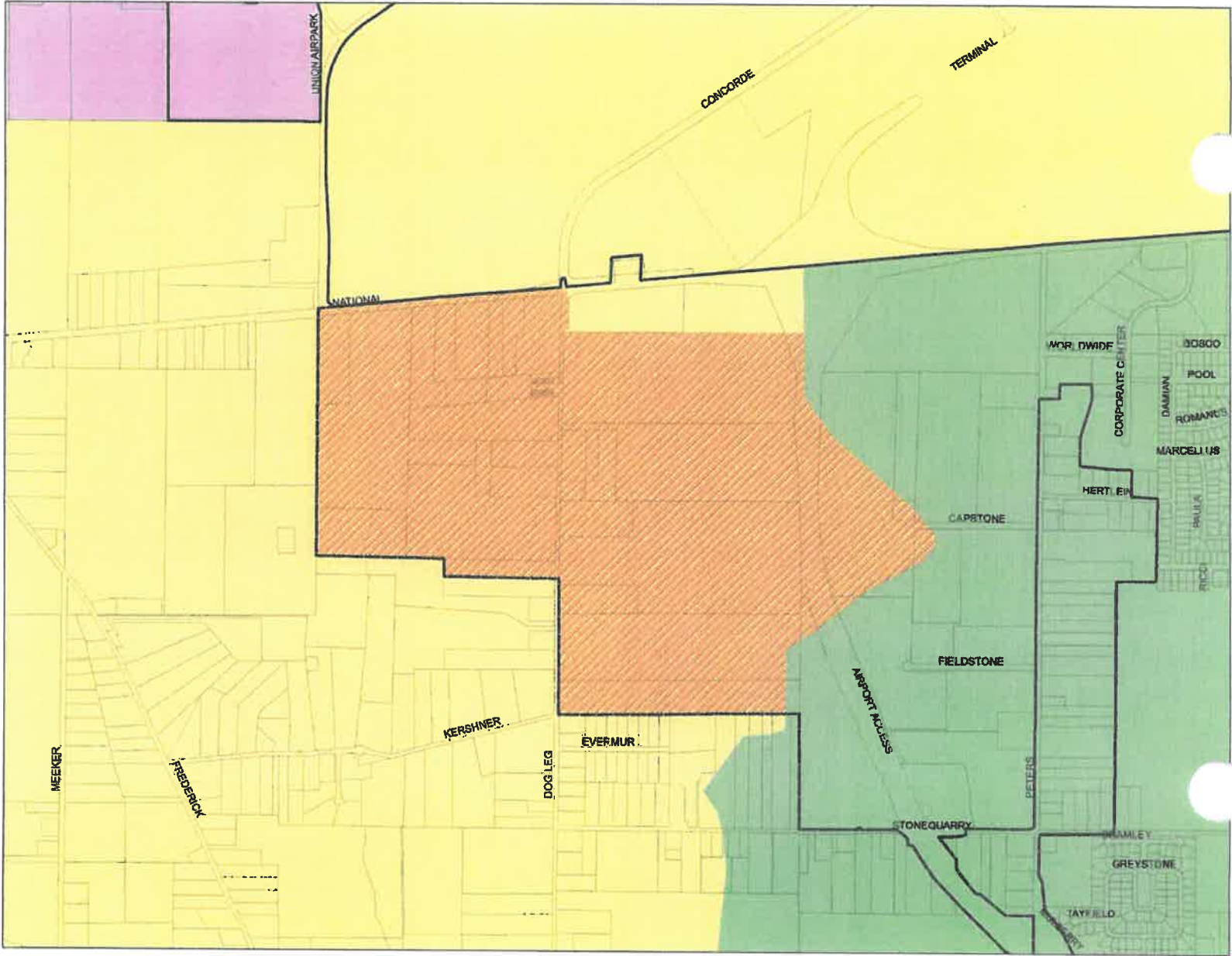
Parcel C2



FACILITIES PLANNING AREAS



1 inch = 1,000 feet



- Legend**
- Proposed Change to TCA Area
 - Facility Plan Areas**
 - DAYTON
 - TRI-CITIES
 - UNION

Exhibit C

By.....*Mr. Liskany*.....

No.....24140.....

AN ORDINANCE

Entering Into and Approving the Terms of an Agreement Between The City of Dayton, Ohio, and the City of Vandalia, Ohio, Relative to the Right to Connect The City of Dayton's Sanitary Sewer System Located at the James M. Cox Dayton Municipal Airport to the City of Vandalia Sanitary Sewer System and Cancelling the Agreement Between the Parties for Water and Sewer Services Dated March 23, 1959, and Declaring an Emergency.

WHEREAS, The City of Vandalia passed Ordinance No. 71-35 setting forth the terms of an agreement between The City of Dayton, Ohio and the City of Vandalia, Ohio, relative to the Right to Connect The City of Dayton's sanitary sewer system located at the James M. Cox Dayton Municipal Airport to the City of Vandalia's sanitary sewer system and cancelling the agreement between the parties for water and sewer service dated March 23, 1959; and

WHEREAS, Said Ordinance provides that when The City of Dayton through proper action of its Commission has approved the terms of said Ordinance and has acted upon the same, then said Ordinance, the evidence of approval and acceptance thereof by The City of Dayton shall together constitute a contract by and between The City of Dayton and the City of Vandalia; and

WHEREAS, It is necessary for the immediate preservation of the public peace, property, health and safety that this ordinance take effect at an early date; now, therefore,

BE IT ORDAINED BY THE COMMISSION OF THE CITY OF DAYTON:

Section 1. That The City of Dayton does hereby approve and accept the terms of Ordinance No. 71-35 entitled, "An Ordinance Setting Forth the Terms of an Agreement Between The City of Dayton, Ohio, and the City of Vandalia, Ohio, Relative to the Right to Connect The City of Dayton's Sanitary Sewer System Located at the James M. Cox Dayton Municipal Airport to the City of Vandalia's Sanitary Sewer System and Cancelling the Agreement Between the Parties for Water and Sewer Service dated March 23, 1959," enacted by the City of Vandalia on October 18, 1971, a copy of which is attached to the original copy of this Ordinance and now on file in the Office of the Clerk of the Commission.

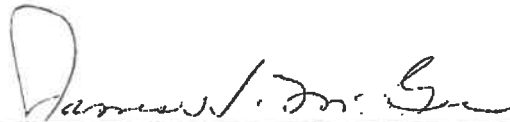
Section 2. That the Clerk of the Commission is hereby directed to forward to the City of Vandalia a certified copy of this Ordinance as evidence of approval and acceptance thereof by The City of Dayton.

Section 3. That Ordinance No. 71-35 as enacted by the City of Vandalia on October 18, 1971, together with this Ordinance shall constitute a contract by and between The City of Dayton and the City of Vandalia.

Section 4. For the reasons stated in the preamble hereof this ordinance is declared to be an emergency measure and shall take effect immediately upon its passage.

Passed by the Commission.....*November 17,* 1971

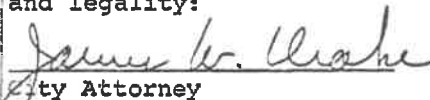
Signed by the Mayor.....*November 17,* 1971


MAYOR OF THE CITY OF DAYTON, OHIO

Attest:


Clerk of the Commission

Approved as to form
and legality:



City Attorney

CERTIFICATE OF CLERK OF THE COMMISSION

STATE OF OHIO,
COUNTY OF MONTGOMERY, SS:
CITY OF DAYTON.

The undersigned, Clerk of the Commission of said City, hereby certifies that the foregoing is a true and correct copy of Ordinance No. 24140
passed as an emergency measure by the Commission of said City November 17, 19 71.

In Testimony Whereof, witness my hand and official seal, this 22nd
day of November, 19 71.


Clerk of the Commission of the City of Dayton, Ohio

CITY OF VANDALIA

MONTGOMERY COUNTY, OHIO

ORDINANCE NO. 71-35

AN ORDINANCE SETTING FORTH THE TERMS OF AN AGREEMENT BETWEEN THE CITY OF DAYTON, OHIO AND THE CITY OF VANDALIA, OHIO, RELATIVE TO THE RIGHT TO CONNECT THE CITY OF DAYTON'S SANITARY SEWER SYSTEM LOCATED AT THE JAMES M. COX DAYTON MUNICIPAL AIRPORT TO THE CITY OF VANDALIA'S SANITARY SEWER SYSTEM AND CANCELLING THE AGREEMENT BETWEEN THE PARTIES FOR WATER AND SEWER SERVICE DATED MARCH 23, 1959.

WHEREAS, The City of Dayton's sanitary sewer system located at the James M. Cox Dayton Municipal Airport has been connected to the City of Vandalia's sanitary sewer system under a series of contracts between the two cities; and

WHEREAS, the present contract of March 23, 1959, provides for both water and sanitary sewer services to be provided to the James M. Cox Dayton Municipal Airport by the City of Vandalia; and

WHEREAS, a new agreement will be entered into between the Board of County Commissioners of Montgomery County, Ohio, the City of Vandalia, and The City of Dayton, Department of Water, providing for water service to the James M. Cox Dayton Municipal Airport; and

WHEREAS, it is therefore desirable to cancel the current contract of March 23, 1959, between the two cities and enter into a new contract providing for sewer services alone; now, therefore,

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

Section 1. That The City of Dayton is hereby granted the right and privilege of connecting its sanitary sewer system located at the James M. Cox Dayton Municipal Airport to the existing sanitary sewer system of the City of Vandalia at the locations and connections now existing or which may hereafter be established as herein provided.

Section 2. That the sanitary sewer system of The City of Dayton located at the James M. Cox Dayton Municipal Airport may be expanded to serve the entire area described as Parcel C-2 in the agreement between the Board of County Commissioners of Montgomery County, Ohio, the City of Vandalia, and The City of Dayton, Department of Water, relative to the furnishing of water services to a portion of the Greater Northridge Sewer District and the City of Vandalia and for the purpose of this agreement, Parcel C-2 shall also include such lands as are mutually agreed to by The City of Dayton and the City of Vandalia.

Section 3. That the City of Vandalia's sewer system shall receive, carry, treat, and dispose of all sanitary sewage which meets the requirements of Chapter 16 (Ordinance 59-13, passed September 21, 1959) of the Codified Ordinances of the City of Vandalia, originating on Parcel C-2 and discharged into the City of Vandalia's sewer system through the connections between the two sewer systems and such other connections as may hereafter be established. The City of Vandalia shall operate the sanitary sewage disposal and treatment facilities in conformity with all applicable State laws, rules and regulations and in a manner and by such means as constituting no hazard to public health.

The City of Vandalia does not guarantee the services contemplated by this agreement, but engages to furnish adequate services and of the same quality as that furnished to residents of the City of Vandalia, subject to such interruption of services as may arise from natural causes, failure of equipment, or causes reasonably beyond control.

Section 4. As compensation for the foregoing rights and privileges, The City of Dayton shall pay or cause to be paid to the City of Vandalia, quarterly, so long as the said connections between the two systems are thus used such rates or charges equal to the quarterly service rates or charges currently or hereafter established for sewer services furnished to the residents of the City of Vandalia plus a 25% surcharge, less a 10% credit. Said credit is in consideration of The City of Dayton's maintaining the sewer lines and systems on the James M. Cox Dayton Municipal Airport. There shall be no other fees or charges of any kind except for sewer tap-in fees for future expansion of the sewer system usage. Said sewer tap-in fees shall be upon the same basis and equal to the sewer tap-in fees currently or hereafter established for residents of the City of Vandalia. The City of Dayton shall have the right to include in any lease or contract that The City of Dayton enters into for the construction of a future building on the James M. Cox Dayton Municipal Airport, a provision that said tenant will be liable for said tap-in fee to the City of Vandalia, and further that said tenant shall have the right to enter into an agreement with the City of Vandalia or otherwise provide for the payment of said sewer tap-in fee on an amortized basis in accordance with the same terms and conditions that are applicable to the residents of Vandalia. Said leases or contracts shall contain in the termination clause as a grounds for terminating and cancelling said contract, the failure to pay the tap-in fee to the City of Vandalia and The City of Dayton shall upon request by the City of Vandalia enforce said termination or cancellation if said tap-in fees are not paid.

The City of Dayton will furnish to the City of Vandalia a complete quarterly statement of Dayton's charges for water consumption for each consumer served within said Parcel C-2 less the consumption of water that does not go into the sanitary sewer system. The City of Vandalia shall thereafter furnish The City of Dayton with the sanitary sewer charges for each consumer in Parcel C-2. The City of Dayton shall then bill each consumer said sewer charges along with the current water bill, which statement shall be the basis for payment to the City of Vandalia for said sewer charges within sixty (60) days after such statements are rendered to said consumers.

Section 5. The City of Dayton shall remain the owner of the sanitary sewer system located on Parcel C-2 and shall have full control of all sanitary sewer connections and lines within said Parcel C-2, and all said sanitary sewer lines within Parcel C-2 shall be covered by this contract except for a private sewer line furnishing sewer services to the Theodoras land which is being furnished sewer services by the City of Vandalia under an existing contract. Consumers on said Theodoras land shall be billed separately by the City of Vandalia for sewer services and shall not be part of this contract until such time as said lands are acquired by The City of Dayton for said Airport.

Section 6. The use of the sanitary sewers on said Parcel C-2, insofar as the same may be practicable and applicable and not in conflict with the other provisions of this agreement, shall be governed by the rules and regulations governing the use of sanitary sewers of The City of Dayton and as long as said sewers continue to discharge into the City of Vandalia's sanitary sewer system, shall also be subject to the rules and regulations applicable to the operation of sewer lines within the City of Vandalia. And, in the event there is a conflict between the rules and regulations of the two governmental bodies concerning sewage discharge, the rule and regulation of the city which is the more strict shall control.

Section 7. The City of Dayton is to maintain and repair The City of Dayton's sanitary sewer system located on Parcel C-2 excepting private lines serving the Theodoras land.

In consideration of the City of Dayton maintaining said sewer system, The City of Dayton shall receive a ten per cent (10%) credit as provided in Section 4 of this Agreement.

In case The City of Dayton shall fail to perform any repairs which the City of Dayton is required to perform by this agreement, within twenty-four hours after notification to the City of Dayton by the City of Vandalia,

Vandalia may at its election make said repairs and the City of Dayton shall reimburse the City of Vandalia for the costs of said repairs.

Section 8. This contract is to continue for the period beginning on the effective date of this agreement and in the manner set forth but in no event for a lesser period than the contract or succeeding contracts whereby the City of Dayton is furnishing water to the City of Vandalia. Provided, however, that at any time the City of Dayton should provide its own sanitary sewage disposal and treatment facilities to Parcel C-2, the City of Dayton may terminate this contract as to those areas being served directly by the City of Dayton's sanitary sewage disposal and treatment facilities.

Section 9. The City of Vandalia shall have the right to inspect the sewer lines located on Parcel C-2 provided that no inspection shall be made except in connection with an inspector from the City of Dayton and no inspection shall be made in any operational area of the Airport without supervision of the Department of Aviation in regards to Airport safety. Such supervision of inspection shall be timely provided by the City of Dayton and shall not unreasonably be withheld.

Section 10. The City of Dayton shall install all sanitary sewer lines on Parcel C-2 and shall make all taps in said sewer lines.

Prior to any construction, all plans for extension of the sewer system on Parcel C-2 shall be submitted to the City of Vandalia for approval of construction and specifications and existing capability, which approval shall not be unreasonably withheld. No new connections between the sanitary sewer system on Parcel C-2 shall be made into the City of Vandalia's sewer system without the approval of the City Manager of the City of Vandalia, which approval shall not unreasonably be withheld. Said connections between the two sewer lines shall be constructed as close as practical to boundary lines between Parcel C-2 and Parcel B as described in said water contract. Said new connections shall be under the same terms and conditions as provided herein for existing connections.

Section 11. When the City of Dayton, through proper action of its Commission, has approved the terms of this Ordinance and has acted upon the same, then this Ordinance, the evidence of approval and acceptance thereof by the City of Dayton shall together constitute a contract by and between the City of Dayton and the City of Vandalia relative to the connection of the City of Dayton's sanitary sewer system located on Parcel C-2 and the City of Vandalia's sanitary sewer system which contract shall remain in force and effect unless rescinded, superseded, or modified by mutual agreement of both cities.

Section 12. Immediately after Dayton begins to furnish water to Parcel C-2 through the thirty inch (30") water main to be constructed under the agreement between the Board of County Commissioners of Montgomery County, Ohio, the City of Vandalia, and the City of Dayton, Department of Water, then this agreement shall be effective and the billing period for this agreement shall begin on the same date as the billing period between Dayton and Vandalia under a said water agreement. Until said time the contract between the parties for water and sewer services dated March 23, 1959, will continue to cover the water and sewer services to the Airport. The contract between the parties for water and sewer services dated March 23, 1959, is mutually cancelled on the date this contract is effective as herein provided and from said date shall be of no effect and null and void.

Section 13. For the reasons set forth in the preamble heretofore, this Ordinance shall be in full force and effect from and after the earliest period allowed by law.

PASSED THIS 18 DAY OF OCTOBER, 1971


MAYOR

ATTEST:

CLERK OF COUNCIL

The Council of the City of Vandalia Special Meeting Minutes

December 20, 2019

MEMBERS PRESENT: Mayor Arlene Setzer, Vice Mayor Richard Herbst, Councilman Bob Ahlers, Councilman Mike Blakesly, Councilman David Lewis, Councilman Gerhard and Councilwoman Candice Farst

OTHERS PRESENT: Jon Crusey, Amber Holloway, Missy Pruszyński, Bridgette Leiter, Corey Follick, Joshua Burchfield, Rich Hopkins

Mayor Setzer called the special meeting of the Council of the City of Vandalia to order at 9:00 a.m. She indicated the purpose of the special meeting is to discuss and consider an agreement with the City of Dayton regarding matters pertaining to Dayton Airport Development. Mayor Setzer requested Resolution 19-R-60 be read by title only.

Resolution:

19-R-60 A Resolution Authorizing An Agreement With The City Of Dayton Regarding Certain City Properties And Matters On Or Near The Dayton International Airport, Including Amendments To A Dayton And Vandalia Sewer Agreement, Changes To Respective Facility Planning Areas, Transfer Of The Fire Station Property And Development Of Property Adjacent And Near Thereto. **Mrs.**

Pruszyński read Resolution 19-R-60 by title. **Mr. Crusey** reviewed each of the terms of said agreement. **Mayor Setzer** asked council if there were any comments or concerns. **Councilman Ahlers** asked if Dayton has a company interested in developing the site. **Mr. Crusey** indicated originally there was a company interested but said he does not know of any interest at this time. **Mr. Crusey** told council he is aware that a third building off Dog Leg Road is in progress. **Mr. Crusey** noted that he isn't sure how much the delay had to do with not developing this site when you consider how much easier it would be to develop out west where there is less traffic and there are less issues to deal with not being located in the heart of Vandalia. He said he hasn't heard that any company is currently looking at this site and if we are lucky this site will not be developed for five or six more years. **Vice Mayor Herbst** commented the "cooperation" language is in the agreement even though in reality it doesn't do us a whole lot of good; he continued, if we were Dayton, we would do the same thing. **Mr. Crusey** commented that this really hinges on the developer and the project. **Mayor Setzer** asked if any council members needed further clarification. **Mr. Follick** indicated the big benefit to the city is gaining control of the Facilities Planning Area out west which gives Vandalia an opportunity for further development that is not tied to the City of Dayton. **Mr. Burchfield**, 1153 Stoney Springs, asked about the possibility of cancelling the sewer agreement with Dayton. **Mr. Crusey**

The Council of the City of Vandalia Special Meeting Minutes

December 20, 2019

commented that the EPA would not allow us to eliminate service to the Dayton International Airport. Further discussion occurred about the possibility of amending the agreement if eliminating service is not an option. **Councilman Lewis** delivered a brief history of this topic and how we got to this point with said agreement. **Mr. Crusey** added council is not in favor of the site developing, the whole point of this is to minimize the impact of future development to the best of our ability. **Mayor Stetzer** asked if there were any further comments. There were none. It was moved by Councilman Lewis, seconded by Councilman Blakesly to approve 19-R-60. All members present voted yes. Resolution 19-R-60 passed 7-0.

The special meeting adjourned at 9:32 a.m.

APPROVED:

Richard Herbst, Mayor

ATTEST:

Missy Pruszynski
Deputy Clerk of Council

CITY OF VANDALIA OFFICIAL ZONING MAP

Adopted November 17, 1986 by City Ordinance 86-13.
Effective December 22, 1986

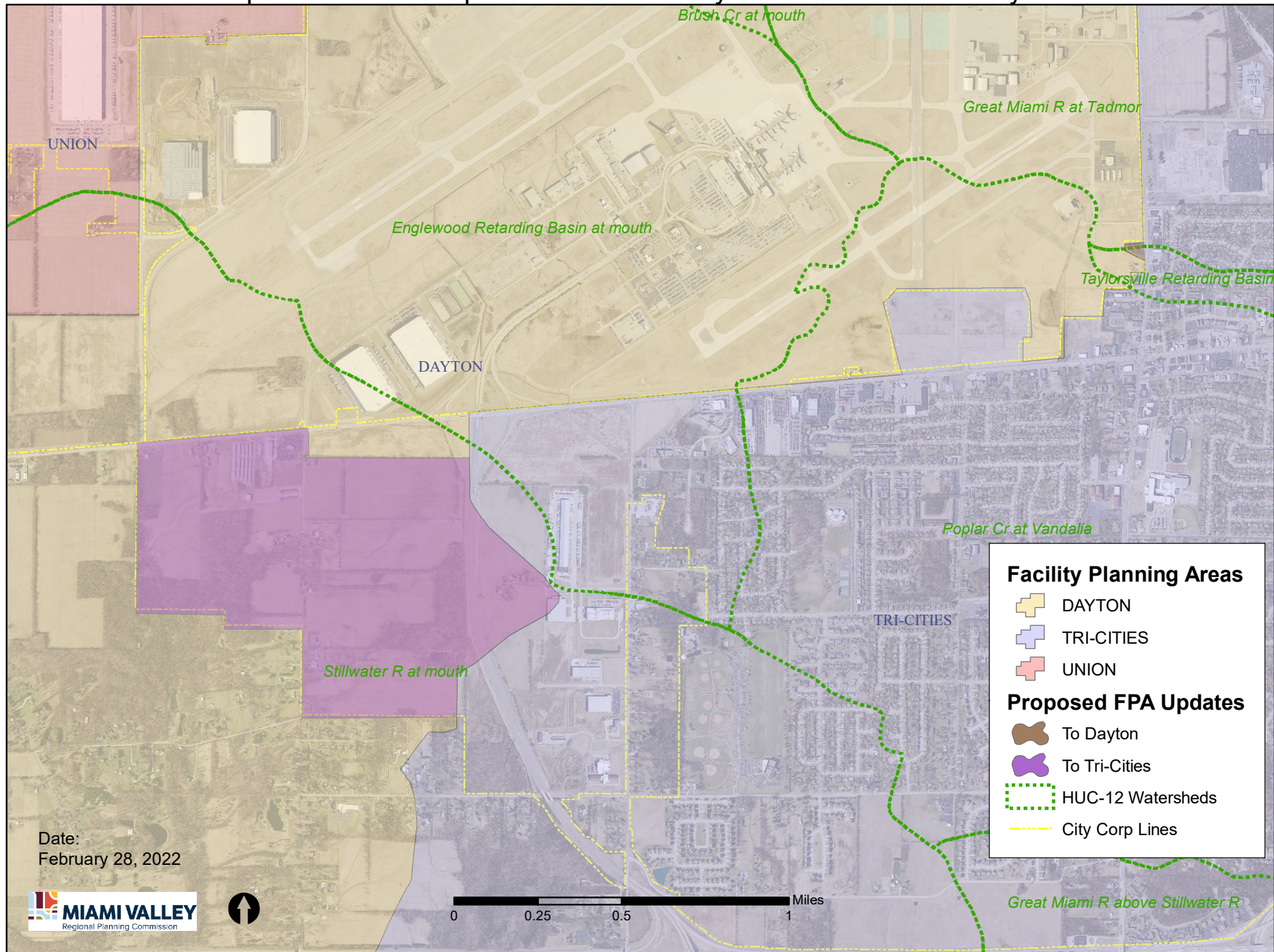
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86-99	11/17/86	ADOPTED	11/17/86	ADOPTED	11/17/86
86-100	11/17/86	ADOPTED	11/17/86	ADOPTED	11/17/86



- Legend**
- (A) AGRICULTURE
 - (RSF-1) RESIDENTIAL SINGLE-FAMILY
 - (RSF-2) RESIDENTIAL SINGLE-FAMILY
 - (RSF-3) RESIDENTIAL SINGLE-FAMILY
 - (RSF-4) RESIDENTIAL SINGLE-FAMILY
 - (RTF) RESIDENTIAL 2-FAMILY
 - (RFF) RESIDENTIAL 4-FAMILY
 - (RMF) RESIDENTIAL MULTI-FAMILY
 - (PF) PUBLIC FACILITIES DISTRICT
 - (OR) OFFICE-RESIDENTIAL
 - (DB) DOWNTOWN BUSINESS
 - (GB) GATEWAY BUSINESS
 - (NB) NEIGHBORHOOD BUSINESS
 - (HB) HIGHWAY BUSINESS
 - (OS) OFFICE SERVICE
 - (O) OFFICE
 - (O/IP) OFFICE/INDUSTRIAL PARK
 - (I) INDUSTRIAL
 - (II) INDUSTRIAL/INNOVATION
 - (PUD) PLANNED UNIT DEVELOPMENT
 - MILLER-BENCHWOOD OVERLAY DISTRICT (MBO)
 - WELL FIELD PROTECTION OVERLAY DISTRICT (WFO)
 - INTERSTATE AND LIMITED-ACCESS HIGHWAY SIGN OVERLAY DISTRICT
 - NATIONAL ROAD SIGN OVERLAY DISTRICT
 - 75 DNL AIRPORT ENVIRONS OVERLAY
 - 70 DNL
 - 65 DNL
 - Railroad
 - Inactive Rail

1 inch = 800 feet

Map 1. Tri-Cities Proposed FPA Boundary Modification - February 2022





***Guidelines for Facility Plan (FP) and
Facility Planning Area (FPA) Update Proposals:
Content, Submittal & Review***

Facility Plan Updates

(With or without change in Facility Planning Area)

- I. As part of its NPDES permit process, the Ohio EPA is encouraging, and in some instances requiring, Publicly Owned Treatment Works (POTWs) to update their Wastewater Treatment Facility Plans (previously known as 201 Facility Plans). As the Designated Planning Agency responsible for their review and approval, MVRPC is requiring that Facility Plan and Facility Planning Area Update proposals shall include the following minimum elements:
 - A. Appropriate map(s) rendered as an ESRI GIS dataset (i.e., coverage, shapefile, or geodatabase) projected in Ohio State Plane South, Feet, NAD83. Alternatively, an electronic CAD file (i.e., .dwg or .dxf) can be submitted. Maps must include the following elements:
 - 1) all existing wastewater treatment plants (including package plants);
 - 2) the current FPA boundary;
 - 3) any proposed FPA boundary changes;
 - 4) sub-area boundaries (where applicable) as described by the following table:

Sub-area Category	Description
1	Areas currently served with sanitary sewers
2	Areas expected to be served with sanitary sewers connected to an existing POTW during the next twenty years
3	Areas expected to be served with sanitary sewers connected to a new POTW in the next twenty years
4	Areas expected to remain on individual on-lot systems or semi-public systems, and where local officials are oriented to maintaining an unsewered status for the foreseeable future
5	Areas currently unsewered where local officials are oriented to accepting sewers if feasible and if found to be consistent with the AWQMP
6	Areas for which no wastewater management options have been declared

- 5) appropriate water bodies, and watershed boundaries with HUC numbers; and
- 6) appropriate jurisdictional boundaries.

- B. Twenty (20) year population projections for the existing FPA and any proposed FPA changes based on the most recent census data. Population projections must be in relative agreement with MVRPC population projections.
- C. Description of existing and proposed wastewater treatment options for the FPA including future options prescribed for the unsewered / undeveloped areas within the FPA, i.e. on-site septic systems, package plants. Treatment options shall be described for the following scenarios within the FPA, as appropriate.
 - 1) Areas currently served with sanitary sewers;
 - 2) Areas expected to be served with sanitary sewers connected to an existing POTW during the next twenty years;
 - 3) Areas expected to be served with sanitary sewers connected to a new POTW in the next twenty years;
 - 4) Areas expected to remain on individual on-lot systems or semi-public systems, and where local officials are oriented to maintaining an unsewered status for the foreseeable future;
 - 5) Areas currently unsewered where local officials are oriented to accepting sewers if feasible and if found to be consistent with the WQMP; and
 - 6) Areas for which no wastewater management options have been declared.
- D. Description of plans to provide wastewater treatment to any proposed FPA additions and verification of capability to do so. This should include information on current plant flow, current plant capacities, and estimates of future flow and population projections (based on current census data) for any new area to be incorporated, as well as schedules for planned upgrades.
- E. Table(s) showing current plant permit limits, existing plant capacities, and projected plant capacities.
- F. Discussion of how the proposed wastewater treatment options (current and projected treatment type, capacity, coverage, etc.) will meet the needs of the projected population and/or additional population to be served by an FPA boundary modification.
- G. Discussion of how the prescribed wastewater treatment options will be protective of pertinent critical water resources (groundwater, lakes, rivers, streams, wetlands, prime farmland, etc).
- H. Discussion of how any proposed changes in the FPA boundaries and associated wastewater treatment options agree or conflict with the plans (zoning codes, comprehensive land use plans, watershed plans, etc.) of contiguous FPAs and potentially impacted jurisdictions.
- I. Documentation of any public participation involved in updating the FP and/or FPA along with endorsements from any other sewer districts, FPAs, and/or jurisdictions located within and/or adjacent to the Facility Planning Area. MVRPC recommends DMAs employ a public involvement strategy along the lines of the Public Participation rules detailed in 40 CFR Part 25.1 throughout the FP and FPA update processes.

- II. Submissions of proposed plan updates shall provide elaboration commensurate to the complexity of the proposal. Facility Plan and Facility Planning Area Update proposals shall consist of
- A. A cover letter formally outlining the nature of the request and
 - B. A summary document (maximum of 20 pages) containing the information required in Subsection A through H above (20 page maximum excludes the supporting documentation described in Subsection I. above). The letter, summary and supporting documents, and maps must be submitted electronically for rapid distribution to the appropriate review committees. Hard copies may be requested by MVRPC, as needed.
- III. The process for review and approval of Facility Plan and/or Facility Planning Area Update proposals shall follow the following sequence:
- A. Proposals will be reviewed by MVRPC staff for completeness. MVRPC may request additional information as appropriate.
 - B. MVRPC staff will submit complete proposal for review and input to the MVRPC Areawide Facility Planning Subcommittee. Applicant will have the option of making a brief formal presentation on the proposal to the Subcommittee.
 - C. Staff collects input on the proposal from the Areawide Facility Planning Subcommittee.
 - D. Staff forwards proposal and input to the MVRPC Technical Advisory Committee for additional input. Applicant will have the option of making a formal presentation on the proposal.
 - E. Staff summarizes all input and develops recommendation.
 - F. Staff presents proposal, input, and recommendation to MVRPC Board of Directors for action.
 - G. Approved updates are included in future amendments and revisions to the MVRPC's Areawide Water Quality Management Plan, and subsequently forwarded to the Ohio EPA for State and Federal certification.
- IV. To facilitate timely review and action on Update proposals, the applicant should be aware of the general meeting schedule of each of the committees mentioned above. Depending on when in the schedule an FPA boundary change proposal is submitted, it may take from 2 to 3 months to go through the approval process, assuming no additional information is requested of the applicant. The following general meeting schedule is used:

Committee	Meeting Schedule
Areawide Facility Planning Subcommittee	As needed. Strive to schedule with quarterly meetings of the Great Miami River Watershed Network (March, June, September, December)
MVRPC Technical Advisory Committee	3 rd Thursday of the month. (9:30 a.m.)
MVRPC Board of Directors	1 st Thursday of each month. (9:30 a.m.)

**Approved by the MVRPC Board of Directors
On September 1, 2005.**