

**URBANA CITY COUNCIL  
PUBLIC HEARING  
TUESDAY, JANUARY 17, 2023, AT 6:00 P.M.**

The Urbana City Council will hold a public hearing at 6:00 pm on Tuesday, January 17, 2023 in the City Municipal Building Council Chambers located at 205 South Main St. in Urbana, OH 43078 to consider the following proposals:

1. Adopting the Planning Commission recommendation denying the application to amend the City of Urbana's official zoning map by rezoning parcel K48-25-11-02-27-001-04 currently designated BR-1 Business Residential to B-2 General Business.
2. Adopting the Planning Commission recommendation denying the application to amend the City of Urbana's official zoning map by rezoning parcels K48-25-00-01-35-001-00, K48-25-00-01-35-002-00, K48-25-00-01-35-003-00, K48-25-00-01-004-00, and K48-25-00-01-35-005-00 currently designated R-2 Medium Density Residential to M-1 Manufacturing.

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**URBANA CITY COUNCIL  
REGULAR SESSION MEETING**

**January 17, 2023**

**(To be held in the Training Room on the 3<sup>rd</sup> Floor of the Municipal Building)**

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

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

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- **Call to Order**
  - **Roll Call**
  - **Pledge of Allegiance**
  - **Approval of Minutes:** Urbana City Council Regular Meeting Minutes of January 3, 2023.
  - **Communications:**
    1. Miami County EMA Course Announcement (see attached)

- **Board of Control:**

1. The Board of Control recommends Council authorize a purchase order to Transport Truck Sales Inc. in the amount of \$89,700.00 for the purchase of a 2014 Kenworth T370 Tanker Truck for the Sewer Maintenance Department. This expense will be charged to the Sewer Fund and is in the 2023 budget (see attached). VOTE: 3-0

**\*\*\*Footnote – Purchase Orders \$2,501 - \$50,000 for December 2022 (see attached)\*\*\***

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

**Ordinances and Resolutions**

**Old Business:**

**Third Reading:** None

**Second Reading:**

**Ordinance 4586-23:** An ordinance to adopt the Planning Commission recommendation denying the application to amend the City of Urbana’s official zoning map by rezoning parcel K48-25-11-02-27-001-04 currently designated BR-1 Business Residential to B-2 General Business. (Three readings required, Public hearing required)

**Ordinance 4587-23:** An ordinance to adopt the Planning Commission recommendation denying the application to amend the City of Urbana’s official zoning map by rezoning parcels K48-25-00-01-35-001-00, K48-25-00-01-35-002-00, K48-25-00-01-35-003-00, K48-25-00-01-004-00, and K48-25-00-01-35-005-00 currently designated R-2 Medium Density Residential to M-1 Manufacturing. (Three readings required, Public hearing required)

**New Business:**

**First Reading:**

**Resolution 2602-23:** A resolution confirming the reappointment of Amy Waldren, Jeramiah Stocksdale and Wayne Smith to the Salary Commission. (One reading required)

**Resolution 2650-23:** A resolution declaring the necessity and intent to appropriate an interest in real property (Parcel 10-WD, T) for the South High Street improvements (CHP-S. High Street-0.00) (ODOT PID #112019) and declaring an emergency. (One reading required, Rules suspension requested)

**Resolution 2651-23:** A resolution declaring the necessity and intent to appropriate an interest in real property (Parcel 64-WD, T) for the South High Street improvements (CHP-S. High Street-0.00) (ODOT PID #112019) and declaring an emergency. (One reading required, Rules suspension requested)

**Resolution 2652-23:** A resolution removing persons from the Tax Incentive Review Council (TIRC). (One reading required)

- **Department Liaison Reports:**
  - **Miscellaneous Business:**
    1. Council
    2. Administration
    3. Council Clerk
  - **Next Meeting:** Tuesday, February 7, 2023
  - **Adjourn**
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**URBANA CITY COUNCIL  
REGULAR SESSION MEETING  
TUESDAY, JANUARY 3, 2023**

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

**City Staff attending:** Mayor Bill Bean, Director of Administration Kerry Brugger, Director of Finance Chris Boettcher, Director of Law Mark Feinstein, Zoning Enforcement Officer Preston Carter, Police Chief Matt Lingrell and Fire Chief Dean Ortlieb.

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

**Annual Organizational Items**

**President Pro Tempore:** Mr. Thackery made a motion for Mr. Paul to serve as President Pro Tempore for the 2023 Council year. Mrs. Collier seconded. Mr. Paul made a motion for Mr. Thackery to serve as President Pro Tempore. Mr. Scott seconded. Voice vote on candidates: Mr. Paul: aye votes from Ms. Jumper, Ms. Truelove, Mr. Thackery, Mrs. Collier, and Mrs. Bean. Mr. Thackery: aye votes from Mr. Scott and Mr. Paul. Mr. Paul elected President Pro Tempore for 2023 by 5-2 vote.

**Council Clerk:** Mrs. Collier made a motion for Roger Steffan to continue serving as Council Clerk for the 2023 Council year. Ms. Truelove seconded. Voice vote on approval: all ayes, nays none.

**Department Liaison Assignments:** Council chose to remain with all current assignments. Current assignments remain as follows:

- Safety/Police/Fire (Mrs. Collier)
- Economic/Community Development (Mr. Thackery)
- Public Works/Water/Sewer/Engineering (Mr. Scott)
- Zoning/Nuisance/Enforcement (Mrs. Bean)
- Budget/Finance/Administration/Human Resources (Mr. Paul)
- Airport/Cemetery/Parks (Ms. Jumper)
- Law (Ms. Truelove)

**Minutes**

Mr. Thackery moved to put the minutes of December 20, 2022 on the floor for discussion and possible approval. Mr. Paul seconded.

No comments/corrections were made.

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

Motion passed 7-0

**Communications:** None

## **Administrative Reports – Board of Control**

1. The Board of Control recommends Council authorize the blanket purchase order list for 2023 (see attached). All blanket purchase order amounts are in the 2023 budget. **VOTE: 3-0.**

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

Mr. Paul asked what Polydone from SNF was. Ms. Boettcher informed him it was a chemical for the wastewater facility. President Hess indicated the list seemed small. Ms. Boettcher stated it was only for blanket orders greater than \$50,000. Mr. Paul asked if there were any significant changes from last year. Ms. Boettcher stated it was pretty much the same as last year.

Voice vote on approval; all ayes, nays none. Passes 7-0.

**Citizen Comments:** None

## **ORDINANCES AND RESOLUTIONS**

### **Third Reading:**

**Ordinance 4388-23:** An ordinance authorizing the Indigent Defense Agreement with the Champaign County Commissioners to allow the City and County to receive partial reimbursement from the Ohio Public Defender Commission for the indigent expenses in the Champaign County Municipal Court. (Three readings required)

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

Mr. Paul believed this to be a pretty standard housekeeping issue.

President Hess called for a roll call for passage. Mr. Scott, yes; Mr. Paul, yes; Ms. Truelove, yes; Mr. Thackery, yes; Mrs. Collier, yes; Mrs. Bean, yes; and Ms. Jumper, yes.

Ordinance passed 7-0.

**Ordinance 4585-23:** An ordinance to amend Chapter 1339 of the Urbana Codified Ordinances, and declaring an emergency. (Three readings required, Public Hearing required)

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

No comments/questions from Council.

President Hess called for a roll call for passage. Mr. Paul, yes; Ms. Truelove, yes; Mr. Thackery, yes; Mrs. Collier, yes; Mrs. Bean, yes; Ms. Jumper, yes; and Mr. Scott, yes.

Ordinance passed 7-0.

**Second Reading:** None

**First Reading:**

**Ordinance 4586-23:** An ordinance to adopt the Planning Commission recommendation denying the application to amend the City of Urbana’s official zoning map by rezoning parcel K48-25-11-02-27-001-04 currently designated BR-1 Business Residential to B-2 General Business. (Three readings required, Public hearing required)

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

Mr. Carter referred Council to the zoning map exhibit. He stated this proposed amendment was not City initiated, but rather made by the property owner. The parcel is about half an acre, south of Kroger. The Planning Commission denied the request.

Mr. Thackery asked what the zone BR-1 allows. Mr. Carter stated there is a lot of overlap with B-2. A lot of the uses in B-2 are not conditional, as they are in BR-1. BR-1 requires the Board of Zoning Appeals to approve these conditional uses. The requested changes was an attempt to better market the property for sale. There is not a specific development in mind.

Mr. Thackery clarified that there could still be shops if it went through the BZA conditional uses. Mr. Carter confirmed.

Mr. Paul asked for clarification on what is there presently. Mr. Carter stated it was grass, right before the last entrance heading out of town at Kroger. Mr. Paul stated this parcel was in the middle of a B-2 section. He didn’t think the application was unreasonable. He asked for the rationale why Planning Commission vetoed the request. Mr. Carter stated there was a lot of conversation regarding the original intent to make a “buffer” zone with the houses across the street.

Mr. Feinstein stated that as this is a planning commission recommendation, it would take a supermajority (five votes) to override.

Mr. Scott also did not understand why this wasn’t just a housekeeping change. Mrs. Bean stated that the citizen comments at the Planning Commission meeting persuaded her, due to its design to be an active buffer.

Mrs. Collier questioned that as B-2 if anyone would be able to build anything they wanted on the property. Mr. Carter stated he would include definitions for the next meeting and that regardless of how it is zoned, there are still set back requirements.

Mr. Paul was curious how many separate parcels are in the Kroger area. Mr. Carter he stated there were at least more than two.

President Hess this ordinance to have had its first reading.

**Ordinance 4587-23:** An ordinance to adopt the Planning Commission recommendation denying the application to amend the City of Urbana’s official zoning map by rezoning parcels K48-25-00-

01-35-001-00, K48-25-00-01-35-002-00, K48-25-00-01-35-003-00, K48-25-00-01-004-00, and K48-25-00-01-35-005-00 currently designated R-2 Medium Density Residential to M-1 Manufacturing. (Three readings required, Public hearing required)

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

Mr. Carter stated these were five parcels on South Edgewood Avenue. Two of these parcels are currently residential. There are also large garages on two of the other structures. This was also a private request to rezone to M-1. Planning Commission had a question of how contiguous in nature the zoning would be. Also, there was an issue with two current homes would make the zoning non-conforming, as residential use is not allowed in M-1. This also did not have a specific plan in place, only to make it more appealing to a developer.

Ms. Jumper asked if this was where the recent fire was. Mr. Carter indicated no, these were the only parcels on the west side of Edgewood in the City limits. These parcels are very close to Miami Street.

Ms. Collier asked if people actually lived in these residences. Mr. Carter answered affirmatively.

President Hess remembered these parcels being annexed into the City for water purposes. He figured it had probably been about ten years.

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

**Department Liaison Reports:**

Mr. Paul indicated he would be meeting with Mr. Feinstein on Friday to discuss lateral transfers. He would then be asking for input from the Chiefs.

**Miscellaneous Business:**

Ms. Jumper inquired who was doing the clean-up at Urbana University. She had noticed trees being down. Mr. Brugger stated that was being completed by the new owner. The City did not have any more information.

Mr. Paul spoke on behalf of another Council member who had a question about the new law about cell phone usage in vehicles. Chief Lingrell stated he couldn't speak to it now, but will do some research.

Mr. Thackery asked where the City stands regarding the DORA. Mr. Brugger stated a meeting was planned for January 10<sup>th</sup> to update where things stood.

Chief Ortlieb stated the open application process has ended. There will be fifteen applicants testing on January 11<sup>th</sup>.

Mr. Brugger stated that Christmas tree pickup will continue through January. Trees need to be at the curb and free of stands and decorations. He also stated the street staff did a good job staying

ahead of the recent snow event. Finally, he encouraged Council to thoroughly read the Planning Commission minutes to be prepared for the public hearing.

Mayor Bean hoped everyone had a Merry Christmas and a Happy New Year. He hopes that everyone works together to make 2023 even better. There are a lot of things going on and moving forward with Council's help. He also reminded Council about the MLK celebration on January 15<sup>th</sup> at the Second Jerusalem Baptist Church between 6-7 pm.

President Hess asked about gaps in sidewalks. Mr. Carter referred him to the City Engineer. President Hess also reminded Council about e-mails from the Ethics Commission. Filings are due in March.

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

**ADJOURNED AT 6:39 p.m.**

**NEXT SCHEDULED MEETING**  
January 17, 2023 at 6:00 p.m.

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Council Clerk

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Council President





# OH-606 Recovery from Disaster: The Local Government Role

February 1, 2023

Hosted By: Miami County EMA

**Course Description:** This 3-hour Workshop provides representatives of county / local emergency management, local governments (township, municipalities, county, special district, authorities, etc.), certain private non-profit organizations, and organized volunteer organizations with an overview of pre and post event topics related to disaster recovery. Training modules include an overview of the various supplemental State and Federal Disaster Assistance Programs, Pre-Disaster Recovery Planning and the post event Damage Assessment Process.

**Time of Course:** Check-in: 8:30 am – 0:00 am  
Course Time: 9:00 am – 12:00 pm

**Location:** Miami County Communications Center  
210 Marybill Road  
Troy, Ohio 45373

**Recommended Participants:** The target audience for this course includes the following local government positions and allied professionals: Local elected official (Mayor, City/County Council Member, City/County Manager / Staff, City / County Planners/Staff, Regional Planning Commissions, Economic Development Districts, Finance Director/Assessor, Emergency Manager/Staff, Public Works Director/Staff, Building Inspector/Staff, Floodplain Manager/Staff, Health Care Administrator or Planner, Public Information Officer, Housing Director or Planner/Staff, Voluntary Agency Coordinator or Unmet Needs Committee Coordinator, Business Organization Representative, Administrative Director/Manager, State Recovery Staff and Partners

**Enrollment:** Students must enroll via the Department of Public Safety Training Campus website: <https://learning.dps.ohio.gov/PSTC/>. Course registration will generally close 10 working days prior to the course start date. You can check enrollment/approval status via the Department of Public Safety Training Campus website.

**County Point of Contact:** Joel Smith, Miami County EMA Director, (937) 332- 8560,  
[jsmith@miamicountyohio.gov](mailto:jsmith@miamicountyohio.gov)

**State Point of Contact:** Ben Weisbrod, State Training Coordinator, Ohio EMA, (614) 799-3666,  
[bmweisbrod@dps.ohio.gov](mailto:bmweisbrod@dps.ohio.gov)

It is the goal of Ohio EMA to ensure that all students have the tools necessary for successful course completion. If students require additional accommodations, they should make the Ohio EMA training office aware, and staff will confidentially meet reasonable requests.

#### Mission Statement

To coordinate activities to mitigate, prepare for, respond to, and recover from disasters.



## Sewer Division

1263 Muzzy Rd. • Urbana, Ohio 43078 • <http://www.urbanaohio.com> • 937-652-4331

01/06/2023

Memo:

Chad Hall Public Works Superintendent  
Board of Control

The attached expenditure is for a 2014 Kenworth T370 2500 Gallon Tanker Truck for the Sewer Division. The current Tanker Truck is a 2007 Freightliner 3000 Gallon Tanker Truck with 638,830 miles and over 15,000 hours.

This tanker will be utilized for hauling non-potable water from both water plants to the WRF; Various projects and tank cleanings at the WRF; Sanitary Sewer backups; and will serve as a back up to our 3 lift stations in an emergency. The Kenworth tanker truck has a new tank, vacuum pump, wheels/ tires, cab paint and frame paint. Included in the price is a 1 year nationwide extensive drive-train warranty. This includes engine, transmission, differential, turbo, injectors, emissions items and several other items. Also, the tank carries a 5-year warranty and the vacuum pump includes a 1-year warranty.

This purchase is in the 2023 budget for \$100,000. We would be purchasing this truck from Transport Truck Sales Inc. Kansas City, KS in the amount of \$89,700. The City will incur soft costs of travel, lodging and fuel costs driving the truck back from Kansas.

The current Freightliner Tanker will be offered on Gov Deals after the delivery of the new unit.

Please feel free to contact me with additional questions.

Thank you,

Brad Yost  
Sewer Maintenance & Facilities Supervisor



# Transport Truck Sales, Inc

6740 Kaw Drive | Kansas City, KS 66111  
 Phone: (888) 395-7551 Fax: (913) 334-4576  
 www.transporttruck.com

Scott Perry  
 scott@transporttruck.com

## 2014 Kenworth T370

Stock# VAC-97029 VIN 2NKHHM7X2EM397029 ODOMETER 180,405



### Detailed Specifications

Engine Make	Paccar	Engine Model	PX-7
Engine HP	240	Trans Make	Allison
Trans Model	2500 HS	Suspension Type	Air Ride
Front Tire Size	295/75R 22.5	Rear Tire Size	295/75R 22.5
Axle Configuration	Single	FA Capacity	12,000
RA Capacity	21,000	Rear End Ratio	5.29
Wheelbase	205"	GVWR	33,000
Front Wheels	Steel	Rear Wheels	Steel
Engine Brake	Yes	Frame Material	Steel
Color	White	Interior	Deluxe
Fuel Type	Diesel	Tank #1 Capacity	75
Brakes	Air	Body Make	New Alum. vac
Body Model	2500 Gallons	CA/CT	136"
Under CDL	No		

### Additional Equipment

Air Conditioning	Power Steering
Heated Mirrors	Horizontal Exhaust
Power Door Locks	Tilt/Telescopic Wheel
Cruise Control	Suspension Dump Switch
Engine Heater	New Masport Viper plug and play

### Additional Notes

1 year Nationwide Drivetrain and Emissions warranty

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All specifications are believed to be correct. However, periodically errors and omissions do occur. Transport Truck Sales, Inc will not be held liable for errors and omissions. Please verify pertinent specifications prior to sale.

DECEMBER 2022  
PURCHASE ORDERS \$2,501-\$50,000

PURCHASE ORDER #:	VENDOR :	PURCHASE ORDER AMOUNT :	DEPARTMENT :	EXPLANATION :	BOC APPROVAL DATE & VOTE:
30275	MR EXCAVATING	\$ 4,000.00	SEWER	REMOVE DEBRIS IN CULVERT AT POINTE NORTH	BOC 12.15.2022(2)
30287	TERRAN CORP	\$ 10,270.18	NON-DEPT	PROFESSIONAL SERVICES SUPPORT FOR CLOSED LANDFILL 2022	BOC 12.08.2022(2)
30288	ANDREWS TECHNOLOGY HMS, INC	\$ 3,576.00	NON-DEPT	ANNUAL SOFTWARE & MAINTENANCE FEES 2023	BOC 12.15.2022(2)

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Chris Boettcher  
Secretary

## ORDINANCE NO. 4586-23

**AN ORDINANCE TO ADOPT THE PLANNING COMMISSION RECOMMENDATION DENYING THE APPLICATION TO AMEND THE CITY OF URBANA'S OFFICIAL ZONING MAP BY REZONING PARCEL K48-25-11-02-27-001-04 CURRENTLY DESIGNATED BR-1 BUSINESS RESIDENTIAL TO B-2 GENERAL BUSINESS. (Three (3) readings required, Public Hearing required. Public Hearing Advertisement date: Friday, January 6, 2023)**

**Department Requesting: Zoning**

**Sponsor: Councilwoman Audra Bean**

WHEREAS, Chapter 1113 of the Codified Ordinances of the City of Urbana, Ohio enables amendment of the Official Zoning Map; and

WHEREAS, whenever the public necessity, convenience, general welfare or good zoning practices require, Council may by ordinance after receipt of a recommendation thereon from the Planning Commission and subject to procedures provided by law, amend, supplement, change or repeal the regulations, restrictions and boundaries or classification of property; and

WHEREAS, on November 28, 2022, the Planning and Zoning Staff formally requested an amendment to the Official Zoning Map for the City of Urbana pursuant to Chapter 1113.03 (a) of the Codified Ordinances of the City of Urbana; and

WHEREAS on November 28, 2022, the City of Urbana Planning Commission recommended by a 3-1 vote to *deny* the application to rezone Parcel K48-25-11-02-27-001-04 from BR-1 Business Residential District to B-2 General Business District (*See Exhibit A, attached hereto and incorporated herein*); and

WHEREAS, Council held a public hearing pursuant to Chapter 1113.09 of the Codified Ordinances of the City of Urbana on Tuesday, January 17, 2023.

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

**SECTION ONE:** The recommendation of the Planning Commission to deny the application to rezone Parcel K48-25-11-02-27-001-04 from BR-1 Business Residential District to B-2 General Business District is hereby adopted.

**SECTION TWO** All actions of City Council and the Planning Commission related to this legislation were conducted in open meetings pursuant to Urbana Codified Ordinance 107.01 and Ohio Revised Code 121.22. City Council held a public hearing under Urbana Codified Ordinance 1113.09, with notice by publication pursuant to Urbana City Charter Section 2.16, on October 10, 2020.

**SECTION THREE:** This ordinance shall become effective at the earliest time provided by law.

\_\_\_\_\_  
President, City of Urbana Council

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Clerk of Council

This Ordinance approved by me this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Mayor, City of Urbana

REVIEWED:  12/22/2022  
Director of Law      Date



Jumper:      \_\_\_\_ Yay      \_\_\_\_ Nay      \_\_\_\_ N/A

Scott:      \_\_\_\_ Yay      \_\_\_\_ Nay      \_\_\_\_ N/A

Paul:      \_\_\_\_ Yay      \_\_\_\_ Nay      \_\_\_\_ N/A

Truelove:      \_\_\_\_ Yay      \_\_\_\_ Nay      \_\_\_\_ N/A

Thackery:      \_\_\_\_ Yay      \_\_\_\_ Nay      \_\_\_\_ N/A

Collier:      \_\_\_\_ Yay      \_\_\_\_ Nay      \_\_\_\_ N/A

Bean:      \_\_\_\_ Yay      \_\_\_\_ Nay      \_\_\_\_ N/A

## CHAPTER 1123

### BR-1 Business Residential District

- 1123.01 Purpose.
- 1123.02 Principally permitted uses.
- 1123.03 Permitted accessory uses.
- 1123.04 Conditionally permitted uses.
- 1123.05 Minimum lot area and width.
- 1123.06 Minimum front yard setback.
- 1123.07 Minimum side yard setback.
- 1123.08 Minimum rear yard setback.
- 1123.09 Maximum height regulations.
- 1123.10 Minimum floor area.
- 1123.11 Maximum floor area.
- 1123.12 Maximum lot occupation.
- 1123.13 Off-street parking and loading.
- 1123.14 Land use intensity.

#### CROSS REFERENCES

- District established - see P. & Z. 1103.01
- Special provisions for commercial uses - see P. & Z. 1129.07
- Signs permitted - see P. & Z. 1137.03(c)

#### 1123.01 PURPOSE.

The desired development pattern is to accommodate continued residential development and use while allowing for neighborhood-scale retail and institutional uses. Commercial and residential development will be of high character, quality and charm reflected in the existing architecture. All uses should be relatively nuisance-free to surrounding residents and not detract from the residential purpose and character of the surrounding neighborhood. Access to this district should be directly from an arterial or collector street and not through a residential district. Residential and commercial uses may be mixed within the same building or structure with applicable zoning and building code requirements being met.  
(Ord. 4544-21. Passed 7-20-21.)

#### 1123.02 PRINCIPALLY PERMITTED USES.

Principally permitted uses are as follows:

- (a) Multi-family Dwellings
- (b) Personal Services
- (c) Single-family Detached Dwellings
- (d) Office

(Ord. 4544-21. Passed 7-20-21.)

#### 1123.03 PERMITTED ACCESSORY USES.

Accessory permitted uses are as follows:

- (a) Garages
- (b) Sheds
- (c) Swimming Pools
- (d) Gazebos
- (e) Fences and Walls: see Section 1129.10 for regulations
- (f) Compost Facilities
- (g) Decks
- (h) Carports
- (i) Signs
- (j) Solar Panels
- (k) Off-Street Parking of Recreational Vehicles
- (l) Off-Street Parking and Loading
- (m) Refuse Facilities, provided Corridor Overlay requirements are met
- (n) Uses which are similar or clearly incidental to the Principally Permitted Uses on the Lot. (Ord. 4544-21. Passed 7-20-21.)

#### 1123.04 CONDITIONALLY PERMITTED USES.

Conditionally permitted uses are as follows:

- (a) Home Occupations
- (b) Bed and Breakfast Establishments
- (c) Child Day Care Facility
- (d) Convalescent Care Facility
- (e) Family Care Home
- (f) Group Home Facility
- (g) Clubs
- (h) Public Service Facility
- (i) Public and Quasi-Public Uses
- (j) Educational Institutions
- (k) Religious Places of Worship
- (l) Hospitals
- (m) Residential Care Facilities
- (n) Commercial Recreation
- (o) Retail Business

- (p) Restaurant
  - (q) Restaurant, Fast Food
  - (r) Restaurant, Drive-In
  - (s) Restaurant, Carryout
  - (t) Printing and Publishing
  - (u) Automotive Repair
- (Ord. 4544-21. Passed 7-20-21.)

**1123.05 MINIMUM LOT AREA AND WIDTH.**

The minimum lot area for properties in the BR-1 Business Residential District shall not be less than 7,000 square feet with a width of not less than 60 feet.

(Ord. 4544-21. Passed 7-20-21.)

**1123.06 MINIMUM FRONT YARD SETBACK.**

The minimum front yard setback for properties in the BR-1 Business Residential District shall not be less than 25 feet from the front lot line.

(Ord. 4544-21. Passed 7-20-21.)

**1123.07 MINIMUM SIDE YARD SETBACK.**

The minimum side yard setback for properties in the BR-1 Business Residential District shall be as follows:

- (a) Principal structures shall not be closer than 5 feet from the side lot line.
- (b) Accessory structures shall not be closer than 5 feet from the side lot line.

(Ord. 4544-21. Passed 7-20-21.)

**1123.08 MINIMUM REAR YARD SETBACK.**

The minimum rear yard setback for properties in the BR-1 Business Residential District shall be as follows:

- (a) Principal structures shall not be closer than 20 feet from the rear lot line.
- (b) Accessory structures shall not be closer than 10 feet from the rear lot line.

(Ord. 4544-21. Passed 7-20-21.)

**1123.09 MAXIMUM HEIGHT REGULATIONS.**

The maximum height regulations for properties in the BR-1 Business Residential District shall be as follows:

- (a) No principal structure shall exceed 40 feet in height.
- (b) No accessory structure shall exceed 20 feet in height.

(Ord. 4544-21. Passed 7-20-21.)

**1123.10 MINIMUM FLOOR AREA.**

The minimum floor area for structures in the BR-1 Business Residential District shall not be less than 800 feet.

(Ord. 4544-21. Passed 7-20-21.)

**1123.11 MAXIMUM FLOOR AREA.**

The maximum floor area for structures in the BR-1 Business Residential District shall not be more than 2,500 square feet.

(Ord. 4544-21. Passed 7-20-21.)

**1123.12 MAXIMUM LOT OCCUPATION.**

The maximum percentage of any property in the BR-1 Business Residential District to be covered by Principal and Accessory Buildings is fifty percent (50%).

(Ord. 4544-21. Passed 7-20-21.)

**1123.13 OFF-STREET PARKING AND LOADING.**

Off-street parking and loading shall be required as specified in Section 1133.01, Off-Street Parking and Loading.

(Ord. 4544-21. Passed 7-20-21.)

**1123.14 LAND USE INTENSITY.**

The following land use intensity standards shall apply to all properties in the BR-1 Business Residential District:

- (a) The number of dwelling units per acre shall not exceed 12.
- (b) Non-residential uses shall have a floor area ratio not to exceed .30.

(Ord. 4544-21. Passed 7-20-21.)

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## CHAPTER 1124

### B-2 General Business District

- 1124.01 Purpose.
- 1124.02 Principally permitted uses.
- 1124.03 Permitted accessory uses.
- 1124.04 Conditionally permitted uses.
- 1124.05 Minimum lot area and width.
- 1124.06 Minimum front yard setback.
- 1124.07 Minimum side yard setback.
- 1124.08 Minimum rear yard setback.
- 1124.09 Maximum height regulations.
- 1124.10 Minimum floor area.
- 1124.11 Maximum lot occupation.
- 1124.12 Off-street parking and loading.
- 1124.13 Land use intensity.

#### CROSS REFERENCES

- District established - see P. & Z. 1103.01
- Special provisions for commercial uses - see P. & Z. 1129.07
- Signs permitted - see P. & Z. 1137.03(c)

#### 1124.01 PURPOSE.

It is the purpose of the B-2 General Business District to provide for the needs for both convenience goods and the more common and often recurring shopping goods, personal and household services for a population larger than that served by the BR-1 Business Residential District.

#### 1124.02 PRINCIPALLY PERMITTED USES.

Principally permitted uses are as follows:

- (a) Commercial Recreation
  - (b) Retail Business
  - (c) Personal Services
  - (d) Offices
  - (e) Drinking and Eating Establishments
  - (f) Restaurants
  - (g) Automotive Filling Stations
  - (h) Hotel or Motel
  - (i) Restaurant, Fast Food
  - (j) Restaurant, Drive-in
  - (k) Restaurant, Carryout.
- (Ord. 4544-21. Passed 7-20-21.)

#### 1124.03 PERMITTED ACCESSORY USES.

Accessory permitted uses are as follows:

- (a) Outside Storage Facilities
- (b) Outdoor Storage Display
- (c) Silos
- (d) Radio Towers
- (e) Communication Towers
- (f) Signs
- (g) Off-Street Parking and Loading
- (h) Guard Houses
- (i) Fences and Walls: see Section 1129.10 for regulations
- (j) Refuse Facilities (Dumpsters): see Section 1129.05 for regulations
- (k) Garages
- (l) Uses which are similar or clearly incidental to the Principally Permitted Uses on the Lot.

#### 1124.04 CONDITIONALLY PERMITTED USES.

Conditionally permitted uses are as follows:

- (a) Shopping Centers
  - (b) Automotive Repair
  - (c) Bed and Breakfast Establishments
  - (d) Child Day Care Facility
  - (e) Clubs
  - (f) Public Service Facility
  - (g) Public and Quasi-Public Uses
  - (h) Educational Institutions
  - (i) Hospitals
  - (j) Food Processing
  - (k) Transport Terminals
  - (l) Printing and Publishing
  - (m) Personal Storage Facility
  - (n) Adult Entertainment Facility.
- (Ord. 4059. Passed 5-26-98.)

#### 1124.05 MINIMUM LOT AREA AND WIDTH.

The minimum lot area for properties in the B-2 General Business District shall not be less than 10,000 square feet with a width of not less than 60 feet.

**1124.06 MINIMUM FRONT YARD SETBACK.**

The minimum front yard setback for properties in the B-2 General Business District shall not be less than 40 feet from the front lot line.

**1124.07 MINIMUM SIDE YARD SETBACK.**

The minimum side yard setback for properties in the B-2 General Business District shall be as follows:

- (a) Principal structures shall have no minimum setback from the side lot line.
- (b) Accessory structures shall have no minimum setback from the side lot line.

**1124.08 MINIMUM REAR YARD SETBACK.**

The minimum rear yard setback for properties in the B-2 General Business District shall not be less than 30 feet from the rear line.

**1124.09 MAXIMUM HEIGHT REGULATIONS.**

The maximum height regulations for properties in the B-2 General Business District shall be as follows:

- (a) Principal structures shall not exceed 40 feet in height.
- (b) Accessory structures shall not exceed 20 feet in height.

**1124.10 MINIMUM FLOOR AREA.**

There shall be no minimum floor area for structures in the B-2 General Business District.

**1124.11 MAXIMUM LOT OCCUPATION.**

The maximum percentage of any property in the B-2 General Business District to be covered by principal and accessory buildings is 40 percent.

**1124.12 OFF-STREET PARKING AND LOADING.**

Off-street parking and loading shall be required as specified in Section 1133.01 , Off-Street Parking and Loading.

**1124.13 LAND USE INTENSITY.**

The floor area ratio for properties in the B-2 General Business District shall not exceed .40.

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## ORDINANCE NO. 4587-23

**AN ORDINANCE TO ADOPT THE PLANNING COMMISSION RECOMMENDATION DENYING THE APPLICATION TO AMEND THE CITY OF URBANA'S OFFICIAL ZONING MAP BY REZONING PARCELS K48-25-00-01-35-001-00, K48-25-00-01-35-002-00, K48-25-00-01-35-003-00, K48-25-00-01-35-004-00, AND K48-25-00-01-35-005-00 CURRENTLY DESIGNATED R-2 MEDIUM DENSITY RESIDENTIAL TO M-1 MANUFACTURING. (Three (3) readings required, Public Hearing required. Public Hearing Advertisement date: Friday, January 6, 2023)**

**Department Requesting: Zoning**

**Sponsor: Councilwoman Audra Bean**

WHEREAS, Chapter 1113 of the Codified Ordinances of the City of Urbana, Ohio enables amendment of the Official Zoning Map; and

WHEREAS, whenever the public necessity, convenience, general welfare or good zoning practices require, Council may by ordinance after receipt of a recommendation thereon from the Planning Commission and subject to procedures provided by law, amend, supplement, change or repeal the regulations, restrictions and boundaries or classification of property; and

WHEREAS, on November 28, 2022, the Planning and Zoning Staff formally requested an amendment to the Official Zoning Map for the City of Urbana pursuant to Chapter 1113.03 (a) of the Codified Ordinances of the City of Urbana; and

WHEREAS on November 28, 2022, the City of Urbana Planning Commission recommended by a 4-0 vote to *deny* the application to rezone Parcels K48-25-00-01-35-001-00, K48-25-00-01-35-002-00, K48-25-00-01-35-003-00, K48-25-00-01-35-004-00, AND K48-25-00-01-35-005-00 currently designated R-2 Medium Density Residential to M-1 Manufacturing (*See Exhibit A, attached hereto and incorporated herein*); and

WHEREAS, Council held a public hearing pursuant to Chapter 1113.09 of the Codified Ordinances of the City of Urbana on Tuesday, January 17, 2023.

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

**SECTION ONE:** The recommendation of the Planning Commission to deny the application to rezone Parcels K48-25-00-01-35-001-00, K48-25-00-01-35-002-00, K48-25-00-01-35-003-00, K48-25-00-01-35-004-00, AND K48-25-00-01-35-005-00 currently designated R-2 Medium Density Residential to M-1 Manufacturing is hereby adopted.

**SECTION TWO** All actions of City Council and the Planning Commission related to this legislation were conducted in open meetings pursuant to Urbana Codified Ordinance 107.01 and Ohio Revised Code 121.22. City Council held a public hearing under Urbana Codified Ordinance 1113.09, with notice by publication pursuant to Urbana City Charter Section 2.16, on October 10, 2020.

**SECTION THREE:** This ordinance shall become effective at the earliest time provided by law.

\_\_\_\_\_  
President, City of Urbana Council

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Clerk of Council

This Ordinance approved by me this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Mayor, City of Urbana

REVIEWED:  12/22/2022  
Director of Law      Date



Jumper:      \_\_\_\_ Yay      \_\_\_\_ Nay      \_\_\_\_ N/A

Scott:      \_\_\_\_ Yay      \_\_\_\_ Nay      \_\_\_\_ N/A

Paul:      \_\_\_\_ Yay      \_\_\_\_ Nay      \_\_\_\_ N/A

Truelove:      \_\_\_\_ Yay      \_\_\_\_ Nay      \_\_\_\_ N/A

Thackery:      \_\_\_\_ Yay      \_\_\_\_ Nay      \_\_\_\_ N/A

Collier:      \_\_\_\_ Yay      \_\_\_\_ Nay      \_\_\_\_ N/A

Bean:      \_\_\_\_ Yay      \_\_\_\_ Nay      \_\_\_\_ N/A

## RESOLUTION NO. 2602-23

**A RESOLUTION CONFIRMING THE REAPPOINTMENT OF AMY WALDREN, JERAMIAH STOCKSDALE AND WAYNE SMITH TO THE SALARY COMMISSION. (One (1) Reading Required)**

**Department Requesting: Administration**

**Sponsor: Councilman Dwight Paul**

**WHEREAS**, Section 4.06(k) of the Charter of the City of Urbana, Ohio, creates a Salary Commission, which shall consist of five (5) members who are registered electors of the City appointed by the Mayor, subject to the confirmation by Council by resolution; and

**WHEREAS**, the terms of Amy Waldren, Jeremiah Stocksdale and Wayne Smith, will expire on February 3, 2023; and

**WHEREAS**, Section 4.06(k) of the Charter of the City of Urbana, Ohio states that upon the expiration of those terms, new appointments shall be for a term of three (3) years; and

**WHEREAS**, Mayor Bill Bean has declared the reappointment of Amy Waldren, Jeremiah Stocksdale and Wayne Smith, who are registered electors of the City of Urbana, Ohio, to serve as members of the Salary Commission for a term of three (3) years, beginning February 3, 2023;

**NOW, THEREFORE**, the Council of the City of Urbana, County of Champaign and State of Ohio does hereby confirm each and every one of these appointments.

It is found and determined that all formal actions of this City Council concerning and relating to the passage of this resolution were adopted in an open meeting of this City Council in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

\_\_\_\_\_  
President, City of Urbana Council

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Clerk of Council

This Resolution approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mayor, City of Urbana

REVIEWED:  1/11/2023  
Director of Law Date



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

## RESOLUTION NO. 2650-23

**A RESOLUTION DECLARING NECESSITY AND INTENT TO APPROPRIATE AN INTEREST IN REAL PROPERTY (PARCEL 10-WD, T) FOR THE SOUTH HIGH STREET IMPROVEMENTS (CHP-S. HIGH STREET-0.00)(ODOT PID #112019) AND DECLARING AN EMERGENCY (One (1) readings required, no public hearing), Rules Suspension Requested**

**Department Requesting: Law**

**Sponsor: Councilwoman Stephanie Truelove**

WHEREAS, the City of Urbana, pursuant to agreements with the Ohio Department of Transportation and Ohio Public Works Commission, has undertaken a project to reconstruct approximately 5600' of roadway along South High Street from Miami Street (US 36 West) to Lewis B. Moore Drive (State Route 55) by installing and/or replacing curb, gutter, and sidewalks; installing and/or replacing stormwater drainage infrastructure such as pipes, manholes and catch basins; replacing water mains; and replacing sanitary sewer mains.

WHEREAS, the ODOT project number is (PID #112019) and the OPWC project numbers are (#CK01Z and CK02Z); and

WHEREAS, pursuant to the provisions of O.R.C. Chapter 163 and O.R.C. Section 719.04, it is deemed necessary for the City of Urbana to appropriate various interests in real estate in order to construct the project; and

WHEREAS, a permanent warranty deed and temporary construction easement have been identified as necessary for the project by the City's Consulting Engineer for this project, LJB Inc.; and

WHEREAS, the Notice of Intent to Acquire and Good Faith Offer together with the appraisal, as required by O.R.C. Section 163.04, were submitted by a representative of TranSystems Real Estate Consulting, Inc. on behalf of the City of Urbana to the property owners of record on November 11, 2022 with this offer being returned as unclaimed by the United States Postal Service on January 9, 2023; and

WHEREAS, the named owners of record, Richard H. Robinson III and Deborah Robinson, have not responded to the offer.

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

**SECTION ONE:** City Council hereby declares the necessity and intent to appropriate a warranty deed and temporary easement (Parcel "10-WD, T") from a portion of real estate owned by Richard H. Robinson III and Deborah Robinson, otherwise known as Permanent Parcel No. K48-25-00-01-20-017-00, with a physical address at 940 South High Street, Urbana, Ohio, 43078.

**SECTION TWO:** Legal descriptions of the necessary property interests which shall be acquired are attached and labeled as Exhibit A along with an acquisition sketch of the total parcel, and incorporated by reference.

**SECTION THREE:** Council hereby declares that the purpose of said appropriation is for the completion of the South High Street Improvements (PID #112019), which will result in the appropriated land being open to the public without charge, and as such is a “public use” as defined in O.R.C. Section 163.01(H)(2).

**SECTION FOUR:** The Director of Law is authorized and directed to file a petition for appropriation with the appropriate court of law as governed by O.R.C. Chapter 163.

**SECTION FIVE:** The Mayor or his designee is authorized and directed to cause notice of the adoption of this Resolution to be given immediately to the owners of the above-described real estate.

**SECTION SIX:** The Director of Finance is authorized to issue a check (warrant) in the amount of \$416.00 for the appraised value of this property and place these funds on deposit with the Champaign County Clerk of Courts as part of this appropriation process.

**SECTION SEVEN:** All formal actions of this Council concerning and relating to the adoption of this Resolution were conducted in an open meeting pursuant to O.R.C. Section 121.22 and Urbana Codified Ordinances Section 107.01.

**SECTION EIGHT:** This Resolution is hereby declared to be an emergency measure, the emergency being the immediate necessity to move the legal process forward in a timely manner to meet the Ohio Department of Transportation’s deadline to preserve the health, safety and welfare of the public using South High Street for vehicular and pedestrian travel as well as the residents and property owners in the area that have experienced flooding impacts from stormwater/drainage problems. This Resolution shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

\_\_\_\_\_  
President, City of Urbana Council

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Clerk of Council

This Ordinance approved by me this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mayor, City of Urbana

REVIEWED: *[Signature]* *1/11/2023*  
Director of Law Date





Jumper:    \_\_\_ Yay    \_\_\_ Nay    \_\_\_ N/A

Scott:       \_\_\_ Yay    \_\_\_ Nay    \_\_\_ N/A

Paul:        \_\_\_ Yay    \_\_\_ Nay    \_\_\_ N/A

Truelove:   \_\_\_ Yay    \_\_\_ Nay    \_\_\_ N/A

Thackery:   \_\_\_ Yay    \_\_\_ Nay    \_\_\_ N/A

Collier:     \_\_\_ Yay    \_\_\_ Nay    \_\_\_ N/A

Bean:        \_\_\_ Yay    \_\_\_ Nay    \_\_\_ N/A

**EXHIBIT A**

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Rev. 06/09

LPA RX 851 WD

Ver. Date 02/15/2022

PID 112019

**PARCEL 10-WD  
CHP-S. HIGH STREET  
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE  
IN THE FOLLOWING DESCRIBED PROPERTY  
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS  
IN THE NAME AND FOR THE USE OF THE  
CITY OF URBANA, CHAMPAIGN COUNTY, OHIO**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

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**[Surveyor's description of the premises follows]**

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Situate in Section 22, Town 5, Range 11, B.T.M.R.S., in the City of Urbana, Champaign County, State of Ohio, and being part of Part of LOTS 8 & 9 of the TAYLOR & YOUNG SUBDIVISION Plat as recorded in Plat Cabinet 1, Pages 69 & 74, as conveyed to RICHARD H. ROBINSON III & DEBORAH ROBINSON by instrument as recorded in Deed Book OR 467, Page 242 of the Official Records of said county, and being more particularly bounded and described, with Stations and offsets referenced to the centerline of South High Street as shown on the "CHP-S. High Street Centerline Plat" as recorded in Plat Cabinet 2 Pages 593 - 597 of the Champaign County Plat Records, as follows:

Beginning for reference at an iron pin set at the intersection of the south line of Lot 8 of said plat with the existing west right of way line of South High Street, (50'), 23.47 feet left of centerline Station 11+51.87;

Thence with said existing west right of way line of South High Street North 05° 43' 40" East 30.68 feet to the intersection of said west right of way line of South High Street with the existing north right way line of Broadway Street, (40'), being the southeast corner of said part of Lot 8 and 23.54 feet left of centerline Station 11+82.55, being the TRUE POINT OF BEGINNING;

**EXHIBIT A**

Page 2 of 3

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LPA RX 851 WD

**PARCEL 10-WD**

Thence with the south line of said part of Lot 8 and said north right of way line North 84° 01' 51" West 5.00 feet to an iron pin set in the new west right of way line of South high Street, 28.54 feet left of centerline Station 11+82.56;

Thence with said new west right of way line North 50° 50' 54" East 7.06 feet to an iron pin set in the east line of said part of Lot 8 and said existing west right of way line, 23.56 feet left of centerline Station 11+87.55;

Thence with said lines South 05° 43' 40" West 5.00 feet to the TRUE POINT OF BEGINNING, containing 0.000 acres, (12.5 S.F.), more or less, subject to all legal easements and restrictions of record.

This description is based upon a field survey performed by LJB Inc. under the direction of Eric W. Hafer, Registered Surveyor Number 8038 in October, 2019, with bearings based upon the Ohio State Plane Coordinates, South Zone, NAD83 (2011), by GPS utilizing ODOT VRS, and conventional surveying.

This description was prepared by LJB Inc. under the direction of Harry G. Herbst III, Registered Surveyor Number 6596.

Monument Boxes referred to as "set" are Centerline Monument Box assemblies to be set during construction, containing a 1" Iron pin to be set by the contractor's registered surveyor. Iron pins referred to as "set" shall be 3/4" by 30" reinforcing rod set by LJB Inc. with Aluminum cap stamped "ODOT R/W - PS 6596 - LJB INC" or "ODOT - PS 6596 - LJB INC".

Evidence of occupation supports the monumentation found in the field and the property lines recited in this description.

Grantor claims title through instrument of record in OR 467 Page 242, Champaign County Recorder's Office.

**EXHIBIT A**

LPA RX 851 WD

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PARCEL 10-WD cont'd

12.5 S.F. of the above described area is contained within Champaign County Auditor's Permanent Parcel Number K48-25-00-01-20-017-00, of which the present road right of way occupies 0.000 acres, more or less.

Prepared by  
LJB Inc.

By: Harry G. Herbst III      3/1/22  
Harry G. Herbst III, Ohio PS No. 6596      Date



**EXHIBIT A**

Page 1 of 3

Rev. 07/09

LPA RX 887 T

Ver. Date 02/15/2022

PID 112019

**PARCEL 10-T  
CHP-S. HIGH STREET  
TEMPORARY EASEMENT FOR THE PURPOSE OF  
PERFORMING THE WORK NECESSARY TO  
PERFORM GRADING AND CONNECT DRIVE  
FOR 24 MONTHS FROM DATE OF ENTRY BY THE  
CITY OF URBANA, CHAMPAIGN COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situate in Section 22, Town 5, Range 11, B.T.M.R.S., in the City of Urbana, Champaign County, State of Ohio, and being part of Part of LOTS 8 & 9 of the TAYLOR & YOUNG SUBDIVISION Plat as recorded in Plat Cabinet 1, Pages 69 & 74, as conveyed to RICHARD H. ROBINSON III & DEBORAH ROBINSON by instrument as recorded in Deed Book OR 467, Page 242 of the Official Records of said county, and being more particularly bounded and described, with Stations and offsets referenced to the centerline of South High Street as shown on the "CHP-S. High Street Centerline Plat" as recorded in Plat Cabinet 2 Pages 593 - 597 of the Champaign County Plat Records, as follows:

Beginning for reference at the southeast corner of said part of Lot 8, at the intersection of the existing west right of way line of South High Street, (50'), with the north line of Broadway. Street, (40'), 23.54 feet left of centerline Station 11+82.55;

Thence with the south line of said part of Lot 8 and the north line of said Broadway Street North 84° 01' 51" West 5.00 feet to an iron pin set in the new west right of way line of South High Street, 28.54 feet left of centerline Station 11+82.56, said iron pin being the TRUE POINT OF BEGINNING;

**PARCEL 10-T**

Thence continuing with said lines North 84° 01' 51" West 4.46 feet to a point 33.00 feet left of centerline Station 11+82.56;

Thence along new lines into said Lot 8 & 9 for the following three courses:

1. North 05° 51' 59" East 113.14 feet to a point 33.00 feet left of centerline Station 12+95.70;

**EXHIBIT A**

LPA RX 887 T

Page 2 of 3

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PARCEL 10-T cont'd

2. North 39° 08' 01" West 18.38 feet to a point 46.00 feet left of centerline Station 13+08.70;
3. North 05° 51' 59" East 3.39 feet to a point in the north line of said part of Lot 9, 46.00 feet left of centerline Station 13+12.09;

Thence with said line South 84° 01' 51" East 22.14 feet to the northeast corner of said part of Lot 9, in said west right of way line of South High Street, 23.86 feet left of centerline Station 13+12.05;

Thence South with the east line of said part of Lot 9 and said west right of way line South 05° 43' 40" West 124.50 feet to an iron pin set in said new west right of way line of South High Street. 23.56 feet left of centerline Station 11+87.55;

Thence with said new west right of way line South 50° 50' 54" West 7.06 feet to the TRUE POINT OF BEGINNING; containing 0.030 acres, more or less, subject to all legal easements and restrictions of record.

This description is based upon a field survey performed by LJB Inc. under the direction of Eric W. Hafer, Registered Surveyor Number 8038 in October, 2019, with bearings based upon the Ohio State Plane Coordinates, South Zone, NAD83 (2011), by GPS utilizing ODOT VRS, and conventional surveying.

This description was prepared by LJB Inc. under the direction of Harry G. Herbst III, Registered Surveyor Number 6596.

Monument Boxes referred to as "set" are Centerline Monument Box assemblies to be set during construction, containing a 1" Iron pin to be set by the contractor's registered surveyor. Iron pins referred to as "set" shall be 3/4" by 30" reinforcing rod set by LJB Inc. with Aluminum cap stamped "ODOT R/W - PS 6596 - LJB INC" or "ODOT - PS 6596 - LJB INC".

Evidence of occupation supports the monumentation found in the field and the property lines recited in this description.

Grantor claims title through instrument of record in OR 467, Page 242, Champaign County Recorder's Office.

**EXHIBIT A**

LPA RX 887 T

PARCEL 10-T cont'd

0.016 acres of the above described area is contained within Champaign County Auditor's Permanent Parcel Number K48-25-00-01-20-017-00, of which the present road right of way occupies 0.000 acres, more or less.

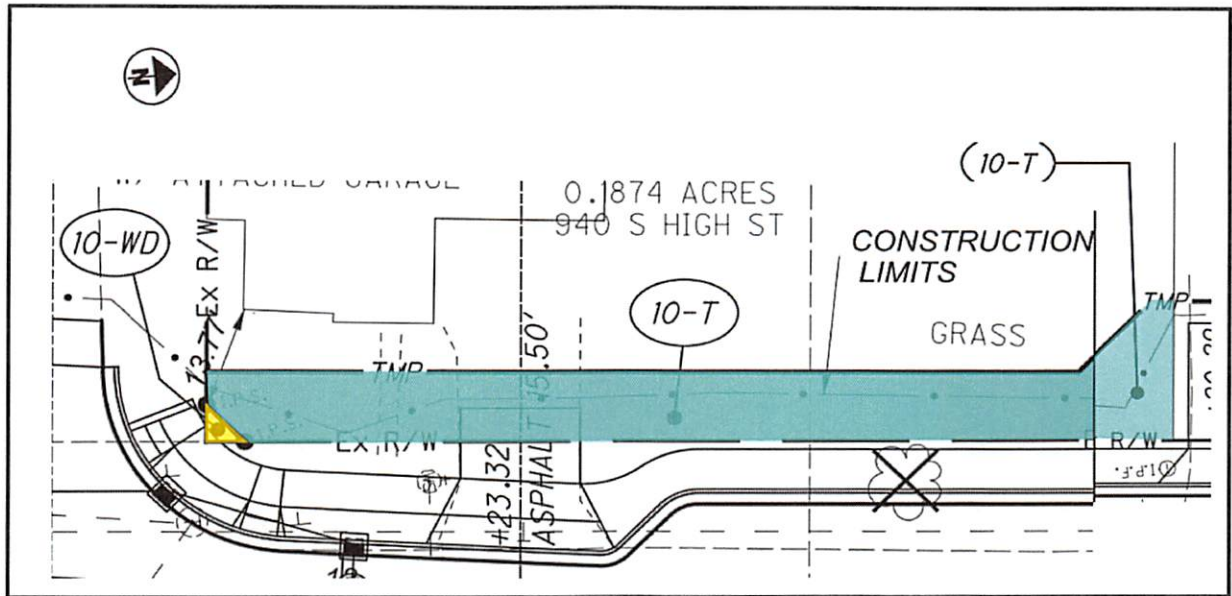
0.014 acres of the above described area is contained within Champaign County Auditor's Permanent Parcel Number K48-25-00-01-20-015-00, of which the present road right of way occupies 0.000 acres, more or less.

Prepared by  
LJB Inc.

By: Harry G. Herbst III      3/1/22  
Harry G. Herbst III, Ohio PS No. 6596      Date



Sketch of Acquisition





## RESOLUTION NO. 2651-23

**A RESOLUTION DECLARING NECESSITY AND INTENT TO APPROPRIATE AN INTEREST IN REAL PROPERTY (PARCEL 64-WD, T) FOR THE SOUTH HIGH STREET IMPROVEMENTS (CHP-S. HIGH STREET-0.00)(ODOT PID #112019) AND DECLARING AN EMERGENCY (One (1) readings required, no public hearing), Rules Suspension Requested**

**Department Requesting: Law**

**Sponsor: Councilwoman Stephanie Truelove**

WHEREAS, the City of Urbana, pursuant to agreements with the Ohio Department of Transportation and Ohio Public Works Commission, has undertaken a project to reconstruct approximately 5600' of roadway along South High Street from Miami Street (US 36 West) to Lewis B. Moore Drive (State Route 55) by installing and/or replacing curb, gutter, and sidewalks; installing and/or replacing stormwater drainage infrastructure such as pipes, manholes and catch basins; replacing water mains; and replacing sanitary sewer mains.

WHEREAS, the ODOT project number is (PID #112019) and the OPWC project numbers are (#CK01Z and CK02Z); and

WHEREAS, pursuant to the provisions of O.R.C. Chapter 163 and O.R.C. Section 719.04, it is deemed necessary for the City of Urbana to appropriate various interests in real estate in order to construct the project; and

WHEREAS, a permanent warranty deed and temporary construction easement have been identified as necessary for the project by the City's Consulting Engineer for this project, LJB Inc.; and

WHEREAS, the Notice of Intent to Acquire and Good Faith Offer together with the appraisal, as required by O.R.C. Section 163.04, were submitted by a representative of Dunrobin Associates, LLC on behalf of the City of Urbana to the property owners of record on August 24, 2022 with this offer being signed for as received on September 1, 2022 by said property owners of record; and

WHEREAS, the named owner of record, Noel Jones, have not responded to the offer.

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

**SECTION ONE:** City Council hereby declares the necessity and intent to appropriate a warranty deed and temporary easement (Parcel "64-WD, T") from a portion of real estate owned by Noel Jones, otherwise known as Permanent Parcel Nos. K48-25-11-01-31-019-00 and K48-25-11-01-31-020-00, with a physical address at 225 College Street, Urbana, Ohio, 43078.

**SECTION TWO:** Legal descriptions of the necessary property interests which shall be acquired are attached and labeled as Exhibit A along with an acquisition sketch of the total parcel, and incorporated by reference.

**SECTION THREE:** Council hereby declares that the purpose of said appropriation is for the completion of the South High Street Improvements (PID #112019), which will result in the appropriated land being open to the public without charge, and as such is a “public use” as defined in O.R.C. Section 163.01(H)(2).

**SECTION FOUR:** The Director of Law is authorized and directed to file a petition for appropriation with the appropriate court of law as governed by O.R.C. Chapter 163.

**SECTION FIVE:** The Mayor or his designee is authorized and directed to cause notice of the adoption of this Resolution to be given immediately to the owners of the above-described real estate.

**SECTION SIX:** The Director of Finance is authorized to issue a check (warrant) in the amount of \$2,504.00 for the appraised value of this property and place these funds on deposit with the Champaign County Clerk of Courts as part of this appropriation process.

**SECTION SEVEN:** All formal actions of this Council concerning and relating to the adoption of this Resolution were conducted in an open meeting pursuant to O.R.C. Section 121.22 and Urbana Codified Ordinances Section 107.01.

**SECTION EIGHT:**

This Resolution is hereby declared to be an emergency measure, the emergency being the immediate necessity to move the legal process forward in a timely manner to meet the Ohio Department of Transportation’s deadline to preserve the health, safety and welfare of the public using South High Street for vehicular and pedestrian travel as well as the residents and property owners in the area that have experienced flooding impacts from stormwater/drainage problems. This Resolution shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

\_\_\_\_\_  
President, City of Urbana Council

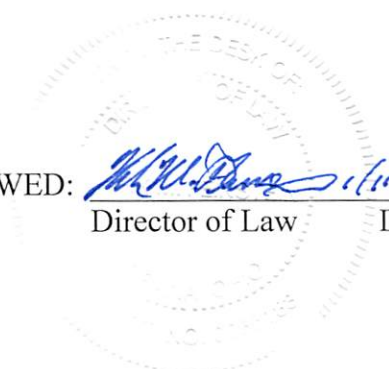
PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Clerk of Council

This Ordinance approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mayor, City of Urbana

REVIEWED: *W. M. Davis* *1/11/2023*  
Director of Law Date



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

**EXHIBIT A**

LPA RX 851 WD

Page 1 of 2

Rev. 06/09

Ver. Date 02/17/2022

PID 112019

**PARCEL 64-WD  
CHP-S. HIGH STREET  
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE  
IN THE FOLLOWING DESCRIBED PROPERTY  
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS  
IN THE NAME AND FOR THE USE OF THE  
CITY OF URBANA, CHAMPAIGN COUNTY, OHIO**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

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**[Surveyor's description of the premises follows]**

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Situate in Section 23, Town 5, Range 11, B.T.M.R.S., in the City of Urbana, Champaign County, State of Ohio, and being part of a tract of land with unstated acreage as conveyed to NOEL JONES by instrument as recorded in OR 512, Page 1533 of the Official Records of said county, and being more particularly bounded and described, with Stations and offsets referenced to the centerline of South High Street as shown on the "CHP-S. High Street Centerline Plat" as recorded in Plat Cabinet 2 Pages 593 - 597 of the Champaign County Plat Records, as follows:

Beginning for reference at a drill hole set at the intersection of the existing east right of way line of South High Street, (45'), with the existing south right of way line of College Street, (40'), being the northwest corner of said unstated acreage tract of land 27.17 feet right of centerline Station 38+90.77, said point being the TRUE POINT OF BEGINNING;

PARCEL 64-WD

Thence with the north line of said tract and said south right of way line South 84° 08' 01" East 9.15 feet to a drill hole set in the new east right of way line of South High Street, 36.31 feet right of centerline Station 38+90.33;

Thence with said new east right of way line South 05° 51' 59" West 5.00 feet to an iron pin set 36.07 feet right of centerline Station 38+85.33;

**EXHIBIT A**

LPA RX 851 WD

PARCEL 64-WD cont'd

Thence continuing with said new east right of way line North 84° 08' 01" West 9.15 feet to an iron pin set in the west line of said tract and said existing east right of way line of South High Street, 26.93 feet right of centerline Station 38+85.78;

Thence with said lines North 05° 49' 38" East 5.00 feet to the TRUE POINT OF BEGINNING, containing 0.001 acres, more or less, subject to all legal easements and restrictions of record.

This description is based upon a field survey performed by LJB Inc. under the direction of Eric W. Hafer, Registered Surveyor Number 8038 in October, 2019, with bearings based upon the Ohio State Plane Coordinates, South Zone, NAD83 (2011), by GPS utilizing ODOT VRS, and conventional surveying.

This description was prepared by LJB Inc. under the direction of Harry G. Herbst III, Registered Surveyor Number 6596.

Monument Boxes referred to as "set" are Centerline Monument Box assemblies to be set during construction, containing a 1" Iron pin to be set by the contractor's registered surveyor. Iron pins referred to as "set" shall be 3/4" by 30" reinforcing rod set by LJB Inc. with Aluminum cap stamped "ODOT R/W - PS 6596 - LJB INC" or "ODOT - PS 6596 - LJB INC".

Evidence of occupation supports the monumentation found in the field and the property lines recited in this description.

Grantor claims title through instrument of record in OR 512 Page 1533, Champaign County Recorder's Office.

0.001 acres of the above described area is contained within Champaign County Auditor's Permanent Parcel Number K48-25-11-01-31-019-00, of which the present road right of way occupies 0.000 acres, more or less.

Prepared by  
LJB Inc.

By: Harry G. Herbst III  
Harry G. Herbst III, Ohio PS No. 6596

3/1/22  
Date



**EXHIBIT A**

LPA RX 887 T

Page 1 of 3

Rev. 07/09

Ver. Date 02/17/2022

PID 112019

**PARCEL 64-T  
CHP-S. HIGH STREET  
TEMPORARY EASEMENT FOR THE PURPOSE OF  
PERFORMING THE WORK NECESSARY TO  
PERFORM GRADING AND CONNECT DRIVE  
FOR 24 MONTHS FROM DATE OF ENTRY BY THE  
CITY OF URBANA, CHAMPAIGN COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situate in Section 23, Town 5, Range 11, B.T.M.R.S., in the City of Urbana, Champaign County, State of Ohio, and being part of two tracts of land with a unstated acreages as conveyed to NOEL JONES by instrument as recorded in OR 512, Page 1533 of the Official Records of said county, and being more particularly bounded and described, with Stations and offsets referenced to the centerline of South High Street as shown on the "CHP-S. High Street Centerline Plat" as recorded in Plat Cabinet 2 Pages 593 - 597 of the Champaign County Plat Records, as follows:

Beginning for reference at the southwest corner of said tracts, being the intersection of the existing east right of way line of South High Street, (width varies), with the north line of a 13.5 foot alley, 22.91 feet right of centerline Station 36+67.00, being the TRUE POINT OF BEGINNING;

**PARCEL 64-T**

Thence with the west line of said tracts and said existing east right of way line North 05° 49' 38" East 220.00 feet to an iron pin set in the new west right of way line of South High Street, 26.93 feet right of centerline Station 38+85.78;

Thence with said new west right of way line South 84° 08' 01" East 9.15 feet to an iron pin set 36.07 feet right of centerline Station 38+85.33;

Thence continuing with said line North 05° 51' 59" East 5.00 feet to an iron pin set in the north line of said tracts and the existing south right of way line of College Avenue, (40'), 36.31 feet right of centerline Station 38+90.33;

Thence with said lines South 84° 08' 01" East 10.70 feet to a point 47.00 feet right of centerline Station 38+89.80;

**EXHIBIT A**

LPA RX 887 T

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Rev. 07/09

PARCEL 64-T cont'd

Thence along new lines through said tracts for the following six courses:

1. South 28° 13' 27" West 32.93 feet to a point 33.00 feet right of centerline Station 38+60.00;
2. South 04° 12' 08" West 100.59 feet to a point 33.00 feet right of centerline Station 37+61.00;
3. South 84° 08' 01" East 7.00 feet to a point 40.00 feet right of centerline Station 37+61.00;
4. South 05° 51' 59" West 30.00 feet to a point 40.00 feet right of centerline Station 37+31.00;
5. North 84° 08' 01" West 8.00 feet to a point 32.00 feet right of centerline Station 37+31.00;
6. South 05° 51' 59" West 64.03 feet to a point in the south line of said tracts and the north line of said existing 13.5 foot alley, 32.00 feet right of centerline Station 36+66.97;

Thence with said lines North 83° 57' 49" West 9.09 feet to the TRUE POINT OF BEGINNING, containing 0.054 acres, more or less, subject to all legal easements and restrictions of record.

This description is based upon a field survey performed by LJB Inc. under the direction of Eric W. Hafer, Registered Surveyor Number 8038 in October, 2019, with bearings based upon the Ohio State Plane Coordinates, South Zone, NAD83 (2011), by GPS utilizing ODOT VRS, and conventional surveying.

This description was prepared by LJB Inc. under the direction of Harry G. Herbst III, Registered Surveyor Number 6596.

Monument Boxes referred to as "set" are Centerline Monument Box assemblies to be set during construction, containing a 1" Iron pin to be set by the contractor's registered surveyor. Iron pins referred to as "set" shall be 3/4" by 30" reinforcing rod set by LJB Inc. with Aluminum cap stamped "ODOT R/W - PS 6596 - LJB INC" or "ODOT - PS 6596 - LJB INC".

**EXHIBIT A**

Page 3 of 3

LPA RX 887 T

Rev. 07/09

PARCEL 64-T cont'd

Evidence of occupation supports the monumentation found in the field and the property lines recited in this description.

Grantor claims title through instrument of record in OR 512 Page 1533, Champaign County Recorder's Office.

0.025 acres of the above described area is contained within Champaign County Auditor's Permanent Parcel Number K48-25-11-01-31-020-00, of which the present road right of way occupies 0.000 acres, more or less.

0.029 acres of the above described area is contained within Champaign County Auditor's Permanent Parcel Number K48-25-11-01-31-019-00, of which the present road right of way occupies 0.000 acres, more or less.

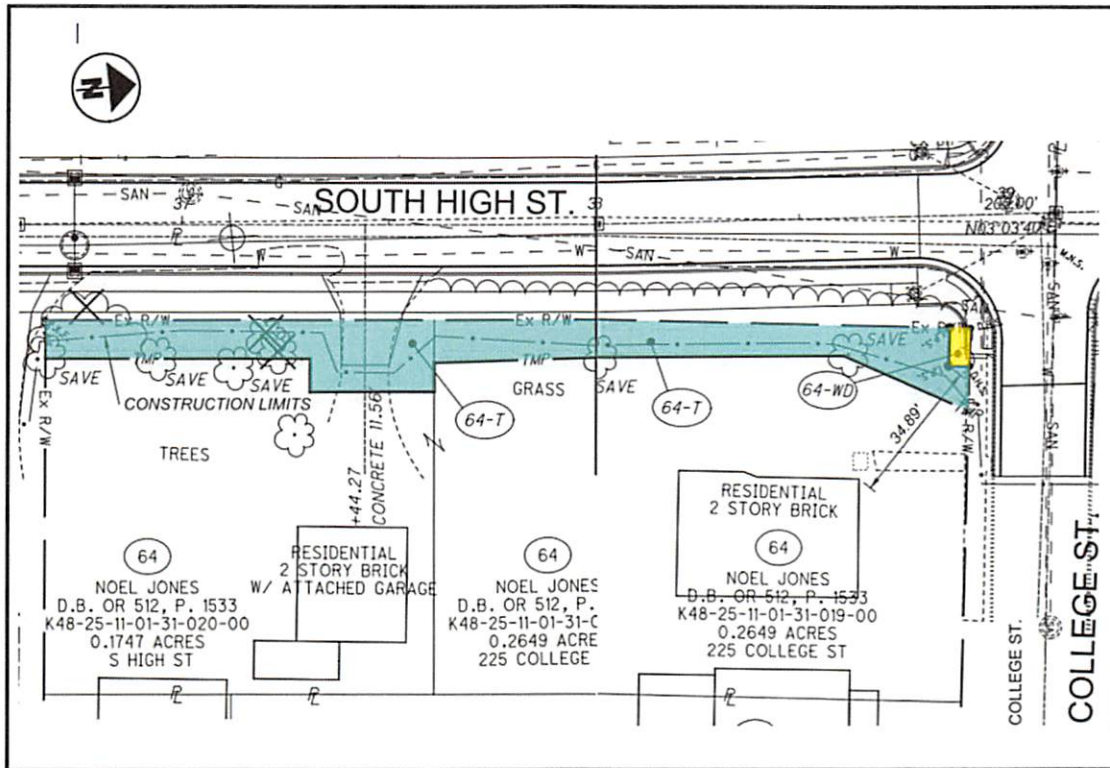
Prepared by  
LJB Inc.



By: Harry G. Herbst III 3/1/22  
Harry G. Herbst III, Ohio PS No. 6596 Date



### Sketch of Acquisition



**RESOLUTION NO. 2652-23**

**A RESOLUTION REMOVING PERSONS FROM THE TAX INCENTIVE REVIEW COUNCIL (TIRC). (One (1) reading required, no public hearing required)**

**Department Requesting: Administration                      Sponsor: Councilman Dwight Paul**

**WHEREAS**, the TIRC reviews and evaluates the performance of each enterprise zone agreement and community reinvestment area agreement on behalf of the City annually; and

**WHEREAS**, each appointee as a member of the TIRC serves without compensation; and

**WHEREAS**, pursuant to Ohio Revised Code Section 5709.85(A)(2), the Mayor appoints two (2) residents of the City of Urbana to the TIRC, with confirmation by City Council; and

**WHEREAS**, there are currently five (5) persons serving on the TIRC on behalf of the City of Urbana.

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

**SECTION ONE:**

The following three (3) persons are serving on the TIRC on behalf of the City of Urbana. hereby removed from said service:  
Ronald T. "Tom" Coles, Nathaniel P. "Pat" Bass, and William Bean.

**SECTION FOUR:**

That all formal actions of this City Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this City Council, and that all deliberations of the City Council and any decision-making bodies of the City of Urbana which resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of the City of Urbana, including Section 121.22 of the Ohio Revised Code.

**SECTION FIVE:**

This Resolution shall take effect at the earliest time provided by law.

\_\_\_\_\_  
President, City of Urbana Council

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Clerk of Council

This Resolution approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mayor, City of Urbana



REVIEWED:  11/11/2023  
Director of Law                      Date

Jumper:         Yay         Nay         N/A

Scott:          Yay         Nay         N/A

Paul:           Yay         Nay         N/A

Truelove       Yay         Nay         N/A

Thackery:      Yay         Nay         N/A

Collier:        Yay         Nay         N/A

Bean:          Yay         Nay         N/A