

**URBANA CITY COUNCIL
REGULAR SESSION MEETING
JULY 20, 2021, AT 6:00 P.M.**

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

Please listen to meeting from your computer, tablet or smartphone. As the State of Emergency has been lifted by Governor Dewine, the Zoom media is available as a method to hear the meetings only. Council participation, and Citizen Comments, will only be in person only.

<https://zoom.us/j/2412774424?pwd=TzBqdXRid1ZQNFZrU1I3UDgvY1J0QT09>

Meeting ID: 241 277 4424

Passcode: 43078

Dial by Phone: 1-646-558-8656

PLEASE MUTE YOUR PHONES

Call to Order

Roll Call

Pledge of Allegiance

Approval of Minutes

Urbana City Council Regular Session Meeting Minutes of July 6, 2021.

Communications

1. Shade Tree Commission Minutes of June 10, 2021 (See attached)
2. Second Quarter Division Highlights (to be provided at meeting)

Board of Control

1. The Board of Control recommends Council increase purchase order #27969 to EJ Prescott by \$25,000.00. Board of Control approved this blanket purchase order for \$50,000.00 on January 6, 2021. The vendor provides various plumbing supplies to the Water Department. The additional amount will be charged to the Water Fund and is in the 2021 budget. **VOTE: 3-0**

Citizen Comments (In Person Only)

Ordinances and Resolutions

First Reading

Resolution No. 2613-21

A Resolution authorizing the City of Urbana to request, apply for and/or receive its designated share of funds from the American Rescue Plan Act of 2021 and further authorizing the Mayor, Director of Administration, Director of Finance, and other appropriate City officials and personnel to take necessary actions, and declaring an emergency. (May be passed on 1st reading)

Ordinance No. 4546-21

An Ordinance to adopt and approve an amended Street Boundary List for the Urbana Downtown Revitalization District that includes street addresses within Monument Square. (Requires three readings)

Second Reading

Third Reading

Ordinance No. 4544-21

An Ordinance to amend Section 1102.01, Chapter 1123, and the principally permitted uses under Sections 1124.02 and 1124.04 of the Codified Ordinances of the City of Urbana.

Committee Reports

Miscellaneous Business

Adjourn

**URBANA CITY COUNCIL
PUBLIC HEARING
TUESDAY, JULY 6, 2021**

President Hess called the Public Hearing to order at 6:00 p.m., stating the Public Hearing was to provided citizens the opportunity to review proposed zoning text amendments pursuant to Chapter 1113 of the Urbana's Codified Ordinances. The proposed changes would amend the principal and conditional uses of Chapter 1123 BR-1 Business Residential District, Chapter 1124 B-2 General Business District, and Chapter 1125 B-3 Central Business District. The proposal would also amend existing and create new definitions in Chapter 1102.01.

Mr. Crabill went over the changes beginning with updated definitions of Personal Services and Restaurant. Further, he explained the new definitions of Restaurant - Fast Food, Restaurant – Drive-in, and Restaurant – Carryout. He added that the BR-1 had the most updates in Chapter 1123. He advised of the newly added Conditionally Permitted Uses, the same being Commercial Recreation, Retail Business, Restaurant, Restaurant – Fast Food, Restaurant – Drive-in, Restaurant – Carryout, Printing and Publishing and Automotive Repair. He also spoke of the Maximum Floor Area for structures in the BR-1, shall not be more than 2,500 feet. He also spoke of the B-2 district amendments to Principally Permitted Uses, being Hotel or Motel, Restaurant – Fast Food, Restaurant – Drive-in and Restaurant – Carryout to be newly added. He spoke about the B-3 district amendment being Restaurant – Carryout to be newly added in the Principally Permitted Uses. Additionally, Restaurant – Fast Food, Restaurant – Drive-in to be newly added in Conditionally Permitted Uses.

President Hess called the Public Hearing closed at 6:06 p.m.

**URBANA CITY COUNCIL
REGULAR SESSION MEETING
TUESDAY, JULY 6, 2021**

President Hess called the City of Urbana Regular Session Meeting to order at 6:06 p.m.

City staff attending: Mayor Bill Bean, Director of Administration Kerry Brugger, Director of Finance Chris Boettcher, Fire Chief Dean Ortleib, Zoning Officer Dusty Hurst, and Community Development Manager Doug Crabill.

PESIDENT PRO TEM CALLED ROLL: Mr. Fields, present; Mr. Hoffman, absent; Mr. Paul, present; Mr. Scott, present; Mr. Thackery, present; Mrs. Collier, present; and Mr. Ebert, present.

MINUTES

Urbana City Council Regular Session Meeting Minutes of June 15, 2021, in addition to Work Session Minutes of June 22, 2021.

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

Voice vote on approval: all ayes; nays, none

Minutes passed 6-0.

COMMUNICATIONS

1. Shade Tree Commission Minutes of May 20, 2021
2. Safety Committee Meeting Minutes of June 17, 2021
3. OWDA Annual Report

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

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

Communications passed 6-0

ADMINISTRATIVE REPORTS - BOARD OF CONTROL

None

CITIZEN COMMENTS

None

ORDINANCES AND RESOLUTIONS

First Reading

Resolution No. 2612-21

A Resolution to authorize the Director of Administration of the City of Urbana to prepare and submit an application for the South High Street Improvements Project and to participate in the Ohio Public Works Commission (OPWC) State Capital Improvement Grant and Loan Programs;

to authorize the Mayor to execute contracts as required; to authorize the Director of Finance to commit and appropriate local match funding for this project; and to further authorize the Director of Finance to make the necessary assurances for this loan as required.

Mr. Crabill stated that essentially, the loan for this project puts the final pieces of the puzzle together. He added that now was the time to ask for the full amount. He added that funding sources involved were an OPWC Grant (\$600,000), and ODOT Grant (\$3,098,163), Local Share for the ODOT Grant (\$221,540), and the OPWC Loan (\$1,325,854).

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

Voice vote on approval: all ayes; nays, non.

Resolution passed 6-0

Ordinance No. 4245-21

An Ordinance to revise the Codified Ordinances by adopting current replacement pages.

President Hess stated this was an annual Ordinance that updates the Codified Ordinances.

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

Voice vote on approval: 5 ayes, 1 nay from Mr. Scott.

Ordinance passed 5-1

Second Reading

Ordinance No. 4544-21

An Ordinance to amend Section 1102.01, Chapter 1123, and the principally permitted uses under Section 1124.02 and 1124.04 of the Codified Ordinances of the City of Urbana.

President Hess declared this Ordinance to have its second reading.

Third Reading

Ordinance No. 4429-21

An Ordinance adopting the Tax Budget of the City of Urbana, Ohio, for the fiscal year beginning January 1, 2022; submitting the same to the County Auditor.

Mrs. Boettcher stated the revenue would be in the amount of \$7,323,550.00, with expenses being in the amount of \$7,187,500.00, with revenue remaining in the amount of \$136,050.00.

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

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

Ordinance passed 6-0

COMMITTEE REPORTS

Mr. Thackery stated there was an Economic Development meeting scheduled for 7/7/21 at 5:00 p.m.

MISCELLANEOUS BUSINESS/WORK SESSION

Mr. Scott stated that he loved seeing the Sutphen sign on SR 55, and thanked the Urbana Lions Club for the flags and stated that if anyone wanted one, they could get one.

Mrs. Collier asked about the grass on Water St. Mr. Hurst stated that it's been a tie of communication. He added that the property owner assured that it would be taken care of, and if they don't, the City will take care of it, and then assess the amount.

Mr. Ebert stated that the preview day at North Pointe has been scheduled for July 18, 2021, from 2:00 p.m. – 5:00 p.m. He added that Dave Smith along with others have really gone to great lengths to make it more than a fishing pond.

Mr. Crabill advised that he received an email saying the City was granted the sum of \$379,500, from ODOT, for the West Court Street Bridge. He added that this project would begin in 2025.

Mr. Brugger said that the curb, gutter and sidewalk project was progressing on Scioto Street. He stated that the north side of the street was wrapping up, hopefully by the end of the week and then they would begin on the south side. He also mentioned that he has had some inquiries on the food truck ordinance. He said that there as a draft of the same about 3-4 years ago.

President Hess spoke about the Zoom meetings and stated as of July 1, 2021, Council Members would be considered absent if they were not present at the Council Meeting. Additionally, Council Members were not allowed to vote by Zoom. He added that Council would continue to

do the Zoom meetings to serve the community. He also spoke of the non-existent sidewalk by the newly built Senior Citizen Center and asked what could be done. Mr. Brugger advised that this issue should be directed to Law Director Mark Feinstein. Mr. Scott stated that he felt it was a safety issue and said that he would sponsor the legislation

Mr. Fields moved to adjourn. Mr. Ebert seconded.

Motion passed 6-0

ADJOURNED AT 6:37 p.m.

NEXT SCHEDULED MEETING

July 20, 2021, at 6:00 p.m.

Council Clerk

Council President

City of Urbana Shade Tree Commission Minutes – June 10, 2021 at 7:00PM (164)

Roll Call and Introductions:

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

Doug Crabill introduced Stephanie Truelove who had been recently appointed by Mayor Bean to serve as the 4th Ward Representative for the Urbana Shade Tree Commission.

Reading and Approval of Minutes (5/20/2021)

The minutes from the May 20, 2021 meeting were approved as prepared. Jim Lemon motioned to accept these minutes, and Ward Lutz seconded this motion. This set of minutes were approved unanimously 6-0.

Old Business:

Maintenance and Trimming Projects: Tree trimming priorities were discussed, and a work session was scheduled for Saturday, June 12, 2021 at 7:30AM to focus on Scioto Street and US 36 East. Ward Lutz, Jim Lemon, and Doug Crabill indicated that they planned to help. In addition to the trimming of branches and removal of water sprouts and suckers in these areas, the group agreed to cut down and pile approximately six (6) newer trees that were installed as part of the US 36 East Improvements Project that had died. Colin Stein offered for the Street Dept. to pick up any remaining debris from these efforts. Other tree trimming priorities will be determined as the year progresses.

Memorial Tree Program Update (Update Listing/Tree Markers): Doug Crabill reported that Ward Lutz and Jim Lemon had assisted with the installation of eleven tree markers with one additional marker still requiring replacement due to mower damage. These new markers were installed just prior to Memorial Day. In addition, Doug Crabill indicated that he had updated the memorial tree honoree listing, and he reported that the updated version would be uploaded to the city website. Lastly, he reported that he continued to work with the Engineering Dept. regarding GPS coordinates for tree inventory efforts.

Oak Dale Cemetery-Arboretum Update: Doug Crabill reported that he hoped to submit the accreditation application to ArbNet (Morton Arboretum) for certification of Oak Dale Cemetery as a Level 1 arboretum soon from the draft application that Kerry Brugger had put together.

Karen Kerns Dresser Donation (Naming & Sign): Doug Crabill shared that he and Kerry Brugger were working on initial signage concepts for Greenwood Arboretum at Oak Dale Cemetery in Memory of Karen Kerns Dresser. In addition, Doug Crabill shared a concept to add a sign below the Oak Dale Cemetery entrance sign that would be similar in material and style. In addition, he

shared that the Arborvitae around this existing sign had recently been removed with plans to add replacement plantings. Doug Crabill stated that he would check with Kerry Brugger to see if any progress had been made regarding a vendor and design proof for the proposed sign at the cemetery entrance.

Policies and Procedures (Administrative Regulation): Doug Crabill explained that the Shade Tree Commission will need to continue to develop policies and procedures that will address items not specifically addressed by the tree ordinance. Wooster, OH has a great example of policies and procedures. Potential policies include removal, owner planted trees, road/right of way blockage, reasons to warrant removal, planting/site preparation, and tree canopy goals. Kerry Brugger previously provided a draft document for a process flow for tree removals based on tree inventory results for review/evaluation by the commission. In addition, Doug Crabill reported that the tree work permit process was being used for new tree plantings and tree removals as required by the updated tree ordinance.

New Business:

Mulching: Doug Crabill reported that three yards of mulch had been purchased from Mad River Mulch and Topsoil for the mulching of Memorial Trees/Kerns Dresser Trees, and he reported that city staff was concerned that the load was smaller than anticipated. Furthermore, Doug Crabill stated he would coordinate to get additional mulch picked up and ready to be spread around the trees in anticipation of the upcoming, drier summer.

Watering: Doug Crabill stated that the mulching efforts would mitigate some watering efforts, but he shared that adequate rainfall would be required during the summer months or supplemental watering of new trees would be required.

2021 Street Tree Inventory: Jim Lemon reported that he would like to update the street tree inventory for 2021. He also indicated that he plans to note areas where topsoil is needed from previous stump removal work.

Misc. Business: Doug Crabill reported that the planned Tree City USA awards that were proposed to be held in Lancaster in June had been cancelled due to the pandemic.

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

Resolution No. 2613-21

A RESOLUTION AUTHORIZING THE CITY OF URBANA TO REQUEST, APPLY FOR AND/OR RECEIVE ITS DESIGNATED SHARE OF FUNDS FROM THE AMERICAN RESCUE PLAN ACT OF 2021 AND FURTHER AUTHORIZING THE MAYOR, DIRECTOR OF ADMINISTRATION, DIRECTOR OF FINANCE, AND OTHER APPROPRIATE CITY OFFICIALS AND PERSONNEL TO TAKE NECESSARY ACTIONS, AND DECLARING AN EMERGENCY.

WHEREAS, the American Rescue Plan Act of 2021, Public Law 117-2, (ARPA) was signed into law by the President of the United States on March 11, 2021; and

WHEREAS, the City of Urbana will be receiving funds from the American Rescue Plan Act which, among its overall provisions, provides federal payments to local governments for economic relief; and

WHEREAS, American Rescue Plan Act funds are expected to be received by the City of Urbana in two equal installments/tranches to be distributed through the State of Ohio, Office of Budget and Management, Ohio Grants Partnership; and

WHEREAS, under guidance issued or to be issued on a continuing basis by the United States Department of the Treasury, the Ohio Auditor of State, and/or other directly applicable agencies and/or government units, the City of Urbana is requesting, applying for and/or preparing to receive its designated and/or allocated share of funds from the American Rescue Plan Act of 2021; and

WHEREAS, for the deposit of the funds received from the American Rescue Plan Act of 2021, the City of Urbana will establish a Special Revenue Fund entitled American Rescue Plan Act of 2021 Fund per the authorization of Urbana City Council herein within the accounts of the City of Urbana.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Urbana, Ohio:

Section 1: That Urbana City Council affirms that all funds received from the American Rescue Plan Act of 2021 shall be expended and/or obligated/encumbered on or before December 31, 2024 with the period of performance extending through December 31, 2026.

Section 2: That Urbana City Council affirms that all funds received from the American Rescue Plan Act of 2021 shall only be used for eligible and permitted expenses and costs that are consistent with the federal guidelines issued, amended, and/or clarified by the United States Department of the Treasury.

Section 3: That Urbana City Council affirms that the City of Urbana will comply with all terms and conditions of award as required, including Title VI of the Civil Rights Act of 1964.

Section 4: That the Mayor, Director of Administration, and Director of Finance and other necessary and appropriate City of Urbana officials/personnel are hereby authorized to act on the City of Urbana's behalf to take all necessary actions to request, apply for and/or receive any and all such funds for which the City of Urbana is eligible and which have been allocated and/or designated to or for the City under the provisions of the American Rescue Plan Act of 2021 and to account for and report as necessary on their usage.

Section 5: That the Director of Finance shall be authorized to create a Special Revenue Fund for the City of Urbana entitled American Rescue Plan Act of 2021 Fund ("Fund") for receipt, expenditure, and or encumbrance of obligations of and for the herein referenced funds.

Section 6: That the Urbana City Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council were meetings open to the public in compliance with the law.

Section 7: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, convenience and welfare of the City of Urbana and the inhabitants thereof, for the reason that timing is of the essence, and shall take effect and be in force immediately upon passage by Council and approval by the Mayor.

Passed: _____

Marty Hess, Council President

Attest:

Amy Deere, Council Clerk

This Resolution approved by me this ____ day of _____, 2021.

Bill Bean, Mayor

Department requesting: Finance		Personnel: C. Boettcher	Director of Law review
Expenditure? Y (N)	Emergency? (Y) N	Public Hearing? Y (N)	
Readings required: (1) 2 3		If yes, dates advertised:	
First reading date: 7/20/21	Second reading date:	Third/Final reading date:	

Ordinance # 4546-21

AN ORDINANCE TO ADOPT AND APPROVE AN AMENDED STREET BOUNDARY LIST FOR THE URBANA DOWNTOWN REVITALIZATION DISTRICT THAT INCLUDES STREET ADDRESSES WITHIN MONUMENT SQUARE.

WHEREAS, on April 21, 2020, Urbana City Council approved Ordinance #4520-20, including required exhibits, to establish the Urbana Downtown Revitalization District; and

WHEREAS, on June 1, 2020, the Ohio Department of Commerce, Division of Liquor Control approved the City of Urbana's application to establish the Urbana Downtown Revitalization District pursuant to Ohio Revised Code Section 4301.81; and

WHEREAS, the boundary map exhibit approved by Urbana City Council and submitted with the application for the Urbana Downtown Revitalization District included all of Monument Square; and

WHEREAS, the street boundary list exhibit approved by Urbana City Council and submitted with the application for the Urbana Downtown Revitalization District inadvertently omitted street addresses within Monument Square; and

WHEREAS, the Department of Commerce, Division of Liquor Control, has denied a liquor permit application within Monument Square on the basis that the address is not included within the Urbana Downtown Revitalization District; and

WHEREAS, Monument Square and its street addresses were intended to be included within the Urbana Downtown Revitalization District and the Department of Commerce, Division of Liquor Control has provided guidance to the city on the process to amend the street boundary list; and

WHEREAS, the amended street boundary list is attached to this legislation as "Exhibit A"; and

WHEREAS, a public notice regarding this legislation and a public hearing regarding the amended street boundary list for the Urbana Downtown Revitalization District was published in the *Urbana Daily Citizen* on July 17, 2021; and

WHEREAS, a public hearing was held on Tuesday, August 3, 2021 at 6:00PM in Council Chambers regarding the amended street boundary list for the Urbana Downtown Revitalization District.

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

Section 1: That all publication and public hearing requirements related to this legislation and the amended street boundary list for the Urbana Downtown Revitalization District have been met.

Section 2: That Urbana City Council hereby formally adopts and approves the amended street boundary list for the Urbana Downtown Revitalization District that is attached to this legislation as "Exhibit A" and further authorizes submittal of this amended street boundary list to the Ohio Department of Commerce, Division of Liquor Control.

Section 3: That it is found and determined that all formal actions of Urbana City Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in such formal action, were in meetings open to the public, in compliance with the law.

Section 4: That this Ordinance shall be in full force and effect from and after the earliest period allowed by law.


Passed: _____

Council President

Attest: _____
Council Clerk

This Resolution approved by me this ____ day of _____, 2021.

Mayor

Department requesting: Community Development		Personnel: D. Crabill	Director of Law review
Expenditure? Y (N)	Emergency? Y (N)	Public Hearing? (Y) N	
Readings required: 1 2 (3)		8/3/2021 at 6PM If yes, dates advertised: 7/17/2021	
First reading date: 7/20/2021	Second reading date: 8/3/2021	Third/Final reading date: 8/17/2021	

Anticipated effective date if approved: 8/31/2021

Urbana Downtown Revitalization District - Street Boundary List

Champaign County
City of Urbana
Urbana Downtown Revitalization District

Exhibit A
Ordinance # 4546-21

Original Street Boundary List:

Effective Date: 5/5/20

<u>Street Name</u>	<u>Range</u>	<u>Even/Odd</u>
East Ward Street	101-199	Odd
West Ward Street	101-117	Odd
East Church Street	100-119	Even & Odd
West Church Street	100-110	Even & Odd
East Court Street	100-299	Even & Odd
West Court Street	100-398	Even
West Court Street	101-499	Odd
Scioto Street	100-299	Even & Odd
Miami Street	100-498	Even
Miami Street	101-299	Odd
East Market Street	100-299	Even & Odd
West Market Street	100-199	Even & Odd
East Water Street	100-298	Even
East Water Street	101-117	Odd
West Water Street	100-198	Even
North Kenton Street	100-216	Even
South Kenton Street	100-298	Even
North Locust Street	100-214	Even & Odd
North Locust Street	320-398	Even
South Locust Street	100-299	Even & Odd
South Main Street	100-298	Even
South Main Street	101-313	Odd
North Main Street	100-399	Even & Odd
South Walnut Street	100-118	Even
South Walnut Street	101-299	Odd
North Walnut Street	100-218	Even & Odd
South High Street	101-117	Odd
North High Street	100-218	Even & Odd
North Russell Street	100-198	Even
North Russell Street	101-217	Odd
Washington Street	101-199	Odd

Added Street Boundary List:

Effective Date: 8/31/21

<u>Street Name</u>	<u>Range</u>	<u>Even/Odd</u>
Monument Square	1-42	Even & Odd