

**URBANA CITY COUNCIL
PUBLIC HEARING
TUESDAY, FEBRUARY 1, 2022, AT 6:00 P.M.**

The Urbana City Council will hold a public hearing at 6:00 pm on Tuesday, February 1, 2022 in the City Municipal Building Council Chambers located at 205 South Main St. in Urbana, OH 43078 to consider the following proposals:

1. Amendment to Section 1133.08 (Parking Space Requirements) of the Codified Ordinances of the City of Urbana, Ohio.
2. Update to the City of Urbana's Official Zoning Map by establishing zoning for parcel K48-25-11-01-30-004-00, also known as 1673 US Hwy 68 as R-1 Low Density Residential District.
3. Create a new subsection of code to be placed in Chapter 1133 (Off-Street Parking and Loading) of the Codified Ordinances of the City of Urbana, Ohio.
4. Update to the City of Urbana's Official Zoning Map by establishing City designated zoning classification for two recently-annexed properties as BR-1 (Business Residential) District.
5. Amendment to the City of Urbana's Official Zoning Map by rezoning approximately 45 parcels in the area of Storms Avenue, College Way, Grand Avenue, and Clay Street currently zoned M-1 Manufacturing District, to R-2 Medium Density Residential District.

**URBANA CITY COUNCIL
REGULAR SESSION MEETING**

February 1, 2022

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

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.

-
- **Call to Order**
 - **Roll Call**
 - **Pledge of Allegiance**
 - **Chamber of Commerce Visitor's Bureau Update (Sara Neer & Elton Cultice)**

- **Approval of Minutes:**
Urbana City Council Regular Session Meeting Minutes of January 18, 2022.
- **Communications (see attached)**
 1. Oak Dale Cemetery Board Meeting Minutes of November 19, 2021 (See Attached)
 2. Communication from the Ohio Division of Liquor Control dated January 7, 2022, regarding the new liquor permit application for the Spotted Cow Coffeehouse, 113 N. Main St. (See Attached)
 3. Safety Committee Meeting Minutes of January 20, 2022 (See Attached)
 4. Ohio Ethics Commission Filing Reminder (See Attached)
- **Board of Control:**
 1. The Board of Control recommends Council authorize a purchase order to American Rock Salt Co. LLC for the purchase of 880 tons of roadway salt in the amount of \$55,431.20. This purchase is through the 2021-2022 ODOT Salt Bid program. This expense will be charged to the Street Fund and is in the 2022 budget (see attached). **VOTE: 3-0**
- **Citizen Comments:** (In Person Only; Must Sign-in)
- **Ordinances and Resolutions**

Old Business:

Third Reading: None

Second Reading:

Ordinance 4559-22: An ordinance to amend Section 1133.08 (Parking Space Requirements) of the Codified Ordinances of the City of Urbana, Ohio. (Three readings, public hearing required)

Ordinance 4560-22: An ordinance to update the City of Urbana's Official Zoning Map by establishing zoning for parcel K48-25-11-01-30-004-00, also known as 1673 US Hwy 68 as R-1 Low Density Residential District. (Three readings, public hearing required)

Ordinance 4561-22: An ordinance to create a new subsection of code to be placed in Chapter 1133 (Off-Street Parking and Loading) of the Codified Ordinances of the City of Urbana, Ohio. (Three readings, public hearing required)

Ordinance 4562-22: An ordinance to update the City of Urbana's Official Zoning Map by establishing City designated zoning classification for two recently-annexed properties as BR-1 (Business Residential) District. (Three readings, public hearing required)

Ordinance 4563-22: An ordinance to amend the City of Urbana's Official Zoning Map by rezoning approximately 45 parcels in the area of Storms Avenue, College Way, Grand Avenue, and Clay Street currently zoned M-1 Manufacturing District, to R-2 Medium Density Residential District. (Three readings, public hearing required)

New Business:

First Reading:

Resolution 2584-22: A resolution authorizing the Director of Administration of the City of Urbana, to execute the Airport Rescue Grant Offer, Grant No. 3-39-0080-026-2022 for the Grimes Field Airport (I74), and declaring an emergency. (Passage on 1st Reading)

Resolution 2627-22: A resolution declaring the necessity of improving South and North Main Street in the City of Urbana, Champaign, Ohio by constructing or repairing curbs, gutters, driveway approaches and appurtenances thereto on a section of South Main Street between State Route 55 and Market Street and on a section of North Main Street between Court Street and Washington Avenue/Gwynne Street, and declaring an emergency. (Passage on 1st Reading)

Ordinance 4564-22: An ordinance accepting the annexation of two tracts (Now combined into parcel #I30-09-12-19-00-008-00) totaling 2.030 acres, more or less, to the City of Urbana, Ohio. (Three readings)

Ordinance 4565-22: An ordinance repealing and replacing section 931.24 (Sanitary Sewer Capacity Fee) of the Urbana Codified Ordinances (Three readings, public hearing required)

Ordinance 4566-22: An ordinance repealing and replacing section 939.07 (Water Capacity Fee) of the Urbana Codified Ordinances (Three Readings, public hearing required)

- **Committee Reports:**

- **Miscellaneous Business:**

1. Council

2. Administration

- The City Annual Review will be distributed at the meeting on 2/1 and discussed at this time.

3. Council Clerk

- **Next Meeting:** Tuesday, February 15, 2022

- **Adjourn**

**URBANA CITY COUNCIL
REGULAR SESSION MEETING
TUESDAY, JANUARY 18, 2022**

President Hess called 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, City Engineer Tyler Bumbalough, City Zoning and Compliance Officer Preston Carter, Consultant Dusty Hurst, Fire Chief Dean Ortleib, and Police Chief Matt Lingrell

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

Minutes: None

Council Clerk Appointment

Mr. Thackery moved to put the appointment of Roger Steffan as City Council clerk on the floor for further discussion and possible discussion. Mr. Paul seconded.

Voice vote on approval; all ayes, nays none.

Urbana Police Division ‘Civilian Award’ Presentation

Chief Lingrell spoke to the importance of recognizing great citizens in the city of Urbana. This past summer, UPD responded to a stabbing incident at the hospital. Officers had been investigating for roughly five hours when they received a call from Jeremy Hodges. Mr. Hodges witnessed the stabbing, carried the victim to his residence, and then called the victim’s girlfriend. During that time, Mr. Hodges witnessed the suspect, befriended him, and played cards at the suspect’s residence. After the suspect passed out, Mr. Hodges took photographs, collected the knife without contamination, and then called law enforcement.

Sgt. Kizer then presented the ‘Civilian Award’ with Officers Harris, Curl, and Williams present. Sgt. Kizer remarked that it is not often law enforcement receives a call where a witness has located the suspect and preserved evidence. Mr. Hodges was thanked for his actions.

Communications

1. Miami Valley Risk Management Association (MVRMA) ‘Elected Officials Training’

Mr. Paul did not remember this specific training before. He was unsure if this seminar would count for required training.

Mr. Scott indicated he would not be present.

Voice vote on approval; all ayes, nays none.

Administrative Reports – Board of Control

1. Anthem group health insurance and related life, vision (EyeMed), and dental insurances - \$1,734,847.00

Mr. Scott moved to put this request on the floor for further discussion and possible discussion. Mr. Paul seconded.

Ms. Boettcher stated that the City had multiple negotiations with a number of insurance providers for finding the best plan. United, the provider the city had been using, originally quoted a 23 % increase. Negotiations lowered that amount to 9.9%. Anthem insurance provided the best rates, at only a 5.5 % increase. Eye and dental remains the same.

Mr. Paul indicated that a 5.5% increase is pretty standard. Mr. Hess inquired as to the total number of people insured by the figure. Ms. Boettcher informed the council it represented eighty employees. Mr. Hess reminisced to when the city would be covered by only \$700,000.

Voice vote on approval; all ayes, nays none.

2. Dunrobin Associates, LLC, for right-of-way acquisition services for the South High Street Improvements Project - \$312,062.00 (Capital Improvement Fund)

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

Mr. Bumbalough stated this was for the road reconstruction and curb/storm improvements on South High street. 82 parcels are involved, about half of which are temporary takes to adjust such issues as correcting grades and extending driveways. Dunrobin was selected from five or six submissions upon looking at qualifications.

Mr. Scott inquired if this included the eventual cost of the land.

This does not include the eventual purchase of the land. That will be in addition down the road at approximately \$150,000 to \$200,000. This only is for the management, providing such services as title research and comparing home values. There have also been grants for ODOT, which may be used for this funding.

Mr. Paul inquired if the acquisitions would be greater than a foot or two.

It has the potential but Mr. Bumbalough does not believe it would be greater than three or four feet, for example, at an intersection where a handicap ramp was needed.

Mr. Paul indicated if you want to do a project like this, this is a service you need. Mr. Thackery inquired as to the schedule. Mr. Bumbalough reported the consulting would start immediately, land acquisition would be approximately next February, bids would be May 2023, and the project would be approximately two years.

Ms. Jumper abstained from comment as one of her properties is affected by this project.

Voice vote on approval; five ayes, no nays, Ms. Jumper abstains.

Citizen Comments: None

ORDINANCES AND RESOLUTIONS

Third Reading:

Ordinance No. 4395-22

An ordinance approving a collective bargaining agreement between the City of Urbana, Ohio of Urbana Police Patrol Officers and the Fraternal Order of Police/Ohio Labor Council, Inc., and declaring it an emergency.

Mr. Thackery moved to put this Ordinance on the floor for discussion and passage. Mr. Paul seconded. No questions. President Hess called for a roll call for passage: Ms. Jumper, yes; Mr. Scott, yes; Mr. Paul, yes; Mr. Thackery, Mrs. Collier, yes; and Mrs. Bean, yes.

Ordinance passed 6-0.

Ordinance 4396-22

An ordinance approving a collective bargaining agreement between the City of Urbana, Ohio and the City of Urbana Police Sergeants and the Fraternal Order of Police/Ohio Labor Council, Inc. and declaring it an emergency.

Mr. Paul moved to put this Ordinance on the floor for discussion, waive description, and vote on passage. Mr. Scott seconded. President Hess called for a roll call for passage: Mr. Scott, yes; Mr. Paul, yes; Mr. Thackery, Mrs. Collier, yes; Mrs. Bean, yes; and Ms. Jumper, yes.

Ordinance passed 6-0.

Second Reading: None

First Reading:

Resolution 2437-22

A resolution confirming appointments to the Tax Incentive Review Council (TIRC) for calendar year 2022. (Passage on 1st Reading)

Mr. Brugger spoke to the importance to keep the roster current and the decision to place both the council representative and the residents' representatives under the same resolution. This will need to be updated every year.

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

Mr Paul inquired of Mrs. Bean to make sure she was comfortable serving as the council representative. She was, and also informed the council that the Resident representatives would be Tom Coles and Pat Bass.

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

Resolution passed 6-0.

Resolution 2625-22

A resolution to authorize preliminary approval between the City of Urbana, Champaign County, Ohio and Ohio Department of Transportation for pavement planning and resurfacing of United States Route 68 from just south of Pearce Place (SLM 5.36) to Washington Avenue (SLM 6.93), omitting the roundabout at US 36 and declaring an emergency. (Passage on 1st reading)

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

Mr. Bumbalough spoke as to how this was the preliminary legislation to be on board with the project. ODOT will follow up later at the time of bids to make sure we will pay our share (20%). The project is approximately one block each way from the roundabout. Bids will be in June/July. Preliminary estimates are around \$460,000 total. These estimates tend to be low. The city has budgeted our share to be around \$125,000.

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

Ordinance 4559-22

An ordinance to amend Section 1133.08 (Parking Space Requirements) of the Codified Ordinances of the City of Urbana, Ohio. (Three readings, public hearing required)

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

Mr. Carter stated that the current requirement for parking spaces in the city calls for one space per 1,000 square feet of office space. The city wants to move away from parking deserts due to the increase in automation. The new requirement would be 1.1 spaces per every employee.

Restaurants would also see a change in parking requirements. This ordinance would require 1 parking space per employee and 1 space for every four seats for patrons.

Require 1 space per 1,000 square feet.

Mr. Scott inquired if there would be different requirements due to the lack of downtown parking areas. Mr. Carter indicated there would be.

Mr. Paul asked how this would be enforced. Mr. Carter stated that the city would enforce on new development by requiring the spaces for zoning permits.

President Hess declared this Ordinance to have its first reading.

Ordinance 4560-22

An ordinance to update the City of Urbana's Official Zoning Map by establishing zoning for parcel K48-25-11-01-30-004-00, also known as 1673 US Hwy 68 as R-1 Low Density Residential District. (Three readings, public hearing required)

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

Mr. Carter informed this is the current zoning for the K-8 Urbana City Schools building. Currently it is unzoned. The city does not have specific educational designations. Any new construction would require zoning permit.

Mr. Paul asked about the difference between PUD and R-1 designations.

Mr. Carter stated it was incumbent on the school for plans down the road. It is not at a point to do so now. This is a placeholder for development. The issue will probably come back in the future.

Mr. Brugger indicated the property was R-1 in the township, before annexed into the city.

President Hess declared this Ordinance to have its first reading.

Ordinance 4561-22

An Ordinance to create a new subsection of code to be placed in Chapter 1133 (Off-Street Parking and Loading) of the Codified Ordinances of the City of Urbana, Ohio. (Three readings, public hearing required)

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

Mr. Carter stated that this would prohibit any parking on anything other than durable and dustless surfaces. It prohibits parking on grass and dirt. It would also prohibit campers and trailers from parking on grass or dirt. It also would allow people to reside in campers or trailers for only 72

hours unless in an area specifically designated for camper/rv use (Such as the fairgrounds). This ordinance would also address semis being parked in non-commercial areas.

Ms. Jumper asked if you can park one's own rv in their own backyard. Mr. Carter stated that it would need to be on an approved surface.

Mr. Scott asked how three days in a calendar year would be enforced. Mr. Carter responded that the enforcement would go more towards long term abuse, months at a time.

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

Ordinance 4562-22

An ordinance to update the City of Urbana's Official Zoning Map by establishing City designated zoning classification for two recently-annexed properties as BR-1 (Business Resident) District. (Three readings, public hearing required)

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

Mr. Carter spoke that these newly annexed properties are surrounded by business in all directions. In the future, they could potentially be turned into businesses.

Mr. Paul was concerned about creative spot zoning.

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

Ordinance 4563-22

An ordinance to amend the City of Urbana's Official Zoning Map by rezoning approximately 45 parcels in the area of Storms Avenue, College Way, Grand Avenue, and Clay Street currently zoned M-1 Manufacturing District, to R-2 Medium Density Residential District. (Three readings, public hearing required)

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

Mr. Carter explained that this rezoning would more accurately reflect what is in existence today. The Q3 property would not be affected. It would also match what is already in the area.

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

The Public hearing for all five ordinances will be held at the next regularly scheduled council meeting on February 1, 2022.

Committee Reports: Mr. Thackery proposed to have a work session on Tuesday, January 25, 2022 to discuss the structures of the committees. Mrs. Bean seconded.

Voice vote on approval; all ayes, nays none.

Miscellaneous Business

Mr. Scott inquired about the 25% split of the income tax required to go to the Capital Improvement Fund. Mr. Boettcher informed Council that this is how it is written in the Charter. When the additional income tax rate proposal was discussed, 25% would have went to 402, the capital improvement fund for police and fire.

Mr. Scott also thanked Mrs. Bean for being the TIRC representative.

Mr. Paul asked if the city had heard anything about the East Elementary residential lot. Mr. Brugger had not heard anything from the School District. He is sending inquiries to the School.

Mr. Paul also requested to set the pay rate for Roger Steffan, as the new council clerk. He motioned to set the rate at \$16,000 per year and requested a vote. Mr. Scott seconded.

Voice vote on approval; all ayes, nays none.

Chief Ortleib informed council that the NIMS G 402 training would be held on 4/23 with ten spots currently available. The new pumper was to go in service on 1/19 with a brief ceremony being held that morning. Safety committee was also to be held on 1/20 with the main topic for conversation being the new fireworks law starting in July. The safety committee would be discussing how the city may want to act and any possible enforcement.

Mr. Paul indicated that the safety committee should be kept the same for the upcoming meeting.

Mr. Feinstein informed the council that the agenda for the work session must be limited to what is decided upon by council tonight. Miscellaneous business is not technically allowed for work sessions. Topics discussed included the laying to bed of the salary commission, potential changes to Ordinances 4561 and 4562, the fireworks legislation, and committees.

Mr. Thackery wanted to look at the timeframe of each issue so council does not get overwhelmed. Mr. Scott believes the fireworks issue can wait since the new law does not go take affect until July. The other four topics will comprise the agenda for the work session.

Mr. Hurst stated that Legacy Place is having an open house for the public, currently planned for February 14th. This is thought to be an all day affair with a formal agenda later.

Mr. Brugger stated that the Legacy Place walkthrough was pretty impressive. He also thanked the council for the final labor agreement approval for law enforcement. The city is no going to move into central staff ordinances and salary staff. The city is going to try to get back to council for next month.

Mrs. Collier also informed anyone interested that the USPS was offering COVID-19 test kits. One would just search on their website and can receive for test kits for free.

ADJOURNED AT 7:28 p.m.

NEXT SCHEDULED MEETING

February 1, 2021, at 6:00 p.m.

Council Clerk

Council President

Oak Dale Cemetery Board
Meeting Minutes Friday, November 19, 2021

COPY

Board Members Present: Wayne Smith, Bill Edwards, Patsy Thackery, Tonya Barrett and Stephanie Truelove

Others Present: Bob Jumper, Kerry Brugger

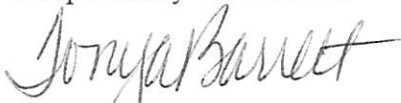
Wayne Smith called the meeting to order at 3:15pm

Minutes were reviewed from the earlier meeting on November 19, 2021 meeting. Bill Edwards made a motion to approve the minutes, seconded by Wayne Smith. Motion unanimously approved.

The next meeting will be on Friday January 21, 2022 at 2:30 pm at the City Building Training Room.

Bill Edwards made a motion to adjourn, seconded by Patsy Thackery. Motion unanimously approved.

Respectfully submitted,



Tonya Barrett

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

Township Fiscal Officer

Clerk of City Council

Clerk of County Commissioner

(Date)

(Signature)

WE DO NOT REQUEST A HEARING. IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE. DID YOU MARK A BOX? PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

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

(MUST MARK ONE OF THE FOLLOWING)

(TRANSACTION & NUMBER)

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL WHETHER OR NOT THERE IS A REQUEST FOR A HEARING. REFER TO THIS NUMBER IN ALL INQUIRIES. **A NEW 8443141**

MAILED 01/07/2022 RESPONSES MUST BE POSTMARKED NO LATER THAN 02/07/2022



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

FROM 01/07/2022

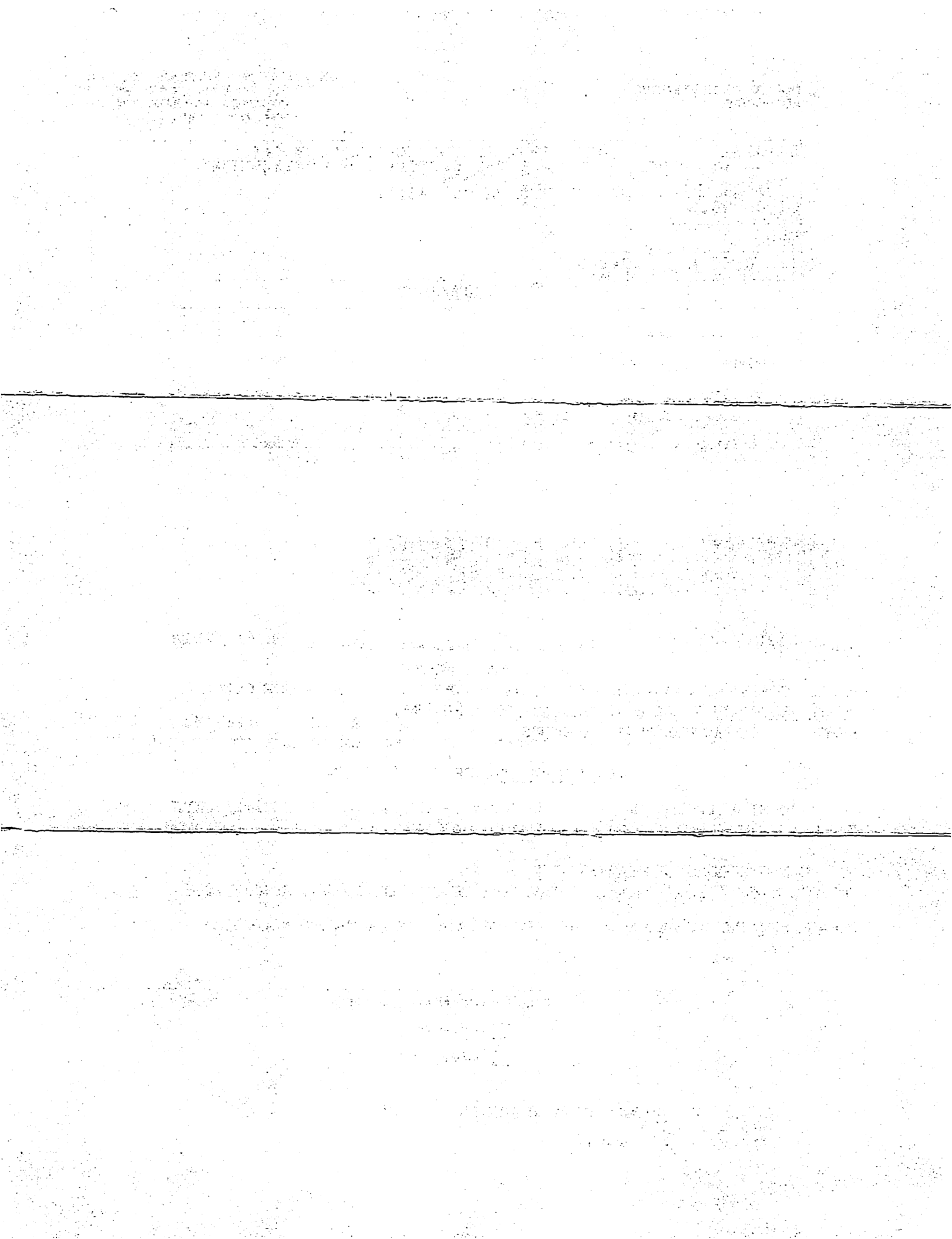
PERMIT NUMBER		ISSUE DATE		FILING DATE		PERMIT CLASSES		TAX DISTRICT		RECEIPT NO.	
NEW 8443141		01 05 2022		01 05 2022		DSL		11 066 A		D24805	

DBA THE SPOTTED COW COFFEEHOUSE
113 N MAIN ST
URBANA OH 43078

TO

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

NOTICE TO LEGISLATIVE
AUTHORITY





**Department
of Commerce**

Rev 2/10/2021

Mike DeWine, Governor
Jan Husted, Lt. Governor

Division of Liquor Control
Sheryl Masfield, Director

Dear Local Legislative Authority Official:

Please find enclosed the legislative notice that is being sent to you regarding the applied for liquor permit as captioned on the notice. You must, within 30 days from the "mailed" date listed on the notice under the bar code:

- Notify the Division whether you object and want a hearing or not; or
- Ask for your one-time only, 30-day extension.
 - Any requests for a one-time, 30-day extension will be reviewed by the Division upon timely receipt. If granted, your additional 30-days runs from the expiration of the original 30-day period.

To be considered timely, your above response must be:

FAXED to the Division no later than 30 days after the "mailed" date (this is the date listed after the "responses must be postmarked no later than." You can fax your response to: (614) 644 - 3188

EMAILED to the Division no later than 30 days after the "mailed" date (this is the date listed after the "responses must be postmarked no later than." You can email your response to: LiquorLicensingMailUnit@com.state.oh.us

POSTMARKED, if mailed, no later than the date listed on the notice after "responses must be postmarked no later than." You can mail your response to

Ohio Division of Liquor Control
Attn: Licensing Unit
6606 Tussing Road
PO Box 4008
Reynoldsburg, Ohio 43068-9006

In an effort to speed up processing times and reduce paper, the Division respectfully asks that you either fax or email the above notice. In a similar effort, please note that the Division is no longer sending ownership information with this legislative notice. If you want to know who owns the applied for permit you can find that information in two ways:

- Go to https://www.comapps.ohio.gov/lqr/lqr_apps/PermitLookup/PermitHolderOwnership.aspx and enter the permit number listed on the legislative notice; or
- Contact your police department or county sheriff, if you are a township fiscal officer or county clerk, as the Division sends the applicable law enforcement agency the pertinent ownership disclosure information when it notifies them of the permit application.

11/11/11

11/11/11

11/11/11

11/11/11

11/11/11

11/11/11

11/11/11

11/11/11

11/11/11

11/11/11

11/11/11

11/11/11

City of Urbana
Public Safety Committee
Minutes 01/20/22

Chief Ortlieb called the meeting to order at 1800 with Mrs. Collier, Mr. Thackery, and Chief Ortlieb present. Also present was a member of the community. The City of Urbana, Public Safety Committee is a standing committee to provide an avenue for the council and its public safety divisions to contribute to the overall safety of the community it serves. The agenda included budget forecasting, an annual report, and Ohio's new fireworks law.

Chief Ortlieb started the meeting by discussing the need for forecasting the division's budget and the benefits of doing so. General budget items were discussed along with the year that some capital items were scheduled for purchase. All agreed that forecasting was a necessary tool and wanted to discuss it in more detail at a future meeting.

The meeting was transitioned to the division's annual report. Chief Ortlieb gave a copy of the division's report to both members and a copy was saved for Mr. Paul. Chief Ortlieb asked that they review the report in the next couple of weeks and to ask any questions or voice concerns to him over any part of the report.

The final topic of the night was the new Ohio fireworks law that will go into effect on July 01 of this year. Chief Ortlieb reviewed three main areas of concern: local selling, regulation, and enforcement of fireworks related to the law. All agreed there needed to be more discussion on the topics and thought it to be appropriate to discuss further in a future meeting.

The meeting was adjourned at 1942



Ohio Ethics Commission Filing Reminder

2021 Financial Disclosure Statement to be Filed in 2022

Dear City Official,

You are receiving this letter because you are currently serving or have served at some point in 2021 or 2022 in a city elected office. Ohio law **requires** that all individuals serving for any amount of time in **2021** or **2022** in such positions file a calendar year 2021 financial disclosure statement.

The filing deadline is **MONDAY, MAY 16, 2022**, unless you are filing for any of the following reasons:

If you were appointed to an unexpired term in 2022, you are required to file a 2021 financial disclosure statement within **fifteen** days of being sworn in.

If you will be a candidate in 2022 for the same office or any other elected office which would require you to file a calendar year 2021 financial disclosure statement **and** are certified to a ballot prior to May 16, 2022, you are required to file 30 days (20 days for write-in candidates) before the first primary, special, or general election when your name will appear on a ballot. If you are not certified to the ballot prior to May 16, 2022 you must file by May 16, 2022.

CANDIDATE FILING DEADLINES:

ELECTION	ELECTION DATE	CANDIDATE FILING DEADLINE	WRITE-IN CANDIDATE FILING DEADLINE
Primary	Tuesday, May 3, 2022	Monday, April 4, 2022	Wednesday, April 13, 2022
General	Tuesday, November 8, 2022	Tuesday, October 11, 2022	Wednesday, October 19, 2022
Special		30 days before election	20 days before election

HOW TO FILE OR OBTAIN A STATEMENT TO COMPLETE:

You may file electronically at <http://disclosure.ethics.ohio.gov>. Alternatively, blank calendar year 2021 financial disclosure statements are available for download on the Commission's website at <http://ethics.ohio.gov>.

If you have any questions regarding financial disclosure, please feel free to contact me at (614) 721-8670.

Regards,

Jen Boger
Financial Disclosure Coordinator

BOC #1

Chris Boettcher

From: Kerry Brugger
Sent: Wednesday, July 28, 2021 4:55 PM
To: Colin Stein; Chris Boettcher; Chad Hall
Cc: Deb Aksenczuk
Subject: FW: 2021-2022 Salt Award Bid Results

Good afternoon,

ODOT Salt Bid Awarded to American @ 62.99/ton (6.03% less than last year). We bid 800 tons, so our commitment is \$50,392.

Following is a breakdown for the District 7 bids for Champaign County, with an excerpt from the spreadsheet.

American: \$62.99/ton (Awarded)
Cargill: \$71.25/ton
Compass: \$71.52/ton
Mid-American: No Bid
Morton: \$73.10/ton

DISTRICT 7					
County	ODOT Requested Tonnage	Political Subdivision Requested Tonnage	Combined Tonnage	Awarded Price	Awarded Vendor
Angelaire	5,955	2,400	8,355	\$74.53	CARGILL
Champaign	6,477	3,000	9,477	\$62.99	AMERICAN
Clark	4,500	10,620	15,120	\$62.54	AMERICAN
Darke	4,500	3,525	8,025	\$73.21	MORTON
Loan	7,568	2,600	10,168	\$70.38	CARGILL
Mercer	4,500	2,600	7,100	\$75.46	COMPASS
Miami	4,500	1,800	6,300	\$70.05	COMPASS
Montgomery	4,500	4,000	8,500	\$68.96	MORTON
Shelby	3,946	2,500	6,446	\$73.57	MORTON
TOTAL	46,446	33,045	79,491		

Kerry Brugger | 937.652.4302 | www.urbanaohio.com

From: Tina.Collins@dot.ohio.gov <Tina.Collins@dot.ohio.gov>
Sent: Tuesday, July 27, 2021 2:57 PM
To: Tina.Collins@dot.ohio.gov
Subject: 2021-2022 Salt Award Bid Results

Good afternoon,

We've been getting some questions about the Salt Award for the 2021-2022 season. You can get the awarded vendor and pricing information at the following link:

<https://www.dot.state.oh.us/Divisions/ContractAdmin/Contracts/Construction/018-22a-20210727.xls>

If you have any questions, please let us know.

Thanks

Tina

Tina Collins, MBA, MPM

Contract Sales

1980 West Broad Street

Columbus, Ohio 43223

(p) 614.466.2314

transportation.ohio.gov



ORDINANCE NO. 4559-22

AN ORDINANCE TO AMEND SECTION 1133.08 OF THE CODIFIED ORDINANCES OF THE CITY OF URBANA.

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 December 20, 2021, the Planning and Zoning Staff formally requested an amendment to Section 1133.08 of the Codified Ordinances of the City of Urbana; and

WHEREAS, on December 20, 2021, the City of Urbana Planning Commission recommended by a 7-0 vote that Council approve the requested amendments; and

WHEREAS, Council held a public hearing pursuant to Chapter 1113.09 of the Codified Ordinances of the City of Urbana on Tuesday, February 1, 2022.

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

SECTION ONE:

That the existing Section 1133.08 of the Codified Ordinances of the City of Urbana, Ohio is hereby amended, to read (proposed changes in red):

1133.08 PARKING SPACE REQUIREMENTS.

For the purpose of this Part, the following parking space requirements shall apply:

(a) Auditoriums, theaters and similar uses.	One space for each four seats.
(b) Automotive filling station.	One space for each two pumps.
(c) Automotive repair.	Two spaces for each service bay.
(d) Automotive sales.	One space for each 800 square feet of floor area.
(e) Bed and breakfast establishments..	One space for each guest room plus two spaces for the permanent residence.
(f) Club.	Four spaces for each 1,000 square feet of floor area.
(g) Convalescent care facility.	One space for each two beds.
(h) Convenience store.	One space for each 100 square feet of floor area.
(i) Day care facility (child).	One space for each staff member plus one space for each five children at design capacity.

(j) Eating and drinking establishments.	One space for each 100 square feet of floor area plus sufficient stacking space for five vehicles at each drive thru window.
(k) Educational institutions.	Two spaces for each classroom plus one space for each four seats in the auditorium. High schools shall also include one space for each ten students at design capacity.
(l) Financial Institutions.	One space for each 250 square feet of floor area plus sufficient stacking space to accommodate the number of automobiles equal to five times the number of teller windows.
(m) Funeral Home	One space for each 50 square feet of floor area plus one reserved space for each hearse or company vehicle.
(n) Group home.	One space for each four beds.

(o) Hospital.	One space for each two beds.
(p) Hotel/motel.	One space for each sleeping room plus one space for each 400 square feet of public meeting area and/or restaurant space.
(q) Industrial/manufacturing.	1.1 spaces for each employee based on the working period when the maximum number of employees are employed on the premises.
(r) Medical or dental clinic.	One space for each 250 square feet of floor area of examination room, treatment room and waiting room.
(s) Office.	One space for each 200 square feet of floor area.
(t) Personal services.	One space for each 200 square feet of floor area.
(u) Public assembly hall.	One space for each 50 square feet of floor area.
(v) Public buildings.	One space for each 200 square feet of floor area.
(w) Recreation, commercial.	One space for each three seats or one space for each 100 square feet, whichever is greater.
(x) Recreation, non-commercial.	One space for each participant at maximum utilization.
(y) Religious places of worship.	One space for each five seats in the place of assembly.
(z) Residential, mobile home	Two spaces for each dwelling unit.
(aa) Residential, multi-family.	Two spaces for each dwelling unit, except in the central business district (B-2) where one parking space per unit is required.
(bb) Residential, single family.	Two spaces for each dwelling unit.

(cc) Residential, two family.	Two spaces for each dwelling unit.

(dd) Restaurants	One (1) space for every 4 customer seats plus one (1) space for each employee based on the working period when the maximum number of employees are employed on the premises.
(ee) Restaurants, fast-food.	One (1) space for every 4 customer seats plus one (1) space for each employee based on the working period when the maximum number of employees are employed on the premises plus sufficient stacking space for eight (8) vehicles at each drive thru window.
(ff) Restaurant, Drive-in	Five spaces for each 1,000 square feet of floor area.
(gg) Restaurant, Carryout	One (1) space for every 4 customer seats plus one (1) space for each employee based on the working period when the maximum number of employees are employed on the premises or one (1) space for every 200 square feet plus one (1) space for each employee based on the working period when the maximum number of employees are employed on the premises. One space for each 300 square feet of pool and promenade area.
(hh) Retail Business	One space for each 250 square feet of floor area.
(ii) Swimming Club	One space for each 300 square feet of pool and promenade area.
(jj) Warehousing	1.1 spaces for each employee based on the working period when the maximum number of employees are employed on the premises.

SECTION TWO:

That the City of Urbana Planning Commission’s recommendation to approve the request to add to Chapter 1133 is attached and labeled as “Exhibit A”.

SECTION THREE:

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 pursuant to Urbana Codified Ordinance 1113.09, with notice by publication pursuant to Urbana City Charter Section 2.16, on January 21, 2022.

SECTION FOUR:

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

Department requesting: Administration/Zoning		Personnel: Preston Carter	Director of Law Review  WILLIAM M. FENSTER DIRECTOR OF LAW REVIEW CITY OF URBANA, OHIO
Expenditure? Y (N)	Emergency? Y (N)	Public Hearing? (Y) N If yes, dates advertised: 01/21/2022	
Readings required: 1 2 (3)			
First reading date: 01/18/2022	Second reading date: 02/01/2022	Third/Final reading date: 02/15/2022	

Anticipated effective date if approved: 03/02/2022

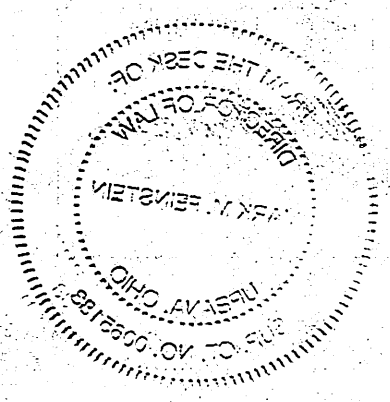
1. [Illegible]

2. [Illegible]

3. [Illegible]

4. [Illegible]

5. [Illegible]





Planning Commission

December 20, 2021, Meeting Minutes

Attendance

Members Present: Kimberly Gordon-Brooks; Eric Samuelsson (Chair); Kerry Brugger; Richard Kerns; Jennifer Dunham-Young;

Member(s) Absent: Steve Brandeberry; Bill Bean

Guests Present: Rod Hines; Karen Hart; Ralph P; RCR

Call to Order and Pledge of Allegiance

Action: Eric Samuelsson called the meeting to order and lead the pledge of allegiance,

Reading of Rules of the Meeting

Action: Mr. Samuelsson read the meeting rules and regulations.

Prior Meeting Minutes

Action: Kerry Brugger motioned to accept the previous meeting minutes. It was seconded by Kimberly Gordon-Brooks.

Discussion: None.

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

Old Business – Application(s)

Case # 1: PC-2021-19 – City of Urbana – Zoning Map Amendment – PreK-8 School

Application, Staff Comments & Recommendations: It was motioned by Kerry Brugger to un-table the Zoning Map amendment and open it up for discussion. It was seconded by Kimberly Gordon-Brooks.

Mr. Brugger noted that at the last meeting there was confusion about how the area around the school should be zoned as the school hopes to grow and expand as their needs change. It was recommended the City sets a PUD for this area to ensure the school can do what they need to.

Testimony in Favor:

Testimony Against:

Discussion:



Action:	Mr. Brugger motioned to change the map to have the school zoned R-1 as originally planned and the City schools can request changes later. This would mean the school has to come back in the future if they wish to expand or make changes. It was seconded by Mrs. Dunham-Young.
Vote:	5 (Yay) – 0 (Nay) Motion passed.

New Business – Application(s)

Case # 1: PC-2021-20 – First Central National Bank – 1754 E. US HWY 36 – Wall Signs (Administratively approved)

Application, Staff Comments & Recommendations:	Preston Carter spoke and stated this was a sign application which was administratively approved. This will be at the old Sonic building for the New First Central National Bank for two new wall signs. This is in Wal Mart PUD and the application met all the wall signage standards so it was administratively approved a few weeks prior.
Testimony in Favor:	None.
Testimony Against:	None.
Discussion:	
Action:	None Required.
Vote:	None Required.

Case # 2: PC-2021-21 – First Central National Bank – 1754 E. US HWY 36 – Monument Sign (Administratively approved)

Application, Staff Comments & Recommendations:	This is at the same location. This is a monument sign that will be reusing the same monument from the previous establishment while just changing the faces for the new business. This monument met all the required signage standards for monument signs in the PUD.
Testimony in Favor:	None.
Testimony Against:	None.
Discussion:	
Action:	None Required.
Vote:	None Required.

Case # 3: PC-2021-22 - First Central National Bank – 1754 E. US HWY 36 – Site Plan Review

Application, Staff Comments &	Mr. Carter presented the site plan for the bank. This is the old Sonic Building/CashMaxx. This has been through a lite internal RTC since there will not be a lot of changes to the external of the building. Most of the
--	---



Recommendations:	<p>changes will be internal and nothing will be changed for street or water. Most of the review has been through Zoning and Engineering. The request is that the plans be approved with the condition that all the staff comments are addressed. The most recent updated plans were just recently received and have not been reviewed yet.</p> <p>Mr. Carter stated most of the staff comments pertain to striping, landscape, and LED signage suggestions.</p> <p>A representative from the bank spoke and stated the major exterior changes will include an ATM and the red canopy will be removed and overall the interior will have some cosmetic changes.</p>
Testimony in Favor:	None.
Testimony Against:	None.
Discussion:	
Action:	It was moved by Mrs. Gordon-Brooks and seconded by Mr. Kerns to accept the application with the condition that all the staff comments are addressed.
Vote:	5 (Yay) – 0 (Nay) Motion passed.
Case # 4:	PC-2021-23 – City of Urbana – Zoning Map Amendment - 1675 & 1693 E US HWY 36
Application, Staff Comments & Recommendations:	Mr. Carter stated this is a new zoning map amendment. There are two properties that are being annexed into the City. These are residential homes across from the First Central National Bank location. They are currently zoned in the Urbana Township as B-1. It is suggested they are brought in as BR-1 which will allow them to exist as residential units but if they want to make modification as homes, they can and if they want to be converted business they can as well. This is based on the homes being annexed and the City needs to establish their zoning.
Testimony in Favor:	None.
Testimony Against:	None.
Discussion:	
Action:	It was moved by Mrs. Gordon-Brooks and seconded by Mrs. Dunham-Young to accept the application as presented.
Vote:	5 (Yay) – 0 (Nay) Motion passed.
Case # 5:	PC-2021-24 – City of Urbana – 1133.08 Parking Space Requirements
Application, Staff Comments & Recommendations:	<p>Mr. Carter spoke and stated this and the next application is an update to the parking codes within the City for Off-Street. This is something the Zoning office has been working on for a little while to address some major parking concerns throughout the City.</p> <p>Industrial and manufacturing parking currently requires a minimum 1 parking space per 1000 feet of floor space. Warehousing requires the same. There is multiple building in town that if the requirement were held, there would be seas on parking lots which would never be filled which is wasteful. Looking at how industry will be moving forward, they feel they need to update this.</p>



The proposal was originally to require one space per employee when the working period with the maximum number of employees on the premise. Since they, they moved to require 1.1 space per employee for the maximum number of employees on the premise. Therefore, if XYZ company has the most employees on 1st shift with 50 employees, this will require them to have 55 parking spots which basically means for every 10 employees, you have 11 parking spots. This will help to alleviate visitor parking and/or address the overlap between shifts. This is an attempt to address both of these concerns. This is just a minimum amount and the business could have more if they decided. The goal is put the ball in the employer's court to follow this as a minimum guideline rather than the City having to come in a give them a maximum and minimum.

This is being addressed so that a company cannot just make 50 parking spaces and then hire 100 people per shift which will then require the additional employees without parking spaces to park in the grass or along the road so they can go in and work their shift.

Mr. Samuelsson asked if Zoning had looked and compared our guidelines with other surrounding cities. Mr. Carter stated they checked ordinances from surrounding areas and Urbana is kind of behind compared to surrounding areas as far as the parking updates go.

Mr. Carter moved on to address restaurant parking requirements. Currently there is required 1 space for every 100 square feet of floor area and the City is running into the same issue that if this trend continues, there is going to be way too much parking lot space for businesses that will never fill it which is wasteful and not always visually appealing. This issue is currently there is no different definition of square footage between kitchen space which will not have many people in it versus the dining space. For example, if the whole restaurant is 4,000 square feet but only 1,000 of that is dining space, they would be required to have way more parking they their patrons would ever fill and the business would not have that many more people there working to fill those additional parking spots. The new rule would require the business to have 1 space for every 4 patrons and 1 space per employee when the work shift with the maximum employees are employed are on the premise. The rest of the different kinds of restaurants have similar requirements but addresses differences for thrive throughs, drive-in, fast food, carry-out, and sit-down restaurants. Any of these will require a spot for each employee when maximum number of employees are on the premise plus 1 space for every four patrons' seats or 1 space for every 200 square feet depending on if they have in-restaurant dining or not.

It was asked by a board member what the requirement is for businesses in the downtown with these changes. Mr. Carter stated if they do not have the space to provide parking, the City cannot require it which is the case with many downtown businesses given the buildings are shared walls or really closely packed together. However, this is something the Zoning office is working to improve. There is ample public parking in the downtown area and they will be working with developers to address the parking in the downtown so that the parking is developed properly. These new changes will be for new developments.

Mr. Samuelsson asked about the requirements for apartments. Mr. Carter stated he did not know the requirements for apartments off the top of his head but this are not being adjusted yet.

Mr. Carter stated that if the Planning Commission approves these changes, they will move onto Council which will go through 3 meetings with council and a public hearing to get the publics viewpoint on these changes.

Testimony in Favor:	None.
Testimony Against:	None.
Discussion:	
Action:	It was moved by Mr. Kerns to accept the application and seconded by Mrs. Gordon-Brooks.



Planning Commission

December 20, 2021, Meeting Minutes

Attendance

Members Present: Kimberly Gordon-Brooks; Eric Samuelsson (Chair); Kerry Brugger; Richard Kerns; Jennifer Dunham-Young;

Member(s) Absent: Steve Brandeberry; Bill Bean

Guests Present: Rod Hines; Karen Hart; Ralph P; RCR

Call to Order and Pledge of Allegiance

Action: Eric Samuelsson called the meeting to order and lead the pledge of allegiance,

Reading of Rules of the Meeting

Action: Mr. Samuelsson read the meeting rules and regulations.

Prior Meeting Minutes

Action: Kerry Brugger motioned to accept the previous meeting minutes. It was seconded by Kimberly Gordon-Brooks.

Discussion: None.

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

Old Business – Application(s)

Case # 1: **PC-2021-19 – City of Urbana – Zoning Map Amendment – PreK-8 School**

Application, Staff Comments & Recommendations: It was motioned by Kerry Brugger to un-table the Zoning Map amendment and open it up for discussion. It was seconded by Kimberly Gordon-Brooks.

Mr. Brugger noted that at the last meeting there was confusion about how the area around the school should be zoned as the school hopes to grow and expand as their needs change. It was recommended the City sets a PUD for this area to ensure the school can do what they need to.

Testimony in Favor:

Testimony Against:

Discussion:



Action:	Mr. Brugger motioned to change the map to have the school zoned R-1 as originally planned and the City schools can request changes later. This would mean the school has to come back in the future if they wish to expand or make changes. It was seconded by Mrs. Dunham-Young.
Vote:	5 (Yay) – 0 (Nay) Motion passed.

New Business – Application(s)

Case # 1: PC-2021-20 – First Central National Bank – 1754 E. US HWY 36 – Wall Signs (Administratively approved)

Application, Staff Comments & Recommendations:	Preston Carter spoke and stated this was a sign application which was administratively approved. This will be at the old Sonic building for the New First Central National Bank for two new wall signs. This is in Wal Mart PUD and the application met all the wall signage standards so it was administratively approved a few weeks prior.
Testimony in Favor:	None.
Testimony Against:	None.
Discussion:	
Action:	None Required.
Vote:	None Required.

Case # 2: PC-2021-21 – First Central National Bank – 1754 E. US HWY 36 – Monument Sign (Administratively approved)

Application, Staff Comments & Recommendations:	This is at the same location. This is a monument sign that will be reusing the same monument from the previous establishment while just changing the faces for the new business. This monument met all the required signage standards for monument signs in the PUD.
Testimony in Favor:	None.
Testimony Against:	None.
Discussion:	
Action:	None Required.
Vote:	None Required.

Case # 3: PC-2021-22 - First Central National Bank – 1754 E. US HWY 36 – Site Plan Review

Application, Staff Comments &	Mr. Carter presented the site plan for the bank. This is the old Sonic Building/CashMaxx. This has been through a lite internal RTC since there will not be a lot of changes to the external of the building. Most of the
--	---



Recommendations:	<p>changes will be internal and nothing will be changed for street or water. Most of the review has been through Zoning and Engineering. The request is that the plans be approved with the condition that all the staff comments are addressed. The most recent updated plans were just recently received and have not been reviewed yet.</p> <p>Mr. Carter stated most of the staff comments pertain to striping, landscape, and LED signage suggestions.</p> <p>A representative from the bank spoke and stated the major exterior changes will include an ATM and the red canopy will be removed and overall the interior will have some cosmetic changes.</p>
Testimony in Favor:	None.
Testimony Against:	None.
Discussion:	
Action:	It was moved by Mrs. Gordon-Brooks and seconded by Mr. Kerns to accept the application with the condition that all the staff comments are addressed.
Vote:	5 (Yay) – 0 (Nay) Motion passed.
Case # 4:	PC-2021-23 – City of Urbana – Zoning Map Amendment - 1675 & 1693 E US HWY 36
Application, Staff Comments & Recommendations:	<p>Mr. Carter stated this is a new zoning map amendment. There are two properties that are being annexed into the City. These are residential homes across from the First Central National Bank location. They are currently zoned in the Urbana Township as B-1. It is suggested they are brought in as BR-1 which will allow them to exist as residential units but if they want to make modification as homes, they can and if they want to be converted business they can as well. This is based on the homes being annexed and the City needs to establish their zoning.</p>
Testimony in Favor:	None.
Testimony Against:	None.
Discussion:	
Action:	It was moved by Mrs. Gordon-Brooks and seconded by Mrs. Dunham-Young to accept the application as presented.
Vote:	5 (Yay) – 0 (Nay) Motion passed.
Case # 5:	PC-2021-24 – City of Urbana – 1133.08 Parking Space Requirements
Application, Staff Comments & Recommendations:	<p>Mr. Carter spoke and stated this and the next application is an update to the parking codes within the City for Off-Street. This is something the Zoning office has been working on for a little while to address some major parking concerns throughout the City.</p> <p>Industrial and manufacturing parking currently requires a minimum 1 parking space per 1000 feet of floor space. Warehousing requires the same. There is multiple building in town that if the requirement were held, there would be seas on parking lots which would never be filled which is wasteful. Looking at how industry will be moving forward, they feel they need to update this.</p>



The proposal was originally to require one space per employee when the working period with the maximum number of employees on the premise. Since they, they moved to require 1.1 space per employee for the maximum number of employees on the premise. Therefore, if XYZ company has the most employees on 1st shift with 50 employees, this will require them to have 55 parking spots which basically means for every 10 employees, you have 11 parking spots. This will help to alleviate visitor parking and/or address the overlap between shifts. This is an attempt to address both of these concerns. This is just a minimum amount and the business could have more if they decided. The goal is put the ball in the employer's court to follow this as a minimum guideline rather than the City having to come in a give them a maximum and minimum.

This is being addressed so that a company cannot just make 50 parking spaces and then hire 100 people per shift which will then require the additional employees without parking spaces to park in the grass or along the road so they can go in and work their shift.

Mr. Samuelsson asked if Zoning had looked and compared our guidelines with other surrounding cities. Mr. Carter stated they checked ordinances from surrounding areas and Urbana is kind of behind compared to surrounding areas as far as the parking updates go.

Mr. Carter moved on to address restaurant parking requirements. Currently there is required 1 space for every 100 square feet of floor area and the City is running into the same issue that if this trend continues, there is going to be way too much parking lot space for businesses that will never fill it which is wasteful and not always visually appealing. This issue is currently there is no different definition of square footage between kitchen space which will not have many people in it versus the dining space. For example, if the whole restaurant is 4,000 square feet but only 1,000 of that is dining space, they would be required to have way more parking they their patrons would ever fill and the business would not have that many more people there working to fill those additional parking spots. The new rule would require the business to have 1 space for every 4 patrons and 1 space per employee when the work shift with the maximum employees are employed are on the premise. The rest of the different kinds of restaurants have similar requirements but addresses differences for thrive throughs, drive-in, fast food, carry-out, and sit-down restaurants. Any of these will require a spot for each employee when maximum number of employees are on the premise plus 1 space for every four patrons' seats or 1 space for every 200 square feet depending on if they have in-restaurant dining or not.

It was asked by a board member what the requirement is for businesses in the downtown with these changes. Mr. Carter stated if they do not have the space to provide parking, the City cannot require it which is the case with many downtown businesses given the buildings are shared walls or really closely packed together. However, this is something the Zoning office is working to improve. There is ample public parking in the downtown area and they will be working with developers to address the parking in the downtown so that the parking is developed properly. These new changes will be for new developments.

Mr. Samuelsson asked about the requirements for apartments. Mr. Carter stated he did not know the requirements for apartments off the top of his head but this are not being adjusted yet.

Mr. Carter stated that if the Planning Commission approves these changes, they will move onto Council which will go through 3 meetings with council and a public hearing to get the publics viewpoint on these changes.

Testimony in Favor:	None.
Testimony Against:	None.
Discussion:	
Action:	It was moved by Mr. Kerns to accept the application and seconded by Mrs. Gordon-Brooks.



Vote:	5 (Yay) – 0 (Nay) Motion passed.
Case # 6:	PC-2021-25 – City of Urbana – 1133.11 Residential and Commercial Parking Prohibited
Application, Staff Comments & Recommendations:	<p>Mr. Carter that is a brand-new section proposed to be added to the end of the Chapter 1133. This is to prohibit parking of certain vehicles in certain areas of the City.</p> <p>A) All commercial, recreational, and motor vehicles must be parking surface that meeting the requirements for driveways, or on gravel driveways which predate the passage of 1133.02e. Code 1133.02 outlines the approved materials for the parking areas. This must be durable or dustless surface which would not be gravel. People can apply for a variance from the BZA to ask for approval to have gravel. This update will require vehicles of any kind be parked on a paved parking surface according to 1133.02e or be put in place prior to that code being passed. The point is to no longer allow your car, boat, motor home, etc. on grass or dirt whether it is front, back, or side yard. This would be across all zoning district.</p> <p>B) This does the same thing but for all things that have tires but no engine. This is for campers, trailers, etc. This will address the issue of campers in back yard being lived in or not which have become unsightly, address trailers for commercial or personal use.</p> <p>Mr. Brugger asked if there is a difference between a smaller two sleeper pull-behind camper versus a 5 by 8 small trailer to haul small amounts of lumber and wood. Mr. Carter answered the trailer falls into utility/commercial which is addressed in the update and the camper is recreational which is address the same. Mr. Brugger recommended adding the term utility to the update to ensure this is covered.</p> <p>Mr. Kerns asked if this has to be in the back yard. Mr. Carter stated that the current code states these vehicles have to be on the side or rear with screening or fenced and not in the front. Mr. Carter also stated that self-storage is available in town for these kinds of vehicles.</p> <p>Mrs. Gordon-Brooks stated she is concerned about the 72 hours rule. Mr. Carter stated that 72 hours is for recreation not cars. Mr. Dunham-Young stated the 72 hours is not enough int eh summer time because people bring their camper in to plug it in and get it ready to take a trip for more than 72 hours. Mr. Carter stated this rule mostly pertains to long stays with the camper. Basically, the camper cannot come and just sit and have occupancy. People cannot live in their camper basically.</p> <p>They asked for clarification for the screening requirement. Mr. Carter stated the screening needs to be a fence.</p> <p>C.) This update does not allow commercial trailers being parked in residential areas which has been an issue in the past.</p> <p>Mr. Carter stated that if people have gathering and small parties with many cars in the yard, that is fine. These updates are to address habitual issues with broken down vehicles being parked everywhere and things just looking bad.</p>
Testimony in Favor:	None.
Testimony Against:	None.
Discussion:	The recommendation to add the term 'utility' to section B.
Action:	It was moved by Mrs. Gordon-Brooks to accept the application as amended and seconded by Mr. Brugger.
Vote:	5 (Yay) – 0 (Nay)



Motion passed.

Adjournment

Action: Mrs. Gordon-Brooks moved to adjourn, it was seconded by Mr. Brugger.

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



Department of Zoning and Compliance
205 South Main Street, Urbana, OH 43078 | (937) 652 -- 4325 | ZoningandCompliance@ci.urbana.oh.us | www.urbanaohio.com



STAFF REPORT

Project Case No.: PC-2021-19
Staff: Preston Carter – Zoning and Compliance Officer
Applicant: City of Urbana
Property Address: 1673 US HWY 68 (K48-25-11-01-30-004-00)
Property Size: Approx. 72 acres
Current Zoning: None

Request Summary:

Proposal to update the zoning map to establish zoning for parcel K48-25-11-01-30-004-00, also known as 1673 US HWY 68 as R-1 Low Density Residential. Site is home to Urbana City Schools PreK-8.

Planning Commission Options:

The Planning Commission, by motion and vote, may approve the application as presented, approve the application with conditions, table the application for more information, or deny the application as presented.

ORDINANCE NO. 4561-22

AN ORDINANCE TO CREATE A NEW SUBSECTION OF CODE TO BE PLACED IN CHAPTER 1133 OF THE CODIFIED ORDINANCES OF THE CITY OF URBANA, OHIO. (Three readings, public hearing required).

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 December 20, 2021, the Planning and Zoning Staff formally requested the addition of Section 1133.11, Parking Space Requirements, to Chapter 1133 of the Codified Ordinances of the City of Urbana; and

WHEREAS, on December 20, 2021, the City of Urbana Planning Commission recommended by a 5-0 vote that Council approve the requested addition; and

WHEREAS, Council held a public hearing pursuant to Chapter 1113.09 of the Codified Ordinances of the City of Urbana on Tuesday, February 1, 2022.

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

SECTION ONE:

That Chapter 1133 OFF-STREET PARKING AND LOADING, of the Codified Ordinances of the City of Urbana, Ohio is hereby amended, to add:

1133.11 Residential and Commercial Parking Prohibited

- a) All commercial, recreational and motor vehicles must be parked on:
 - 1. Surfaces that meet 1133.02 (e) Off-street Parking and Design Standards – Paving
or
 - 2. Existing gravel surfaces that predate the passage of 1133.02 (e)

- b) All campers, recreational trailers, utility trailers and commercial trailers must be parked on:
 - 1. Surfaces that meet 1133.02 (e) Off-street Parking and Design Standards – Paving
or
 - 2. Existing gravel surfaces that predate the passage of 1133.02 (e)

- c) Semi-trailers and commercial trailers shall not be parked, kept or stored in residentially zoned areas, on residential property in other zoning districts

- d) No occupancy shall be allowed for greater than 72 hours in any calendar year for any motor home, travel trailer, camper or other recreational vehicle on any premises unless



Action:	Mr. Brugger motioned to change the map to have the school zoned R-1 as originally planned and the City schools can request changes later. This would mean the school has to come back in the future if they wish to expand or make changes. It was seconded by Mrs. Dunham-Young.
Vote:	5 (Yay) – 0 (Nay) Motion passed.

New Business – Application(s)

Case # 1: PC-2021-20 – First Central National Bank – 1754 E. US HWY 36 – Wall Signs (Administratively approved)

Application, Staff Comments & Recommendations:	Preston Carter spoke and stated this was a sign application which was administratively approved. This will be at the old Sonic building for the New First Central National Bank for two new wall signs. This is in Wal Mart PUD and the application met all the wall signage standards so it was administratively approved a few weeks prior.
Testimony in Favor:	None.
Testimony Against:	None.
Discussion:	
Action:	None Required.
Vote:	None Required.

Case # 2: PC-2021-21 – First Central National Bank – 1754 E. US HWY 36 – Monument Sign (Administratively approved)

Application, Staff Comments & Recommendations:	This is at the same location. This is a monument sign that will be reusing the same monument from the previous establishment while just changing the faces for the new business. This monument met all the required signage standards for monument signs in the PUD.
Testimony in Favor:	None.
Testimony Against:	None.
Discussion:	
Action:	None Required.
Vote:	None Required.

Case # 3: PC-2021-22 - First Central National Bank – 1754 E. US HWY 36 – Site Plan Review

Application, Staff Comments &	Mr. Carter presented the site plan for the bank. This is the old Sonic Building/CashMaxx. This has been through a lite internal RTC since there will not be a lot of changes to the external of the building. Most of the
--	---

the vehicle is located in a manufactured home park or RV park where permitted recreational vehicle spaces are provided and where such occupancy does not violate any other city, state or federal regulation.

SECTION TWO:

That the City of Urbana Planning Commission’s recommendation to approve the request to add to Chapter 1133 is attached and labeled as “Exhibit A”.

SECTION THREE:

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 pursuant to Urbana Codified Ordinance 1113.09, with notice by publication pursuant to Urbana City Charter Section 2.16, January 21, 2022.

SECTION FOUR:

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

Department requesting: Administration/Zoning		Personnel: Preston Carter	Director of Law Review  Helen M. Fennell DIRECTOR OF LAW REVIEW CITY OF URBANA, OHIO 2022-02-15
Expenditure? Y (N)	Emergency? Y (N)	Public Hearing? (Y) N If yes, dates advertised: 01/21/2022	
Readings required: 1 2 (3)			
First reading date: 01/18/2022	Second reading date: 02/01/2022	Third/Final reading date: 02/15/2022	

Anticipated effective date if approved: 03/02/2022

Faint, illegible text at the top of the page, possibly a header or title.

Second line of faint, illegible text.

Third line of faint, illegible text.

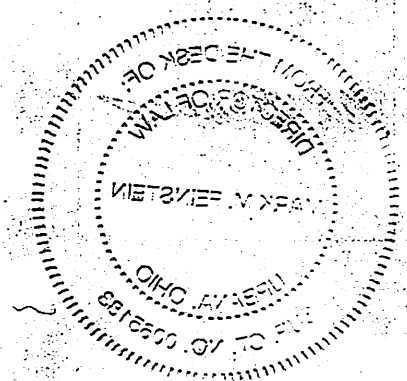
Fourth line of faint, illegible text.

Fifth line of faint, illegible text.

Sixth line of faint, illegible text.

Seventh line of faint, illegible text.

Eighth line of faint, illegible text.



Faint, illegible text in the bottom right corner of the page.



Planning Commission

December 20, 2021, Meeting Minutes

Attendance

Members Present: Kimberly Gordon-Brooks; Eric Samuelsson (Chair); Kerry Brugger; Richard Kerns; Jennifer Dunham-Young;

Member(s) Absent: Steve Brandeberry; Bill Bean

Guests Present: Rod Hines; Karen Hart; Ralph P; RCR

Call to Order and Pledge of Allegiance

Action: Eric Samuelsson called the meeting to order and lead the pledge of allegiance,

Reading of Rules of the Meeting

Action: Mr. Samuelsson read the meeting rules and regulations.

Prior Meeting Minutes

Action: Kerry Brugger motioned to accept the previous meeting minutes. It was seconded by Kimberly Gordon-Brooks.

Discussion: None.

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

Old Business – Application(s)

Case # 1: **PC-2021-19 – City of Urbana – Zoning Map Amendment – PreK-8 School**

Application, Staff Comments & Recommendations: It was motioned by Kerry Brugger to un-table the Zoning Map amendment and open it up for discussion. It was seconded by Kimberly Gordon-Brooks.

Mr. Brugger noted that at the last meeting there was confusion about how the area around the school should be zoned as the school hopes to grow and expand as their needs change. It was recommended the City sets a PUD for this area to ensure the school can do what they need to.

Testimony in Favor:

Testimony Against:

Discussion:



Recommendations:	<p>changes will be internal and nothing will be changed for street or water. Most of the review has been through Zoning and Engineering. The request is that the plans be approved with the condition that all the staff comments are addressed. The most recent updated plans were just recently received and have not been reviewed yet.</p> <p>Mr. Carter stated most of the staff comments pertain to striping, landscape, and LED signage suggestions.</p> <p>A representative from the bank spoke and stated the major exterior changes will include an ATM and the red canopy will be removed and overall the interior will have some cosmetic changes.</p>
Testimony in Favor:	None.
Testimony Against:	None.
Discussion:	
Action:	It was moved by Mrs. Gordon-Brooks and seconded by Mr. Kerns to accept the application with the condition that all the staff comments are addressed.
Vote:	5 (Yay) – 0 (Nay) Motion passed.
Case # 4:	PC-2021-23 – City of Urbana – Zoning Map Amendment - 1675 & 1693 E US HWY 36
Application, Staff Comments & Recommendations:	<p>Mr. Carter stated this is a new zoning map amendment. There are two properties that are being annexed into the City. These are residential homes across from the First Central National Bank location. They are currently zoned in the Urbana Township as B-1. It is suggested they are brought in as BR-1 which will allow them to exist as residential units but if they want to make modification as homes, they can and if they want to be converted business they can as well. This is based on the homes being annexed and the City needs to establish their zoning.</p>
Testimony in Favor:	None.
Testimony Against:	None.
Discussion:	
Action:	It was moved by Mrs. Gordon-Brooks and seconded by Mrs. Dunham-Young to accept the application as presented.
Vote:	5 (Yay) – 0 (Nay) Motion passed.
Case # 5:	PC-2021-24 – City of Urbana – 1133.08 Parking Space Requirements
Application, Staff Comments & Recommendations:	<p>Mr. Carter spoke and stated this and the next application is an update to the parking codes within the City for Off-Street. This is something the Zoning office has been working on for a little while to address some major parking concerns throughout the City.</p> <p>Industrial and manufacturing parking currently requires a minimum 1 parking space per 1000 feet of floor space. Warehousing requires the same. There is multiple building in town that if the requirement were held, there would be seas on parking lots which would never be filled which is wasteful. Looking at how industry will be moving forward, they feel they need to update this.</p>



The proposal was originally to require one space per employee when the working period with the maximum number of employees on the premise. Since they, they moved to require 1.1 space per employee for the maximum number of employees on the premise. Therefore, if XYZ company has the most employees on 1st shift with 50 employees, this will require them to have 55 parking spots which basically means for every 10 employees, you have 11 parking spots. This will help to alleviate visitor parking and/or address the overlap between shifts. This is an attempt to address both of these concerns. This is just a minimum amount and the business could have more if they decided. The goal is put the ball in the employer's court to follow this as a minimum guideline rather than the City having to come in a give them a maximum and minimum.

This is being addressed so that a company cannot just make 50 parking spaces and then hire 100 people per shift which will then require the additional employees without parking spaces to park in the grass or along the road so they can go in and work their shift.

Mr. Samuelsson asked if Zoning had looked and compared our guidelines with other surrounding cities. Mr. Carter stated they checked ordinances from surrounding areas and Urbana is kind of behind compared to surrounding areas as far as the parking updates go.

Mr. Carter moved on to address restaurant parking requirements. Currently there is required 1 space for every 100 square feet of floor area and the City is running into the same issue that if this trend continues, there is going to be way too much parking lot space for businesses that will never fill it which is wasteful and not always visually appealing. This issue is currently there is no different definition of square footage between kitchen space which will not have many people in it versus the dining space. For example, if the whole restaurant is 4,000 square feet but only 1,000 of that is dining space, they would be required to have way more parking they their patrons would ever fill and the business would not have that many more people there working to fill those additional parking spots. The new rule would require the business to have 1 space for every 4 patrons and 1 space per employee when the work shift with the maximum employees are employed are on the premise. The rest of the different kinds of restaurants have similar requirements but addresses differences for thrive throughs, drive-in, fast food, carry-out, and sit-down restaurants. Any of these will require a spot for each employee when maximum number of employees are on the premise plus 1 space for every four patrons' seats or 1 space for every 200 square feet depending on if they have in-restaurant dining or not.

It was asked by a board member what the requirement is for businesses in the downtown with these changes. Mr. Carter stated if they do not have the space to provide parking, the City cannot require it which is the case with many downtown businesses given the buildings are shared walls or really closely packed together. However, this is something the Zoning office is working to improve. There is ample public parking in the downtown area and they will be working with developers to address the parking in the downtown so that the parking is developed properly. These new changes will be for new developments.

Mr. Samuelsson asked about the requirements for apartments. Mr. Carter stated he did not know the requirements for apartments off the top of his head but this are not being adjusted yet.

Mr. Carter stated that if the Planning Commission approves these changes, they will move onto Council which will go through 3 meetings with council and a public hearing to get the publics viewpoint on these changes.

Testimony in Favor:	None.
Testimony Against:	None.
Discussion:	
Action:	It was moved by Mr. Kerns to accept the application and seconded by Mrs. Gordon-Brooks.



Vote:	5 (Yay) – 0 (Nay) Motion passed.
Case # 6:	PC-2021-25 – City of Urbana – 1133.11 Residential and Commercial Parking Prohibited
Application, Staff Comments & Recommendations:	<p>Mr. Carter that is a brand-new section proposed to be added to the end of the Chapter 1133. This is to prohibit parking of certain vehicles in certain areas of the City.</p> <p>A) All commercial, recreational, and motor vehicles must be parking surface that meeting the requirements for driveways, or on gravel driveways which predate the passage of 1133.02e. Code 1133.02 outlines the approved materials for the parking areas. This must be durable or dustless surface which would not be gravel. People can apply for a variance from the BZA to ask for approval to have gravel. This update will require vehicles of any kind be parked on a paved parking surface according to 1133.02e or be put in place prior to that code being passed. The point is to no longer allow your car, boat, motor home, etc. on grass or dirt whether it is front, back, or side yard. This would be across all zoning district.</p> <p>B) This does the same thing but for all things that have tires but no engine. This is for campers, trailers, etc. This will address the issue of campers in back yard being lived in or not which have become unsightly, address trailers for commercial or personal use.</p> <p>Mr. Brugger asked if there is a difference between a smaller two sleeper pull-behind camper versus a 5 by 8 small trailer to haul small amounts of lumber and wood. Mr. Carter answered the trailer falls into utility/commercial which is addressed in the update and the camper is recreational which is address the same. Mr. Brugger recommended adding the term utility to the update to ensure this is covered.</p> <p>Mr. Kerns asked if this has to be in the back yard. Mr. Carter stated that the current code states these vehicles have to be on the side or rear with screening or fenced and not in the front. Mr. Carter also stated that self-storage is available in town for these kinds of vehicles.</p> <p>Mrs. Gordon-Brooks stated she is concerned about the 72 hours rule. Mr. Carter stated that 72 hours is for recreation not cars. Mr. Dunham-Young stated the 72 hours is not enough int eh summer time because people bring their camper in to plug it in and get it ready to take a trip for more than 72 hours. Mr. Carter stated this rule mostly pertains to long stays with the camper. Basically, the camper cannot come and just sit and have occupancy. People cannot live in their camper basically.</p> <p>They asked for clarification for the screening requirement. Mr. Carter stated the screening needs to be a fence.</p> <p>C.) This update does not allow commercial trailers being parked in residential areas which has been an issue in the past.</p> <p>Mr. Carter stated that if people have gathering and small parties with many cars in the yard, that is fine. These updates are to address habitual issues with broken down vehicles being parked everywhere and things just looking bad.</p>
Testimony in Favor:	None.
Testimony Against:	None.
Discussion:	The recommendation to add the term 'utility' to section B.
Action:	It was moved by Mrs. Gordon-Brooks to accept the application as amended and seconded by Mr. Brugger.
Vote:	5 (Yay) – 0 (Nay)



Motion passed.

Adjournment

Action: Mrs. Gordon-Brooks moved to adjourn, it was seconded by Mr. Brugger.

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

ORDINANCE NO. 4562-22

AN ORDINANCE TO UPDATE THE CITY OF URBANA'S OFFICIAL ZONING MAP BY ESTABLISHING CITY DESIGNATED ZONING CLASSIFICATIONS FOR TWO RECENTLY-ANNEXED PROPERTIES AS BR-1 (BUSINESS RESIDENTIAL) DISTRICT.

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 December 20, 2021, 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 December 20, 2021, the City of Urbana Planning Commission recommended by a 5-0 vote, that City Council *approve* the request to update the City of Urbana Official Zoning Map to establish city designated zoning classifications for two (2) recently annexed properties: parcel K41-11-11-11-00-007-00, also known as 1675 E. US Hwy 36 and parcel K41-11-11-1-00-008-00, also known as 1693 E. US Hwy 36 and, to-wit: that per the Urbana Township Zoning Map, these parcels have been designated as B-1 (Service Business District), and that City of Urbana staff has proposed that these annexed parcels be designated as BR-1 (business Residential District) on the city's Official Zoning Map; and

WHEREAS, Council held a public hearing pursuant to Chapter 1113.09 of the Codified Ordinances of the City of Urbana on Tuesday, February 1, 2022.

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

Section 1: The City Engineer shall amend the Official Zoning Map of the City of Urbana, Ohio to reflect the zoning change depicted in the Planning Commission Staff Report and as recommended by the Planning Commission. An exhibit of the proposed zoning map change is attached and labeled as "Exhibit A".

Section 2: The Mayor shall sign the amended Official Zoning Map of the City of Urbana, Ohio.

Section 3: The Clerk of Council is now instructed to sign the amended Official Zoning Map to attest to this action of City Council.

SECTION 4: That the City of Urbana Planning Commission's recommendation to approve the request to rezone the proposed area is attached and labeled as "Exhibit B".

Section 5: The Planning Commission Staff Report is attached and labeled as "Exhibit C."

SECTION 6: 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 January 21, 2022.

SECTION 7: This ordinance shall become effective at the earliest time provided by law.


Passed: _____

Marty Hess, Council President

Attest: _____
Clerk of Council

This Ordinance approved by me this ____ day of _____, 2022.

Mayor

Department requesting: Zoning		Personnel: Preston Carter	Director of Law review
Expenditure? Y (N)	Emergency? Y (N)	Public Hearing? (Y) N	
Readings required: 1 2 (3)		If yes, dates advertised: 01/21/2022	
First reading date: 01/18/2022	Second reading date: 02/01/2022	Third/Final reading date: 02/15/2022	

Anticipated effective date if approved: 03/02/2022

1950

...

...

...

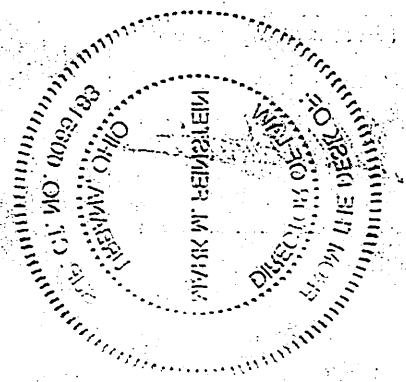
...

...

...

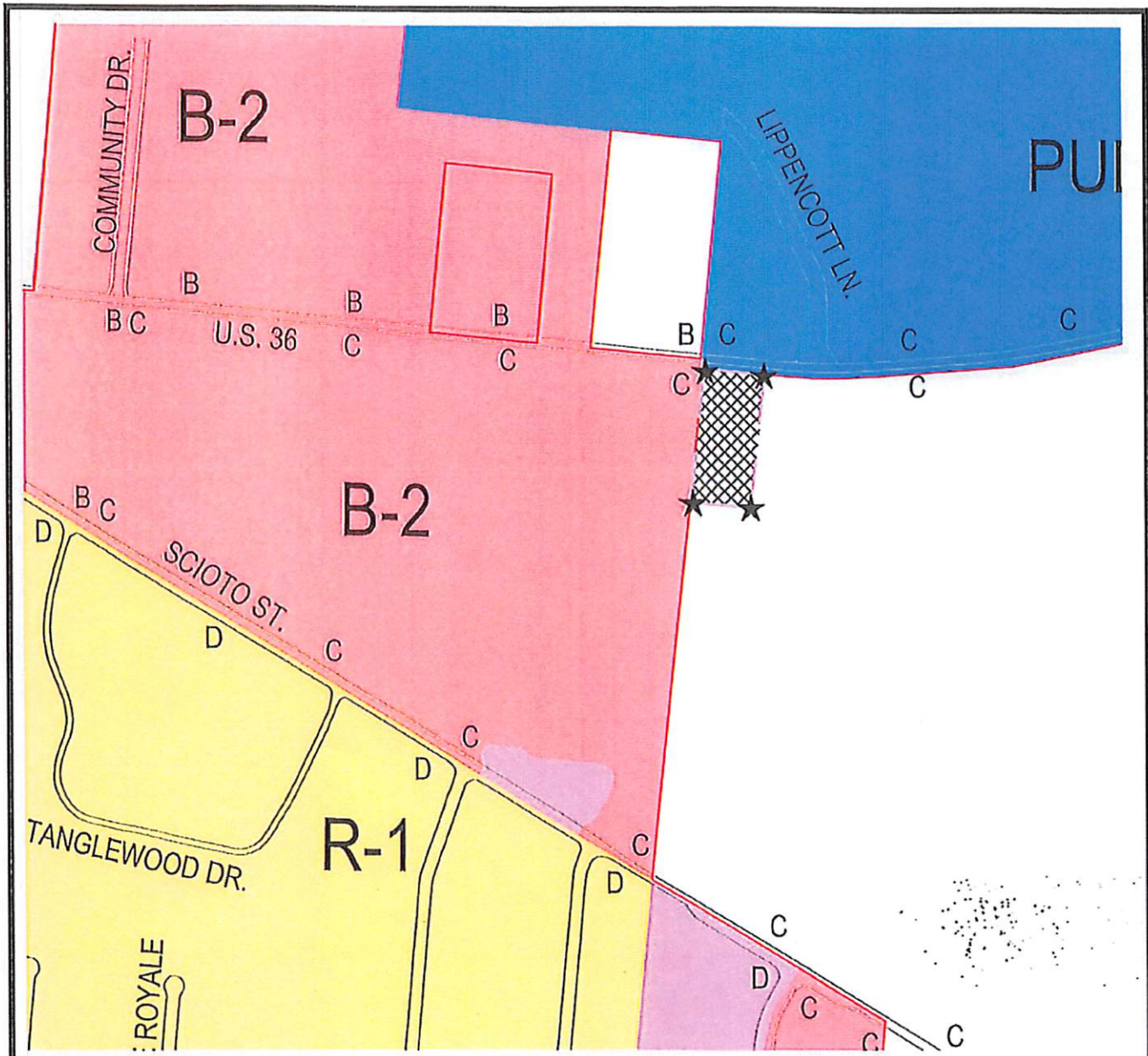
...


...











...

...



 Proposed BR-1



	R-1 LOW DENSITY RESIDENTIAL		B-2 GENERAL BUSINESS
	R-2 MEDIUM DENSITY RESIDENTIAL		B-3 CENTRAL BUSINESS
	R-3 HIGH DENSITY RESIDENTIAL		M-1 MANUFACTURING
	BR-1 BUSINESS RESIDENTIAL		CITY CENTER HERITAGE OVERLAY DISTRICT
ID:	DATE:	REVISION:	

★
 1675 & 1693
 EAST US HWY 36
 REZONING (PENCE)
 ZONING MAP
 PROPOSED CHANGE:
 B-1 (TWP.) TO BR-1
 ★

CITY OF URBANA
 DIVISION OF ENGINEERING
 2655 Main Street • Urbana, Ohio 43078
 Fax: (637) 652-4306
 Phone: (637) 652-4324

TYLER L. BUMBALOUGH, P.E.
 CITY ENGINEER

CITY OF URBANA
 PROPOSED ZONING MAP AMENDMENT

G:\Engineering\Urbana Map\Zoning Map\Urbana Zoning Map.dwg
 TLB TLB 1" = 400' 11/8/2021

Exhibit A



Planning Commission

December 20, 2021, Meeting Minutes

Attendance

Members Present: Kimberly Gordon-Brooks; Eric Samuelsson (Chair); Kerry Brugger; Richard Kerns; Jennifer Dunham-Young;

Member(s) Absent: Steve Brandeberry; Bill Bean

Guests Present: Rod Hines; Karen Hart; Ralph P; RCR

Call to Order and Pledge of Allegiance

Action: Eric Samuelsson called the meeting to order and lead the pledge of allegiance,

Reading of Rules of the Meeting

Action: Mr. Samuelsson read the meeting rules and regulations.

Prior Meeting Minutes

Action: Kerry Brugger motioned to accept the previous meeting minutes. It was seconded by Kimberly Gordon-Brooks.

Discussion: None.

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

Old Business – Application(s)

Case # 1: PC-2021-19 – City of Urbana – Zoning Map Amendment – PreK-8 School

Application, Staff Comments & Recommendations: It was motioned by Kerry Brugger to un-table the Zoning Map amendment and open it up for discussion. It was seconded by Kimberly Gordon-Brooks.

Mr. Brugger noted that at the last meeting there was confusion about how the area around the school should be zoned as the school hopes to grow and expand as their needs change. It was recommended the City sets a PUD for this area to ensure the school can do what they need to.

Testimony in Favor:

Testimony Against:

Discussion:



Action:	Mr. Brugger motioned to change the map to have the school zoned R-1 as originally planned and the City schools can request changes later. This would mean the school has to come back in the future if they wish to expand or make changes. It was seconded by Mrs. Dunham-Young.
Vote:	5 (Yay) – 0 (Nay) Motion passed.

New Business – Application(s)

Case # 1: PC-2021-20 – First Central National Bank – 1754 E. US HWY 36 – Wall Signs (Administratively approved)

Application, Staff Comments & Recommendations:	Preston Carter spoke and stated this was a sign application which was administratively approved. This will be at the old Sonic building for the New First Central National Bank for two new wall signs. This is in Wal Mart PUD and the application met all the wall signage standards so it was administratively approved a few weeks prior.
Testimony in Favor:	None.
Testimony Against:	None.
Discussion:	
Action:	None Required.
Vote:	None Required.

Case # 2: PC-2021-21 – First Central National Bank – 1754 E. US HWY 36 – Monument Sign (Administratively approved)

Application, Staff Comments & Recommendations:	This is at the same location. This is a monument sign that will be reusing the same monument from the previous establishment while just changing the faces for the new business. This monument met all the required signage standards for monument signs in the PUD.
Testimony in Favor:	None.
Testimony Against:	None.
Discussion:	
Action:	None Required.
Vote:	None Required.

Case # 3: PC-2021-22 - First Central National Bank – 1754 E. US HWY 36 – Site Plan Review

Application, Staff Comments &	Mr. Carter presented the site plan for the bank. This is the old Sonic Building/CashMaxx. This has been through a lite internal RTC since there will not be a lot of changes to the external of the building. Most of the
--	---



Recommendations:	<p>changes will be internal and nothing will be changed for street or water. Most of the review has been through Zoning and Engineering. The request is that the plans be approved with the condition that all the staff comments are addressed. The most recent updated plans were just recently received and have not been reviewed yet.</p> <p>Mr. Carter stated most of the staff comments pertain to striping, landscape, and LED signage suggestions.</p> <p>A representative from the bank spoke and stated the major exterior changes will include an ATM and the red canopy will be removed and overall the interior will have some cosmetic changes.</p>
Testimony in Favor:	None.
Testimony Against:	None.
Discussion:	
Action:	It was moved by Mrs. Gordon-Brooks and seconded by Mr. Kerns to accept the application with the condition that all the staff comments are addressed.
Vote:	5 (Yay) – 0 (Nay) Motion passed.
Case # 4:	PC-2021-23 – City of Urbana – Zoning Map Amendment - 1675 & 1693 E US HWY 36
Application, Staff Comments & Recommendations:	<p>Mr. Carter stated this is a new zoning map amendment. There are two properties that are being annexed into the City. These are residential homes across from the First Central National Bank location. They are currently zoned in the Urbana Township as B-1. It is suggested they are brought in as BR-1 which will allow them to exist as residential units but if they want to make modification as homes, they can and if they want to be converted business they can as well. This is based on the homes being annexed and the City needs to establish their zoning.</p>
Testimony in Favor:	None.
Testimony Against:	None.
Discussion:	
Action:	It was moved by Mrs. Gordon-Brooks and seconded by Mrs. Dunham-Young to accept the application as presented.
Vote:	5 (Yay) – 0 (Nay) Motion passed.
Case # 5:	PC-2021-24 – City of Urbana – 1133.08 Parking Space Requirements
Application, Staff Comments & Recommendations:	<p>Mr. Carter spoke and stated this and the next application is an update to the parking codes within the City for Off-Street. This is something the Zoning office has been working on for a little while to address some major parking concerns throughout the City.</p> <p>Industrial and manufacturing parking currently requires a minimum 1 parking space per 1000 feet of floor space. Warehousing requires the same. There is multiple building in town that if the requirement were held, there would be seas on parking lots which would never be filled which is wasteful. Looking at how industry will be moving forward, they feel they need to update this.</p>



The proposal was originally to require one space per employee when the working period with the maximum number of employees on the premise. Since they, they moved to require 1.1 space per employee for the maximum number of employees on the premise. Therefore, if XYZ company has the most employees on 1st shift with 50 employees, this will require them to have 55 parking spots which basically means for every 10 employees, you have 11 parking spots. This will help to alleviate visitor parking and/or address the overlap between shifts. This is an attempt to address both of these concerns. This is just a minimum amount and the business could have more if they decided. The goal is put the ball in the employer's court to follow this as a minimum guideline rather than the City having to come in a give them a maximum and minimum.

This is being addressed so that a company cannot just make 50 parking spaces and then hire 100 people per shift which will then require the additional employees without parking spaces to park in the grass or along the road so they can go in and work their shift.

Mr. Samuelsson asked if Zoning had looked and compared our guidelines with other surrounding cities. Mr. Carter stated they checked ordinances from surrounding areas and Urbana is kind of behind compared to surrounding areas as far as the parking updates go.

Mr. Carter moved on to address restaurant parking requirements. Currently there is required 1 space for every 100 square feet of floor area and the City is running into the same issue that if this trend continues, there is going to be way too much parking lot space for businesses that will never fill it which is wasteful and not always visually appealing. This issue is currently there is no different definition of square footage between kitchen space which will not have many people in it versus the dining space. For example, if the whole restaurant is 4,000 square feet but only 1,000 of that is dining space, they would be required to have way more parking they their patrons would ever fill and the business would not have that many more people there working to fill those additional parking spots. The new rule would require the business to have 1 space for every 4 patrons and 1 space per employee when the work shift with the maximum employees are employed are on the premise. The rest of the different kinds of restaurants have similar requirements but addresses differences for thrive throughs, drive-in, fast food, carry-out, and sit-down restaurants. Any of these will require a spot for each employee when maximum number of employees are on the premise plus 1 space for every four patrons' seats or 1 space for every 200 square feet depending on if they have in-restaurant dining or not.

It was asked by a board member what the requirement is for businesses in the downtown with these changes. Mr. Carter stated if they do not have the space to provide parking, the City cannot require it which is the case with many downtown businesses given the buildings are shared walls or really closely packed together. However, this is something the Zoning office is working to improve. There is ample public parking in the downtown area and they will be working with developers to address the parking in the downtown so that the parking is developed properly. These new changes will be for new developments.

Mr. Samuelsson asked about the requirements for apartments. Mr. Carter stated he did not know the requirements for apartments off the top of his head but this are not being adjusted yet.

Mr. Carter stated that if the Planning Commission approves these changes, they will move onto Council which will go through 3 meetings with council and a public hearing to get the publics viewpoint on these changes.

Testimony in Favor:	None.
Testimony Against:	None.
Discussion:	
Action:	It was moved by Mr. Kerns to accept the application and seconded by Mrs. Gordon-Brooks.



Vote:	5 (Yay) – 0 (Nay) Motion passed.
Case # 6:	PC-2021-25 – City of Urbana – 1133.11 Residential and Commercial Parking Prohibited
Application, Staff Comments & Recommendations:	<p>Mr. Carter that is a brand-new section proposed to be added to the end of the Chapter 1133. This is to prohibit parking of certain vehicles in certain areas of the City.</p> <p>A) All commercial, recreational, and motor vehicles must be parking surface that meeting the requirements for driveways, or on gravel driveways which predate the passage of 1133.02e. Code 1133.02 outlines the approved materials for the parking areas. This must be durable or dustless surface which would not be gravel. People can apply for a variance from the BZA to ask for approval to have gravel. This update will require vehicles of any kind be parked on a paved parking surface according to 1133.02e or be put in place prior to that code being passed. The point is to no longer allow your car, boat, motor home, etc. on grass or dirt whether it is front, back, or side yard. This would be across all zoning district.</p> <p>B) This does the same thing but for all things that have tires but no engine. This is for campers, trailers, etc. This will address the issue of campers in back yard being lived in or not which have become unsightly, address trailers for commercial or personal use.</p> <p>Mr. Brugger asked if there is a difference between a smaller two sleeper pull-behind camper versus a 5 by 8 small trailer to haul small amounts of lumber and wood. Mr. Carter answered the trailer falls into utility/commercial which is addressed in the update and the camper is recreational which is address the same. Mr. Brugger recommended adding the term utility to the update to ensure this is covered.</p> <p>Mr. Kerns asked if this has to be in the back yard. Mr. Carter stated that the current code states these vehicles have to be on the side or rear with screening or fenced and not in the front. Mr. Carter also stated that self-storage is available in town for these kinds of vehicles.</p> <p>Mrs. Gordon-Brooks stated she is concerned about the 72 hours rule. Mr. Carter stated that 72 hours is for recreation not cars. Mr. Dunham-Young stated the 72 hours is not enough int eh summer time because people bring their camper in to plug it in and get it ready to take a trip for more than 72 hours. Mr. Carter stated this rule mostly pertains to long stays with the camper. Basically, the camper cannot come and just sit and have occupancy. People cannot live in their camper basically.</p> <p>They asked for clarification for the screening requirement. Mr. Carter stated the screening needs to be a fence.</p> <p>C.) This update does not allow commercial trailers being parked in residential areas which has been an issue in the past.</p> <p>Mr. Carter stated that if people have gathering and small parties with many cars in the yard, that is fine. These updates are to address habitual issues with broken down vehicles being parked everywhere and things just looking bad.</p>
Testimony in Favor:	None.
Testimony Against:	None.
Discussion:	The recommendation to add the term 'utility' to section B.
Action:	It was moved by Mrs. Gordon-Brooks to accept the application as amended and seconded by Mr. Brugger.
Vote:	5 (Yay) – 0 (Nay)



Motion passed.

Adjournment

Action: Mrs. Gordon-Brooks moved to adjourn, it was seconded by Mr. Brugger.

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



Department of Zoning and Compliance

205 South Main Street, Urbana, OH 43078 | (937) 652 – 4325 | ZoningandCompliance@ci.urbana.oh.us | www.urbanaohio.com



STAFF REPORT

Project Case No.:	PC-2021-23
Staff:	Preston Carter – Zoning and Compliance Officer
Applicant:	City of Urbana
Property Address:	1675 & 1693 E US HWY 36
Property Size:	.69 acres each
Current Zoning:	B-1 Urbana Township Zoning

Request Summary:

Proposal to update the City of Urbana Official Zoning Map to establish city designated zoning classifications for two (2) recently annexed properties: parcel K41-11-11-11-00-007-00, also known as 1675 E. US HWY 36 and parcel K41-11-11-11-00-008-00, also known as 1693 E. US HWY 36. Per the Urbana Township Zoning Map, these parcels have been designated as B-1 (Service Business District). City of Urbana staff has proposed that these annexed parcels be designated as BR-1 (Business Residential District) on the city's Official Zoning Map.

Planning Commission Options:

The Planning Commission, by motion and vote, may approve the application as presented, approve the application with conditions, table the application for more information, or deny the application as presented.

ORDINANCE NO. 4563-22

AN ORDINANCE TO AMEND THE CITY OF URBANA'S OFFICIAL ZONING MAP BY REZONING APPROXIMATELY 45 PARCELS IN THE AREA OF STORMS AVENUE, COLLEGE WAY, GRAND AVENUE AND CLAY STREET CURRENTLY ZONED M-1 MANUFACTURING DISTRICT TO R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT.

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 22, 2021, 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 22, 2021, the City of Urbana Planning Commission recommended by a 7-0 vote, that City Council *approve* the request to rezone an approximately 45 parcels in the area of Storms Avenue, College Way, Grand Avenue and Clay Street from M1 Manufacturing District to R-2 Medium Density Residential District; and

WHEREAS, Council held a public hearing pursuant to Chapter 1113.09 of the Codified Ordinances of the City of Urbana on Tuesday, February 1, 2022.

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

Section 1: The City Engineer shall amend the Official Zoning Map of the City of Urbana, Ohio to reflect the zoning change depicted in the Planning Commission Staff Report and as recommended by the Planning Commission. An exhibit of the proposed zoning map change is attached and labeled as "Exhibit A".

Section 2: The Mayor shall sign the amended Official Zoning Map of the City of Urbana, Ohio.

Section 3: The Clerk of Council is now instructed to sign the amended Official Zoning Map to attest to this action of City Council.

SECTION 4: That the City of Urbana Planning Commission's recommendation to approve the request to rezone the proposed area is attached and labeled as "Exhibit B".



Vote:	5 (Yay) – 0 (Nay) Motion passed.
Case # 6:	PC-2021-25 – City of Urbana – 1133.11 Residential and Commercial Parking Prohibited
Application, Staff Comments & Recommendations:	<p>Mr. Carter that is a brand-new section proposed to be added to the end of the Chapter 1133. This is to prohibit parking of certain vehicles in certain areas of the City.</p> <p>A) All commercial, recreational, and motor vehicles must be parking surface that meeting the requirements for driveways, or on gravel driveways which predate the passage of 1133.02e. Code 1133.02 outlines the approved materials for the parking areas. This must be durable or dustless surface which would not be gravel. People can apply for a variance from the BZA to ask for approval to have gravel. This update will require vehicles of any kind be parked on a paved parking surface according to 1133.02e or be put in place prior to that code being passed. The point is to no longer allow your car, boat, motor home, etc. on grass or dirt whether it is front, back, or side yard. This would be across all zoning district.</p> <p>B) This does the same thing but for all things that have tires but no engine. This is for campers, trailers, etc. This will address the issue of campers in back yard being lived in or not which have become unsightly, address trailers for commercial or personal use.</p> <p>Mr. Brugger asked if there is a difference between a smaller two sleeper pull-behind camper versus a 5 by 8 small trailer to haul small amounts of lumber and wood. Mr. Carter answered the trailer falls into utility/commercial which is addressed in the update and the camper is recreational which is address the same. Mr. Brugger recommended adding the term utility to the update to ensure this is covered.</p> <p>Mr. Kerns asked if this has to be in the back yard. Mr. Carter stated that the current code states these vehicles have to be on the side or rear with screening or fenced and not in the front. Mr. Carter also stated that self-storage is available in town for these kinds of vehicles.</p> <p>Mrs. Gordon-Brooks stated she is concerned about the 72 hours rule. Mr. Carter stated that 72 hours is for recreation not cars. Mr. Dunham-Young stated the 72 hours is not enough int eh summer time because people bring their camper in to plug it in and get it ready to take a trip for more than 72 hours. Mr. Carter stated this rule mostly pertains to long stays with the camper. Basically, the camper cannot come and just sit and have occupancy. People cannot live in their camper basically.</p> <p>They asked for clarification for the screening requirement. Mr. Carter stated the screening needs to be a fence.</p> <p>C.) This update does not allow commercial trailers being parked in residential areas which has been an issue in the past.</p> <p>Mr. Carter stated that if people have gathering and small parties with many cars in the yard, that is fine. These updates are to address habitual issues with broken down vehicles being parked everywhere and things just looking bad.</p>
Testimony in Favor:	None.
Testimony Against:	None.
Discussion:	The recommendation to add the term 'utility' to section B.
Action:	It was moved by Mrs. Gordon-Brooks to accept the application as amended and seconded by Mr. Brugger.
Vote:	5 (Yay) – 0 (Nay)



Motion passed.

Adjournment

Action: Mrs. Gordon-Brooks moved to adjourn, it was seconded by Mr. Brugger.

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

ORDINANCE NO. 4560-22

AN ORDINANCE TO UPDATE THE CITY OF URBANA'S OFFICIAL ZONING MAP BY ESTABLISHING ZONING FOR PARCEL K48-25-11-01-30-004-00, ALSO KNOWN AS 1673 US HWY 68 AS R-1 LOW DENSITY RESIDENTIAL DISTRICT.

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 December 20, 2021, 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 December 20, 2021, the City of Urbana Planning Commission recommended by a 5-0 vote, that City Council *approve* the request to update the City of Urbana Official Zoning Map to establish zoning for parcel K48-25-11-01-30-004-00, also known as 1673 US Hwy 68, as R-1 (Low Density Residential) District; and

WHEREAS, Council held a public hearing pursuant to Chapter 1113.09 of the Codified Ordinances of the City of Urbana on Tuesday, February 1, 2022.

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

Section 1: The City Engineer shall amend the Official Zoning Map of the City of Urbana, Ohio to reflect the zoning change depicted in the Planning Commission Staff Report and as recommended by the Planning Commission. An exhibit of the proposed zoning map change is attached and labeled as "Exhibit A".

Section 2: The Mayor shall sign the amended Official Zoning Map of the City of Urbana, Ohio.

Section 3: The Clerk of Council is now instructed to sign the amended Official Zoning Map to attest to this action of City Council.

SECTION 4: That the City of Urbana Planning Commission's recommendation to approve the request to rezone the proposed area is attached and labeled as "Exhibit B".

Section 5: The Planning Commission Staff Report is attached and labeled as "Exhibit C."

SECTION 6: 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 January 21, 2022.

SECTION 7: This ordinance shall become effective at the earliest time provided by law.


Passed: _____

Marty Hess, Council President

Attest: _____
Clerk of Council

This Ordinance approved by me this ____ day of _____, 2022.

Mayor

Department requesting: Zoning		Personnel: Preston Carter	Director of Law review 
Expenditure? Y (N)	Emergency? Y (N)	Public Hearing? (Y) N	
Readings required: 1 2 (3)		If yes, dates advertised: 01/21/2022	
First reading date: 01/18/2022	Second reading date: 02/01/2022	Third/Final reading date: 02/15/2022	

Anticipated effective date if approved: 03/02/2022

Faint, illegible text at the top of the page, possibly a header or introductory paragraph.

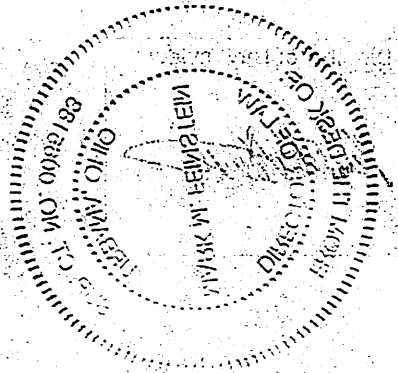
Second line of faint, illegible text.

Third line of faint, illegible text.

Fourth line of faint, illegible text.

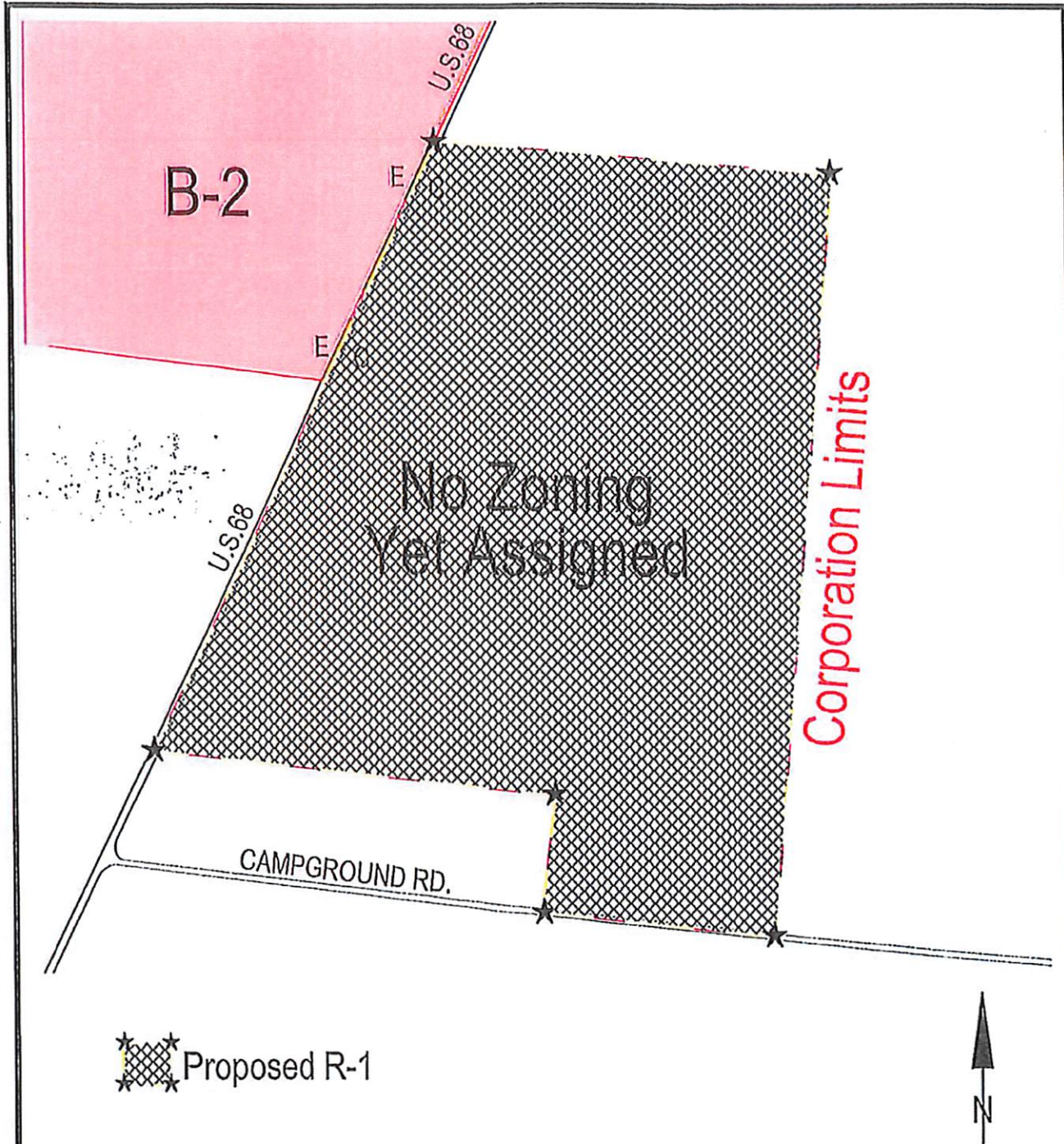
Fifth line of faint, illegible text.

Sixth line of faint, illegible text.



Seventh line of faint, illegible text.

Eighth line of faint, illegible text.



	R-1 LOW DENSITY RESIDENTIAL		B-2 GENERAL BUSINESS
	R-2 MEDIUM DENSITY RESIDENTIAL		B-3 COMMERCIAL BUSINESS
	R-3 HIGH DENSITY RESIDENTIAL		M-1 MANUFACTURING
	B-4 BUSINESS RESIDENTIAL		CITY CENTER PHASE ONE PLAYA DRIVE STREET
NO.	DATE:	REVISION:	

★
 1673 SOUTH
 US HIGHWAY 68
 REZONING (PREK-0)
 ZONING MAP
 PROPOSED CHANGE:
 NONE TO R-1
 ★

CITY OF URBANA
 DIVISION OF ENGINEERING
 201 E. U.S. 51 • URBANA, IL 62521
 Fax: (313) 632-4208
 Phone: (313) 632-4121

TYLER L. BUI DALOUGH, P.E.
 CITY ENGINEER

CITY OF URBANA
 PROPOSED ZONING MAP AMENDMENT

G:\Engineering\Urbana Map\Zoning Map\Urbana Zoning Map.dwg TLO TLO 1" = 400' 11/15/2021	Exhibit A
---	-----------

Section 5: The Planning Commission Staff Report is attached and labeled as "Exhibit C."

SECTION 6: 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 January 21, 2022.

SECTION 7: This ordinance shall become effective at the earliest time provided by law.


Passed: _____

Marty Hess, Council President

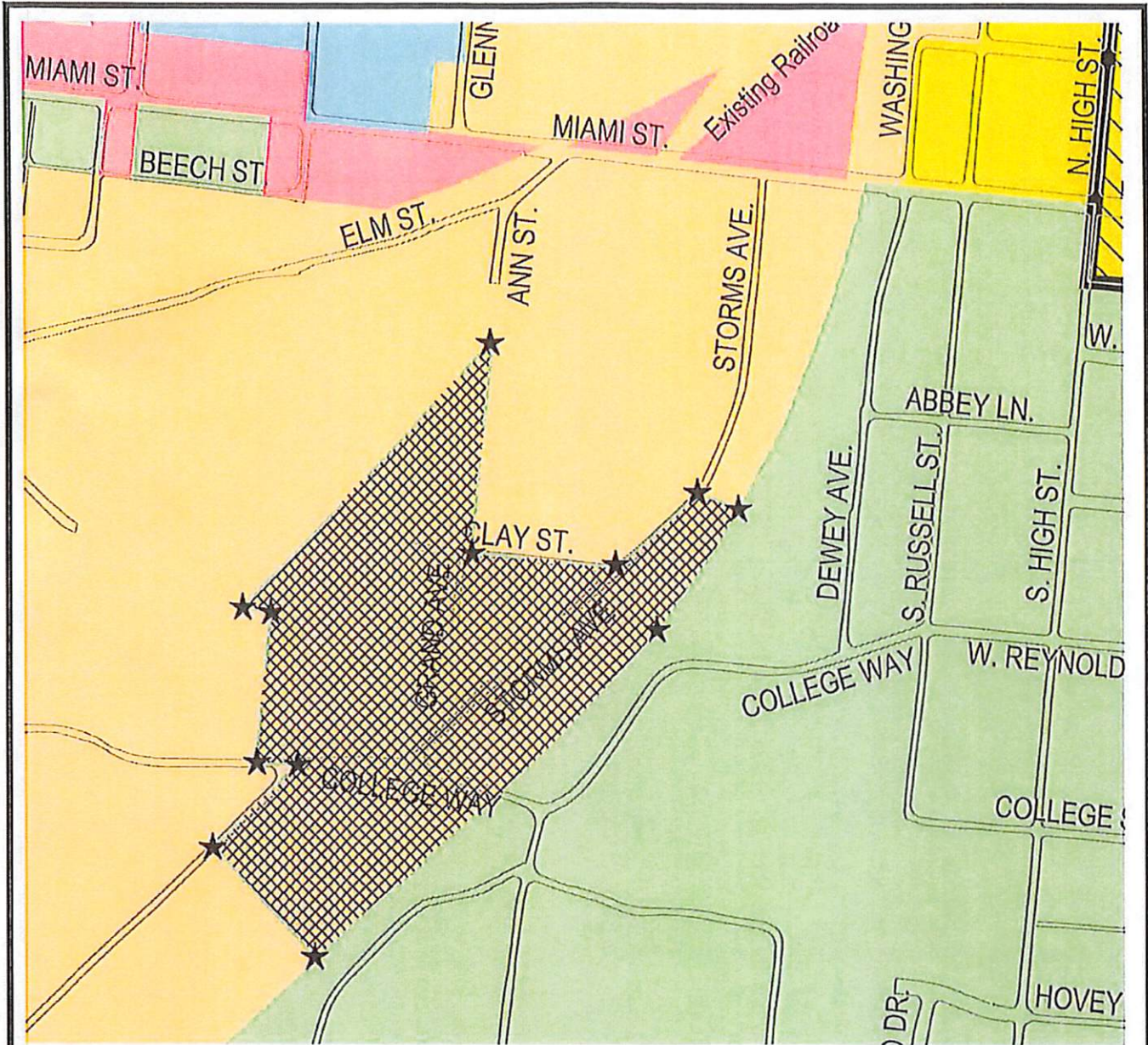
Attest: _____
Clerk of Council

This Ordinance approved by me this ____ day of _____, 2022.

Mayor









Department requesting: Zoning		Personnel: Preston Carter	Director of Law review
Expenditure? Y (N)	Emergency? Y (N)	Public Hearing? (Y) N	
Readings required: 1 2 (3)		If yes, dates advertised: 01/21/2022	
First reading date: 01/18/2022	Second reading date: 02/01/2022	Third/Final reading date: 02/15/2022	

Anticipated effective date if approved: 03/02/2022



 Proposed R-2



 R-1 LOW DENSITY RESIDENTIAL	 B-2 GENERAL BUSINESS
 R-2 MEDIUM DENSITY RESIDENTIAL	 B-3 CENTRAL BUSINESS
 R-3 HIGH DENSITY RESIDENTIAL	 M-1 MANUFACTURING
 BR-1 BUSINESS RESIDENTIAL	 CITY CENTER HERITAGE OVERLAY DISTRICT

ID:	DATE:	REVISION:

★
**CLAY, GRAND,
 STORMS & COLLEGE
 WAY REZONING**
 ZONING MAP
 PROPOSED CHANGE:
M-1 TO R-2
 ★

TYLER L. BUMBALOUGH, P.E. CITY ENGINEER	CITY OF URBANA DIVISION OF ENGINEERING 205 S. Main Street • Urbana, Ohio 43078 Fax: (937) 652-4306 Phone: (937) 652-4324
CITY OF URBANA PROPOSED ZONING MAP AMENDMENT	
Exhibit A	

DATE	FILED	DATE	FILED
TLB	TLB	1" = 400'	11/5/2021



Planning Commission

November 22, 2021, Meeting Minutes

Attendance

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

Member(s) Absent:

Guests Present: Ron Quesenberry; John Organ; Justin Wollenberg; Phil Moorehead; Audra Bean; Charles Thiel; Chris Bradley; Robert Woodburn; Scott Mallery

Call to Order and Pledge of Allegiance

Action: Eric Samuelsson called the meeting to order and lead the pledge of allegiance,

Reading of Rules of the Meeting

Action: Mr. Samuelsson read the meeting rules and regulations.

Prior Meeting Minutes

Action: There were no meeting minutes from the previous meeting.

Discussion: None.

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

Old Business – Application(s)

Case # 1: None.

Application, Staff Comments & Recommendations: None.

Testimony in Favor: None.

Testimony Against: None.

Discussion: None.

Action: None.

Vote:



New Business – Application(s)

Case # 1: PC-2021-18 – City of Urbana – Zoning Map Amendment – Clay St., Grand St., Storms Ave., College Way

Application, Staff Comments & Recommendations:

Mr. Carter spoke regarding the Zoning Map Amendment. This proposed change will affect 45 parcels near Grand Avenue, College Way. The current zone is M-1. The proposed change would make it R-2. This has been brought forth given there has been multiple people come to the zoning office wanting to develop their properties and they have not been able to do so because of the way this area is zoned even though there are quite a few residential homes. Every parcel proposed to change already has an existing residential structure or is set up to have one.

Mr. Crabill stated this has been proposed before which it was tabled due to the unknown path of the development of the Q-3 project. However, that area would not be affected by this change.

A board member stated the owner’s property over there that is set up for a residential area but it has been impossible to develop and impossible to sell due to the restrictions given its zoning.

Testimony in Favor: None.

Testimony Against: None.

Discussion:

Action: It was moved by Mr. Brandeberry and seconded by Mr. Bean to accept the application.

Vote: 7 (Yay) – 0 (Nay)
Motion passed.

Case # 2: PC-2021-19 – City of Urbana – Zoning Map Amendment – PreK-8 School

Application, Staff Comments & Recommendations:

Mr. Carter spoke and stated this application is for the area which is the new school. This will be just bringing the school in as an R-1.

Mr. Crabill stated that back in March of 2018 it was annexed into the City. After bringing it to Planning Commission and ended not getting a propose designation and was tables. Since then, it has been on the zoning map as ‘No Zoning Yet Assigned’. Since 2018, they went through the South Main Street corridor plan which designated the school site and the Madison-Champaign ESC. Long term, the school would like to designate an institutional district in case the school grows or has any projects come about. However, the City is looking to make it an R-1. A school is a conditional use in an R-1 district. This only affects the school parcel and will not affect any of the neighboring parcels.

It was asked why the City wouldn’t just zone it institutional instead of making it R-1. Mr. Crabill answered long term, that will be the goal but it’s a matter of putting that text together and establishing something like this for the school.

Charles Theil is the Superintendent and stated the school wants the zoning to be done in such a way that if they school builds more building and education facilities in this area, it would be feasible and permissible by the City. Mr. Theil asked if this will be a hang-up when the school does want to expand if they zone it as the City proposes. Anything that would need done would have to go through the BZA. Mr. Thiel stated they could



potentially look into building some baseball fields, bus garage, new fences and things and would be worried they could not do any of that when the time comes if this area is not zoned properly.

A board member asked what a particular area on the map was which was colored red. Mr. Crabill said it was a mixed-use area.

Mr. Brugger made the point that leaving the area unzoned will basically have the same effect as zoning it improperly by making it hard for the school to develop further. He would rather find a solution that will give everyone come comfort. Mr. Crabill agreed but noted that if they do not assign it something, and in 6 months they want to build, the City will have no guidelines to follow to ensure everything follows code. Therefore, they could not do anything at all if it is not zoned one way or another. Mr. Brugger stated he understands that concern but would rather give it a placeholder zoning which allows the school to do something if they need to and suggested instead of R-1 being a place holder, have an Institutional district as the placeholder since that is what it is. Then they could build off it being institutional rather than trying to use conditional use in a R-1. Mr. Crabill stated that Mr. Brugger is valid in his point but the City would need to update the map and ordinance to call out an Institution. Mr. Brugger stated there needs to be more discussion that just this meeting about how to handle this zoning a potentially more backend work by the City to make a district the school would fit into.

Testimony in Favor: None.

Testimony Against: None.

Discussion:

Action: Mr. Brugger moved to table this to allow the City time to establish a PUD (institutional) for the school. 27.03 It was seconded by Mr. Bean.

Vote: 7 (Yay) – 0 (Nay)
Motion passed.

Miscellaneous

Dugan Place Pre-application Conference

**Application, Staff
Comments &
Recommendations:**

Mr. Carter explained this sight a little and turned it over to the company. This is just for some open discussion to review the high-level plan. Phil Moorehead from G-2 Planning spoke about the project. The subject site is on the East side of the City. It's 92.6 acres and is within the Urbana Commons PUD. They are looking into establishing anew PUD which will be a subject of discussion. They are hoping for a residential zoning which will allow multi-family dwellings and single-family dwellings.

Sub-area A will be patio homes with about 29 acres of the site. These are smaller lots which will be targeting empty nesters or someone who wants a smaller space and lower maintenance home. The North portion of the site is sub-area B. This will be a less intensive area. These will be single-family homes to target young families or multi-generational homes. The center will be townhomes for sale. They will have a shared wall or two with your neighbor if you purchase one of these. They will have their own front access to each unit and their own garage. This will target a similar demographic for a patio home such as someone who is downsizing or wants less to worry about with their properties. Townhomes will likely be a lower price point than the townhomes. 38.12 Sub-area D is still subject to change. It could be multi-family or have assisted living components. They are still trying to decide what is needed. There will be about 400 living units by the time this is done. Mr.

Moorehead shared some architecture designs and floor plans. These are still subject to change and there will be a range of different materials and various architectural details. He opened the floor to some questions. Mr. Brandeberry stated he knows there is quite a need for housing in Urbana. Mr. Crabill noted there has been housing studies and a meeting in August with different businesses who stated they had employees that need new housing. Mr. Crabill also stated one the staff level there has been discussion there being a need for a north



access point if the parcels to the north start to develop. The current proposition for this access is on a property line which could cause issues. The City proposed having at least two access points to the north and potentially one to connect to Boyce Street. They have also reviewed trail connectivity with the bike trail to connect. They have looked into connecting to Washington Ave and at the property of the YMCA.

Mr. Brugger stated the talk around the town is concern for offset intersections which are sometimes seen as an issue in the City already. Mr. Crabill stated that the City Engineer has looked into this as well.

Mr. Brugger asked for clarification on what concepts are being proposed for sub-area D. Mr. Moorehead stated they are thinking multi-family but this could be senior living multi-family, or just an apartment but it is still being decided.

Mr. Crabill stated they have expressed this area as being market rate living so none of this will be subsidized or section 8 housing.

Mr. Crabill also clarified a traffic study will have to take place. He also stated this would meet the density of 5 unites per acre which would meet the criteria to be an R-2 density.

It was asked how this development compares in size to the development in Springfield. The Springfield development is 104 acres with a similar density. The single-family will have basements, patio homes will be crawl spaces or slabs. Townhomes will be on slab. That is subject to change based on what the market is calling for. The single-family will be between 1,400 square feet or 1,600 square feet and maybe a few 1,800 square feet with prices between \$250,000 and \$350,000. As the builder comes in they will help them fine tooth these details.

Mr. Carter announced the next meeting being moved from Monday December 27th to Monday, December 20th given the City offices are closed on the 27th for the holidays.

Testimony in Favor: None.

Testimony Against: None.

Discussion:

Action:

Vote:

Adjournment

Action: Mr. Bean moved to adjourn, it was seconded by Mr. Brugger.

Vote: 7 (Yay) – 0 (Nay)
Motion passed.



Department of Zoning and Compliance

205 South Main Street, Urbana, OH 43078 | (937) 652 – 4325 | ZoningandCompliance@ci.urbana.oh.us | www.urbanaohio.com



STAFF REPORT

Project Case No.: PC-2021-18
Staff: Preston Carter – Zoning and Compliance Officer
Applicant: City of Urbana
Property Address: 45 parcels in the area of Storms Avenue, College Way, Grand Avenue and Clay Street
Property Size:
Current Zoning: M-1

Request Summary:

Proposal to rezone approximately 45 parcels in the area of Storms Avenue, College Way, Grand Avenue and Clay Street from M-1 Manufacturing to R-2 Medium Density Residential.

Planning Commission Options:

The Planning Commission, by motion and vote, may approve the application as presented, approve the application with conditions, table the application for more information, or deny the application as presented.

RESOLUTION NO. 2584-22

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION OF THE CITY OF URBANA, TO EXECUTE THE AIRPORT RESCUE GRANT OFFER, GRANT NO. 3-39-0080-026-2022 ("The Grant") FOR THE GRIMES FIELD AIRPORT (I-74), AND DECLARING AN EMERGENCY (Passage on first reading)

WHEREAS, in a letter dated January 13, 2022 the U.S. Department of Transportation Federal Aviation Administration tendered Offer No. 3-39-0080-026-2022 to the City of Urbana, the airport sponsor for Grimes Field Airport (I74), for costs related to operations, personnel, cleaning, sanitization, janitorial service, combating the spread of pathogens at the airport, and debt payments; and

WHEREAS, pursuant to the terms of the Grant, this Council must provide authority to the Director of Administration to execute the Grant on behalf of the City of Urbana, Grimes Field; and

WHEREAS, grant funds are available for reimbursement of eligible costs up to a maximum obligation of \$32,000.00 at Grimes Field;

NOW THEREFORE, be it resolved by the Council of the City of Urbana:

Section One: The Director of Administration is hereby authorized to execute the Airport Rescue Grant, No. 3-39-0080-026-2022, and the Grant Agreement, attached hereto, on behalf of the City of Urbana; and

Section Two: That it is found and determined that all formal actions of this City Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this City Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section Three: That this resolution shall be declared an emergency as the terms of the Grant Agreement specify that the Director of Administration must execute the Grant, followed by the Director of law's certification thereof, not later than February 2, 2022. This Resolution shall therefore take effect immediately after passage to ensure timely participation in the Grant Agreement.


Council President

Passed: _____

Attest: _____
Council Clerk

This Resolution approved by me this ____ day of _____, 2022.

Mayor

Department requesting: Administration/Airport		Personnel: Kerry Brugger	Director of Law Review 
Expenditure? Y [N]	Emergency? [Y] N	Public Hearing? Y [N] If yes, dates advertised:	
Readings required: [1] 2 3		Third/Final reading date: N/A	
First reading date: 2/1/22	Second reading date: N/A		

Anticipated effective date if approved: _2/1/2022_



U.S. Department
of Transportation
Federal Aviation
Administration

Airports Division
Great Lakes Region
Michigan, Ohio

FAA DET ADO
Detroit Airport District
Office:
11677 S Wayne Rd, Ste 107
Romulus, MI 48174-1412

Airport Rescue Grant Transmittal Letter

January 13, 2022

Mr. Kerry Brugger, Director of Admin
City of Urbana
205 South Main Street
Urbana, OH 43078-2113

Dear Mr. Brugger:

Please find the following electronic Airport Rescue Grant Offer, Grant No. 3-39-0080-026-2022 for Grimes Field Airport. This letter outlines expectations for success. Please read and follow the instructions carefully.

To properly enter into this agreement, you must do the following:

- a. The governing body must provide authority to execute the grant to the individual signing the grant; i.e. the sponsor's authorized representative.
- b. The sponsor's authorized representative must execute the grant, followed by the attorney's certification, no later than **February 2, 2022** in order for the grant to be valid.
- c. You may not make any modification to the text, terms or conditions of the grant offer.
- d. The grant offer must be digitally signed by the sponsor's legal signatory authority and then routed via email to the sponsor's attorney. Once the attorney has digitally attested to the grant, an email with the executed grant will be sent to all parties.

Subject to the requirements in 2 CFR §200.305, each payment request for reimbursement under this grant must be made electronically via the Delphi eInvoicing System. Please see the attached Grant Agreement for more information regarding the use of this System. The terms and conditions of this agreement require you draw down and expend these funds within four years.

An airport sponsor may use these funds for costs related to operations, personnel, cleaning, sanitization, janitorial services, combating the spread of pathogens at the airport, and debt service payments. Please refer to the [Airport Rescue Grants Frequently Asked Questions](#) for further information.

With each payment request you are required to upload an invoice summary directly to Delphi. The invoice summary should include enough detail to permit FAA to verify compliance with the American Rescue Plan Act (Public Law 117-2). Additional details or invoices may be requested by FAA during the review of your payment requests.

As part of your final payment request, you are required to include in Delphi:

- A signed SF-425, *Federal Financial Report*
- A signed closeout report (a sample report is available [here](#)).

Until the grant is completed and closed, you are responsible for submitting a signed and dated SF-425 annually, due 90 days after the end of each Federal fiscal year in which this grant is open (due December 31 of each year this grant is open).

As a condition of receiving Federal assistance under this award, you must comply with audit requirements as established under 2 CFR part 200. Subpart F requires non-Federal entities that expend \$750,000 or more in Federal awards to conduct a single or program specific audit for that year. Note that this includes Federal expenditures made under other Federal-assistance programs. Please take appropriate and necessary action to assure your organization will comply with applicable audit requirements and standards.

I am readily available to assist you and your designated representative with the requirements stated herein. The FAA sincerely values your cooperation in these efforts.

Sincerely,

Stephanie R. Swann
Stephanie R. Swann (Jan 13, 2022 16:45 EST)

Stephanie R. Swann
Deputy Manager

[ADO has discretion to delegate signature authority to Program Manager]



U.S. Department
of Transportation
Federal Aviation
Administration

AIRPORT RESCUE GRANT

GRANT AGREEMENT

Part I - Offer

Federal Award Offer Date January 13, 2022

Airport/Planning Area Grimes Field Airport

Airport Rescue Grant No. 3-39-0080-026-2022

Unique Entity Identifier 051597730

TO: City of Urbana
(herein called the "Sponsor")

FROM: The United States of America (acting through the Federal Aviation Administration, herein called the "FAA")

WHEREAS, the Sponsor has submitted to the FAA an Airport Rescue Grant Application dated August 10, 2021, for a grant of Federal funds at or associated with the Grimes Field Airport, which is included as part of this Airport Rescue Grant Agreement;

WHEREAS, the Sponsor has accepted the terms of FAA's Airport Rescue Grant offer;

WHEREAS, in consideration of the promises, representations and assurances provided by the Sponsor, the FAA has approved the Airport Rescue Grant Application for the Grimes Field Airport, (herein called the "Grant" or "Airport Rescue Grant") consisting of the following:

WHEREAS, this Airport Rescue Grant is provided in accordance with the American Rescue Plan Act ("ARP Act", or "the Act"), Public Law 117-2, as described below, to provide eligible Sponsors with funding for costs related to operations, personnel, cleaning, sanitization, janitorial services, combating the spread of pathogens at the airport, and debt service payments. Airport Rescue Grant amounts to specific airports are derived by legislative formula (See Section 7102 of the Act).

WHEREAS, the purpose of this Airport Rescue Grant is to prevent, prepare for, and respond to the coronavirus pandemic. Funds provided under this Airport Rescue Grant Agreement must be used only for purposes directly related to the airport. Such purposes can include the reimbursement of an airport's operational expenses or debt service payments in accordance with the limitations prescribed in the Act.

Airport Rescue Grants may be used to reimburse airport operational expenses directly related to Grimes Field incurred no earlier than January 20, 2020.

Airport Rescue Grants also may be used to reimburse a Sponsor's payment of debt service where such payments occur on or after March 11, 2021. Funds provided under this Airport Rescue Grant Agreement will be governed by the same principles that govern "airport revenue." New airport development projects not directly related to combating the spread of pathogens may not be funded with this Grant. Funding under this Grant for airport development projects to combat the spread of pathogens will be reallocated using an addendum to this Agreement for identified and approved projects.

NOW THEREFORE, in accordance with the applicable provisions of the ARP Act, Public Law 117-2, the representations contained in the Grant Application, and in consideration of (a) the Sponsor's acceptance of this Offer; and, (b) the benefits to accrue to the United States and the public from the accomplishment of the Grant and in compliance with the conditions as herein provided,

THE FEDERAL AVIATION ADMINISTRATION, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES to pay 100% percent of the allowable costs incurred as a result of and in accordance with this Grant Agreement.

Assistance Listings Number (Formerly CFDA Number): 20.106

This Offer is made on and **SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:**

CONDITIONS

1. **Maximum Obligation.** The maximum obligation of the United States payable under this Offer is \$32,000, allocated as follows:
 - \$32,000 ARPA KW2022
2. **Grant Performance.** This Airport Rescue Grant Agreement is subject to the following Federal award requirements:
 - a. The Period of Performance:
 1. Shall start on the date the Sponsor formally accepts this agreement, and is the date signed by the last Sponsor signatory to the agreement. The end date of the period of performance is 4 years (1,460 calendar days) from the date of acceptance. The period of performance end date shall not affect, relieve, or reduce Sponsor obligations and assurances that extend beyond the closeout of this Grant Agreement.
 2. Means the total estimated time interval between the start of an initial Federal award and the planned end date, which may include one or more funded portions, or budget periods. (2 Code of Federal Regulations (CFR) § 200.1)
 - b. The Budget Period:
 1. For this Airport Rescue Grant is 4 years (1,460 calendar days). Pursuant to 2 CFR § 200.403(h), the Sponsor may charge to the Grant only allowable costs incurred during the budget period.
 2. Means the time interval from the start date of a funded portion of an award to the end date of that funded portion during which the Sponsor is authorized to expend the funds awarded, including any funds carried forward or other revisions pursuant to § 200.308.
 - c. Close out and Termination.

1. Unless the FAA authorizes a written extension, the Sponsor must submit all Grant closeout documentation and liquidate (pay-off) all obligations incurred under this award no later than 120 calendar days after the end date of the period of performance. If the Sponsor does not submit all required closeout documentation within this time period, the FAA will proceed to close out the Grant within one year of the period of performance end date with the information available at the end of 120 days. (2 CFR § 200.344)
2. The FAA may terminate this Airport Rescue Grant, in whole or in part, in accordance with the conditions set forth in 2 CFR § 200.340, or other Federal regulatory or statutory authorities as applicable.
3. **Unallowable Costs.** The Sponsor shall not seek reimbursement for any costs that the FAA has determined to be unallowable under the ARP Act.
4. **Indirect Costs - Sponsor.** The Sponsor may charge indirect costs under this award by applying the indirect cost rate identified in the Grant Application as accepted by the FAA, to allowable costs for Sponsor direct salaries and wages only.
5. **Final Federal Share of Costs.** The United States' share of allowable Grant costs is 100%.
6. **Completing the Grant without Delay and in Conformance with Requirements.** The Sponsor must carry out and complete the Grant without undue delays and in accordance with this Airport Rescue Grant Agreement, the ARP Act, and the regulations, policies, standards, and procedures of the Secretary of Transportation ("Secretary"). Pursuant to 2 CFR § 200.308, the Sponsor agrees to report to the FAA any disengagement from funding eligible expenses under the Grant that exceeds three months or a 25 percent reduction in time devoted to the Grant, and request prior approval from FAA. The report must include a reason for the stoppage. The Sponsor agrees to comply with the attached assurances, which are part of this agreement and any addendum that may be attached hereto at a later date by mutual consent.
7. **Amendments or Withdrawals before Grant Acceptance.** The FAA reserves the right to amend or withdraw this offer at any time prior to its acceptance by the Sponsor.
8. **Offer Expiration Date.** This offer will expire and the United States will not be obligated to pay any part of the costs unless this offer has been accepted by the Sponsor on or before February 2, 2022, or such subsequent date as may be prescribed in writing by the FAA.
9. **Improper Use of Federal Funds.** The Sponsor must take all steps, including litigation if necessary, to recover Federal funds spent fraudulently, wastefully, or in violation of Federal antitrust statutes, or misused in any other manner, including uses that violate this Airport Rescue Grant Agreement, the ARP Act, or other provision of applicable law. For the purposes of this Airport Rescue Grant Agreement, the term "Federal funds" means funds however used or dispersed by the Sponsor that were originally paid pursuant to this or any other Federal grant agreement(s). The Sponsor must return the recovered Federal share, including funds recovered by settlement, order, or judgment, to the Secretary. The Sponsor must furnish to the Secretary, upon request, all documents and records pertaining to the determination of the amount of the Federal share or to any settlement, litigation, negotiation, or other efforts taken to recover such funds. All settlements or other final positions of the Sponsor, in court or otherwise, involving the recovery of such Federal share require advance approval by the Secretary.
10. **United States Not Liable for Damage or Injury.** The United States is not responsible or liable for damage to property or injury to persons which may arise from, or relate to this Airport Rescue

Grant Agreement, including, but not limited to, any action taken by a Sponsor related to or arising from, directly or indirectly, this Airport Rescue Grant Agreement.

11. **System for Award Management (SAM) Registration and Unique Entity Identifier (UEI).**
 - a. Requirement for System for Award Management (SAM): Unless the Sponsor is exempted from this requirement under 2 CFR 25.110, the Sponsor must maintain the currency of its information in SAM until the Sponsor submits the final financial report required under this Grant, or receives the final payment, whichever is later. This requires that the Sponsor review and update the information at least annually after the initial registration and more frequently if required by changes in information or another award term. Additional information about registration procedures may be found at the SAM website (currently at <http://www.sam.gov>).
 - b. Unique entity identifier (UEI) means a 12-character alpha-numeric value used to identify a specific commercial, nonprofit or governmental entity. A UEI may be obtained from SAM.gov at <https://sam.gov/SAM/pages/public/index.jsf>.
12. **Electronic Grant Payment(s).** Unless otherwise directed by the FAA, the Sponsor must make each payment request under this agreement electronically via the Delphi eInvoicing System for Department of Transportation (DOT) Financial Assistance Awardees.
13. **Air and Water Quality.** The Sponsor is required to comply with all applicable air and water quality standards for all projects in this grant. If the Sponsor fails to comply with this requirement, the FAA may suspend, cancel, or terminate this Agreement.
14. **Financial Reporting and Payment Requirements.** The Sponsor will comply with all Federal financial reporting requirements and payment requirements, including submittal of timely and accurate reports.
15. **Buy American.** Unless otherwise approved in advance by the FAA, in accordance with 49 United States Code (U.S.C.) § 50101, the Sponsor will not acquire or permit any contractor or subcontractor to acquire any steel or manufactured goods produced outside the United States to be used for any project for which funds are provided under this grant. The Sponsor will include a provision implementing Buy American in every contract.
16. **Audits for Sponsors.**

PUBLIC SPONSORS. The Sponsor must provide for a Single Audit or program-specific audit in accordance with 2 CFR Part 200. The Sponsor must submit the audit reporting package to the Federal Audit Clearinghouse on the Federal Audit Clearinghouse's Internet Data Entry System at <http://harvester.census.gov/facweb/>. Upon request of the FAA, the Sponsor shall provide one copy of the completed audit to the FAA.
17. **Suspension or Debarment.** When entering into a "covered transaction" as defined by 2 CFR § 180.200, the Sponsor must:
 - a. Verify the non-Federal entity is eligible to participate in this Federal program by:
 1. Checking the excluded parties list system (EPLS) as maintained within the System for Award Management (SAM) to determine if the non-Federal entity is excluded or disqualified; or
 2. Collecting a certification statement from the non-Federal entity attesting the entity is not excluded or disqualified from participating; or

3. Adding a clause or condition to covered transactions attesting the individual or firm is not excluded or disqualified from participating.
- b. Require prime contractors to comply with 2 CFR § 180.330 when entering into lower-tier transactions (e.g., subcontracts).
- c. Immediately disclose to the FAA whenever the Sponsor (1) learns the Sponsor has entered into a covered transaction with an ineligible entity, or (2) suspends or debars a contractor, person, or entity.

18. Ban on Texting While Driving.

- a. In accordance with Executive Order 13513, Federal Leadership on Reducing Text Messaging While Driving, October 1, 2009, and DOT Order 3902.10, Text Messaging While Driving, December 30, 2009, the Sponsor is encouraged to:
 1. Adopt and enforce workplace safety policies to decrease crashes caused by distracted drivers, including policies to ban text messaging while driving when performing any work for, or on behalf of, the Federal government, including work relating to this Airport Rescue Grant or subgrant funded by this Grant.
 2. Conduct workplace safety initiatives in a manner commensurate with the size of the business, such as:
 - A. Establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving; and
 - B. Education, awareness, and other outreach to employees about the safety risks associated with texting while driving.
- b. The Sponsor must insert the substance of this clause on banning texting while driving in all subgrants, contracts, and subcontracts funded by this Airport Rescue Grant.

19. Trafficking in Persons.

- a. You as the recipient, your employees, subrecipients under this Airport Rescue Grant, and subrecipients' employees may not –
 1. Engage in severe forms of trafficking in persons during the period of time that the award is in effect;
 2. Procure a commercial sex act during the period of time that the award is in effect; or
 3. Use forced labor in the performance of the award or subawards under the Airport Rescue Grant.
- b. The FAA as the Federal awarding agency may unilaterally terminate this award, without penalty, if you or a subrecipient that is a private entity –
 1. Is determined to have violated a prohibition in paragraph a. of this Airport Rescue Grant Agreement term; or
 2. Has an employee who is determined by the agency official authorized to terminate the Airport Rescue Grant Agreement to have violated a prohibition in paragraph a. of this Airport Rescue Grant term through conduct that is either –
 - A. Associated with performance under this Airport Rescue Grant; or

- B. Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR Part 180, "OMB Guidelines to Agencies on Government-wide Debarment and Suspension (Nonprocurement)," as implemented by the FAA at 2 CFR Part 1200.
- c. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph a. of this Grant condition during this Airport Rescue Grant Agreement.
- d. Our right to terminate unilaterally that is described in paragraph a. of this Grant condition:
 - 1. Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. § 7104(g)), and
 - 2. Is in addition to all other remedies for noncompliance that are available to the FAA under this Airport Rescue Grant.

20. Employee Protection from Reprisal.

- a. Prohibition of Reprisals —
 - 1. In accordance with 41 U.S.C. § 4712, an employee of a grantee or subgrantee may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing to a person or body described in sub-paragraph (a)(2) of this Grant condition, information that the employee reasonably believes is evidence of:
 - a. Gross mismanagement of a Federal grant;
 - b. Gross waste of Federal funds;
 - c. An abuse of authority relating to implementation or use of Federal funds;
 - d. A substantial and specific danger to public health or safety; or
 - e. A violation of law, rule, or regulation related to a Federal grant.
 - 2. Persons and bodies covered: The persons and bodies to which a disclosure by an employee is covered are as follows:
 - a. A member of Congress or a representative of a committee of Congress;
 - b. An Inspector General;
 - c. The Government Accountability Office;
 - d. A Federal employee responsible for oversight or management of a grant program at the relevant agency;
 - e. A court or grand jury;
 - f. A management official or other employee of the Sponsor, contractor, or subcontractor who has the responsibility to investigate, discover, or address misconduct; or
 - g. An authorized official of the Department of Justice or other law enforcement agency.
 - 3. Submission of Complaint — A person who believes that they have been subjected to a reprisal prohibited by paragraph a. of this Airport Rescue Grant Agreement may submit a complaint regarding the reprisal to the Office of Inspector General (OIG) for the U.S. Department of Transportation.
 - 4. Time Limitation for Submittal of a Complaint — A complaint may not be brought under this subsection more than three years after the date on which the alleged reprisal took place.

5. Required Actions of the Inspector General — Actions, limitations, and exceptions of the Inspector General’s office are established under 41 U.S.C. § 4712(b).
 6. Assumption of Rights to Civil Remedy — Upon receipt of an explanation of a decision not to conduct or continue an investigation by the Office of Inspector General, the person submitting a complaint assumes the right to a civil remedy under 41 U.S.C. § 4712(c).
21. **Limitations.** Nothing provided herein shall be construed to limit, cancel, annul, or modify the terms of any Federal grant agreement(s), including all terms and assurances related thereto, that have been entered into by the Sponsor and the FAA prior to the date of this Airport Rescue Grant Agreement.
 22. **Face Coverings Policy.** The sponsor agrees to implement a face-covering (mask) policy to combat the spread of pathogens. This policy must include a requirement that all persons wear a mask, in accordance with Centers for Disease Control (CDC) and Transportation Security Administration (TSA) requirements, as applicable, at all times while in all public areas of the airport property, except to the extent exempted under those requirements. This special condition requires the airport sponsor continue to require masks until [Executive Order 13998, Promoting COVID-19 Safety in Domestic and International Travel](#), is no longer effective.

SPECIAL CONDITIONS FOR USE OF AIRPORT RESCUE GRANT FUNDS

CONDITIONS FOR EQUIPMENT -

1. **Equipment or Vehicle Replacement.** The Sponsor agrees that when using funds provided by this Grant to replace equipment, the proceeds from the trade-in or sale of such replaced equipment shall be classified and used as airport revenue.
2. **Equipment Acquisition.** The Sponsor agrees that for any equipment acquired with funds provided by this Grant, such equipment shall be used solely for purposes directly related to combating the spread of pathogens at the airport.
3. **Low Emission Systems.** The Sponsor agrees that vehicles and equipment acquired with funds provided in this Grant:
 - a. Will be maintained and used at the airport for which they were purchased; and
 - b. Will not be transferred, relocated, or used at another airport without the advance consent of the FAA.

The Sponsor further agrees that it will maintain annual records on individual vehicles and equipment, project expenditures, cost effectiveness, and emission reductions.

CONDITIONS FOR UTILITIES AND LAND -

4. **Utilities Proration.** For purposes of computing the United States’ share of the allowable airport operations and maintenance costs, the allowable cost of utilities incurred by the Sponsor to operate and maintain airport(s) included in the Grant must not exceed the percent attributable to the capital or operating costs of the airport.
5. **Utility Relocation in Grant.** The Sponsor understands and agrees that:
 - a. The United States will not participate in the cost of any utility relocation unless and until the Sponsor has submitted evidence satisfactory to the FAA that the Sponsor is legally responsible for payment of such costs;

- b. FAA participation is limited to those utilities located on-airport or off-airport only where the Sponsor has an easement for the utility; and
- c. The utilities must serve a purpose directly related to the Airport.

The Sponsor’s acceptance of this Offer and ratification and adoption of the Airport Rescue Grant Application incorporated herein shall be evidenced by execution of this instrument by the Sponsor. The Offer and Acceptance shall comprise an Airport Rescue Grant Agreement, as provided by the ARP Act, constituting the contractual obligations and rights of the United States and the Sponsor with respect to this Grant. The effective date of this Airport Rescue Grant Agreement is the date of the Sponsor's acceptance of this Offer.

Please read the following information: By signing this document, you are agreeing that you have reviewed the following consumer disclosure information and consent to transact business using electronic communications, to receive notices and disclosures electronically, and to utilize electronic signatures in lieu of using paper documents. You are not required to receive notices and disclosures or sign documents electronically. If you prefer not to do so, you may request to receive paper copies and withdraw your consent at any time.

Dated January 13, 2022

**UNITED STATES OF AMERICA
FEDERAL AVIATION ADMINISTRATION**

Stephanie R. Swann
Stephanie R. Swann (Jan 13, 2022 16:45 EST)

(Signature)

Stephanie R. Swann

(Typed Name)

Deputy Manager, Detroit ADO

(Title of FAA Official)

Part II - Acceptance

The Sponsor does hereby ratify and adopt all assurances, statements, representations, warranties, covenants, and agreements contained in the Airport Rescue Grant Application and incorporated materials referred to in the foregoing Offer under Part I of this Airport Rescue Grant Agreement, and does hereby accept this Offer and by such acceptance agrees to comply with all of the terms and conditions in this Offer and in the Airport Rescue Grant Application and all applicable terms and conditions provided for in the ARP Act and other applicable provisions of Federal law.

Please read the following information: By signing this document, you are agreeing that you have reviewed the following consumer disclosure information and consent to transact business using electronic communications, to receive notices and disclosures electronically, and to utilize electronic signatures in lieu of using paper documents. You are not required to receive notices and disclosures or sign documents electronically. If you prefer not to do so, you may request to receive paper copies and withdraw your consent at any time.

I declare under penalty of perjury that the foregoing is true and correct. ¹

Dated

City of Urbana

(Name of Sponsor)

(Signature of Sponsor's Designative Official/Representative)

By:

(Type Name of Sponsor's Designative Official/Representative)

Title:

(Title of Sponsor's Designative Official/Representative)

¹ Knowingly and willfully providing false information to the Federal government is a violation of 18 U.S.C. Section 1001 (False Statements) and could subject you to fines, imprisonment, or both.

CERTIFICATE OF SPONSOR'S ATTORNEY

I, _____, acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of the State of Ohio. Further, I have examined the foregoing Grant Agreement and the actions taken by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said State and the ARP Act. The Sponsor understands funding made available under this Grant Agreement may only be used for costs related to operations, personnel, cleaning, sanitization, janitorial services, and combating the spread of pathogens at the airport incurred on or after January 20, 2020, or for debt service payments that are due on or after March 11, 2021. Further, it is my opinion the foregoing Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Please read the following information: By signing this document, you are agreeing that you have reviewed the following consumer disclosure information and consent to transact business using electronic communications, to receive notices and disclosures electronically, and to utilize electronic signatures in lieu of using paper documents. You are not required to receive notices and disclosures or sign documents electronically. If you prefer not to do so, you may request to receive paper copies and withdraw your consent at any time.

Dated at _____

By:

(Signature of Sponsor's Attorney)

AIRPORT RESCUE GRANT ASSURANCES

AIRPORT SPONSORS

A. General.

1. These Airport Rescue Grant Assurances are required to be submitted as part of the application by sponsors requesting funds under the provisions of the American Rescue Plan Act of 2021 (“ARP Act,” or “the Act”), Public Law 117-2. As used herein, the term “public agency sponsor” means a public agency with control of a public-use airport; the term “private sponsor” means a private owner of a public-use airport; and the term “sponsor” includes both public agency sponsors and private sponsors.
2. Upon acceptance of this Airport Rescue Grant offer by the sponsor, these assurances are incorporated into and become part of this Airport Rescue Grant Agreement.

B. Sponsor Certification.

The sponsor hereby assures and certifies, with respect to this Airport Rescue Grant that:

It will comply with all applicable Federal laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the application, acceptance, and use of Federal funds for this Airport Rescue Grant including but not limited to the following:

FEDERAL LEGISLATION

- a. 49 U.S.C. Chapter 471, as applicable
- b. Davis-Bacon Act — 40 U.S.C. 276(a), et. seq.
- c. Federal Fair Labor Standards Act — 29 U.S.C. 201, et. seq.
- d. Hatch Act — 5 U.S.C. 1501, et. seq.²
- e. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 Title 42 U.S.C. 4601, et. seq.
- f. National Historic Preservation Act of 1966 — Section 106 — 16 U.S.C. 470(f).
- g. Archeological and Historic Preservation Act of 1974 — 16 U.S.C. 469 through 469c.
- h. Native Americans Grave Repatriation Act — 25 U.S.C. Section 3001, et. seq.
- i. Clean Air Act, P.L. 90-148, as amended.
- j. Coastal Zone Management Act, P.L. 93-205, as amended.
- k. Flood Disaster Protection Act of 1973 — Section 102(a) — 42 U.S.C. 4012a.
- l. Title 49, U.S.C., Section 303, (formerly known as Section 4(f)).
- m. Rehabilitation Act of 1973 — 29 U.S.C. 794.
- n. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252) (prohibits discrimination on the basis of race, color, national origin).
- o. Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 et seq.), prohibits discrimination on the basis of disability).
- p. Age Discrimination Act of 1975 — 42 U.S.C. 6101, et. seq.

- q. American Indian Religious Freedom Act, P.L. 95-341, as amended.
- r. Architectural Barriers Act of 1968 — 42 U.S.C. 4151, et. seq.
- s. Power plant and Industrial Fuel Use Act of 1978 — Section 403- 2 U.S.C. 8373.
- t. Contract Work Hours and Safety Standards Act — 40 U.S.C. 327, et. seq.
- u. Copeland Anti-kickback Act — 18 U.S.C. 874.1.
- v. National Environmental Policy Act of 1969 — 42 U.S.C. 4321, et. seq.
- w. Wild and Scenic Rivers Act, P.L. 90-542, as amended.
- x. Single Audit Act of 1984 — 31 U.S.C. 7501, et. seq.²
- y. Drug-Free Workplace Act of 1988 — 41 U.S.C. 702 through 706.
- z. The Federal Funding Accountability and Transparency Act of 2006, as amended (Pub. L. 109-282, as amended by section 6202 of Pub. L. 110-252).

EXECUTIVE ORDERS

- a. Executive Order 11246 – Equal Employment Opportunity
- b. Executive Order 11990 – Protection of Wetlands
- c. Executive Order 11998 – Flood Plain Management
- d. Executive Order 12372 – Intergovernmental Review of Federal Programs
- e. Executive Order 12699 – Seismic Safety of Federal and Federally Assisted New Building Construction
- f. Executive Order 12898 – Environmental Justice
- g. Executive Order 14005 – Ensuring the Future Is Made in All of America by All of America's Workers.

FEDERAL REGULATIONS

- a. 2 CFR Part 180 – OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement).
- b. 2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.^{3,4}
- c. 2 CFR Part 1200 – Nonprocurement Suspension and Debarment.
- d. 28 CFR Part 35 – Discrimination on the Basis of Disability in State and Local Government Services.
- e. 28 CFR § 50.3 – U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964.
- f. 29 CFR Part 1 – Procedures for predetermination of wage rates.¹
- g. 29 CFR Part 3 – Contractors and subcontractors on public building or public work financed in whole or part by loans or grants from the United States.¹

- h. 29 CFR Part 5 – Labor standards provisions applicable to contracts covering Federally financed and assisted construction (also labor standards provisions applicable to non-construction contracts subject to the Contract Work Hours and Safety Standards Act).¹
- i. 41 CFR Part 60 – Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor (Federal and Federally assisted contracting requirements).¹
- j. 49 CFR Part 20 – New restrictions on lobbying.
- k. 49 CFR Part 21 – Nondiscrimination in Federally-assisted programs of the Department of Transportation - effectuation of Title VI of the Civil Rights Act of 1964.
- l. 49 CFR Part 23 – Participation by Disadvantage Business Enterprise in Airport Concessions.
- m. 49 CFR Part 26 – Participation by Disadvantaged Business Enterprises in Department of Transportation Program.
- n. 49 CFR Part 27 – Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance.¹
- o. 49 CFR Part 28 – Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities conducted by the Department of Transportation.
- p. 49 CFR Part 30 – Denial of public works contracts to suppliers of goods and services of countries that deny procurement market access to U.S. contractors.
- q. 49 CFR Part 32 – Government-wide Requirements for Drug-Free Workplace (Financial Assistance).
- r. 49 CFR Part 37 – Transportation Services for Individuals with Disabilities (ADA).
- s. 49 CFR Part 41 – Seismic safety of Federal and Federally assisted or regulated new building construction.

FOOTNOTES TO AIRPORT RESCUE GRANT ASSURANCE B

- ¹ These laws do not apply to airport planning sponsors.
- ² These laws do not apply to private sponsors.
- ³ Cost principles established in 2 CFR Part 200 subpart E must be used as guidelines for determining the eligibility of specific types of expenses.
- ⁴ Audit requirements established in 2 CFR Part 200 subpart F are the guidelines for audits.

SPECIFIC ASSURANCES

Specific assurances required to be included in grant agreements by any of the above laws, regulations, or circulars are incorporated by reference in this Grant Agreement.

1. Purpose Directly Related to the Airport

It certifies that the reimbursement sought is for a purpose directly related to the airport.

2. Responsibility and Authority of the Sponsor.

a. Public Agency Sponsor:

It has legal authority to apply for this Grant, and to finance and carry out the proposed grant; that an official decision has been made by the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directing

and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

b. Private Sponsor:

It has legal authority to apply for this Grant and to finance and carry out the proposed Grant and comply with all terms, conditions, and assurances of this Grant Agreement. It shall designate an official representative and shall in writing direct and authorize that person to file this application, including all understandings and assurances contained therein; to act in connection with this application; and to provide such additional information as may be required.

3. Good Title.

It, a public agency or the Federal government, holds good title, satisfactory to the Secretary, to the landing area of the airport or site thereof, or will give assurance satisfactory to the Secretary that good title will be acquired.

4. Preserving Rights and Powers.

- a. It will not take or permit any action which would operate to deprive it of any of the rights and powers necessary to perform any or all of the terms, conditions, and assurances in this Grant Agreement without the written approval of the Secretary, and will act promptly to acquire, extinguish, or modify any outstanding rights or claims of right of others which would interfere with such performance by the sponsor. This shall be done in a manner acceptable to the Secretary.
- b. If the sponsor is a private sponsor, it will take steps satisfactory to the Secretary to ensure that the airport will continue to function as a public-use airport in accordance with this Grant Agreement.
- c. If an arrangement is made for management and operation of the airport by any agency or person other than the sponsor or an employee of the sponsor, the sponsor will reserve sufficient rights and authority to insure that the airport will be operated and maintained in accordance Title 49, United States Code, the regulations, and the terms and conditions of this Grant Agreement.

5. Consistency with Local Plans.

Any project undertaken by this Grant Agreement is reasonably consistent with plans (existing at the time of submission of the Airport Rescue Grant application) of public agencies that are authorized by the State in which the project is located to plan for the development of the area surrounding the airport.

6. Consideration of Local Interest.

It has given fair consideration to the interest of communities in or near where any project undertaken by this Grant Agreement may be located.

7. Consultation with Users.

In making a decision to undertake any airport development project undertaken by this Grant Agreement, it has undertaken reasonable consultations with affected parties using the airport at which project is proposed.

8. Pavement Preventative Maintenance.

With respect to a project undertaken by this Grant Agreement for the replacement or reconstruction of pavement at the airport, it assures or certifies that it has implemented an effective airport pavement maintenance-management program and it assures that it will use such program for the useful life of any pavement constructed, reconstructed, or repaired with Federal financial assistance at the airport, including Airport Rescue Grant funds provided under this Grant Agreement. It will provide such reports on pavement condition and pavement management programs as the Secretary determines may be useful.

9. Accounting System, Audit, and Record Keeping Requirements.

- a. It shall keep all Grant accounts and records which fully disclose the amount and disposition by the recipient of the proceeds of this Grant, the total cost of the Grant in connection with which this Grant is given or used, and the amount or nature of that portion of the cost of the Grant supplied by other sources, and such other financial records pertinent to the Grant. The accounts and records shall be kept in accordance with an accounting system that will facilitate an effective audit in accordance with the Single Audit Act of 1984.
- b. It shall make available to the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, for the purpose of audit and examination, any books, documents, papers, and records of the recipient that are pertinent to this Grant. The Secretary may require that an appropriate audit be conducted by a recipient. In any case in which an independent audit is made of the accounts of a sponsor relating to the disposition of the proceeds of a Grant or relating to the Grant in connection with which this Grant was given or used, it shall file a certified copy of such audit with the Comptroller General of the United States not later than six (6) months following the close of the fiscal year for which the audit was made.

10. Minimum Wage Rates.

It shall include, in all contracts in excess of \$2,000 for work on the airport funded under this Grant Agreement which involve labor, provisions establishing minimum rates of wages, to be predetermined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5), which contractors shall pay to skilled and unskilled labor, and such minimum rates shall be stated in the invitation for bids and shall be included in proposals or bids for the work.

11. Veteran's Preference.

It shall include in all contracts for work on any airport development project funded under this Grant Agreement which involve labor, such provisions as are necessary to insure that, in the employment of labor (except in executive, administrative, and supervisory positions), preference shall be given to Vietnam-era veterans, Persian Gulf veterans, Afghanistan-Iraq war veterans, disabled veterans, and small business concerns owned and controlled by disabled veterans as defined in Section 47112 of Title 49, United States Code. However, this preference shall apply only where the individuals are available and qualified to perform the work to which the employment relates.

12. Operation and Maintenance.

- a. The airport and all facilities which are necessary to serve the aeronautical users of the airport, other than facilities owned or controlled by the United States, shall be operated at all times in a safe and serviceable condition and in accordance with the minimum standards as may be required or prescribed by applicable Federal, State and local agencies for maintenance and

operation. It will not cause or permit any activity or action thereon which would interfere with its use for airport purposes. It will suitably operate and maintain the airport and all facilities thereon or connected therewith, with due regard to climatic and flood conditions. Any proposal to temporarily close the airport for non-aeronautical purposes must first be approved by the Secretary. In furtherance of this assurance, the sponsor will have in effect arrangements for:

1. Operating the airport's aeronautical facilities whenever required;
 2. Promptly marking and lighting hazards resulting from airport conditions, including temporary conditions; and
 3. Promptly notifying airmen of any condition affecting aeronautical use of the airport. Nothing contained herein shall be construed to require that the airport be operated for aeronautical use during temporary periods when snow, flood or other climatic conditions interfere with such operation and maintenance. Further, nothing herein shall be construed as requiring the maintenance, repair, restoration, or replacement of any structure or facility which is substantially damaged or destroyed due to an act of God or other condition or circumstance beyond the control of the sponsor.
- b. It will suitably operate and maintain noise compatibility program items that it owns or controls upon which Federal funds have been expended.

13. Hazard Removal and Mitigation.

It will take appropriate action to assure that such terminal airspace as is required to protect instrument and visual operations to the airport (including established minimum flight altitudes) will be adequately cleared and protected by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards.

14. Compatible Land Use.

It will take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft.

15. Exclusive Rights.

The sponsor shall not grant an exclusive right to use an air navigation facility on which this Grant has been expended. However, providing services at an airport by only one fixed-based operator is not an exclusive right if—

- a. it is unreasonably costly, burdensome, or impractical for more than one fixed-based operator to provide the services; and
- b. allowing more than one fixed-based operator to provide the services requires a reduction in space leased under an agreement existing on September 3, 1982, between the operator and the airport.

16. Airport Revenues.

- a. This Grant shall be available for any purpose for which airport revenues may lawfully be used to prevent, prepare for, and respond to coronavirus. Funds provided under this Airport Rescue Grant Agreement will only be expended for the capital or operating costs of the airport; the local airport system; or other local facilities which are owned or operated by the owner or operator of the airport(s) subject to this agreement and all applicable addendums for costs

related to operations, personnel, cleaning, sanitization, janitorial services, combating the spread of pathogens at the airport, and debt service payments as prescribed in the Act.

- b. For airport development, 49 U.S.C. § 47133 applies.

17. Reports and Inspections.

It will:

- a. submit to the Secretary such annual or special financial and operations reports as the Secretary may reasonably request and make such reports available to the public; make available to the public at reasonable times and places a report of the airport budget in a format prescribed by the Secretary;
- b. in a format and time prescribed by the Secretary, provide to the Secretary and make available to the public following each of its fiscal years, an annual report listing in detail:
 - 1. all amounts paid by the airport to any other unit of government and the purposes for which each such payment was made; and
 - 2. all services and property provided by the airport to other units of government and the amount of compensation received for provision of each such service and property.

18. Land for Federal Facilities.

It will furnish without cost to the Federal Government for use in connection with any air traffic control or air navigation activities, or weather-reporting and communication activities related to air traffic control, any areas of land or water, or estate therein, or rights in buildings of the sponsor as the Secretary considers necessary or desirable for construction, operation, and maintenance at Federal expense of space or facilities for such purposes. Such areas or any portion thereof will be made available as provided herein within four months after receipt of a written request from the Secretary.

19. Airport Layout Plan.

- a. Subject to the FAA Reauthorization Act of 2018, Public Law 115-254, Section 163, it will keep up to date at all times an airport layout plan of the airport showing:
 - 1. boundaries of the airport and all proposed additions thereto, together with the boundaries of all offsite areas owned or controlled by the sponsor for airport purposes and proposed additions thereto;
 - 2. the location and nature of all existing and proposed airport facilities and structures (such as runways, taxiways, aprons, terminal buildings, hangars and roads), including all proposed extensions and reductions of existing airport facilities;
 - 3. the location of all existing and proposed non-aviation areas and of all existing improvements thereon; and
 - 4. all proposed and existing access points used to taxi aircraft across the airport's property boundary. Such airport layout plans and each amendment, revision, or modification thereof, shall be subject to the approval of the Secretary which approval shall be evidenced by the signature of a duly authorized representative of the Secretary on the face of the airport layout plan. The sponsor will not make or permit any changes or alterations in the airport or any of its facilities which are not in conformity with the airport layout plan

as approved by the Secretary and which might, in the opinion of the Secretary, adversely affect the safety, utility or efficiency of the airport.

- b. Subject to the FAA Reauthorization Act of 2018, Public Law 115-254, Section 163, if a change or alteration in the airport or the facilities is made which the Secretary determines adversely affects the safety, utility, or efficiency of any federally owned, leased, or funded property on or off the airport and which is not in conformity with the airport layout plan as approved by the Secretary, the owner or operator will, if requested, by the Secretary (1) eliminate such adverse effect in a manner approved by the Secretary; or (2) bear all costs of relocating such property (or replacement thereof) to a site acceptable to the Secretary and all costs of restoring such property (or replacement thereof) to the level of safety, utility, efficiency, and cost of operation existing before the unapproved change in the airport or its facilities except in the case of a relocation or replacement of an existing airport facility due to a change in the Secretary's design standards beyond the control of the airport sponsor.

20. Civil Rights.

It will promptly take any measures necessary to ensure that no person in the United States shall, on the grounds of race, creed, color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any activity conducted with, or benefiting from, funds received from this Grant.

- a. Using the definitions of activity, facility, and program as found and defined in §§ 21.23 (b) and 21.23 (e) of 49 CFR Part 21, the sponsor will facilitate all programs, operate all facilities, or conduct all programs in compliance with all non-discrimination requirements imposed by or pursuant to these assurances.
- b. **Applicability**
 1. **Programs and Activities.** If the sponsor has received a grant (or other Federal assistance) for any of the sponsor's program or activities, these requirements extend to all of the sponsor's programs and activities.
 2. **Facilities.** Where it receives a grant or other Federal financial assistance to construct, expand, renovate, remodel, alter, or acquire a facility, or part of a facility, the assurance extends to the entire facility and facilities operated in connection therewith.
 3. **Real Property.** Where the sponsor receives a grant or other Federal financial assistance in the form of, or for the acquisition of, real property or an interest in real property, the assurance will extend to rights to space on, over, or under such property.
- c. **Duration**

The sponsor agrees that it is obligated to this assurance for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the assurance obligates the sponsor, or any transferee for the longer of the following periods:

 1. So long as the airport is used as an airport, or for another purpose involving the provision of similar services or benefits; or
 2. So long as the sponsor retains ownership or possession of the property.
- d. **Required Solicitation Language**

It will include the following notification in all solicitations for bids, Requests for Proposals for work, or material under this Grant and in all proposals for agreements, including airport concessions, regardless of funding source:

“The **City of Urbana**, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that for any contract entered into pursuant to this advertisement, disadvantaged business enterprises and airport concession disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.”

e. **Required Contract Provisions.**

1. It will insert the non-discrimination contract clauses requiring compliance with the acts and regulations relative to non-discrimination in Federally-assisted programs of the DOT, and incorporating the acts and regulations into the contracts by reference in every contract or agreement subject to the non-discrimination in Federally-assisted programs of the DOT Acts and regulations.
2. It will include a list of the pertinent non-discrimination authorities in every contract that is subject to the non-discrimination acts and regulations.
3. It will insert non-discrimination contract clauses as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a sponsor.
4. It will insert non-discrimination contract clauses prohibiting discrimination on the basis of race, color, national origin, creed, sex, age, or handicap as a covenant running with the land, in any future deeds, leases, license, permits, or similar instruments entered into by the sponsor with other parties:
 - A. For the subsequent transfer of real property acquired or improved under the applicable activity, grant, or program; and
 - B. For the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, grant, or program.
 - C. It will provide for such methods of administration for the program as are found by the Secretary to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the acts, the regulations, and this assurance.
 - D. It agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the acts, the regulations, and this assurance.

21. Foreign Market Restrictions.

It will not allow funds provided under this Grant to be used to fund any activity that uses any product or service of a foreign country during the period in which such foreign country is listed by the United States Trade Representative as denying fair and equitable market opportunities for products and suppliers of the United States in procurement and construction.

22. Policies, Standards and Specifications.

It will carry out any project funded under an Airport Rescue Grant in accordance with policies, standards, and specifications approved by the Secretary including, but not limited to, current FAA Advisory Circulars for AIP projects, as of August 10, 2021.

23. Access By Intercity Buses.

The airport owner or operator will permit, to the maximum extent practicable, intercity buses or other modes of transportation to have access to the airport; however, it has no obligation to fund special facilities for intercity buses or for other modes of transportation.

24. Disadvantaged Business Enterprises.

The sponsor shall not discriminate on the basis of race, color, national origin or sex in the award and performance of any DOT-assisted contract covered by 49 CFR Part 26, or in the award and performance of any concession activity contract covered by 49 CFR Part 23. In addition, the sponsor shall not discriminate on the basis of race, color, national origin or sex in the administration of its Disadvantaged Business Enterprise (DBE) and Airport Concessions Disadvantaged Business Enterprise (ACDBE) programs or the requirements of 49 CFR Parts 23 and 26. The sponsor shall take all necessary and reasonable steps under 49 CFR Parts 23 and 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts, and/or concession contracts. The sponsor's DBE and ACDBE programs, as required by 49 CFR Parts 26 and 23, and as approved by DOT, are incorporated by reference in this agreement. Implementation of these programs is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the sponsor of its failure to carry out its approved program, the Department may impose sanctions as provided for under Parts 26 and 23 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1936 (31 U.S.C. 3801).

25. Acquisition Thresholds.

The FAA deems equipment to mean tangible personal property having a useful life greater than one year and a per-unit acquisition cost equal to or greater than \$5,000. Procurements by micro-purchase means the acquisition of goods or services for which the aggregate dollar amount does not exceed \$10,000, unless authorized in accordance with 2 CFR § 200.320. Procurement by small purchase procedures means those relatively simple and informal procurement methods for securing goods or services that do not exceed the \$250,000 threshold for simplified acquisitions.

Current FAA Advisory Circulars Required for Use in AIP Funded and PFC Approved Projects

View the most current Series 150 Advisory Circulars (ACs) for Airport Projects at
http://www.faa.gov/airports/resources/advisory_circulars and
http://www.faa.gov/regulations_policies/advisory_circulars

RESOLUTION 2627-22

A RESOLUTION DECLARING THE NECESSITY OF IMPROVING SOUTH AND NORTH MAIN STREET IN THE CITY OF URBANA, COUNTY OF CHAMPAIGN, OHIO BY CONSTRUCTING OR REPAIRING CURBS, GUTTERS, DRIVEWAY APPROACHES AND APPURTENANCES THERETO ON A SECTION OF SOUTH MAIN STREET BETWEEN STATE ROUTE 55 AND MARKET STREET AND ON A SECTION OF NORTH MAIN STREET BETWEEN COURT STREET AND WASHINGTON AVENUE/GWYNNE STREET, AND DECLARING AN EMERGENCY.

WHEREAS, Section 727.01 of the Ohio Revised Code grants this Council the special power to levy and collect assessments for street improvements, such as construction or repair of curbs, gutters, driveway approaches and appurtenances thereto, by the owners of lots or lands abutting thereon and specially benefiting from; and

WHEREAS, in accordance with Section 727.12 of the Ohio Revised Code, this Council finds it necessary to make public improvements that will construct or repair curbs, gutters, driveway approaches and appurtenances thereto on a section of South Main Street between State Route 55 and Market Street and on a section of North Main Street between Court Street and Washington Avenue/Gwynne Street within the City of Urbana, County of Champaign, Ohio; and

WHEREAS, the plans, specifications, profiles, and estimate of cost have been filed with the Clerk of Council, as required by Section 727.12 of the Ohio Revised Code; and

WHEREAS, Section 727.12 of the Ohio Revised Code further states that upon such filing, this Council may declare the necessity by the passage of a resolution for the municipal corporation to make the public improvement to be paid for in whole or in part by special assessments levied pursuant to this chapter.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Urbana, Ohio, a three-fourths majority of the members of Council present concurring, that:

Section 1. It is hereby declared necessary for the preservation of the public health, safety and welfare of the City of Urbana, Ohio, to make public improvements that will construct or repair certain curbs, gutters, driveway approaches and appurtenances thereto on a section of South Main Street between State Route 55 and Market Street and on a section of North Main Street between Court Street and Washington Avenue/Gwynne Street.

Section 2. The plans, specifications, profiles, and estimate of cost of the proposed improvement, now on file in the office of the Clerk of Council, are hereby approved.

Section 3. The City Engineer has prepared an estimate for the cost of the public improvements. The City of Urbana will be paying for the cost of improvements abutting

public alleys, street medians, and city-owned property as well as catch basin reconstruction or adjustments as needed. The City of Urbana also will incur all costs associated with design, bidding and contracting for this public improvement project. The rest of the cost of the improvements will be paid for by special assessments.

Section 4. The method of levying the special assessment shall be in proportion to the benefits which will result from the improvements fronting and abutting each property along South and North Main Street.

Section 5. Payment will be made by the City of Urbana from its Capital Improvement Fund, Stormwater – Capital Improvement Fund, and Neighborhood Curb, Gutter & Sidewalk Fund directly to a contractor to be selected through the city's competitive bidding process. The city shall recoup its capital cost outlay to make the improvements through a special assessment to be levied against each lot or parcel with assessments payable over a period of five years. No fee shall be added by the city on the special assessment. In addition, the City of Urbana shall bill, allowing prepayment, prior to the assessment being filed with the County Auditor.

Section 6. The City of Urbana does not intend to issue securities in anticipation of the levy and/or collection of the special assessments.

Section 7. The City Engineer has prepared an estimated assessment in accordance with the method of assessment set forth in this resolution and this estimated assessment for each lot or parcel of land to be assessed is on file in the office of the Clerk of Council.

Section 8. The Clerk of Council, or his or her designee, is hereby directed to serve notice of the passage of this Resolution on the owners of the lots and lands abutting and benefitting from the improvements to be constructed or repaired in accordance with Ohio Revised Code Section 727.13.

Section 9. It is found that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code, and the Rules of Council.

Section 10. This Resolution is hereby declared an emergency measure as it relates to addressing public health, safety and welfare and shall become effective immediately upon its passage.

PASSED: _____


Council President

ATTEST: _____

Clerk of Council

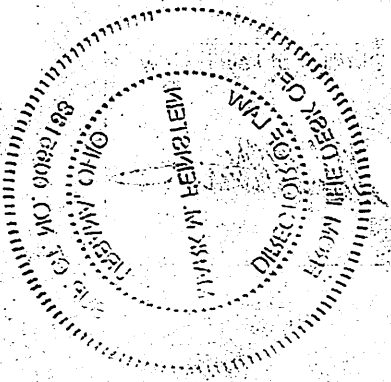
This resolution approved by me this ____ day of _____, 2022.

Mayor

Department requesting: Engineering		Personnel: T. Bumbalough	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: 2/1/2022	Second reading date: NA	Third/Final reading date: NA	

Anticipated effective date if passed: 2/1/2022





Estimate of the Cost of the Improvements to be Assessed - S. and N. Main Street Curb and Gutter Improvements							1/26/2022
Fronting Address	Owner Name	Curb and Gutter Length (FT)	Per Property Cost	Comments			
1006 S MAIN ST	DONALD PAGE	49	\$2,220.50				
1010 S MAIN ST	ANDREA CHRISTINE HILL	50	\$3,199.00				
1020 S MAIN ST	KELSEY & SHANE BLACK	55	\$3,197.00				
1014 S MAIN ST	CHAD TROYER	45	\$7,522.50				
1022 S MAIN ST	KARNS MIKE D	50	\$3,022.00				
S MAIN ST	SLESINGER RICH MARY KAY	93	\$4,270.00				
1040 S MAIN ST	MENTAL HEALTH DRUG & ALCOHOL SERVICES BOARD	108	\$5,759.00				
1052 S MAIN ST	KILE REAL PROPERTIES LLC	137	\$6,793.00				
1001 S MAIN ST	KENNETH KAREN WOOTEN	88	\$4,149.00				
1013 S MAIN ST	ROGER & ELIZABETH BOWSHIER	70	\$3,640.50				
1021 S MAIN ST	BENJAMIN & AMANDA HOSKINSON	88	\$4,591.50				
1029 S MAIN ST	SHAWN & JESSICA HORTON	80	\$5,195.00				
1035 S MAIN ST	SHARON POTTS	60	\$4,614.00				
1039 S MAIN ST	KEVIN DERR	60	\$4,138.00				
1049 S MAIN ST	LARRY & DORIS BURTON	99	\$4,671.50				
1059 S MAIN ST	VIRGINIA BARRON	42	\$2,099.00				
1063 S MAIN ST	GARY & ROSALIND WEAVER	28	\$1,383.50				
904 S MAIN ST	RICHARD GORDON & KIMBERLY BROOKS	56	\$2,695.50				
912 S MAIN ST	LINDSAY & KEVIN TAYLOR	145	\$7,263.50				
922 S MAIN ST	JOHN & BRITTANY BUENA	50	\$3,034.50				
944 S MAIN ST	PATTON PROPERTY LLC	200	\$10,267.50				
913 S MAIN ST	GARY & JEANNIE BEATTY	119	\$7,587.50				
927 S MAIN ST	BRIAN WILLIAMS	61	\$2,977.00				
931 S MAIN ST	BRAD & SHANAE WATKINS	51	\$2,518.50				
937 S MAIN ST	STEPHEN & ANGELA JACOBS	51	\$2,759.50				
945 S MAIN ST	KENNETH & KIMBERLY NEWMAN	53	\$2,582.00				
862 S MAIN ST	JERALD BOYD II	70	\$3,475.50				
864 S MAIN ST	ANDREW & CATHY MOSES	44	\$2,905.50				
876 S MAIN ST	NICHOLAS & STACY CHRISTIAN	89	\$4,376.50				
858 S MAIN ST	JACK & DONNA BUSH	48	\$2,464.50				
854 S MAIN ST	DELAINE YEAGER	50	\$3,467.00				
850 S MAIN ST	JOHN & ASHLEY EMMONS	50	\$3,716.50				
840 S MAIN ST	GLADYS & JONATHAN COLLINS	50	\$3,631.50				
838 S MAIN ST	WILLIAM BROWN	50	\$3,135.50				
832 S MAIN ST	LORI NOTESTINE	50	\$3,459.50				
820 S MAIN ST	BRYAN COX	50	\$3,382.50				

Estimate of the Cost of the Improvements to be Assessed - S. and N. Main Street Curb and Gutter Improvements							1/26/2022
Fronting Address	Owner Name	Curb and Gutter Length (FT)	Per Property Cost	Comments			
818 S MAIN ST	TY & RUTH CRAMER	58	\$2,919.50				
812 S MAIN ST	DOROTHY BEATTY	60	\$4,175.00				
806 S MAIN ST	PANDIN COMPANY LLC	61	\$4,521.50				
802 S MAIN ST	ROBERT & LORI TAVENNER	63	\$3,245.50				
817 S MAIN ST	HALEY WOODWARD	64	\$2,943.00				
821 S MAIN ST	SUSAN OELKER	48	\$2,334.50				
823 S MAIN ST	DYLAN SOUDERS & ALYSSA BEAVERS	50	\$2,368.00				
827 S MAIN ST	TERRI THOMPSON & KAILEY SCHETTER	50	\$3,215.50				
833 S MAIN ST	DANIEL VANDYKE	50	\$3,463.50				
835 S MAIN ST	JUSTIN & NICOLE NAWMAN	50	\$3,368.00				
837 S MAIN ST	TERRY ADAMS	50	\$3,351.50				
851 S MAIN ST	GERALD & TONDRA GIST	50	\$3,388.50				
855 S MAIN ST	SHIRLEY WOODS	50	\$3,467.50				
861 S MAIN ST	JERALD BOYD II	50	\$3,351.50				
865 S MAIN ST	19TH HOLE PROPERTIES LLC	50	\$3,822.00				
871 S MAIN ST	871 MAIN LLC	166	\$11,628.00				
734 S MAIN ST	DAVID SULLENBERGER	59	\$3,032.00				
730 S MAIN ST	KURTIS BUMP	50	\$2,692.00				
724 S MAIN ST	TINA BLAKEMAN	60	\$4,095.00				
720 S MAIN ST	BANK CHAMP NATL AND TRUST TRUSTEE	50	\$3,022.00				
714 S MAIN ST	JANICE MEYER	50	\$2,679.50				
708 S MAIN ST	LISA WILLIAMSON	60	\$3,143.00				
702 S MAIN ST	KENT EDWARD MILLER	74	\$3,356.50				
703 S MAIN ST	STEFAN HAGGARD & SARAH SMITH	50	\$3,477.00				
705 S MAIN ST	JOHN HOWELL SR	50	\$3,304.00				
707 S MAIN ST	BARNABY & JOYCE OFORI	50	\$5,863.50				
725 S MAIN ST	LEGACY PLACE URBANA LP	304	\$14,865.50				
610 S MAIN ST	ARTHUR & LAURA WEISENBARGER	40	\$2,046.50				
614 S MAIN ST	ANNE & ALBERT MAYER	40	\$2,123.50				
618 S MAIN ST	WILLIAM & VICKI BROWN	46	\$2,365.00				
628 S MAIN ST	SETH KOLARSKY	46	\$2,406.00				
630 S MAIN ST	TERRY & LAURA MCKEE	46	\$2,118.00				
642 S MAIN ST	WALTER & LEWIS FUNERAL HOME	151	\$10,473.00				
604 S MAIN ST	JOHN & RUTH COCCARO	71	\$3,628.00				
619 S MAIN ST	MARSHA MARTIN	68	\$3,201.50				
627 S MAIN ST	THOMAS & BRENDA ELIAS	67	\$3,799.50				

Estimate of the Cost of the Improvements to be Assessed - S. and N. Main Street Curb and Gutter Improvements							1/26/2022
Fronting Address	Owner Name	Curb and Gutter Length (FT)	Per Property Cost	Comments			
631 S MAIN ST	ALLISON & JOHNATHON LOUGH	50	\$3,712.50				
635 S MAIN ST	MICHAEL STUDER	50	\$2,692.00				
641 S MAIN ST	PEGGY SUE WILKINS	50	\$3,635.50				
647 S MAIN ST	CHRISTOPHER & KEVIN DILLON	50	\$2,656.00				
609 S MAIN ST	COLVIN LYDIA R	72	\$4,465.50				
605 S MAIN ST	RONALD & MELANIE QUESENBERRY	71	\$4,240.00				
502 S MAIN ST	BEVERLY SUE MARSALIES	52	\$2,788.00				
506 S MAIN ST	JANA RIEGEL	50	\$2,652.00				
510 S MAIN ST	TAYLOR & MARY NEHLS	50	\$2,620.00				
516 S MAIN ST	LACRETA SCHNACK	60	\$3,098.50				
522 S MAIN ST	CHARLES & KATHY TAYLOR	79	\$4,542.50				
530 S MAIN ST	TRISTIN PANKHURST	60	\$3,152.50				
538 S MAIN ST	JOSEPH & LOIS CAHOON	66	\$3,015.50				
546 S MAIN ST	JULIE SMITH	51	\$2,398.00				
507 S MAIN ST	GABRIELLE LOGAN	45	\$2,484.50				
513 S MAIN ST	DAVID & DAWANA LAASE	48	\$3,407.00				
517 S MAIN ST	ALEXIS CARDOSA	54	\$3,307.00				
523 S MAIN ST	KELLI WRIGHT	65	\$4,679.00				
527 S MAIN ST	TIMOTHY EUGENE STALEY	45	\$3,135.00				
533 S MAIN ST	CARYL PAUL DWAYNE	45	\$3,102.50				
569 S MAIN ST	JUSTIN & AUBREE CHAPPELEAR	136	\$7,310.00				
428 S MAIN ST	DAVID & SUSAN OELKER	42	\$2,489.50				
422 S MAIN ST	TRIPLE W PROPERTIES LLC	42	\$2,237.50				
418 S MAIN ST	RYAN WALTZ	42	\$2,265.00				
414 S MAIN ST	CHAD & KYMBERLYN FANNIN	42	\$2,265.00				
410 S MAIN ST	JANET WATKINS L/C JOHN & JEANNE BURDETTE	42	\$2,301.00				
408 S MAIN ST	TARA MCCOY	42	\$2,237.50				
402 S MAIN ST	CHRIS GRAVITT & AMY WARNER	64	\$3,171.50				
415 S MAIN ST	JOSEPH SMITH	50	\$5,184.50				
413 S MAIN ST	JOSEPH SMITH	57	\$4,194.00				
405 S MAIN ST	DANIEL FLORY	45	\$2,340.00				
401 S MAIN ST	NANCY THOMPSON	63	\$2,921.50				
425 S MAIN ST	THOMAS FITZGIBBON	84	\$4,236.00				
433 S MAIN ST	TERRELL & AMANDA BROWNING	55	\$3,773.50				
437 S MAIN ST	NELSON & PAMELA SPELLMAN	70	\$4,611.50				
445 S MAIN ST	MARIANNE MONEY & JIMMY MONROE	49	\$3,143.00				

Estimate of the Cost of the Improvements to be Assessed - S. and N. Main Street Curb and Gutter Improvements							1/26/2022
Fronting Address	Owner Name	Curb and Gutter Length (FT)	Per Property Cost	Comments			
449 S MAIN ST	COLTER & VICTORIA HURLEY	51	\$2,646.00				
442 S MAIN ST	SHANNON & JAMES ROWE	50	\$2,656.00				
436 S MAIN ST	SHANNON BOWSER	50	\$3,215.50				
430 S MAIN ST	WILLIAM & VICKI BROWN	63	\$4,169.00				
301 S MAIN ST	CHARLES & BARBARA PATRICK	93	\$4,120.50				
319 S MAIN ST	HENDERSON X 4 PROPERTIES LLC	50	\$2,355.50				
313 S MAIN ST	MILDRED FRAZIER	57	\$2,819.00				
331 S MAIN ST	NANCY RHEA	57	\$2,792.00				
333 S MAIN ST	AARON & SAMANTHA HILTIBRAN	58	\$2,637.00				
304 S MAIN ST	ROY PHIL & TERESA WILSON	105	\$5,754.50				
314 S MAIN ST	MATTHEW PARTIN	55	\$2,917.50				
320 S MAIN ST	CARYL PAUL DWAYNE	50	\$2,706.00				
324 S MAIN ST	MATTHEW CRAIG	50	\$2,368.00				
330 S MAIN ST	GENERAL CONVENTION OF NEW JERUSALEM CHURCH	67	\$3,537.00				
200 S MAIN ST	URBANA POST OFFICE	102	\$6,828.50				
216 S MAIN ST	GRANDWORKS FOUNDATION	59	\$2,564.50				
222 S MAIN ST	R & R TAKHAR LLC	158	\$14,097.00				
431 N MAIN ST	THOMAS LATHAM	49	\$3,155.50				
429 N MAIN ST	BRUCE & DEBRA WOODS	57	\$3,284.00				
423 N MAIN ST	FIRST BAPTIST CHURCH OF URBANA	0	\$0.00	Combined with 401 N. Main.			
401 N MAIN ST	CHURCH FIRST BAPTIST	145	\$7,775.50				
104 W WARD ST	JENNIFER TRIMBLE	41	\$2,094.50				
406 N MAIN ST	JON GIBSON	44	\$2,865.00				
412 N MAIN ST	JENNIFER LIU	49	\$3,241.00				
414 N MAIN ST	AMERICAN LEGION INC	48	\$4,284.50				
420 N MAIN ST	LARRY & HEBA DOWNS	71	\$4,543.50				
426 N MAIN ST	ZACHARY BURT & ADRIANNA MARTIN	50	\$2,946.00				
432 N MAIN ST	CARYL-ROPP PAUL DWAYNE	74	\$4,445.50				
303 N MAIN ST	JOHN COLLINS	161	\$9,424.50				
317 N MAIN ST	JOHN COLLINS	0	\$0.00	Combined with 303 N. Main.			
325 N MAIN ST	RANDY & TERESA LEOPARD	50	\$2,451.00				
331 N MAIN ST	STAIRWALT PAMELA K	55	\$4,642.50				
321 N MAIN ST	GRETCHEN BONASERA	21	\$857.00				
319 N MAIN ST	GRETCHEN BONASERA	34	\$1,690.00				
300 N MAIN ST	FOUR GABLES LLC	85	\$3,571.50				
316 & 318 N MAIN ST	TRAVIS & KATHERYN BRENTLINGER	9	\$383.50				

Estimate of the Cost of the Improvements to be Assessed - S. and N. Main Street Curb and Gutter Improvements							1/26/2022
Fronting Address	Owner Name	Curb and Gutter Length (FT)	Per Property Cost	Comments			
324 N MAIN ST	MERLE & KITTIE TROUTWINE	59	\$5,479.00				
201 N MAIN ST	BOARD OF CHAMPAIGN COUNTY OHIO COMMISSIONERS	69	\$2,978.00				
241 N MAIN ST	CARYL ROPP PAUL DWAYNE	30	\$1,555.50				
237 N MAIN ST	DAVID & KIMBERLY BROWN	18	\$1,037.00				
231 N MAIN ST	CARYL ROPP PAUL DWAYNE	18	\$767.00				
225 N MAIN ST	DALE TAI	37	\$1,564.00				
223 N MAIN ST	DAVID & CAROL SMITH	0	\$0.00	Combined with 221 N. Main.			
221 N MAIN ST	DAVID & CAROL SMITH	41	\$1,797.50				
219 N MAIN ST	SCOTT FANNIN	0	\$0.00	Combined with 215 N. Main.			
217 N MAIN ST	SCOTT FANNIN	0	\$0.00	Combined with 215 N. Main.			
215 N MAIN ST	SCOTT FANNIN	94	\$4,189.00				
207 N MAIN ST	MARK & BETHANY BLOEMHARD	24	\$1,060.50				
200 N MAIN ST	BOARD OF CHAMPAIGN COUNTY OHIO COMMISSIONERS	0	\$0.00	No quantity.			
222 N MAIN ST	URBANA MASONIC TEMPLE ASSOC	72	\$5,264.00				
238 N MAIN ST	CHURCH URBANA UNITED METHODIST	25	\$1,495.50				
VARIOUS - CATCH BASINS	CITY OF URBANA	0	\$28,632.00	Various catch basin adjustments or replacements.			
ALLEY NEAR 913 S MAIN ST	CITY OF URBANA	19	\$2,839.00	City alley.			
PARK AVENUE MEDIAN	CITY OF URBANA	50	\$2,181.00	City median for Park Avenue.			
ALLEY NEAR 628 S MAIN ST	CITY OF URBANA	10	\$2,047.00	City alley.			
ALLEY NEAR 614 S MAIN ST	CITY OF URBANA	12	\$2,107.00	City alley.			
ALLEY NEAR 415 S MAIN ST	CITY OF URBANA	17	\$3,576.50	City alley.			
ALLEY NEAR 313 S MAIN ST	CITY OF URBANA	10	\$2,436.50	City alley.			
205 S MAIN ST	CITY OF URBANA	199	\$32,017.50	City municipal building.			
213 S MAIN ST	CITY OF URBANA	0	\$0.00	Combined with 205 S. Main above.			
225 S MAIN ST	CITY OF URBANA OHIO	86	\$18,049.50	City business offices.			
231 S MAIN ST	CITY OF URBANA OHIO	0	\$0.00	Combined with 225 S. Main above.			
ALLEY NEAR 319 N MAIN ST	CITY OF URBANA	10	\$2,135.00	City alley.			
ALLEY NEAR 222 N MAIN ST	CITY OF URBANA	0	\$0.00	City alley. No quantity.			
	OWNER SUBTOTAL	9,684	\$566,909.00				
	CITY SUBTOTAL	413	\$96,021.00				
	CITY MISCELLANEOUS PROJECT COSTS	0	\$50,070.00	<--			
	GRAND TOTALS	10,097	\$713,000.00	Costs such as Item 202 Removed (CB's.), 614 Maintaining Traffic, 623 Const. Layout Stakes, 624 Mobilization, 630 Signs, 638 Service Box Adjustments, 103.05 Contract Bond			

ORDINANCE NO. 4564-22

AN ORDINANCE ACCEPTING THE ANNEXATION OF TWO TRACTS (NOW COMBINED INTO PARCEL #I30-09-12-19-00-008-00) TOTALING 2.030 ACRES, MORE OR LESS, TO THE CITY OF URBANA, OHIO

WHEREAS, on July 7, 2020, the Urbana City Council passed Resolution No. 2585-20 to approve sanitary sewer service to the property at 292 Dellinger Road (Parcel# I30-09-12-19-00-007-00 and Parcel #I30-09-12-19-00-008-00) as an extraterritorial customer under the condition that an annexation petition be filed within 60 days of approval as the property is located adjacent to the current municipal corporation limit; and

WHEREAS, a petition having been filed on October 12, 2021 for said annexation to the City of Urbana with the Board of Champaign County Commissioners, by Attorney Matthew T. Watson, acting as agent for property owners, David M. Oelker and Douglas T. Oelker, as required by Section 709.02(C)(3) of the Ohio Revised Code; and

WHEREAS, on October 19, 2021, the Urbana City Council passed Ordinance No. 4554-21 to provide a statement of services in the territory to be annexed; and

WHEREAS, on October 19, 2021, the Urbana City Council passed Ordinance No. 4555-21 relating to land use and zoning buffers for the territory to be annexed; and

WHEREAS, since the time that said annexation petition was filed and the sanitary sewer request was granted, the two tracts have been combined into one parcel which is now known solely as Parcel# I30-09-12-19-00-008-00; and

WHEREAS, proceedings having been held before the Board of Commissioners of Champaign County on November 16, 2021, wherein said Commissioners approved the annexation, including the annexation plat and legal description; and

WHEREAS, more than sixty days having elapsed from the date of filing of the transcript of such approval by the Board of Champaign County Commissioners with the City Clerk;

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

SECTION ONE:

That the proposed annexation, as applied for in the petition with Board of County Commissioners of Champaign County, Ohio on October 12, 2021 by Attorney Matthew T. Watson, acting as agent for property owners, David M. Oelker and Douglas L. Oelker, as required by Section 709.02(C)(3) of the Ohio Revised Code; and which petition prayed for the annexation to the City of Urbana of certain territory adjacent thereto and hereinafter described, which petition was approved for annexation to the City of Urbana by the Board of County Commissioners on November 16, 2021, be, and hereby is, accepted.

SECTION TWO:

The territory annexed hereby is described in the legal description attached hereto as Exhibit "A" and made a part hereof as though fully rewritten herein. The certified transcript of the proceedings for annexation with an accurate map of the territory, together with the petition for annexation and other papers relating to the proceedings thereto of the County Commissioners are all on file with the Clerk of the City of Urbana and have been for more than 60 days.

SECTION THREE:

That the Clerk be, and hereby is, authorized and directed to make three copies of this Ordinance, to each of which shall be attached a copy of the transcript of proceedings of the Board of County Commissioners relating thereto and a certificate as to the correctness thereof. The Clerk shall then forthwith deliver one copy to the County Auditor, one copy to the County Recorder, and one copy to the Secretary of State, and shall file notice of this annexation with the Board of Elections within 30 days after it becomes effective.

SECTION FOUR:

That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of the Council and any of the decision making bodies of the City of Urbana which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the City of Urbana.

SECTION FIVE:

That this Ordinance shall take effect at the earliest time provided by law.



PRESIDENT

PASSED: _____

ATTEST: _____

This ordinance approved by me this _____ day of _____, 2022.

MAYOR

Department requesting: Community Development		Personnel: Doug Crabill	Director of Law review
Expenditure? Y <u>N</u>	Emergency? Y <u>N</u>	Public Hearing? Y <u>N</u>	 
Readings required: 1 2 <u>3</u>		If yes, dates advertised:	
First reading date: 2/1/2022	Second reading date: 2/15/2022	Third/Final reading date: 3/1/2022	

Anticipated effective date if approved 3/15/2022

Faint, illegible text at the top of the page, possibly a header or introductory paragraph.

Second block of faint, illegible text, appearing to be a continuation of the document's content.

Third block of faint, illegible text, possibly a concluding paragraph or a signature area.

Fourth block of faint, illegible text, likely a footer or a reference line.



Faint, illegible text located in the lower right quadrant of the page, possibly a signature or a date.



EDWARDS SURVEYING
 110 South Main Street
 Urbana, Ohio 43078
 (937) 653-6508



LEGAL DESCRIPTION - ANNEXATION - OELKER

Being situate in the State of Ohio, County of Champaign, Township of Salem, and being a part of the Southeast Quarter of Section 19, Town 5, Range 12, B.T.M.R.S., and being more particularly described as follows:

Beginning for reference at a Mag Nail found at the intersection of the centerlines of Julia Street (40' right-of-way) and Dellinger Road (Twp. Hwy. 120) (60' right-of-way), also being on the Salem-Urbana Township line, the South line of Section 19 and the North line of Section 24, Town 5, Range 11, and on a corporation line of the City of Urbana;

thence with the centerline of Dellinger Road, the Section line, and a Corporation line of the City of Urbana, S-84°57'25"-E, 555.98'(feet) to a Mag Nail found at the PRINCIPLE PLACE OF BEGINNING for the tract hereinafter described, also being at the Southeast corner of a 1.068 acre tract conveyed to Joseph Allen McConnell by deed recorded in Official Record 568, Page 5731, passing for reference a Mag Nail found at 350.98'(feet);

thence with the East line of the 1.068 acre tract and with the East line of a 4.996 acre tract conveyed to Creviston Investments, LLC, by deed recorded in Official Record 402, Page 1671, N-6°51'25"-E, 676.24'(feet) to an iron bar found on the South line of a 20.99 acre tract conveyed to Creviston Investments, LLC, by deed recorded in Official Record 402, Page 1671, passing for reference an iron bar found on the right-of-way line of Dellinger Road at 30.02'(feet) an iron pipe found at 227.28'(feet);

thence with the South line of the 20.99 acre tract, S-85°28'26"-E, 130.74'(feet) to an iron bar set at the Northwest corner of a 1.00 acre tract conveyed to John R. Clyburn by deed recorded in Official Record 295, Page 268, passing for reference an iron bar set at 64.72'(feet);

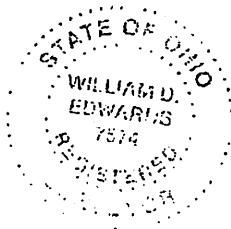
thence with the West line of the 1.00 acre tract, S-6°51'25"-W, 677.42'(feet) to a Mag Nail set on the aforementioned centerline of Dellinger Road, passing for reference an iron bar set on the right-of-way line of Dellinger Road at 647.40'(feet)


thence with the centerline of Dellinger Road, the Salem-Urbana Township line, the South line of Section 19, and a Corporation line of the City of Urbana, N-84°57'25"-W, 130.70'(feet) to the place of beginning, passing for reference a Mag Nail set at 66.00'(feet).

Containing 2.030 acres total to be annexed, 0.090 acre of which is within the Road right-of-way, but being subject to the rights of all legal highways and all easements of record.

Being all of 2 1 acre tracts conveyed to David M. Oelker & Douglas T. Oelker by deed recorded in Official Record 468, Page 1874, of the Champaign County Records.

The foregoing description prepared by and in accordance with a survey by William D. Edwards, Professional Surveyor No. 7574, July 29, 2019. All iron bars set are 5/8"x30" iron re-bar with a yellow plastic cap stamped "EDWARDS PS 7574". Bearings are based on the centerline of Dellinger Road per an assumed bearing of S-84°57'25"-E.




 William D. Edwards, P.S. 7574

ORDINANCE NO. 4565-22

AN ORDINANCE REPEALING AND REPLACING SECTION 931.24 OF THE URBANA CODIFIED ORDINANCES (Three Readings, public hearing required)

WHEREAS, modifications to Chapter 931, Section 931.24, Sanitary Sewer Capacity Fee, are necessary to reflect updated Equivalent Dwelling Unit (EDU) changes; and

WHEREAS, Council deems it appropriate to place these modifications into effect by repealing and replacing said Section; and

WHEREAS, such language changes are reflected in the body of this Ordinance;

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

SECTION 1: the existing language of Section 931.24, Sanitary Sewer Capacity Fee, shall be repealed, and replaced with the following language:

931.24 SANITARY SEWER CAPACITY FEE.

(a) No person shall make a service connection to the City's sanitary sewer system or any part thereof, unless the City has issued a permit to do so.

(b) The following capacity fee shall be charged for all permits issued to connect into the City sanitary sewer system for the first time and shall be paid upon issuance of said permit.

(1) All properties connecting to the City of Urbana sanitary sewer system shall be assigned an Equivalent Dwelling Unit (EDU), or multiple thereof, with one (1) EDU being equal to average daily water consumption of 400 gallons.

A. All single-family residential properties connecting to the sanitary sewer system are assigned one (1) EDU.

B. All master metered multi-family residential properties connecting to the sanitary sewer system shall be assigned, by the Sewer Superintendent, ~~an EDU multiple calculated by multiplying the number of multi-family residential units by the Single Family Equivalent (SFE) value that follows:~~

~~———— Single Family
———— Equivalent Values~~

~~1-bedroom .63
2-bedrooms .75
3-bedrooms .88
4+ bedrooms 1.00~~

~~This division will be calculated to the second decimal place and rounded according to mathematical convention.~~

C. All properties connecting to the sanitary sewer system that are not residential properties are to be assigned by the **Director of Administration**, an EDU multiple based upon the properties' estimated daily water consumption (in gallons) divided by 400 gallons (one EDU). ~~This division will be calculated to the second decimal place and rounded according to mathematical convention.~~ In no event shall a non-residential property be assigned an EDU of less than one (1).

(2) The capacity fee shall be ~~\$1,000.00~~ \$1600.00 per EDU ~~This fee shall increase by \$50.00 per EDU on January 1 of each calendar year~~ unless acted upon otherwise by Urbana City Council.

(3) The EDU multiple established for non-residential properties based on estimated water consumption shall be reviewed twelve (12) months after occupancy is obtained to determine if the estimated daily water consumption is accurate. The **Director** may extend this 12-month time period if accurate consumption data is not available. Any increase or decrease in the EDU multiple based on actual water consumption which results in a capacity fee charge adjustment of more than one thousand dollars (\$1,000) shall be communicated to the property owner in writing. Any additional capacity fee charge or any refund of a previously paid capacity fee charge shall be made within forty-five (45) days of the date of the amended EDU determination letter. An owner may contest the amended EDU assigned to the property by filing an appeal with the **Director** within forty-five (45) days of the date of the amended EDU determination letter. The appeal shall be in writing and shall state the grounds for the appeal. The **Director** shall cause an appropriate investigation to be made to determine whether an adjustment of the EDU multiple for the property is warranted. The appellant shall be notified in writing of the **Director's** determination with respect to the appeal and any resulting adjustment in the amount of the capacity fee charge. Any additional capacity fee charge or any refund of a previously paid capacity fee charge shall be made within forty-five (45) days or the date of the **Director's** written response to the appellant.

(c) New sanitary sewer connection permits issued for properties located outside of the City limits will be charged the above mentioned fee on condition that the owner of the property to be served shall, within sixty days of the time said property becomes contiguous to the City of Urbana, prepare and file or join in the preparation and filing of an annexation petition pursuant to Ohio R.C. 709.02 for such property to be annexed to the City of Urbana. The failure of any such non-resident wastewater customer to comply with this condition shall be grounds for immediate termination of sanitary sewer service to the property.

(d) Subsection (b) hereof shall not apply to the holder of a zoning permit issued prior to the effective date of this section for which capacity fees have been paid and actual connection to the sanitary sewer system occurs within 365 days after the issuance of said permit.

(e) Sanitary sewer system capacity fees shall be deposited into the City's Sanitary Sewer Capacity Fee Fund that is hereby established by this ordinance.

(f) ~~The following flow guide shall be used to assist in determining the estimated daily water usage in gallons for non-residential properties:~~

FLOW GUIDE

Facility	Estimated Flow in Gallons Per Day
Apartments	200 per one Bedroom
	250 per two Bedroom
	350 per three Bedroom

Laundry Mat	15 per Employee plus 400 per Machine
Marina; Restrooms & Shower Only	20 per Boat Slip
Motel/Hotel	85 per Unit
Nursing and Rest Homes	150 per Bed plus 75 per Resident Employee plus 35 per Non resident Employee

-

OFFICE BUILDINGS

General/Professional Office	15 per Employee
Medical Office/Clinics	20 per Employee plus 50 per Examining Room
Veterinarian/Animal hospital	20 per Run and Cage plus 15 per Employee plus 100 per Doctor
Public Restroom Facilities*	400 per Restroom
Playground/Day Park	15 per Employee plus 12 per Parking Space
New Homes in Subdivision	400 per Resident

-

SCHOOLS

Elementary	15 per Employee plus 10 per Pupil
High and Junior High	15 per Employee plus 15 per Pupil
Boarding School	15 per Employee plus 85 per Pupil
Daycare	15 per Employee plus 10 per Pupil
Service Stations	1,000 for any one Bay plus 500 for each additional Bay
Shopping Center	0.2 per sq.ft. of Floor Space

SWIMMING POOLS

Average	4 per Swimmer
With Hot Shower	6 per Swimmer
Theater	Indoor, 5 per Seat Drive-in, 10 per Car Space
Trailer Parks (Mobile Homes)	275 per Trailer Space
Travel Trailer Dumping Station	Consult Water Pollution Control Superintendent

Assembly Halls	3 per seat; no Kitchen 7 per seat; with Kitchen
Bowling Alley; No Food Service	75 per lane
Bowling; Food Service	100 per Lane
Car Washes	1,000 first Bay; 500 per additional Bay
Churches (small)	4 per Sanctuary Seat; no Kitchen
Churches (large with kitchen)	6 per Sanctuary Seat; with Kitchen
Commercial Establishments	
Store (Retail and/or Service)	20 per Employee, plus 400 per Public Restroom*
Grocery Store	20 per Employee plus 400 per Public Restroom* plus 0.2 gal per sq. ft. Food Process Area (meat and vegetable prep)
	-
Barber Shop	80 per Basin
Beauty Shop/Styling Salon	160 per Basin
Country Club	50 per Member
Dance Halls	5 per Person
Factories/Industries/Warehouses; No process water	-
Without Showers	20 per Employee
With Showers	30 per Employee
Factories/Industries; With process waters	Consult Water Pollution Control Superintendent
FOOD SERVICE OPERATIONS	-
Ordinary Restaurant	30 per Seat
24 Hour Restaurant	60 per Seat
Banquet Rooms	7 per Seat
Coffee Shop	10 per Seat
Restaurant Along Freeway	100 per Seat
Bar	20 per Seat; no Food Service 35 per Seat; with Food Service
Drive-Ins (Curb Service)	40 per Car Space
Vending Machine, with Water	100 per Machine
Hospitals	300 per Bed
Institutions (Resident)	100 per Bed plus 15 per Employee

~~Travel Trailer Parks & Camps 125 per Trailer or Tent Space~~
~~Vacation Cottages 150 per Cottage~~
~~Youth and Recreation Camps 50 per Person~~
~~Others Consult Water Pollution Control Superintendent (Closest similar type facility or a nationally Recognized Standard will be used.)~~

~~*Public restroom is defined as having two (2) or more flush type fixtures excluding required lavatory fixture(s).-~~

SECTION 2: INCONSISTENT ORDINANCES REPEALED

Any other ordinances or provisions thereof inconsistent with this ordinance are repealed.

SECTION 3: OPEN MEETING COMPLIANCE

Formal actions of this City Council concerning and relating to the passage of this ordinance were adopted in an open meeting in compliance with all legal requirements including O.R.C. §121.22 and Urbana Codified Ordinances §107.01.


 President of City Council

Attest: _____

Date: _____

This Ordinance approved by me this ____ day of _____, 2022.

 Mayor

Department requesting:	Public Works	Personnel:	Chad Hall	Director of Law Review
Expenditure? Y (N)	Emergency? Y (N)	Public Hearing? (Y) N	If yes, dates advertised:	
Readings required: 1 2 (3)		February 4, 2022		
First reading date:	Second reading date:	Third reading date:		
February 1, 2022	February 15, 2022	March 1, 2022		

Anticipated effective date if approved: March 16, 2022



INVESTIGATION OF THE CHICAGO BOARD OF TRADE

REPORT OF THE CHIEF OF BUREAU OF INVESTIGATION

CHICAGO BOARD OF TRADE

REPORT OF THE CHIEF OF BUREAU OF INVESTIGATION

CHICAGO BOARD OF TRADE

CHICAGO BOARD OF TRADE

CHICAGO BOARD OF TRADE

CHICAGO BOARD OF TRADE

CHICAGO BOARD OF TRADE

CHICAGO BOARD OF TRADE

CHICAGO BOARD OF TRADE

CHICAGO BOARD OF TRADE

CHICAGO BOARD OF TRADE

CHICAGO BOARD OF TRADE

CHICAGO BOARD OF TRADE



ORDINANCE NO. 4566-22

AN ORDINANCE REPEALING AND REPLACING SECTION 939.07 OF THE URBANA CODIFIED ORDINANCES (Three Readings, public hearing required)

WHEREAS, modifications to Chapter 939, Section 939.07, Water Capacity Fee, are necessary to reflect updated Equivalent Dwelling Unit (EDU) changes; and

WHEREAS, Council deems it appropriate to place these modifications into effect by repealing and replacing said Section; and

WHEREAS, such language changes are reflected in the body of this Ordinance;

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

SECTION 1: the existing language of Section 939.07, Water Capacity Fee, shall be repealed, and replaced with the following language:

939.07 WATER CAPACITY FEES.

(a) No person shall make a service connection to the City's water system or any part thereof, unless the City has issued a permit to do so.

(b) The following capacity fee shall be charged for all permits issued to connect into the City water system for the first time and shall be paid upon issuance of said permit.

(1) All properties connecting to the City of Urbana water system shall be assigned an Equivalent Dwelling Unit (EDU), or multiple thereof, with one (1) EDU being equal to average daily water consumption of 400 gallons.

A. All single-family residential properties connecting to the water system are assigned one (1) EDU.

B. All master metered multi-family residential properties connecting to the water system shall be assigned, by the Water Superintendent, ~~an EDU multiple calculated by multiplying the number of multi-family residential units by the Single Family Equivalent (SFE) value that follows:~~

~~———— Single Family
———— Equivalent Values~~

~~1-bedroom .63
2-bedrooms .75
3-bedroom .88
4+ bedrooms 1.00~~

~~This division will be calculated to the second decimal place and rounded according to mathematical convention.~~

C. All properties connecting to the water system that are not residential properties are to be assigned by the **Director of Administration**, an EDU multiple based upon the properties'

estimated daily water consumption (in gallons) divided by 400 gallons (one EDU). ~~This division will be calculated to the second decimal place and rounded according to mathematical convention.~~ In no event shall a non-residential property be assigned an EDU of less than one (1).

(2) The capacity fee shall be ~~\$1,000.00~~ \$1600.00 per EDU ~~This fee shall increase by \$50.00 per EDU on January 1 of each calendar year~~ unless acted upon otherwise by Urbana City Council.

(3) The EDU multiple established for non-residential properties based on estimated water consumption shall be reviewed twelve (12) months after occupancy is obtained to determine if the estimated daily water consumption is accurate. The **Director** may extend this 12-month time period if accurate consumption data is not available. Any increase or decrease in the EDU multiple based on actual water consumption which results in a capacity fee charge adjustment of more than one thousand dollars (\$1,000) shall be communicated to the property owner in writing. Any additional capacity fee charge or any refund of a previously paid capacity fee charge shall be made within forty-five (45) days of the date of the amended EDU determination letter. An owner may contest the amended EDU assigned to the property by filing an appeal with the **Director** within forty-five (45) days of the date of the amended EDU determination letter. The appeal shall be in writing and shall state the grounds for the appeal. The **Director** shall cause an appropriate investigation to be made to determine whether an adjustment of the EDU multiple for the property is warranted. The appellant shall be notified in writing of the **Director's** determination with respect to the appeal and any resulting adjustment in the amount of the capacity fee charge. Any additional capacity fee charge or any refund of a previously paid capacity fee charge shall be made within forty-five (45) days or the date of the **Director's** written response to the appellant.

(4) The water utility system capacity fee charge for all properties connecting to the water system which are not residential properties and whose estimated daily water consumption is greater than 50,000 gallons per day shall be determined based on an evaluation made of the specific impact on the water utility system for said connection.

(c) New water connection permits issued for properties located outside of the City limits will be charged the above mentioned fee on condition that the owner of the property to be served shall, within sixty days of the time said property becomes contiguous to the City of Urbana, prepare and file or join in the preparation and filing of an annexation petition pursuant to Ohio R.C. 709.02 for such property to be annexed to the City of Urbana. The failure of any such non-resident water customer to comply with this condition shall be grounds for immediate termination of water service to the property. This provision may be waived by the **City** Director of Administrator, with the concurrence of City Council, upon a finding of the existence of a specific necessity.

(d) Subsection (b) hereof shall not apply to the holder of a zoning permit issued prior to the effective date of this section for which fees have been paid and actual connection to the water system occurs within 365 days after the issuance of such permit.

(e) Water system capacity fees shall be deposited into the City's Water Capacity Fee Fund that is hereby established by this ordinance.

(f) ~~The following flow guide shall be used to assist in determining the estimated daily water usage in gallons for non-residential properties:~~

~~FLOW GUIDE~~

Facility	Estimated Flow in Gallons Per Day
Apartments	200-per one-Bedroom 250-per two-Bedroom 350-per three-Bedroom
Assembly Halls	3-per seat; no-Kitchen 7-per seat; with-Kitchen
Bowling Alley; No Food-Service	75-per-lane
Bowling; Food-Service	100-per-Lane
Car Washes	1,000-first-Bay; 500-per-additional-Bay
Churches (small)	4-per-Sanctuary-Seat; no-Kitchen
Churches (large with kitchen)	6-per-Sanctuary-Seat; with-Kitchen
Commercial Establishments	
Store (Retail and/or Service)	20-per-Employee, plus 400-per-Public-Restroom*
Grocery-Store	20-per-Employee-plus 400-per-Public-Restroom* plus 0.2-gal per sq. ft. Food-Process-Area (meat and vegetable-prep)
	-
Barber-Shop	80-per-Basin
Beauty-Shop/Styling-Salon	160-per-Basin
Country-Club	50-per-Member
Dance-Halls	5-per-Person
Factories/Industries/Warehouses; No-process-water	-
Without Showers	20-per-Employee
With Showers	30-per-Employee
Factories/Industries; With-process-waters	Consult-Water-Superintendent
FOOD-SERVICE-OPERATIONS	-
Ordinary-Restaurant	30-per-Seat
24-Hour-Restaurant	60-per-Seat
Banquet-Rooms	7-per-Seat
Coffee-Shop	10-per-Seat
Restaurant-Along-Freeway	100-per-Seat
Bar	20-per-Seat; no-Food-Service

	35 per Seat; with Food Service
Drive-Ins (Curb Service)	40 per Car Space
Vending Machine, with Water	100 per Machine
Hospitals	300 per Bed
Institutions (Resident)	100 per Bed plus 15 per Employee
Laundry Mat	15 per Employee plus 400 per Machine
Marina; Restrooms & Shower Only	20 per Boat Slip
Motel/Hotel	85 per Unit
Nursing and Rest Homes	150 per Bed plus 75 per Resident Employee plus 35 per Non-resident Employee
OFFICE BUILDINGS	-
General/Professional Office	15 per Employee
Medical Office/Clinics	20 per Employee plus 50 per Examining Room
Veterinarian/Animal hospital	20 per Run and Cage plus 15 per Employee plus 100 per Doctor
Public Restroom Facilities*	400 per Restroom
Playground/Day Park	15 per Employee plus 12 per Parking Space
New Homes in Subdivision	400 per Resident
SCHOOLS	-
Elementary	15 per Employee plus 10 per Pupil
High and Junior High	15 per Employee plus 15 per Pupil
Boarding School	15 per Employee plus 85 per Pupil
Daycare	15 per Employee plus 10 per Pupil
Service Stations	1,000 for any one Bay plus 500 for each additional Bay
Shopping Center	0.2 per sq.ft. of Floor Space
SWIMMING POOLS	-
Average	4 per Swimmer
With Hot Shower	6 per Swimmer
Theater	Indoor, 5 per Seat Drive-in, 10 per Car Space
Trailer Parks (Mobile Homes)	275 per Trailer Space

Travel Trailer Dumping Station	Consult Water Superintendent
Travel Trailer Parks & Camps	125 per Trailer or Tent Space
Vacation Cottages	150 per Cottage
Youth and Recreation Camps	50 per Person
Others	Consult Water Superintendent (Closest similar type facility or a nationally Recognized Standard will be used.)

~~*Public restroom is defined as having two (2) or more flush type fixtures excluding required lavatory fixture(s).~~

SECTION 2: INCONSISTENT ORDINANCES REPEALED

Any other ordinances or provisions thereof inconsistent with this ordinance are repealed.

SECTION 3: OPEN MEETING COMPLIANCE

Formal actions of this City Council concerning and relating to the passage of this ordinance were adopted in an open meeting in compliance with all legal requirements including O.R.C. §121.22 and Urbana Codified Ordinances §107.01.


President of City Council

Attest: _____

Date: _____

This Ordinance approved by me this ____ day of _____, 2022.

Mayor

Department requesting:	Public Works	Personnel: Chad Hall	Director of Law Review
Expenditure? Y (N)	Emergency? Y (N)	Public Hearing? (Y) N If yes, dates advertised: February 4, 2022	
Readings required:	1 2 (3)		
First reading date: February 1, 2022	Second reading date: February 15, 2022	Third reading date: March 1, 2022	

Anticipated effective date if approved: March 16, 2022



Faint, illegible text at the top of the page, possibly a header or introductory paragraph.

Second block of faint, illegible text in the upper middle section of the document.

Third block of faint, illegible text in the middle section of the document.

Fourth block of faint, illegible text in the lower middle section of the document.

Fifth block of faint, illegible text at the bottom of the page, possibly a footer or concluding paragraph.

