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**URBANA CITY COUNCIL
PUBLIC HEARING
TUESDAY, JANUARY 17, 2023**

President Hess called the Public Meeting to order. The first topic for discussion was adopting the Planning Commission recommendation denying the application to amend the City of Urbana's official zoning map by rezoning parcel K48-25-11-02-27-001-04 currently designated BR-1 Business Residential to B-2 General Business.

Mr. Carter stated this was an application by the property owner for the lot south of Kroger. It is currently zoned BR-1, with the application to rezone to B-2. Planning commission denied the application. The historical interpretation was it created a buffer zone with the residences across US 36.

There were no public comments at this time. Council held comments for the regular meeting.

The second topic for discussion was adopting the Planning Commission recommendation denying the application to amend the City of Urbana's official zoning map by rezoning parcels K48-25-00-01-35-001-00, K48-25-00-01-35-002-00, K48-25-00-01-35-003-00, K48-25-00-01-004-00, and K48-25-00-01-35-005-00 currently designated R-2 Medium Density Residential to M-1 Manufacturing.

Mr. Carter stated the property owner here owns five parcels on South Edgewood. It would be moving the R-2 zone to an M-1. The planning commission recommended denial of the application. Two parcels currently have single family homes and would create non-conformities. These are the only parcels in this neighborhood in the City limits.

John Schilliger (1351 Clark Road) stated he bought the five parcels at different times and they connect to one another. He stated the M-1 zone is across the street in the township. He has been approached for sale, and this has made him think of doing something more with the property. He thinks an M-1 zone would have more demand for something on that end of town. He also understood the potential concern about traffic.

Neil Hillard (3138 Mt. Tabor Road, West Liberty; 1367 US 36 Parcel owner) stated the land immediately surrounding the lot is already zoned B-2. He is hoping for more growth and sees a lot of potential.

Council again held comments for the regular meeting.

President Hess called the Public Hearing closed at 6:10 pm.

**URBANA CITY COUNCIL
REGULAR SESSION MEETING
TUESDAY, JANUARY 17, 2023**

President Hess recalled the City of Urbana Regular Session Meeting to order at 6:10 pm.

City Staff attending: Mayor Bill Bean, Director of Finance Chris Boettcher, Director of Law Mark Feinstein, Zoning Enforcement Officer Preston Carter, Community Development Manager Doug Crabill, Superintendent of Public Works Chad Hall, Police Chief Matt Lingrell and Fire Chief Dean Ortlieb.

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

Minutes

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

No comments/corrections were made.

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

Motion passed 7-0

Communications:

1. Miami County EMA Course Announcement (see attached)

Mrs. Bean moved to put the sole communication on the floor for discussion. Ms. Jumper seconded.

Mr. Paul stated he attempted to register but was placed on the waiting list. Chief Ortlieb stated that if Mr. Paul were not to register, he would attempt to hold a class here.

Voice vote for acceptance of the communication. All ayes, nays none.

Administrative Reports – Board of Control

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

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

Mr. Hall stated this is to replace the used tanker truck for the sewer division. Previously the City upgraded a 1989 model to the current 2007 about seven years ago. He did not believe it was justifiable to purchase a brand-new truck. This is used to haul non-potable water from both plants and also serves as a backup to all three pump stations.

Mr. Paul inquired what sort of price the current one would obtain on gov deals. Mr. Hall stated it should bring in at least \$40,000.

Mr. Paul asked if the new one had a larger capacity. Mr. Hall stated it was actually smaller, down to 2,500 gallons from 3,000. The City is going down to the single axle model for maneuverability.

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

Footnote – Purchase Orders from December 2022 between \$2,501 and \$50,000.

Ms. Truelove asked what were the professional services for the closed landfill. Ms. Boettcher stated that the City is still required by the Ohio EPA to continue monitoring the ground water and gas.

Citizen Comments: None

ORDINANCES AND RESOLUTIONS

Third Reading: None

Second Reading:

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

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

Mr. Carter referred to his statements during the public hearing and stated he was able to answer questions.

Mr. Thackery asked if the zoning were to remain, could the property still be developed. Mr. Carter stated it could, with more conditional uses.

Mr. Paul stated it appeared the B2 zones had much tighter setback requirements. He thought there could be more available potential with BR-1. He asked if this development would use joint parking with the Kroger area. Mr. Carter stated potentially, but it would be contingent upon an agreement with Kroger.

Mr. Carter added the historical newspaper arguments about buffer zones seemed to be about the BR-1 zone in general, not specifically this parcel.

Mr. Paul asked if this issue would go back to Planning Commission. Mr. Feinstein stated no, Council gets the final decision.

Mr. Scott didn't agree with the buffer zone argument. He stated there were no other buffer zones along US 36 all the way down to Speedway.

Mrs. Collier asked who owned the other land. Mr. Crabill explained a real estate company owned the Kroger land. This was an independent parcel.

Mr. Scott clarified that whatever the property is zoned, the use would still have to go through Planning Commission. Mr. Carter confirmed stating the primary intent is that it would more desirable to have one less step in a cumbersome process.

President Hess this ordinance to have had its second reading.

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

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

Mr. Carter referred to his statements during the public hearing and stated he was able to answer questions.

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

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

Ms. Truelove asked about the difficulty to rezone the property. Mr. Carter indicated the property owner wishes to sell the properties to have someone else develop it. The feeling is it is more desirable to sell commercially rather than residentially.

Mr. Paul asked if this property included the blue house that was falling down. Mr. Carter stated that neither property is falling down, rather that was an adjacent property not at issue.

Mr. Thackery asked for clarification that all five residential properties were owned by the same person. Mr. Carter confirmed.

Mr. Scott asked if the properties went to M-1, would the existing structures be allowed to stay. Mr. Carter confirmed.

Mr. Carter also confirmed the setbacks were ok for each individual property, however the closest property to Miami Street was extremely small.

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

First Reading:

Resolution 2602-23: A resolution confirming the reappointment of Amy Waldren, Jeramiah Stocksdale and Wayne Smith to the Salary Commission.

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

Mr. Feinstein explained that the section in the Charter regarding salary commission staggers the terms of its members. These three members' terms were set to expire on February 1st. This is a housekeeping issue confirming the Mayor's choices.

Mr. Scott confirmed that all three agreed to a term renewal. Mayor Bean confirmed.

Roll call on passage: Mr. Scott, yes; Mr. Paul, yes; Ms. Truelove, yes; Mr. Thackery, yes; Mrs. Collier, yes; Mrs. Bean, yes; and Ms. Jumper, yes.

Resolution passes 7-0.

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

Mr. Paul moved to suspended the rules and allow passage on the first reading. Mr. Thackery seconded.

Roll call on the suspension of rules: Mr. Paul, yes; Ms. Truelove, yes; Mr. Thackery, yes; Mrs. Collier, yes; Mrs. Bean, yes; Ms. Jumper, yes; and Mr. Scott, yes.

Suspension passes 7-0.

Mr. Paul moved to place the resolution on the floor for discussion and possible passage. Mr. Thackery seconded.

Mr. Crabill stated this was for the South High Street project, which installs curbs and gutters, and replaces water and sanitary sewer mains. The City has obtained grants and loans to get the project going. The goal is to have the project bid and sold in May. 82 parcels required some level of acquisition, whether temporary or warranty deeds. These new two parcels require appropriation through the eminent domain process. All of the 82 parcels signed the offers except for these two.

Parcel 10 has a tax delinquency issue. This process allows the City to appropriate the warrant deed and temporary easement. Mr. Feinstein will file the appropriate petition with the Common Pleas Court and Ms. Boettcher will file the deposit with the Clerk.

Mr. Paul stated this doesn't seem like a high value. Mr. Crabill stated the exhibits lay out the temporary easement and warranty deed values. Mr. Feinstein added these are run-of-the-mill numbers that are usually not contested.

Mr. Paul asked what the City gets out of the process. Mr. Crabill stated the City gets to put the property in the right-of-way control letter to ODOT. Mr. Crabill added that the City permanently acquires 12.5 square feet, which he believes is for a curb ramp.

Ms. Truelove stated the person who owns the property has been in and out of the hospital recently.

Mr. Feinstein described the service process the City undergoes which led to where we are now in the process.

Roll call on passage: Ms. Truelove, yes; Mr. Thackery, yes; Mrs. Collier, yes; Mrs. Bean, yes; Ms. Jumper, yes; Mr. Scott, yes; and Mr. Paul, yes.

Resolution passes 7-0.

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

Mr. Paul moved to suspended the rules and allow passage on the first reading. Mrs. Bean seconded.

Roll call on the suspension of rules: Mr. Thackery, yes; Mrs. Collier, yes; Mrs. Bean, yes; Ms. Jumper, yes; Mr. Scott, yes; Mr. Paul, yes; and Ms. Truelove, yes.

Suspension passes 7-0.

Mr. Paul moved to place the resolution on the floor for discussion and possible passage. Mr. Scott seconded.

Mr. Crabill stated this was the same process for parcel 64. The owner did not respond. This property has been vacant for twenty years and has been condemned. The offer is for approximately \$2,500.

Mr. Paul stated he would be more concerned if the property was not vacant and condemned.

Roll call on passage: Mrs. Collier, yes; Mrs. Bean, yes; Ms. Jumper, yes; Mr. Scott, yes; Mr. Paul, yes; Ms. Truelove, yes; and Mr. Thackery, yes.

Resolution passes 7-0.

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

Mr. Scott moved to place this resolution on the floor for discussion and possible passage. Mrs. Bean seconded.

Mr. Crabill stated the City was making changes to the Tax Incentive Review Council. After a meeting with the County Auditor, the City will be reverting to the second section of the Ohio Revised Code and will only have two members. The remaining appointees will be Ms. Boettcher and Mrs. Bean.

Mr. Paul asked if the three being removed were made aware. Mr. Crabill stated Mayor Bean was aware and the remaining two will be notified shortly.

Roll call on passage: Mrs. Bean, yes; Ms. Jumper, yes; Mr. Scott, yes; Mr. Paul, yes; Ms. Truelove, yes; Mr. Thackery, yes; and Mrs. Collier, yes.

Resolution passes 7-0.

Department Liaison Reports:

Ms. Truelove stated she has been keeping in touch with Mr. Feinstein quite frequently and he is keeping her well informed.

Mr. Paul mentioned he was still working on the lateral transfer movement with nothing new to report.

Ms. Jumper stated she had been working with legal and zoning regarding outdoor displays. She would like a work session to talk about potential legislation prior to the DORA taking affect. She believes there are potential trip hazards.

Mr. Crabill stated the DORA committee met last week with a follow up next week. He believes there is the potential that it would take effect in April.

Mr. Steffan stated that the work session date set aside on January 24 would be too soon for proper notice in the paper. Council agreed upon having a work session on January 31.

Other topics of conversation include downtown restrooms as suggested by Mr. Thackery and cross streets and residential parking as suggested by Mr. Paul.

Miscellaneous Business:

Ms. Boettcher indicated she passed out 2023 Budget books to Council members. She hopes this is the last time she has to manually pass these out.

Mayor Bean thanked the Second Jerusalem Baptist church for their MLK celebration. He also asked everyone to keep Mr. Brugger and his family in their prayers as they mourn the loss of his brother.

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

ADJOURNED AT 7:05 p.m.

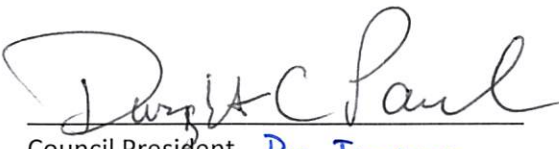
NEXT SCHEDULED MEETING

Work Session - January 31, 2023 at 6:00 p.m.





Council Clerk



Council President *Pro Tempore*