

**URBANA CITY COUNCIL  
REGULAR SESSION MEETING**

**May 7, 2024**

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

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

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- Call to Order
- Roll Call
- Pledge of Allegiance
- Nicholas Oliver and Gary Comer – ODNR - Wildlife Division
- Approval of Minutes: Urbana City Council Regular Meeting Minutes of April 16, 2024.
- Communications:
  1. City of Urbana Shade Tree Commission Minutes from March 14, 2024 (See Attached)
- Board of Control:
  1. The Board of Control recommends Council authorize the Director of Administration to enter into a contract with D.L. Smith Concrete LLC in the amount of \$303,340.00 (bid amount \$288,895.00 plus 5% contingency \$14,445.00) for the 2024 Sidewalk, Curb and Gutter Project (see attached). The engineer's estimate for this project was \$285,864.00.  
**VOTE: 3-0**

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

**Ordinances and Resolutions**

**Old Business:**

**Third Reading:** None

**Second Reading:**

**Ordinance 4572-24:** An ordinance to extend the approval of the preliminary development plan and related plan exhibits for the planned unit development to be known as Dugan Place that was originally approved by Urbana City Council on May 17, 2022 with the passage of Ordinance 4572-22. (Three readings required, public hearing required)

**New Business:**

**Second Reading:** None

**First Reading:**

**Ordinance 4607-24:** An ordinance accepting the annexation of a parcel consisting of approximately 2.334 acres, more or less, to the City of Urbana, Ohio (Three readings required)

**Resolution 2692-24:** A resolution enacted by the City of Urbana, Champaign County, Ohio, to authorize the Director of Administration to submit an application to the Ohio Department of Natural Resources under the Round 30 NatureWorks program for park improvements and to sign the grant agreement and proceed with these improvements upon grant award. (One reading required)

- **Department Liaison Reports:**
  
- **Miscellaneous Business:**
  1. Council
  2. Administration
  3. Council Clerk
  
- **Next Meeting:** Tuesday, May 21, 2024
  
- **Adjourn**

**URBANA CITY COUNCIL  
PUBLIC HEARING  
TUESDAY, APRIL 16, 2024**

President Paul called the Public Meeting to order at 6:00 pm.

This sole topic discussed was the extension of the approval of the preliminary development plan and related plan exhibits for the planned unit development to be known as Dugan Place that was originally approved by Urbana City Council on May 17, 2022 with the passage of Ordinance 4572-22.

Mr. Crabill stated that back in 2022, Highland Real Estate proposed a PUD for Dugan Place. The law states that If there has not been any movement on PUD or the filing of the final plan, they are required to file an extension to request for an additional year. Mr. Crabill stated the project is still very much active and he remains in touch at least every other week. He added that they are feeling fairly confident in moving forward, probably looking at fall when the crops come off the field for the project to move forward.

Marty Hess stated that he remembers when it came up that an issue came up with the size of lots. He was concerned whether the zoning would be R-1 or R-2 and with the lots being smaller than the current R-1 regulations. He added that a City Building department, with potentially another engineer, might be useful to help with all of the zoning permits that will be necessary. He stated he was curious how this is going to be happening.

Mr. Crabill informed Council that the Planning Commission did vote at its last meeting for approval of the extension. Mr. Crabill stated that within the PUD language, there are four different sub areas, with Each having its own requirements for lot widths and set-backs. He clarified that the PUD prevails over R-1 and R-2.

Ms. Truelove stated that the project was offensive to her standards. She claimed she tried to adjust to it being there, but can't make herself to say yes to it. She added that she doesn't think her opinion will change.

Mrs. Bean asked for clarification on the four types of properties again. Mr. Crabill answered there were 192 apartments, 114 townhome, 75 condos, and 132 single family homes. Mrs. Bean stated she was 100% on board

Mr. Crabill stated that in regards to lot width, the City did research on communities around us. He stated that one will not find 90-foot lot width in new subdivisions, as it is driven by infrastructure costs. He added that it is most commonly found to be between 55 and 70 feet.

Mrs. Bean stated that Council needs to keep in mind the housing shortage in this community. Mr. Thackery stated the project needed to be economic for the developer. Mr. Crabill added that it also needs to be economic for the cost of the house itself.

Mrs. Collier asked if there would be an access road not on Dugan. Mr. Crabill stated that Lippencott Lane will be extended back behind Walmart and will come out to Dugan road. He added that the subdivision will also have stubs for possible future connections.

President Paul called the Public Hearing closed at 6:18 pm.

**URBANA CITY COUNCIL  
REGULAR SESSION MEETING  
TUESDAY, APRIL 16, 2024**

President Paul called the City of Urbana Regular Session Meeting to order at 6:18 pm.

**City Staff attending:** Director of Administration Kerry Brugger, Director of Law Mark Feinstein, Director of Finance Chris Boettcher, Mayor Bill Bean, Community Development Manager Doug Crabill, Airport Manager Drake Huffman, Police Chief Matt Lingrell, and Fire Chief Dean Ortlieb

**Swearing-in of New Council Member**

Mayor Bean swore in Edwin Davis as Councilman for the Third Ward, term expiring December 31, 2025.

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

**Proclamation – Arbor Day**

Mayor Bean spoke as to the importance of trees in a community as to reduce crime, beautify neighborhoods and to promote the general well-being of its citizens. Therefore, Mayor Bean declared April 26<sup>th</sup>, 2024 Arbor Day in the City of Urbana.

Mayor Bean also added that the Greenwood Arboretum is a new addition to the Oak Dale Cemetery this year.

Mr. Crabill informed Council that 2023 was the 22<sup>nd</sup> year of Urbana being a Tree City. He stated the requirements are to have a commission, a tree ordinance, spend \$2 per capita, and to celebrate Arbor Day. He added that the Arbor Day celebration will be held on April 26<sup>th</sup> at 10:00 am and will officially launch the new arboretum.

**Minutes**

Mr. Thackery moved to put the minutes of March 19, 2024 on the floor for discussion and possible approval. Ms. Jumper seconded.

No comments/questions from Council regarding the minutes.

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

**Communications:**

1. City of Urbana Shade Tree Commission Minutes from October 12, 2023 (See Attached)

2. Champaign County Hazard Mitigation Plan Update (E-mailed April 3<sup>rd</sup>)
3. Division of Liquor Control Notice to Legislative Authorities Letter (See Attached)
4. Oak Dale Cemetery Board Meeting Minutes from January 19, 2024 (See Attached)
5. Champaign Countywide Communications 911 Center 2024 1<sup>st</sup> Quarter Report (See Attached)
6. City of Urbana 2024 1<sup>st</sup> Quarter Division Activities Report (See Attached)

Council did not have any items for removal from the consent agenda.

**Administrative Reports – Board of Control:**

1. The Board of Control recommends Council authorize a purchase order to White’s Service Center in the amount of \$65,495.94 for the purchase of a 2024 Ford Utility Police vehicle for the Police Division. The expense will be charged to the Police & Fire Levy Capital Improvement Fund and is in the 2024 budget. (See attached). **VOTE: 3-0**

Mrs. Bean moved to put this request on the floor for discussion and possible approval. Ms. Jumper seconded.

Chief Lingrell stated the City put out bids to local dealerships and this one came back from White’s. This cost includes all of the outfittings.

No comments/questions from Council.

Voice vote on approval: all ayes, nays none.

2. The Board of Control recommends Council authorize a purchase order to The Champaign Family YMCA in the amount of \$95,051.00 for the management of the Wendell Stokes Municipal Pool for the 2024 season (see attached). This expense will be charged to General Fund – Pool, and is in the 2024 budget at \$67,000.00. **VOTE: 3-0**

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

Mr. Brugger this is the sixth year for the YMCA running the pool. He added that every year, the Y has never spent the full amount of the money authorized. He thinks it has been a great collaboration. He added Council approved more money last year than this and it came in under budget by \$16,000.

Mr. Thackery asked if the price has gone up due to inflation. Mr. Brugger stated the costs stem from labor, chemicals, and upkeep.

Voice vote on approval: all ayes, nays none

3. The Board of Control recommends Council authorize the Director of Administration to enter in a contract with A & B Asphalt in the amount of \$599,866.85. This bid was the lowest and best bid of two bids received (see attached). The engineer’s estimate was

\$724,000.00. This expense will be charged to various funds and is in the 2024 budget. VOTE: 3-0

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

Mr. Crabill stated the other bid was \$670,000, with both bids being lower than the estimate. Mr. Crabill stated this bid was a week behind Springfield and A & B was more aggressive with bidding. The schedule for paving was attached with the crack seal program will be coming a little later. He added that the striping program was a bid from Miami Communications Council with Chip sealing occurring on James avenue and some driveways at the cemetery. Mr. Crabill stated there are not any ODOT projects this year.

No comments/questions from Council.

Voice vote on approval: all ayes, nays none.

**Citizen Comments:**

**Mary Lee Gecowets (1707 Pearce)** – Ms. Gecowets stated she was Chamber Director for 17 years when growth was struggling. She stated she was here to applaud the growth that has been undergoing in the downtown area. She also stated she finds herself troubled by people living on the benches. She couldn't find anything in ordinances and is hopeful in getting the services to the people.

**ORDINANCES AND RESOLUTIONS**

**Third Reading:**

**Ordinance 4606-24:** An ordinance to amend Sections 1339.99 and 1149.03 of the Codified Ordinances. (Three readings required, public hearing required)

Ms. Truelove moved to put this ordinance on the floor for discussion and possible passage. Mrs. Bean seconded.

Mr. Feinstein stated the purpose is to make uniform penalties in the City for violations of the nuisance and zoning codes. This ordinance replaces the existing sections with language that is uniform. He added that the penalties include filing criminal charge in Municipal Court, two civil remedies (injunctive relief or filing for damages) and the imposition of daily fine. He added the spirit of the legislation is to give the City options.

Mr. Thackery stated he was glad to see the codes become uniform.

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

Ordinance passes 7-0.

**Second Reading:** None

**First Reading:**

**Ordinance 4572-24:** An ordinance to extend the approval of the preliminary development plan and related plan exhibits for the planned unit development to be known as Dugan Place that was originally approved by Urbana City Council on May 17, 2022 with the passage of Ordinance 4572-22. (Three readings required, public hearing required)

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

No one had any additional comments/questions from the public hearing.

President Paul declared this Ordinance to have had its first reading.

**Resolution 2689-24:** A resolution to amend resolution 2433-23 to modify or increase appropriations within various funds of the city of Urbana, Ohio for current expenses during the fiscal year ending December 31, 2024. (Supplemental appropriations) (suspension of rules requested for passage on First Reading)

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

Mr. Thackery moved for suspension of the rules to allow passage on the first reading. Ms. Jumper seconded.

Voice vote on suspension: all ayes, nays none.

Ms. Boettcher stated this was necessary to generate the purchase order for A & B Asphalt.

No comments/questions from Council.

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

Resolution passes 7-0.

**Resolution 2690-24:** A resolution authorizing the Director of Administration of the City of Urbana to prepare and submit application to participate in the FAA's FY2024 Airport Infrastructure Grant (AIG) Program and to execute contracts as required. (One reading required)

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

Mr. Brugger introduced Airport Manager Drake Huffman, who is now fully submerged in his third month.

Mr. Brugger stated this was a grant application for Grimes hangar roof. He stated the funding identified through FAA. He added the City was in the process for an airport consultant specifically

for this project as this project was not in the original scope. Mr. Brugger stated the City for now is just applying for the feasibility study. He stated the FAA would cover 90 %, with the State and the City each covering 5%.

No comments/questions from Council.

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

Resolution passes 7-0.

**Resolution 2449-24:** A resolution authorizing the Director of Administration of the City of Urbana, County of Champaign, to participate in the Ohio Department of Transportation's (ODOT) Winter Road Salt Contracts (018-25) awarded in 2024, and declaring it an emergency. (One reading required, walk-in legislation)

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

Mr. Brugger stated that every year the City has to get a bid through ODOT for the winter salt season. The City had been doing preliminary work on own when ODOT came with quick deadlines. He added the City is asking for 250 tons.

No comments/questions from Council.

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

Resolution passes 7-0.

**Resolution 2691-24:** A resolution authorizing the Director of Administration of the City of Urbana, to make application to the Ohio Department of Transportation, Office of Aviation, for an Ohio Airport Improvement Program grant for state fiscal year 2025 at the Grimes Field Airport (I-74), and declaring an emergency. (One reading required, walk-in legislation)

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

Mr. Brugger stated this project is through the AIP. He stated that he received the e-mail last Friday, and was given a deadline to respond by May 1<sup>st</sup>. He added the project would be to replace the airport beacon off of the roof.

Mr. Davis asked if the project would include building a support for the new light. Mr. Brugger said the intent is to take the beacon off of the roof and mount it on a pole.

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



Resolution passes 7-0.

**Department Liaison Reports:** None

**Miscellaneous Business:**

Ms. Truelove stated for her, the eclipse equaled a backed-up drain. She gave her thanks to the City and everyone that turned out for it. She added that the sewage drain is now functioning.

Mr. Thackery thanked Mary Lee for coming and adding to the discussion. Mrs. Bean echoed Mr. Thackery in thanking Ms. Gecowetz. She has also been noticing the issue and doesn't know what the answer is. She added that a lot of people don't want the assistance.

Mr. Crabill passed out the Chamber of Commerce's latest membership guide. He pointed out that all ads are sold locally and the printing is local. Mr. Crabill stated regarding the South High Street project that the City should start to see Reynolds Street to Miami be fairly complete by summer while work continues to move south. Ms. Jumper asked if street sweeper would occur soon as dust is thick. Mr. Crabill stated he would talk to Mr. Bumbalough in the morning. Mrs. Collier stated that looking down High street from Miami street, the project looks great.

Chief Lingrell stated UPD is two officers short again. He stated the City is looking for good quality character folks to serve our community. He added testing is set to occur on May 10<sup>th</sup>. Chief Lingrell also added that he meets with Kerry, Bill, and Mark occasionally to discuss the homeless issue. Finally, he added that Ally Harder (reporter for Peak of Ohio) will be trying out for baton at University of Alabama.

Ms. Boettcher thanked Council for passing the supplemental appropriations resolution. She also added that today is Tax Day, with Finance focusing on getting everyone online.

Mr. Brugger thanked Council for entertaining the walk-in legislation. He informed Council that the taxi lanes are having its preconstruction meeting later this month. He added that the work is scheduled for June 10<sup>th</sup> and with completion by the Fourth of July. He also stated that he appreciates everyone's concerns and they are not going unnoticed.

Mayor Bean also thanked Mary Lee for attending. He stated there is not a lot the City can do since across the country backs have been turned on the mentally ill. Mayor Bean stated last Friday at the VFW, there was a dedication for a Civil War cannon to memorialize the 578 soldiers from Champaign County that died in Civil War. He added that there are also Bricks representing 7 Civil War soldiers that received the Congressional Medal of Honor. Finally, Mayor Bean also welcomed Mr. Davis to Council.

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

**ADJOURNED AT 7:20 p.m.**

**URBANA CITY COUNCIL  
WORK SESSION MINUTES  
TUESDAY, APRIL 16, 2024**

President Paul called the City of Urbana Work Session to order at 7:20 pm.

**Potential Issues regarding the City's deer population**

Mrs. Collier stated she spoke with a resident on Jefferson street, who has a ton of deer in her back yard. She also stated a friend on Miller Drive has had deer eat all of her flowers. She added there tend to be a lot on water street.

Mr. Thackery stated deer don't know the difference between yards. He believes the issue to be a lack of cooperation between neighbors who do and don't want deer on their properties.

Ms. Truelove believes there has not been enough feedback. She has only heard from 4-5 people.

Mr. Davis stated Council should speak with the Ohio Department of Natural Resources.

Mrs. Bean stated she has talked to Urbana's local rep, who would be glad to come to a Council meeting and speak. She stated the City could also have a deer biologist at the meeting as well. She stated it is a matter of coming up with a plan, adding it has been fairly well received in other communities.

President Paul stated the City does not have solutions at the present time, and should get information from people in the know.

Mr. Brugger stated that ODNR has a property owner program where people can apply to hunt on properties that have opted into the program. He added that the ODNR representative can come in and talk and Council can decide if the City wants to allow this on its properties.

Mayor Bean questioned how many real complaints exist. He added that most people just see the deer without complaining. He mentioned complaints only really come from a select few.

Ms. Jumper questioned the difference between overpopulation of deer versus cats.

The consensus of Council was that Council Clerk Steffan would coordinate with the ODNR representative to attend a future meeting of Council.

**Potential Communications with Citizens**

Ms. Truelove stated she would like to get back to Council Clerk Steffan as the costs were the main driving factor. She added that the newspaper doesn't get out to everyone any more.

Mrs. Bean stated she talked to Brenda Burns, who reported there was a general lack of reporters and apathy. Mrs. Bean stated that a summary could be submitted to the newspaper.

Mr. Crabill stated that no matter how much effort is exerted, it is still difficult to get information out to the public, and used the Corridor project as an example.

Ms. Truelove stated the issues should be put on hold.

**WORK SESSION COMPLETED AT 7:51 p.m.**

**NEXT SCHEDULED MEETING**

May 7, 2024 at 6:00 p.m.

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Council Clerk

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Council President

## **City of Urbana Shade Tree Commission Minutes-March 14, 2024 at 5:00PM (181)**

### **Roll Call and Introductions:**

Present: Stephanie Truelove; Lynn Mintchell; Tracy Brock; Kerry Brugger; Jim Lemon; Doug Crabill; Bob Jumper

Absent: Doug George

Ryan Lantz joined us briefly for discussion of trimming before the meeting began.

### **Reading and Approval of Minutes (10/12/2023)**

The minutes from the October 2023 meeting were reviewed. Stephanie Truelove motioned to accept the minutes, and Lynn Mintchell seconded this motion. October 2023 minutes were approved 6-0.

### **Old Business:**

Chair and secretary positions were briefly discussed, along with change in role for Tracy and vacancies on the board. Also discussed was the time for the meeting. No changes from 5PM, second Thursday.

Memorial Tree Update: Doug will work with City Engineer on linking our Memorial Tree data with GPS coordinates. Jim will assist if available. This should be approximately 50 trees. Once the Memorial Tree list has been compiled, a work day should be planned with Stephanie and Lynn to assist on monitoring the Memorial Trees for markers, tree guards, and damage.

10 memorial trees were planted last fall. Bob said all the fall planted tree at Oakdale have been mulched. Most markers are set on top of the mulch.

Tracy shared that members of the Presbyterian church are looking for volunteer opportunities. Doug will follow up.

Fall Pruning: Only a limited amount of pruning/training was accomplished.

2023 Tree City USA Application Update: Doug submitted the paperwork for Tree City in December. Submission for a Growth Award was deferred until this year.

### **New Business:**

Greenwood Arboretum Update/Arbor Day: Kerry shared the work to date and plans for rollout of the Arboretum on Arbor Day. Commission members are invited to Oakdale on Arbor Day, April 26, at 10AM to join the Kerns family members and Cemetery Board. Kerry showed an example of the tree markers that will be installed. He also shared the tree list, 43 species. Signage is being worked on. The final signage will be installed later in the year.

Spring Pruning: There is some pruning work that we should try to get done before the season gets too advanced. It was suggested that this could be another work day to introduce members to the process. Saturday morning might be the most convenient time.

Spring Bareroot Planning: 10 Silver Linden trees were ordered from Schichtel's Nursery. We are expecting delivery in late March- early April. We will need to work through a new process of receiving and handling bareroot stock.

Jim shared a list of Tree Commission activities (see below). This initiated discussion on our goals and requirements. Stephanie restated the need for some work days to understand what all is involved. We will try to address needs in the months after April.

We have two openings for Commission alternates. Commission members must be Urbana residents.

**Meeting adjourned:** Motion to adjourn made by Stephanie and seconded by Doug. All in favor.

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### **Tree Commission Activities**

Monthly meetings – chair, secretary

Recruit Commission members

Arbor Day, Tree City Application

City of Urbana web page

Tree promotion

Arboretum

- Inventory

- Signage

- Planning

Memorial Tree Program

- Routine review

  - Markers

  - Tree guards

  - Staking

- Tree order/planting/mulch

Streets

- Root sprout cleanup

- Collision/damage pruning

- Inventory

Bareroot

- Planting site ID

- Tree orders

- Planting

  - Mulch/Tree guards

- Watering

2024 Sidewalk, Curb and Gutter Replacement Program (#9066571)

Owner: City of Urbana,  
 Solicitor: Urbana OH, City of  
 04/26/2024 01:00 PM EDT

Line Item	Item Description	UofM	Quantity	D.L. Smith Concrete LLC		McGuire Farm and Excavating LLC		Newcomer Concrete Services, Inc.	
				Unit Price2	Extension3	Unit Price4	Extension5	Unit Price6	Extension7
<b>Base Bid - Sidewalk, Curb &amp; Gutter</b>									
1	202 CURB AND/OR GUTTER REMOVED	FEET	2507	\$10.00	\$25,070.00	\$14.00	\$35,098.00	\$15.00	\$37,605.00
2	202 WALK REMOVED	S.F.	7267	\$3.00	\$21,801.00	\$3.00	\$21,801.00	\$3.00	\$21,801.00
3	202 PAVEMENT REMOVED, AS PER PLAN	S.Y.	388	\$20.00	\$7,760.00	\$25.00	\$9,700.00	\$36.00	\$13,968.00
4	253 6" ASPHALT PAVEMENT REPAIR, AS PER PLAN	S.Y.	305	\$55.00	\$16,775.00	\$140.00	\$42,700.00	\$152.00	\$46,360.00
5	452 6" PLAIN CONCRETE PAVEMENT	S.Y.	83	\$100.00	\$8,300.00	\$168.00	\$13,944.00	\$85.00	\$7,055.00
6	608 4" CONCRETE WALK	S.F.	5016	\$13.00	\$65,208.00	\$5.00	\$25,080.00	\$11.00	\$55,176.00
7	608 CURB RAMP	S.F.	2276	\$13.00	\$29,588.00	\$28.00	\$63,728.00	\$16.50	\$37,554.00
8	609 BARRIER CURB, TYPE 6, AS PER PLAN	FEET	2507	\$45.00	\$112,815.00	\$25.00	\$62,675.00	\$35.00	\$87,745.00
9	659 SEEDING AND MULCHING CLASS 1	S.Y.	526	\$3.00	\$1,578.00	\$44.00	\$23,144.00	\$5.00	\$2,630.00
<b>Base Bid Total:</b>					<b>\$288,895.00</b>		<b>\$297,870.00</b>		<b>\$309,894.00</b>

## **ORDINANCE NO. 4572-24**

**AN ORDINANCE TO EXTEND THE APPROVAL OF THE PRELIMINARY DEVELOPMENT PLAN AND RELATED PLAN EXHIBITS FOR THE PLANNED UNIT DEVELOPMENT TO BE KNOWN AS DUGAN PLACE THAT WAS ORIGINALLY APPROVED BY URBANA CITY COUNCIL ON MAY 17, 2022 WITH THE PASSAGE OF ORDINANCE 4572-22. (Three (3) readings required, public hearing required, Public Hearing Advertisement date: April 5, 2024)**

**Department Requesting: Community Development Sponsor: Councilman Patrick Thackery**

**WHEREAS**, Section 1141.04 of the Urbana Codified Ordinances provides that a Preliminary Development Plan must be submitted to the City Zoning and Planning Department and reviewed by the Planning Commission prior to development of a tract of land being developed as a Planned Unit Development within the corporate limits of the City; and

**WHEREAS**, said Section further provides that upon review, the Planning Commission shall vote on a recommendation to Council for the approval of the Preliminary Development Plan; and

**WHEREAS**, said Section further provides that not later than thirty (30) days after receipt of the Planning Commission's recommendation of the Plan, the City Council shall conduct a legislative public hearing on the Plan; and

**WHEREAS**, on February 2, 2022 (rev. March 14, 2022 and rev. March 28, 2022), "G2 Planning and Design" and "Terrain Evolution LLC" submitted, on behalf of an affiliate of Highland Real Estate, a PUD Zoning Application containing the Dugan Place Preliminary Development Plan (hereinafter "The Plan") to the City of Urbana, Ohio Planning and Zoning Staff; and

**WHEREAS**, on March 28, 2022, after input from City Departments and Staff and the requested revisions being made, the Planning and Zoning Staff formally requested an approval by the Planning Commission of the Dugan Place Preliminary Development Plan; and

**WHEREAS**, on March 28, 2022, the City of Urbana Planning Commission recommended, by a 7-0 vote, to recommend adoption of the Dugan Place Preliminary Development Plan by Urbana City Council; and

**WHEREAS**, Urbana City Council previously held a legislative public hearing as to the Plan on May 3, 2022, in accordance with Urbana Codified Ordinances, Section 1141.04(a)(2)(E); and

**WHEREAS**, on May 17, 2022, Urbana City Council passed Ordinance No. 4572-22 which approved the Dugan Place Preliminary Development Plan and related plan exhibits; and

**WHEREAS**, pursuant to Chapter 1141.04 of the Codified Ordinances of the City of Urbana, if no Final Development Plan has been filed within two years of approval of the Preliminary Development Plan, then an extension can be filed by the applicant to extend the approval of the Preliminary Development Plan for one additional year; and

**WHEREAS**, Highland Real Estate on behalf of its affiliate, HRD Land Fund 1, LLC, formally filed an extension request to extend the approval of the Dugan Place Preliminary Development Plan on February 8, 2024 that was subsequently updated on March 21, 2024 in response to city staff feedback; and

**WHEREAS**, on March 25, 2024, the City of Urbana Planning Commission recommended, by a 6-0 vote, to extend the approval of the Dugan Place Preliminary Development Plan and related exhibits for one additional year to Urbana City Council; and

**WHEREAS**, Urbana City Council held a legislative public hearing as to the Extension Plan on April 16, 2024, in accordance with Urbana Codified Ordinances, Section 1141.04(a)(2)(E).

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

**SECTION ONE:**

That the Urbana City Council hereby approves the requested extension of the Preliminary Development Plan and related plan exhibits (final revision date of March 28, 2022) for the Planned Unit Development to be known as Dugan Place as previously approved and as recently recommended for extension by the City of Urbana Planning Commission on March 25, 2024.

**SECTION TWO:**

That the cover letter and related PUD application form from Highland Real Estate on behalf of its affiliate, HRD Land Fund 1, LLC, to request the extension of the Dugan Place Preliminary Development Plan are attached and labeled as “Exhibit A”.

**SECTION THREE:**

Section 5: 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 on April 16, 2024 under Urbana Codified Ordinances, Section 1141.04(a)(2)(E), with notice by publication pursuant to Urbana City Charter Section 2.16 on April 5, 2024.

**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 \_\_\_\_\_, 2024.

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

REVIEWED: *[Signature]* 3/27/2024  
Director of Law      Date

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

## Exhibit A



Highland  
REAL ESTATE

February 6, 2024

Attn: Mr. Doug Crabill  
Community Development Manager  
City of Urbana  
205 South Main Street  
Urbana, Ohio 43078

Re. Dugan Place Planned Unit Development

Dear Doug,

Thank you for your continued help as we continue to progress toward the development of the Dugan Place PUD. As you have pointed out in recent communications, in accordance with Section 1141.04(H) of the City of Urbana Zoning Code, it is our understanding that our approved Preliminary Development Plan is approaching the 2-year expiration date. Based on our understanding, the plan is set to expire on May 17, 2024.

As you are aware, we are currently working through several engineering-related items and potential revisions to the plans as we move toward a Final Development Plan submittal. In an effort to make sure that we have all of the potential engineering items resolved and all necessary changes firmly documented, we may need some additional time to explore these issues and make sure that our Final Development Plans are well thought out and meet all of the City's requirements. In light of the above, we would like to respectfully request that the City of Urbana grant Highland Real Estate an extension to the expiration of the Preliminary Development Plan.

Please consider this letter as our formal request to have the Planning Commission and City Council consider granting a request to extend the validity of the Dugan Place Preliminary Development plan for a period of one year, in accordance with Section 1141.04(H)(2) of the City of Urbana Codified Ordinances. We are excited to be a part of the Urbana Community, and we greatly appreciate the city's consideration of this request. As always, please feel free to reach out to me at any time with questions about this request or the Dugan Place PUD.

Sincerely,

  
Randy Loebig  
President

# Exhibit A



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

Case #: PC-2024-06 Zoning PUD Application  
Date Submitted: 3/21/24 Fee \$: —

## Parcel Information

Parcel Address: US HWY. 36 and N. Dugan Road, Urbana, OH 43078  
(street address) (city) (state) (zip code)  
Parcel ID: K48-25-11-03-40-001-00, K48-25-11-03-40-001-01 Current Zoning District: PUD  
Acreage: 82.306, 11.019 Current Use: 110 CAUV Vacant - Farm

(Complete If Applicable)

Engineer/Surveyor/Planner: G2 Planning & Design, LLC Builder/Developer: HRD Land Fund I, LLC

## Owner of Record

Owner Name: Lapama'a LLC  
Address: 21050 Raymond Rd., Marysville, Ohio 43040  
(street address) (city) (state) (zip code)

## Applicant Information


Full Name: HRD Land Fund I, LLC Property:  Owner  Tenant  Agent  
Address: 720 E. Broad Street, Suite 200, Columbus, Ohio 43215  
(street address) (city) (state) (zip code)  
Phone: 614-374-3257 Email: rloebig@gohighland.com

## Project/Proposal Type

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Preliminary Development Plan Extension   | <input type="checkbox"/> Zoning Map Amendment – Planned Unit Development District          |
| <input type="checkbox"/> Final Development Plan  | <input type="checkbox"/> Zoning Map Amendment – Change to Adopted PUD District Zoning Plan |
| <input type="checkbox"/> Final Development Plan Changes<br><input type="checkbox"/> Minor <input type="checkbox"/> Non-Minor | <input type="checkbox"/> Zoning Map Amendment – Standard Zoning District                   |

## Applicant Affidavit

I certify that I have the authority to file this application, have read the application in its entirety, and that all information and attachments are true and correct to the best of my knowledge. I understand that submittal of an application does not constitute acceptance for processing until the Planning & Zoning Department reviews that application for accuracy and completeness.

Applicant Signature:  Date: March 21, 2024

## **ORDINANCE NO. 4607-24**

**AN ORDINANCE ACCEPTING THE ANNEXATION OF A PARCEL CONSISTING OF APPROXIMATELY 2.334 ACRES, MORE OR LESS, TO THE CITY OF URBANA, OHIO (Three (3) readings required, no public hearing required)**

**Department Requesting: Community Development      Sponsor: Councilman Pat Thackery**

**WHEREAS**, on June 20, 2023, the Urbana City Council passed Resolution No. 2666-23 and Resolution No. 2667-23 to approve water and sanitary sewer services to the property at 728 Childrens Home Road (Parcel # K41-11-11-18-00-007-04) 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**, on February 20, 2024, the Urbana City Council passed Ordinance No. 4604-24 to provide a statement of services in the territory to be annexed; and

**WHEREAS**, on February 20, 2024, the Urbana City Council passed Ordinance No. 4605-24 relating to land use and zoning buffers for the territory to be annexed; and

**WHEREAS**, pursuant to Sections 709.02 and 709.023 of the Ohio Revised Code, a petition having been filed with the Champaign County Commissioners on February 2, 2024 by the petitioner, Jeff Martin Construction, LLC, an Ohio limited liability company, with Douglas R. Crabill, Community Development Manager of the City of Urbana appointed as agent by petitioner, for annexation to the City of Urbana, certain real estate in Urbana Township designated in Exhibits 1, A, and B hereto; and

**WHEREAS**, proceedings having been held before the Board of Commissioners of Champaign County on March 7, 2024, wherein said Commissioners approved the annexation, including an 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 Council of the City of Urbana, County of Champaign and State of Ohio:

**SECTION ONE:**

That the proposed annexation, pursuant to Sections 709.02 and 709.023 of the Ohio Revised Code, as applied for in the petition with the Board of County Commissioners of Champaign County, Ohio on February 2, 2024 by the petitioner, Jeff Martin Construction, LLC, an Ohio limited liability company, with Douglas R. Crabill, Community Development Manager of the City of Urbana appointed as agent by petitioner 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 March 7, 2024, 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 as Exhibit "B", together with the petition for annexation as Exhibit "1" 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, City of Urbana Council

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

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

This Ordinance approved by me this \_\_\_\_ day of \_\_\_\_\_, 2024.

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

REVIEWED: [Signature] 5/1/2024  
Director of Law      Date

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

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

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

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

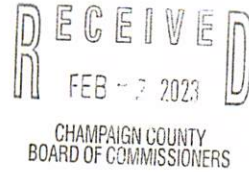
Thackery:      \_\_\_ Yay      \_\_\_ Nay      \_\_\_ N/A

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

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

# Exhibit 1

COPY



## PETITION FOR ANNEXATION

Pursuant to Section 709.02 and 709.023 of the Ohio Revised Code, a petition for the annexation to the City of Urbana, Ohio, of the 2.334 acres designated as Champaign County tax parcel K41-11-11-18-00-007-04 and commonly known as 728 Childrens Home Road, Urbana, Ohio 43078, is hereby presented.

Now comes the petitioner, the only freeholder of interest in this area of land which is situated in Urbana Township, and which is contiguous and adjacent to the City of Urbana, pursuant to the above stated Section 709.02 and 709.023 of the Ohio Revised Code, and presents this petition.

An accurate description of this land is attached hereto as Exhibit A and is made a part of this petition. A plat of said land is attached hereto as Exhibit B, and is also made a part of this petition.

Mr. Doug Crabill, Community Development Manager of the City of Urbana, is appointed as agent for the petitioners as required by Section 709.02(C)(3) of the Ohio Revised Code. He is authorized to make any amendment and/or deletion which, under the circumstances then existing, is necessary to correct any discrepancy or mistake noted by the Champaign County Engineer in his examination of the petition and plat. Any amendment shall be made by the presentation of an amended plat and description to the Board of County Commissioners on, before, or after the date set for hearing on any petition.

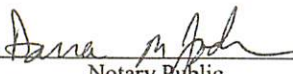
**WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.**

  
\_\_\_\_\_  
Jeff Martin Construction, LLC  
By: Jeffery C. Martin, its Member

State of Ohio, Champaign County, SS.

On this 30<sup>th</sup> day of January, A.D. 2024, before me, a Notary Public in and for said County, came **Jeff Martin Construction, LLC, an Ohio Limited Liability Company, by its Member Jeffery C. Martin**, owner of the real estate described herein and petitioner, and acknowledged the signing thereof to be his voluntary act and deed.

Witness my official signature and seal on the day last above mentioned.

  
\_\_\_\_\_  
Notary Public



Dana M. Zook  
Notary Public State of Ohio  
My commission has no expiration date

---

**PARCELS AND OWNERS ADJOINING K41-11-11-18-00-007-04**

K41-11-11-18-00-007-00

- Owner(s): Robert S. Lyons
- Mailing address: 722 Childrens Home Rd., Urbana, Ohio 43078

K41-11-18-00-003-00

- Owner(s): George W. Licklider, Trustee
- Mailing address: 1104 Bon Air Dr., Urbana, Ohio 43078

K41-11-18-00-007-01

- Owner(s): Cameron A. Lattimer
- Mailing address: 3993 Judson Rd., Columbus, Ohio 43207

K48-25-11-03-35-017-00

- Owner(s): City of Urbana
- Mailing address: 205 S Main St., Urbana, Ohio 43078



**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

Being situate in the State of Ohio, County of Champaign, Township of Urbana, and being a part of the Northwest Quarter of Section 18, Town 5, Range 11, B.T.M.R.S., and being more particularly described as follows:

Beginning for reference at a Mag Nail found on the West line of Section 18 at the intersection of the centerlines of Childrens Home Road (Twp. Hwy. 102) (60' right-of-way) and East Lawn Ave. (50' right-of-way);

thence with the centerline of Childrens Home Road and a corporation line of the City of Urbana, S 84° 18'17"-E, 1086.16'(feet) to a Mag Nail set at the PRINCIPLE PLACE OF BEGINNING for the tract hereinafter described, passing for reference a Mag Nail found at 569.52'(feet);

thence N-5°32'57"-E, 533.42'(feet) to an iron bar set on the South line of a 19.00 acre tract conveyed to George W. Licklider, Trustee, by deed recorded in Official Record 514, Page 2021, passing for reference an iron bar set on the right-of-way line of Childrens Home Road at 30.00'(feet);

thence with the South line of the 19.00 acre tract, S-84°18'17"-E, 160.63'(feet) to an iron bar found at the Northwest corner of a 2.334 acre tract conveyed to Cameron A. Latimer by deed recorded in Official Record 583, Page 1174;

thence with the West line of Latimer's 2.334 acre tract, S-5°32'57"-W, 533.42'(feet) to a Mag Nail found on the centerline of aforementioned Childrens Home Road, passing for reference an iron bar found on the right-of-way line of Childrens Home Road at 503.42'(feet);

thence with the centerline of Childrens Home Road and a corporation line of the City of Urbana, N84° 18'17"-W, 190.63(feet) to the place of beginning.

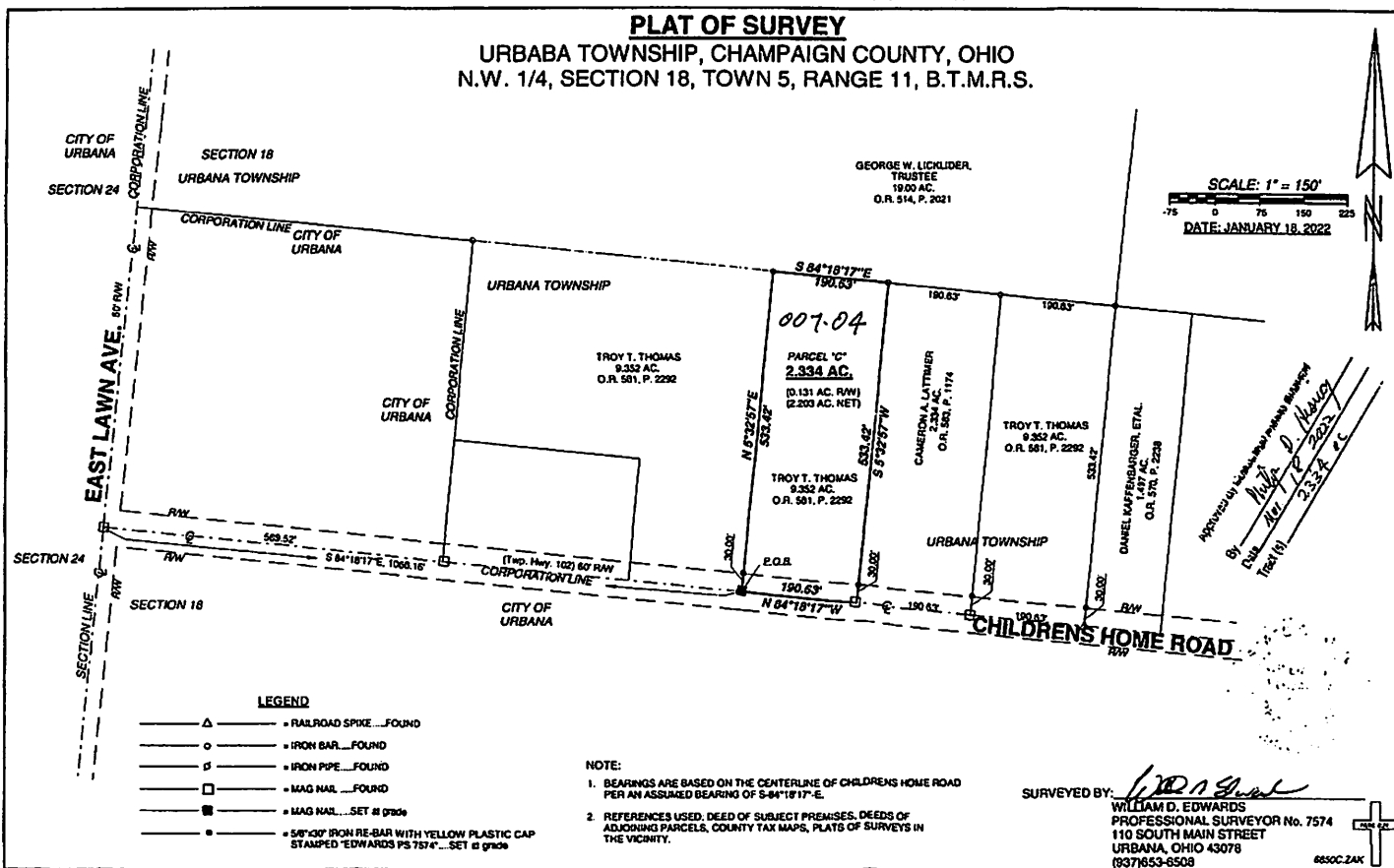
Containing 2.334 acres, 0.131 acre of which is within the Road right-of-way, but being subject to the rights of all legal highways and all easements of record.

Being a part of a 9.352 acre tract conveyed to Troy T. Thomas by deed recorded in Official Record 581, Page 2292, of the Champaign County Records.

The foregoing description prepared by and in accordance with a survey by William D. Edwards, Professional Surveyor No. 7574, January 18, 2022. 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 Childrens Home Road per an assumed bearing of S-84°18'17"-E.

EXHIBIT B

K41-11-11-18-00.007-04



## **RESOLUTION NO. 2692-24**

**A RESOLUTION ENACTED BY THE CITY OF URBANA, CHAMPAIGN COUNTY, OHIO, TO AUTHORIZE THE DIRECTOR OF ADMINISTRATION TO SUBMIT AN APPLICATION TO THE OHIO DEPARTMENT OF NATURAL RESOURCES UNDER THE ROUND 30 NATUREWORKS PROGRAM FOR PARK IMPROVEMENTS AND TO SIGN THE GRANT AGREEMENT AND PROCEED WITH THESE IMPROVEMENTS UPON GRANT AWARD. (One (1) reading required, no public hearing required)**

**Department Requesting: Community Development      Sponsor: Councilman Pat Thackery**

**WHEREAS**, the Ohio Department of Natural Resources, administers financial assistance for public recreation purposes, through the NatureWorks Program; and

**WHEREAS**, the City of Urbana has identified through surveys and planning documents that upgrades to its park system are a desired outcome; and

**WHEREAS**, the City of Urbana desires to make necessary improvements to public recreation areas; and

**WHEREAS**, the City of Urbana desires financial assistance for the following potential project at Melvin Miller Park under the Round 30 NatureWorks Program: replacement of the asphalt tee pads at the existing Hilltop disc golf course with concrete tee pads; and

**WHEREAS**, the City of Urbana is eligible to receive an amount to be determined by the Ohio General Assembly for Champaign County from the Round 30 NatureWorks Program through the Ohio Department of Natural Resources; and

**WHEREAS**, Urbana City Council is required to authorize the Director of Administration to enter into the grant agreement upon grant award so that the City of Urbana can proceed with these planned improvements.

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

### **SECTION ONE:**

That the Director of Administration or his or her designated representative is hereby authorized to make application for the said program and grant in accordance with the procedures prescribed by the Ohio Department of Natural Resources.

### **SECTION TWO:**

That the Director of Administration may sign all necessary documents related thereto and make necessary assurances contained in the grant application.

**SECTION THREE:**

That the City of Urbana does agree to obligate the funds required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms of the NatureWorks program.

**SECTION FOUR:**

That the Director of Administration is hereby authorized to sign the grant agreement upon grant award and accept these grant funds for this project with the State of Ohio, Department of Natural Resources.

**SECTION FIVE:**

Upon acceptance, that the Director of Administration is further authorized to proceed with the administration of these proposed improvements at Melvin Miller Park in accordance with local spending approval processes.

**SECTION SIX:**

That the City of Urbana does agree to obligate the funds required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms of the NatureWorks program.

**SECTION SEVEN:**

This resolution shall be in effect at the earliest time provided by law in anticipation of the June 1, 2024 grant application deadline.

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

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

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

This Resolution approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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

REVIEWED: Mel M. Edwards 5/1/2024  
Director of Law                      Date



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