

**URBANA CITY COUNCIL
PUBLIC HEARING
TUESDAY, SEPTEMBER 1, 2020, 6:00 P.M.
(The UCC Regular Session Meeting will be held in Training Room in the Municipal Building)**

City of Urbana Public Hearing/Council Meeting
Tue, Sep 1, 2020 6:00 PM - 7:00 PM (EDT)

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/919780229>

You can also dial in using your phone.

United States: +1 (872) 240-3412

Access Code: 919-780-229

PLEASE MUTE YOUR PHONES

A Public Hearing to provide the public the opportunity to review and comment on the recommendation of the Urbana City Planning Commission to accept the proposed amendment of Chapter 1123.05 of the Codified Ordinances of the City of Urbana, to read: The minimum lot area for properties in the BR-1 Business Residential District shall be less than 7,000 square feet with a width of not less than 60 feet.

**URBANA CITY COUNCIL
REGULAR SESSION MEETING AGENDA
TUESDAY, SEPTEMBER 1, 2020, DIRECTLY FOLLOWING PUBLIC HEARING
(The UCC Regular Session Meeting will be held in Training Room in the Municipal Building)**

Call to Order

Roll Call

Pledge of Allegiance

Approval of Minutes

Urbana City Council Regular Session Meeting Minutes of August 18, 2020

Communications

1. Appeal by Betty Spencer, 112 S. Kenton St., for curb and gutter work. (See attached)
2. Board of Zoning Appeals Meeting Minutes of February 10, 2020. (See attached)
3. Oak Dale Cemetery Board Meeting Minutes of Friday, June 19, 2020. (See attached)

Board of Control

Citizen Comments

Ordinances and Resolutions

First Reading

Resolution No. 2588-20

A Resolution of support and local match commitment for the City of Urbana's share for the repaving of Dellinger Road as part of a larger multi-jurisdictional project known as Dellinger, Middle Urbana, and Three Mile Paving, and declaring an emergency. (May be passed on 1st reading)

Ordinance No. 4525-20

An Ordinance levying special assessments for the purpose of constructing or repairing sidewalks, cubs and gutters, and declaring an emergency. (May be passed on 1st reading)

Second Reading

Third Reading

Ordinance No. 4524-20

An Ordinance to Amend Chapter 1123.05 of the Codified Ordinances of the City of Urbana.

Miscellaneous Business

Automated Meter Reading (AMR) – Joe Sampson and Chad Hall

Adjourn

**URBANA CITY COUNCIL
REGULAR SESSION MEETING
TUESDAY, AUGUST 18, 2020**

President Hess called the City of Urbana Regular Session Meeting to order at 6:00 p.m. City staff attending: Director of Administration Kerry Brugger, Mayor Bill Bean, and Director of Finance Chris Boettcher.

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

MINUTES

COMMUNICATIONS

ADMINISTRATIVE REPORTS - BOARD OF CONTROL

1. Outdoor Enterprise, LLC - \$506,177.20 (\$455,559.48 – FAA / \$50,617.72 – FAA’s CARES ACT

This item is for the AIP 2020 Taxiway A2 Extension, as described in the bid document prepared by Stantec Consulting Services, Inc.

Mr. Fields moved to put this item on the floor for discussion and possible passage, Mr. Thackery seconded. Voice vote on approval: all ayes; nays, none.

Motion passed 6-0.

CITIZEN COMMENTS

None

Ordinances and Resolutions

**First Reading –
Resolution No. 2430-20**

Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor. (May be passed on first reading)

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

Resolution passed 6-0.

Second Reading –

Ordinance No. 45424-20

An Ordinance to amend Chapter 1123.05 of the Codified Ordinances of the City of Urbana.

President Hess declared this Ordinance to have its second reading.

Third Reading –

None

MISCELLANEOUS BUSINESS/WORK SESSION

Mrs. Collier spoke about the Lawn Sign Ordinance and she would like to sponsor legislation to change the language. She stated she spoke with Law Director Feinstein and it was too late to get anything done for this year, but would like to organize a committee to get this accomplished.

Mr. Thackery spoke about the trash pick-up, and that it was still being worked on.

Mr. Brugger stated that patchwork was being completed in front of the CT Building. He also stated that the Phase 2A Project was starting this week and traffic would be adjusted as the project moves forward. He stated the Sanitary Sewer Project would be starting early to the middle of October, depending on the weather. He also stated the 2020 micro-surfacing should be completed in the middle of September. He also mentioned that on S. Main St., manholes are being put in and they were doing a nice job with that. He spoke of water tower maintenance and stated the East Tower is the only one left on the program. He said a lot of dirt is flying around town. This has been a busy year. He also stated that they are anticipating the closing of the Douglas next week.

Mr. Ebert asked if anyone was contacted about the idea of potential hot spots. He stated this would be a good idea to help the kids, and this idea was still ongoing. Mrs. Collier asked if CT could use CARES money for this. Mr. Fields added that getting ahold of Spectrum might be a good idea on this issue as well.

Mayor Bean announced The Cobblestone Hotel would be having their Grand Opening on August 26, 2020, at 12:00 p.m. He also stated that everyone please stay safe, do what you need to do to protect yourself and others.

Mr. Fields moved to adjourn. Mr. Scott seconded. Voice vote on approval: all ayes; nays, none.

Motion passes 6-0.

ADJOURN AT 6:43 p.m.

NEXT SCHEDULED MEETING

September 1, 2020, at 6:00 p.m.

Council Clerk

Council President

8-12-2020

ATTENTION:

CLERK OF COUNCIL

Attached find my photos, and other information regarding the work done on the curb & gutter, at 112 S. Kenton St.

The company hired by the City did sloppy work, damaged my sidewalk, and two of the new curbs they installed have already cracked.

The crew did not appear to be competent in doing the work.

They drove their heavy equipment on my sidewalk and cracked it in numerous places.

Clay Miller checked the sidewalk, some cracks was old ones - but there was lots of new cracks.

I should not be responsible for the future repairs on the sidewalk for the damage they caused.

OR, pay for such inadequate work at the rate I was charged.

I expected the city would only be using good company's, that would do a good job.

Sincerely,

Betty E. Spencer

112 S. Kenton St.

Phone 937-631-3228

8-12-2020

ATTENTION: City of Irvine Engineering
Type Bumpalugh, P.E.

attached find my photo and other
information regarding the work done on
the curb & gutter at 112 S. Harbor St.
The company hired by the City did
slight work along the sidewalk
and two of the new curbs that
installed were already cracked.
The crew did not appear to be
concerned in doing the work
they have their heavy equipment
in sidewalk and cracked it in numerous

places.
City engineer checked the sidewalk
some curbs was old ones
there was lots of new curbs.
I should not be responsible for
the entire repairs on the sidewalk
for the curbs they used.
CR. Ray Fox with the waste work
the rate I was charged.
I expected the City would only be
responsible for the work on the

side walk
Bill J. Fox
112 S. Harbor St.
Irvine CA 92614

112 S. Kenton Street
Urbanda, Ohio



this photo was taken
after meade's finished
my Driveway - and
before the work started
on the curb & sidewalk
work. [May 12, 2020]

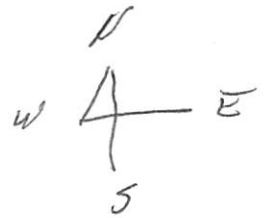


photo by

BETTY K. SPENCER



these 2 photos taken
the day workers
started digging out
the old curb.
you can see from

both photos that
they ran their
equipment onto
my sidewalk.

they damaged
and cracked the
sidewalk in

numerous areas



I called the office
of tylen Bumbalough, PE
city Engineer, 7-21-20
to Report it, and
also that 2 of the
new curbs they had
put in was already
cracked.

I was told the
McGuire Co. did mine.

He sent out
someone to check
it. CLAY MILLER

I haven't heard
any more !!

Betty E. Spencer
112 S. Kenton St
Urbana Ohio
43098

Phone 937-631-3228



City of Urbana
Department of Finance

205 S. Main St.
P.O. Box 747
Urbana, OH 43078
Phone 937-652-4312, Fax 937-652-5117

INVOICE

DATE: 07/31/2020

COPY

BILL TO Betty E. Spencer
112 S. Kenton Street
Urbana, OH 43078

COMMENTS For Property located at:
112 S. Kenton Street

DATE	DESCRIPTION	BALANCE	AMOUNT
07/31/2020	2020 Sidewalk, Curb and Gutter Replacement Program	\$1144.94	\$1144.94
			AMOUNT DUE
			\$1144.94

<i>Date Due</i>	August 31, 2020

Make all checks payable to the City of Urbana and mail to the address above



NOTICE TO CONSTRUCT OR REPAIR SIDEWALK, CURB AND/OR GUTTER

Notice Date: May 8, 2020

Name: Betty E Spencer
Address 1: 112 S. Kenton Street
Address 2: Urbana, OH 43078

RE: 112 S. Kenton Street in Urbana, OH – Sidewalk, Curb and/or Gutter Replacement

Dear Property Owner:

City Council passed Resolution #2582-20 on May 5, 2020 mandating replacement of certain sections of deficient sidewalks, curbs and/or gutters in the City of Urbana. A certified copy of the legislation is attached. You are receiving this notice because, according to the Champaign County Auditor's records, you own lot(s) or land(s) abutting the designated sections of street for which repairs have been identified and these repairs were not complete as of April 29, 2020. The original notice under Urbana Code Section 913 was sent to property owners on January 28, 2020, establishing the aforementioned April 2020 deadline.

As a property owner, you are responsible for the maintenance of your sidewalks, curbs and gutters according to City Code 913.03. Furthermore, Council through Ohio Revised Code 729 is granted the special power to require the construction or repair of sidewalks, curbs and/or gutters and levy an assessment against the lots or lands abutting if the required action is left undone.

Therefore, you are advised that you have until June 8, 2020 to complete the repairs. If you choose not to, the City will pay to have them done and bill you for the work (with no additional City fees). If unpaid, the cost will be added as an assessment to the property tax bill collected over 5 years. The Auditor may add a fee for processing this assessment.

Sections of sidewalks, curbs and/or gutters have been marked in white at your location. These require replacement. An address listing with corresponding estimated quantities is on file along with plans, specifications and an overall cost estimate at the offices of the Clerk of Council and City Engineer at 205 S. Main Street, Urbana, Ohio 43078.

If you choose to do the work, please complete and turn in the attached right-of-way work permit with your chosen contractor's information listed. There is a \$50.00 fee associated with this permit. All replacements and restorations must be made per the plans and specifications on file by the deadline of **June 8, 2020**.

Sincerely,

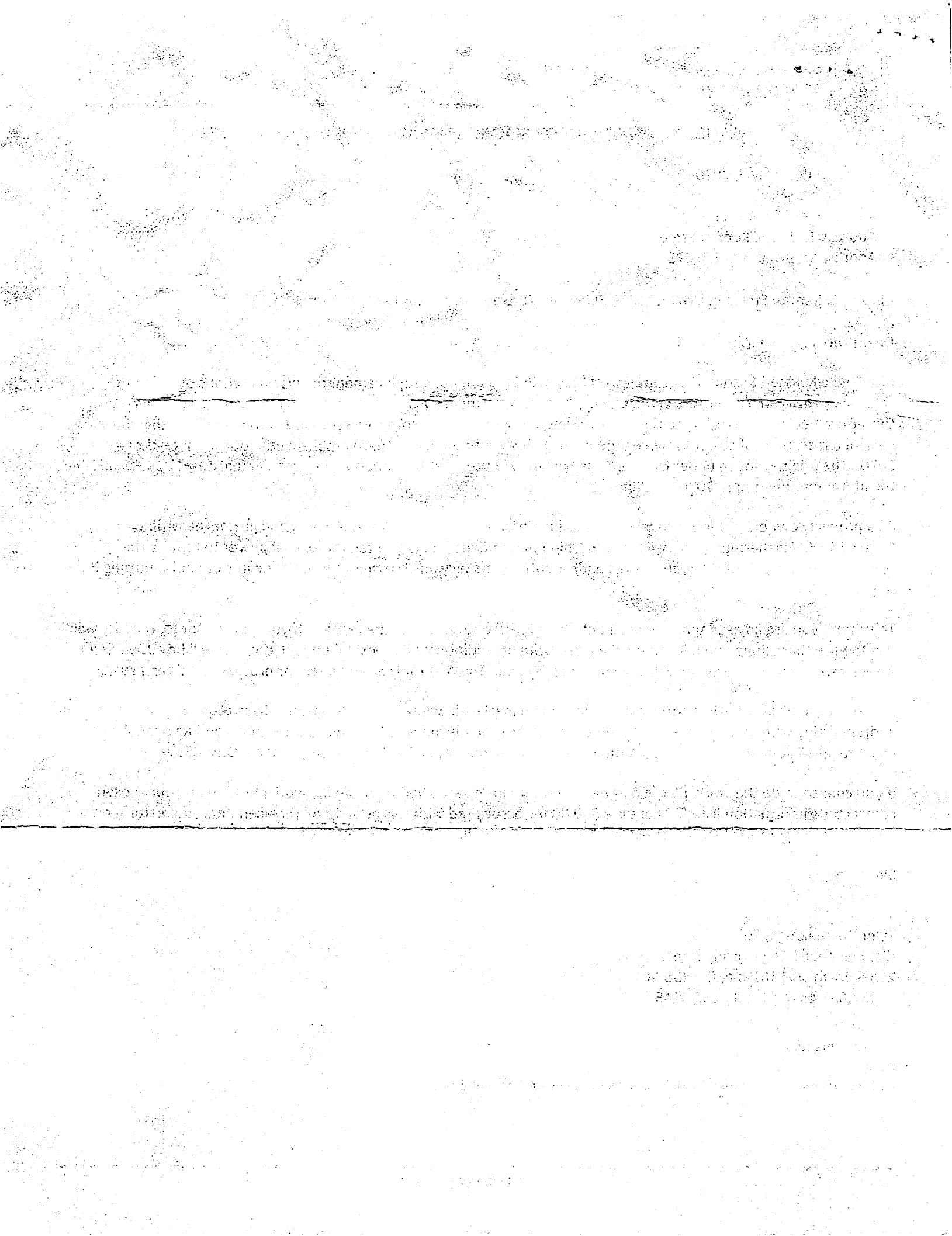
Tyler Bumbalough, P.E.
City Engineer | Engineering Dept.
205 S. Main St. | Urbana, OH 43078
P: 937.652.4324 | F: 937.652.5145

Enclosed:

Attachment(s)

Notice:

1st Class Mail; Certified Mail; Delivered; Posted; Published



Resolution #2582-20

DECLARING THE NECESSITY OF CONSTRUCTING OR REPAIRING SIDEWALKS, CURBS AND GUTTERS, AND DECLARING AN EMERGENCY.

WHEREAS, Section 729.01 of the Ohio Revised Code grants this Council the special power to require the construction or repair of sidewalks, curbs or gutters by the owners of lots or lands abutting thereon and to prescribe the time in which such construction or repair must be completed; and

WHEREAS, Section 729.02 of the Ohio Revised Code states that when it is deemed necessary by this Council to require the construction or repair of sidewalks, curbs or gutters within the City, it shall cause plans, specifications and an estimate of the cost of such construction or repair to be prepared and filed in the office of the Clerk; and

WHEREAS, in accordance with Section 729.01 of the Ohio Revised Code, this Council finds it necessary to require the construction or repair of sidewalks, curbs or gutters within the City; and

WHEREAS, the plans, specifications and estimate of cost have been filed with the Clerk of Council, as required by Section 729.02 of the Ohio Revised Code; and

WHEREAS, Section 729.02 of the Ohio Revised Code further states that upon such filing, this Council may declare the necessity for the construction or repair of such sidewalks, curbs or gutters by the passage of a resolution.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Urbana, Ohio, a 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 construct or repair certain sidewalks, curbs and/or gutters in the City of Urbana at the following locations:

- a) Scioto Street, from Locust Street to the E. US Highway 36/E. SR 29 split
- b) East Lawn Avenue, from Scioto Street to Bloomfield Avenue/Mark Drive
- c) Finch Street, from Scioto Street to E. Water Street/Amherst Drive
- d) Ames Avenue, from Scioto Street to Amherst Drive
- e) East Water Street, from South Main Street to Finch Street
- f) South Kenton Street, from Scioto Street to East Market Street

Section 2. The plans, specifications and estimate of cost of the proposed construction or repair, now on file in the office of the Clerk, are hereby approved.

Section 3. The owner(s) of each lot and parcel of land bounding and abutting on such sidewalks, curbs and/or gutters shall construct or repair that portion of the sidewalks,

curbs and/or gutters which abut his or her property, in accordance with the plans and specifications on file in the office of the Clerk of Council.

Section 4. Such sidewalks, curbs and/or gutters shall be constructed or repaired by the owner(s) of the lots and lands abutting thereon no later than June 8, 2020.

Section 5. In the event any such abutting property owner does not complete the required construction or repair of that portion of such sidewalks, curbs and/or gutters which abut his or her property in accordance with the plans and specifications and within the time prescribed by this Resolution, this Council will cause the construction or repair to be done and will assess the cost thereof against the lots and lands abutting thereon.

Section 6. 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 on the sidewalks, curbs and/or gutters to be constructed or repaired in accordance with Ohio Revised Code Section 729.03.

Section 7. 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 8. 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: May 5, 2020

Dwight Clark
Council President

ATTEST: Amy Deere
Clerk of Council

This resolution approved by me this 5th day of May, 2020

Bill Bean
Mayor

Department requesting: Engineering		Personnel: T. Bumbalough		Director of Law review <u>Mark M. Feinsten</u> MARK M. FEINSTEIN
Expenditure? Y (N)	Emergency? (Y) N	Public Hearing? Y (N)		
Readings required: (1) 2 3	If yes, dates advertised:			
First reading date: 5/5/2020	Second reading date: NA	Third/Final reading date: NA		

Anticipated effective date if passed: 5/5/2020



Board of Zoning Appeals

February 10, 2020, Meeting Minutes

Attendance

- Members Present:** Bryant Heflin; Marty Hess (Vice Chair); Charlie Zerkle; Lisa Haulman; and Skip Mintchell (Alternate).
- Member(s) Absent:** Vince Gonzalez (Chair).
- Guests Present:** Cat Tanujaya (Zoning & Compliance); Doug Crabill (Community Development); and Luke Putterbaugh (Urbana Hotel LLC).

Call to Order and Pledge of Allegiance

- Action:** Marty Hess called the meeting to order at 6:10 PM.

Reading of Rules of the Meeting and Swearing-In of Witnesses

- Action:** Mary Hess read the rules of the meeting and swore in all witnesses at the meeting.

Prior Meeting Minutes

- Action:** Skip Mintchell made a motion to approve the meeting minutes from December 9, 2019.
Lisa Haulman seconded the motion.
- Discussion:** None.
- Vote:** 5 (Yay) – 0 (Nay)
Motion passed.

New Business – Application(s)

- Case # 1:** **BZA-2020-001 – 170 State Route 55 – Urbana Hotel LLC**
Variance from the Urbana Corridor Overlay Sign Standards to allow the applicant to place three wall signs on the structure, which is one more than allowed by code.

- Application:** Lisa Haulman read the application to the Board.

- Staff Comments & Recommendations:** Cat Tanujaya provided the background and read the staff report to the Board.

- Testimony in Favor:** Luke Putterbaugh (Urbana Hotel LLC) – Since the hotel is on a corner lot, on an angle, it’s imperative to have sign visibility in all directions.

- Testimony Against:** None.

- Discussion:** Bryant Heflin – No issue or questions with the request. Mr. Heflin understood the need for the additional sign since the hotel is at an angle. The sign is also within the code requirement.
- Charlie Zerkle – One of the sides is blocked by the dentist office and that limits visibility. Is it necessary to have a sign on that side? When you drive past the dentist office, you’re able to see the entire hotel. There



was a case with Wendy's where they made a similar request to have three wall signs.

Skip Mintchell – The position and placement of the hotel is ideal for visibility from all three areas. The side towards US Highway 68 is also in a good position where it doesn't affect the neighborhood, which was a main concern.

Lisa Haulman – Agrees with Skip and was concern with the intensity of the light affecting the surrounding houses and apartments. It doesn't seem like that would be a problem. It is similar to the request from Wendy's, however in this regards, it wouldn't look right without the third sign.

Doug Crabill mentioned that the difference with Wendy's is that there's a monument sign already present and they wanted to add wall signs, while the only sign the Cobblestone will have is the 3 wall signs on the cupola. Luke Putterbaugh (Urbana Hotel LLC) explained that the height and size of the sign will not look very big or out of proposition since it will be in the distance. Ms. Haulman agreed that at first, an 8'x6' sign is very big, however when it's set on the cupola, it will look fine.

Marty Hess –

- What is the maximum face allowed on the wall sign?
 - Mr. Heflin – The maximum area per sign face is 75 square feet. The three wall signs would total about less than 150 square feet which is still below the 225 square feet allowed. Mr. Heflin also agrees that the distance and the height are reasonable for the sign of that size.
 - Mr. Crabill – The minimum area per sign face is 25 square feet. Typically there's a maximum allowed per site and this request is well below the maximum limit.

Charlie Zerkle –

- Is there a possibility that in the future there will be a request for a monument sign?
 - Mr. Putterbaugh – Is unable to answer that question.
 - Mr. Crabill – Clarified that during the planning process that question was raised and there is no intention for a monument sign. The only signage will be on the cupola.
- What happens if that request does come through in the future?
 - Mr. Crabill – They will be allowed to have a monument sign without the BZA approval as long as it meets the sign code requirements for monument sign.

Marty Hess –

- How bright will the signs be?
 - Mr. Putterbaugh – For the size, height and distance of the sign, it won't be any different than a parking lot light. The signs will be very high up that they will not be any brighter than other signs seen around Urbana.
 - Mr. Mintchell – The only sign in the area is the Erin Patton State Farm sign but there are no other sign in the area for comparison.
 - Mr. Crabill – Explained that the signs will be internally lit and it will look like it glows instead of shining out.

Bryant Heflin –

- Is the third wall sign request for the one facing US Highway 68?
 - Mr. Putterbaugh – Is unable to answer that question because the plan he received is to have three wall signs installed and does not know which one is the extra one.
 - Mr. Heflin – According to the application the west facing sign is good for visibility on State Route 55, so that extra sign is on the left side. If you look at the hotel placement, it makes sense.



Marty Hess –

- Does every Cobblestone have this signage?
 - Mr. Putterbaugh – Yes, he believes that it's the standard.

Action:

Skip Mintchell made a motion to **approve the application as presented.**
Bryant Heflin seconded the motion.

Vote:

5 (Yay) – 0 (Nay)
Motion passed.

Miscellaneous Business

Discussion:

- Doug Crabill discussed possible training for Fair Housing with LUC in March.
- Bryant Heflin discussed presenting to council that a newly built home should be built to a similar design, specs and/or standard as the surrounding property as to not to devalue the neighborhood. Sidewalk and the needs for sidewalks were also discussed.

Adjournment

Action:

Skip Mintchell made a motion to adjourn at 6:35 PM.
Bryant Heflin seconded the motion.

Vote:

5 (Yay) – 0 (Nay)
Motion passed.

Oak Dale Cemetery Board
Meeting Minutes Friday June 19, 2020

COPY

Board Members Present: Wayne Smith, Bill Edwards, Patsy Thackery, Tonya Barrett
Others Present: Bob Jumper, Kerry Brugger, Greg Butcher via telephone

Wayne Smith called the meeting to order at 2:30 PM

Minutes were reviewed from the May meeting. Bill Edwards made a motion to approve the minutes, seconded by Tonya Barrett. Motion unanimously approved.

New Business: None

Old Business:

Section 69: Greg Butcher joined the meeting via telephone to discuss his request for a family plot in Section 69. He has identified an area across from the Indian Hunter Statue. Greg advised the Board he would like to have the area surveyed and the foundation poured this fall. He is working with Rock of Ages in Vermont on a monument. The Board reviewed the proposed monument. Greg will send a follow up email to Kerry with details including dimensions of his request.

Cemetery Tour with John Bry: After discussion, the Board decided for Champaign County Preservation Alliance to host the cemetery tour. Bill Edwards made a motion to forfeit the tour this year, seconded by Tonya Barrett. Motion unanimously approved.

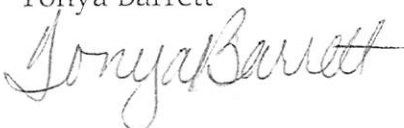
Updates from Bob Jumper: Bob reported there has been 8 burials-1 Saturday, repairs and painting are completed to the house and the Legacy Mausoleum. Flowers are out including ferns at the house and in the window boxes.

Bill Edwards made a motion to adjourn the meeting. This was seconded by Patsy Thackery and unanimously approved.

The next meeting will be on Friday August 21, 2020 at 2:30 pm at the Cemetery Office.

Respectfully submitted,

Tonya Barrett



Resolution No. 2588-20
AUTHORIZING LEGISLATION

A RESOLUTION OF SUPPORT AND LOCAL MATCH COMMITMENT FOR THE CITY OF URBANA'S SHARE FOR THE REPAVING OF DELLINGER ROAD AS PART OF A LARGER MULTI-JURISDICTIONAL PROJECT KNOWN AS DELLINGER, MIDDLE URBANA, AND THREE MILE PAVING, AND DECLARING AN EMERGENCY.

WHEREAS, the Champaign County Engineer is working with the City of Urbana, Salem Township, and Urbana Township on a larger multi-jurisdictional project to resurface Dellinger Road within the City of Urbana and Salem Township and to resurface portions of Middle Urbana Road and Three Mile Road in Urbana Township; and

WHEREAS, the Ohio Public Works Commission is now soliciting grant applications for Round 35 (State Fiscal Year 2022) from local government jurisdictions in anticipation of future state funding being allocated to the State Capital Improvement Program and/or Local Transportation Improvement Program(s) by the state legislature; and

WHEREAS, the City of Urbana, Salem Township, and Urbana Township have identified paving projects within their jurisdictions to be put together collectively as one grant application and project with the Champaign County Engineer making the application to the Ohio Public Works Commission on behalf of these jurisdictions; and

WHEREAS, a local match is required for this project from the jurisdictions involved in this project; and

WHEREAS, if this larger multi-jurisdictional project is awarded grant funding by the Ohio Public Works Commission, construction is anticipated in either the fall of 2021 or the spring of 2022; and

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs.

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

Section 1: That the Urbana City Council and the City of Urbana fully support the Champaign County Engineer's multi-jurisdictional grant application to the Ohio Public Works Commission to improve multiple roads within the county, including Dellinger Road which is maintained by both the City of Urbana and Salem Township.

Section 2: That the Urbana City Council and the City of Urbana fully commit to provide the required local match for the city's portion of this project through the necessary budget appropriation in the year when the project is to be completed, including in-kind inspection services and up to one third of the cost of bid advertising for the larger multi-jurisdictional project.

Section 3: That this resolution shall take effect and be in force immediately upon passage to ensure the timely submission of this grant submission in order to improve an existing roadway for the motoring public.

Passed: _____

Marty Hess, Council President

Attest: _____
Amy Deere, Council Clerk

This Resolution approved by me this ____ day of _____, 2020.

Mayor

Department requesting: Community Development		Personnel: D. Crabill	Director of Law review
Expenditure? Y (N)	Emergency? (Y) N	Public Hearing? Y (N)	
Readings required: (1) 2 3		If yes, dates advertised:	
First reading date: September 1, 2020	Second reading date:	Third/Final reading date:	

Anticipated effective date if approved: September 1, 2020

Ordinance #4525-20

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF CONSTRUCTING OR REPAIRING SIDEWALKS, CURBS AND GUTTERS, AND DECLARING AN EMERGENCY.

WHEREAS, Council on May 5, 2020 adopted Resolution #2582-20 declaring it necessary to construct or repair certain designated sidewalks, curbs and/or gutters and the notice of passage of such Resolution was given to affected property owners as required by law; and

WHEREAS, the City of Urbana has subsequently constructed those designated sidewalks, curbs and/or gutters in various locations in the City, where such were not constructed by the owners of the property abutting thereon; and

WHEREAS, a list of the estimated assessments of the total cost of said construction has been prepared, placed on file in the office of the clerk of the Urbana City Council and published as required by law; and

WHEREAS, the Council has duly reviewed and considered all objections filed, if any, with respect to said estimated assessments and has made such changes and corrections thereto as it determines to be proper;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Urbana, Ohio, a majority of the members of Council present concurring, that:

Section 1. That the list of estimated assessments of the cost of constructing certain sidewalks, curbs and/or gutters in various locations in the City of Urbana, Ohio as provided for in Resolution #2582-20, heretofore reported to this Council and now filed in the office of the clerk of the Urbana City Council, attached hereto as Exhibit A, aggregating in the amount of \$48,521.84, and the same hereby adopted and confirmed.

Section 2. That the amounts of the aforesaid assessments, subject to the conditions of Section 4 below, shall hereby be assessed and levied upon the lots and lands abounding and abutting said improvements.

Section 3. That it is hereby determined that aforesaid assessments do not exceed the special benefits resulting from said improvements and do not exceed any statutory limitation.

Section 4. That the number of properties, shown in Exhibit A, to be assessed may hereby be reduced upon owner's full payment in cash to the Director of Finance of the City on or before September 4, 2020.

Section 5. That the clerk of the Urbana City Council be and is hereby authorized and directed to continue on file in her office a list of said assessments and the description of said lots and lands.

Section 6. That the total assessment against each lot and parcel of land shall be payable in cash to the Director of Finance of the City on or before September 4, 2020, or the assessment, or the unpaid balance thereof, shall be certified by the clerk of the Urbana City Council to the County Auditor on or before September 8, 2020, to be placed by the Auditor on the respective tax duplicate and collected in five (5) annual installments with interest thereon at 0% per annum at the same time and in the same manner as other taxes are collected, as provided by law.

Section 7. That the clerk of the Urbana City Council is hereby authorized and directed to cause notice of passage of this Ordinance to be published in the manner provided by law.

Section 8. It is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance 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 9. This Ordinance 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 _____, 2020.

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: 9/1/2020	Second reading date: NA	Third/Final reading date: NA	

Anticipated effective date if passed: 9/1/2020

Exhibit A

2020 Sidewalk, Curb and Gutter Replacement Program (McGuire Farm & Excavating)

Name	Address	City	State	Zip	Subject Property	Parcel Number	Total Billed	Partial Payment
Rodeffer Patrick T & Jessica L	307 Scioto Street	Urbana	OH	43078	307 Scioto Street	K48-25-00-02-18-028-00	\$695.00	
Eckenrode Karen J & Barton R Smith	224 East Water Street	Urbana	OH	43078	425 Scioto Street	K48-25-00-02-13-001-00	\$3,172.80	
Doss Joseph H	2492 Pullins Drive	Urbana	OH	43078	451 Scioto Street	K48-25-11-02-30-066-00	\$347.50	
Ropp David Lamar	806 Boyce Street	Urbana	OH	43078	501 Scioto Street	K48-25-11-02-30-068-00	\$858.20	
Hess Adam S & Sarah E	527 Scioto Street	Urbana	OH	43078	527 Scioto Street	K48-25-11-02-30-080-00	\$960.00	
Schutte Timothy W & Diana Jean	535 Scioto Street	Urbana	OH	43078	535 Scioto Street	K48-25-11-02-30-079-00	\$1,224.00	
Grupe Matthew K & Terra Byrd	555 Scioto Street	Urbana	OH	43078	555 Scioto Street	K48-25-11-02-30-078-00	\$125.57	
Von Foulk Rochiel	559 Scioto Street	Urbana	OH	43078	559 Scioto Street	K48-25-11-02-30-077-00	\$125.56	
NAKJ2 LLC	644 Scioto Street	Urbana	OH	43078	633 Scioto Street	K48-25-11-02-28-031-00	\$3,376.65	
KGL Cook LTD	7109 Rosemount Way	Canal Winchester	OH	43110	639 Scioto Street	K48-25-11-02-28-029-00	\$1,425.57	
Wiley Real Estate LLC	2795 Culver Ave.	Dayton	OH	45429	669 Scioto Street	K48-25-11-02-28-028-00	\$720.32	
McCray Joe R & Delores A Trustees	22703 NW Reeder Road	Portland	OR	97231	679 Scioto Street	K48-25-11-02-28-027-00	\$1,469.71	
Avcap Urbana LLC	3440 Secor TD	Toledo	OH	43606	707, 719, 731,747 Scioto Street	K48-25-11-02-28-013-00	\$7,811.28	
Tim Donut US Limited Inc	C/O Ryan Property Tax Services PO Box 460389	Houston	TX	77056	759 Scioto Street	K48-25-11-02-28-013-01	\$1,088.02	
Bank Citizens National of Urbana	828 Scioto Street	Urbana	OH	43078	828 Scioto Street	K48-25-00-03-14-019-00	\$127.05	
East Main Investment LLC	897 Deerhurst Dr.	Vandalia	OH	45377	774,772,766 Scioto Street	K48-25-00-03-14-014-00	\$552.53	
RG&G Investments Co	734 Scioto Street	Urbana	OH	43078	734 Scioto Street	K48-25-00-03-14-009-00	\$1,567.43	
Branford Properties of Ohio LLC	5451 Arville St	Las Vegas	NV	89118	726 Scioto Street	K48-25-00-03-06-001-00	\$785.92	
McDonalds Corporation A Delaware Corporation	708 Scioto Street	Urbana	OH	43078	708 Scioto Street	K48-25-00-03-06-004-00	\$1,616.32	
Autozone Inc	654 Scioto Street	Urbana	OH	43078	654 Scioto Street	K48-25-00-03-06-006-00	\$710.52	
NAKJ3 LLC	644 Scioto Street	Urbana	OH	43078	644 Scioto Street	K48-25-00-03-06-008-01	\$559.02	
Reed Ryan S	214 Scioto Street	Urbana	OH	43078	214 Scioto Street	K48-25-00-03-19-020-00	\$1,360.00	
Doss Dianne M	454 Scioto Street	Urbana	OH	43078	200-202 Scioto Street	K48-25-00-03-19-017-00	\$2,510.67	\$510.67
Sellman Jamon	729 Tanglewood Rd.	Springfield	OH	45504	215 East Water Street	K48-25-00-02-18-126-00	\$197.87	
McClung Kurt Matthew & Kendra Jean	337 East Water Street	Urbana	OH	43078	337 East Water Street	K48-25-11-02-30-038-00	\$176.46	
Hess Marton O & Laura J	345 East Water Street	Urbana	OH	43078	345 East Water Street	K48-25-11-02-30-036-00	\$114.35	
Cober Properties LLC	114 1/2 Scioto Street	Urbana	OH	43078	483 East Water Street	K48-25-00-02-05-005-00	\$237.00	
Reaver Ashley D	557 East Water Street	Urbana	OH	43078	557 East Water Street	K48-25-00-02-05-010-00	\$196.00	
McCarthy Joseph Wayne & Kellie Lynn	569 East Water Street	Urbana	OH	43078	569 East Water Street	K48-25-00-02-05-011-00	\$392.05	
Urbana BG Propco LLC	330 N Wabash Ave Suite 3700	Chicago	IL	60611	609 East Water Street	K48-25-11-02-28-036-01	\$1,789.34	
Parsell Debra Rae	214 East Water Street	Urbana	OH	43078	214 East Water Street	K48-25-00-02-18-096-00	\$221.00	
Adams Michael & Doreen	303 East Lawn Avenue	Urbana	OH	43078	303 East Lawn Avenue	K48-25-00-03-06-075-00	\$225.00	
Wisse Tyler Gregory	1301 Reservoir Road	Bellefontaine	OH	43311	503 East Lawn Avenue	K48-25-00-03-17-010-00	\$246.00	
Gleason Barbara J Trustee of the Gleason Revocable	567 East Lawn Avenue	Urbana	OH	43078	567 East Lawn Avenue	K48-25-00-03-17-002-00	\$270.00	
Donay Jeffrey L & Teresa C	3990 Dowds Avenue	Urbana	OH	43078	128 East Lawn Avenue	K48-25-00-03-04-021-00	\$329.00	
Young Pamela K	770 Amherst Drive	Urbana	OH	43078	770 Amherst Drive	K48-25-00-02-09-059-00	\$3,886.67	
Cox David A & Connie K	771 Crescent Drive	Urbana	OH	43078	771 Crescent Drive	K48-25-00-02-08-031-00	\$4,381.46	
Walrod Richard C Jr.	212 Ames Avenue	Urbana	OH	43078	212 Ames Avenue	K48-25-00-02-09-045-00	\$294.10	
Ludden Jim	119 S. Kenton Street	Urbana	OH	43078	0 S. Kenton Street	K48-25-00-02-18-037-00	\$1,741.63	
Spencer Betty E	112 S. Kenton Street	Urbana	OH	43078	112 S. Kenton Street	K48-25-00-02-18-036-00	\$1,144.94	
Total Remaining =							\$48,521.84	