

**Minutes of the Urbana Board of Trustees Meeting  
held Monday, June 17, 2024**

The Board of Urbana Township Trustees met on this date with Trustee Blair Stinson, Trustee Matt Harrigan and Trustee Roger Koerner present.

Present:

Dan Evilsizor

Brad Bodenmiller

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The May 13, 2024 meeting minutes and financial status reports were reviewed and accepted. Mr. Koerner moved, seconded by Mr. Harrigan to approve the May 13, 2024 meeting minutes and current Financial Status Reports. Roll call was as follows: Mr. Stinson, yes; Mr. Koerner, yes; Mr. Harrigan, yes.

Trustee Stinson – Starting with the road report. Richard has the second round of mowing done, all the way back to the crop line. Everything is washed and the tractor is put back together.

Sean Tullis – Zoning Inspector

Buried four people since April 20<sup>th</sup>. There have been seven zoning permits since mid April, mostly for storage barns, an addition, and a couple of decks.

Trustee Stinson – Old business? None was reported.

New Business – Brad Bodenmiller, LUC

Trustee Stinson - We have a request from Vancrest to do some expansion on their facility. This goes beyond starting an enterprise zone. Tonight we are addressing how to get everything correct with zoning.

Mr. Bodenmiller – At the moment you are considering it to be grand fathered. The use is allowed but not necessarily able to be expanded. It's not a permitted or conditional use. We looked at the code to help Mr. Tullis, as a second set of eyes, and didn't see where it was a permitted or conditional use. Mr. Bodenmiller indicated that perhaps when it transferred from the county to Vancrest, however that transpired, it didn't get added to the zoning code as public use to a nursing home in the zoning book. The zoning code has public and quasi public uses, but it's a private enterprise running it, so it doesn't fall under the same definition. In order to change that, you would have to add nursing home as a definition to zoning.

There was a similar situation in Rush Township, where they were given a definition for nursing home, and there was a use created for nursing home, as a permitted or conditional use.

It's a simple amendment. Doesn't mean that you have to do this, it's just an option. What Aaron (Smith) has done is he has marked up a calendar. He gave you some potential dates. You can amend the zoning book, as one process or you could say you don't want to amend the

zoning book, but they could apply to Board of Zoning Appeals and ask them for a use variance to be able to do a use that's not allowed. So you would be varying from the code to allow that use. Or you can say you are not going to make the change. I know they have talked about annexing, not annexing, so they could wait and go through that process through the city. Aaron has given you a couple of options. Assuming you do a zoning amendment, on June 17<sup>th</sup>, you can start the process, and Sandi can certify what you guys do. If you do that, we are willing to come and visit with Sean (Tullis), Dan (Rooney), and Brad (Bodenmiller) to get things ironed out for the zoning commission. So, if you start an amendment today...

Trustee Stinson - that is the zoning commission at LUC?

Mr. Bodenmiller - Zoning commission for the township. Dan is the zoning commission for the township. They would meet on the 24<sup>th</sup>, just the three of us, and then on July 24, when you start an amendment, it goes to the zoning commission, then they send it to LUC. The deadline is July 1<sup>st</sup>. LUC would meet on July 11<sup>th</sup>, then the zoning commission can meet between July 15 and 26<sup>th</sup>. They will have a hearing, place notice in the newspaper, then they make a decision.

So you get a recommendation from me at LUC, then from zoning commission, and then once you guys receive that, you would also have to have a public hearing. You would have your hearing regardless of if the commission says, no or yes, whatever they decide, you still have to have a hearing.

Advertise the hearing starting on the 26<sup>th</sup>, then the township has to have the hearing by August 5<sup>th</sup>. You would then meet on August 5<sup>th</sup>, make a decision for it to be effective as of 30 days. If the decision is to amend the book to allow it, it wouldn't be effective until September 5<sup>th</sup>.

If you make it a conditional use, then you would have to apply to BZA.

If you guys start on an amendment tonight, we will meet with Dan to start the process on the 24<sup>th</sup>, the LUC meeting on July 11<sup>th</sup>, the zoning commission sometime in July, and they will certify their decision to you, your public hearing on August 5<sup>th</sup>, and the decision is effective September 5<sup>th</sup>.

Trustee Harrigan– Quite the process. Is this more the streamlined process?

Mr. Bodenmiller – As quickly as you can do a zoning amendment.

Trustee Harrigan – if we went the other way it would be a revision.

Mr. Bodenmiller – if you said you are not going to make a revision, it is ok the way it is, then they would apply to the Board of Zoning Appeals for a use variance. A use variance is harder to get but a faster process. There is a flow chart that you can use.

Trustee Stinson – BZA has to meet.

Mr. Bodenmiller - if you make it a conditional use. You could make it a permitted use, then there is not that extra level of review.

Trustee Stinson - I wanted you guys to have this. Thank you for picking this up this morning before the meeting. There are a lot of steps to this.

Mr. Tullis – it's the exact same process we did when we changed the maps.

Trustee Stinson – it still has to go through hearings with the commissioners, the school board, and if they don't get the abatement that they want then they may not do any of this. We are trying to get our book right.

Mr. Bodenmiller – you are trying to decide if you want to allow nursing homes as a conditional use.

Trustee Stinson – Rich Ebert told Vancrest there are a million steps. We are way down on the list. For Sean to be able to write a legal permit this has to be resolved.

Mr. Tullis – If you don't pass it then they can't do any additions.

Trustee Stinson - If they don't get some of the abatements that they want, they are not going to do anything.

Mr. Bodenmiller – You can always start the process and decide not to change it.

Trustee Koerner – I think we need to start the process today. Mr. Koerner moved that the Urbana Township Zoning Resolution 2024-005-W for an amendment to the Urbana Township Zoning Resolution identified as Exhibit A (copy attached) be initiated by the Board of Trustees the 17<sup>th</sup> day of June, 2024.

Trustee Harrigan seconded the request.

Mr. Stinson – let's take a moment to discuss this.

Trustee Harrigan – I think Brad was very clear.

Mr. Tullis – the issue I have is as a resident with Vancrest is how many EMS runs that they have. Long term after we are all gone, someone could look it up and open another.

Trustee Stinson – it still has to go through us though.

Mr. Tullis – it does, but right now it can't be done. I don't mind telling Vancrest it's not allowed.

Trustee Harrigan – it's interesting it is not in there now.

Mr. Tullis - It's grandfathered. Why there were other zoning permits written, I don't know. It was before we had zoning. When you look through the book and they are not allowed to be there, grandfathered in can stay exactly how it is. As soon as they make a change, they have to comply with current zoning, which is why it came up.

Trustee Stinson – The other thing, is they have requested to be annexed into city of Urbana. If that will happen in the future, why not make it convenient for them to leave us. They are requesting this and they have started the process.

Ms. Perry – would this be moot if they moved into Urbana?

Mr. Bodenmiller – if they annex it they will be under the township zoning. If they annex without changing the zoning, they will come in under your zoning.

Trustee Stinson – any more discussion, again this is just the start.

Mr. Bodenmiller - They will need a certified copy of the Resolution with Sandi's signature on it. You will need to sign it and then have Sandi do the certification.

Roll call was as follows: Mr. Koerner, yes; Mr. Harrigan, yes, Mr. Stinson, yes.

The certified copy was prepared and given to Mr. Bodenmiller. The original remains with township. The original certification signed by the Fiscal Officer was given to Mr. Tullis for presentation to the Zoning Commission.

Trustee Stinson – when we vote on the executive meeting, I recuse myself?

Mr. Bodenmiller – If you want to recuse yourself and walk out, you can. It is up to you.  
(Mr. Bodenmiller departed)

Trustee Stinson – any more new business?

Trustee Koerner – I would like to make a motion to replace the two flags. The one here at the township and the one at the cemetery. Trustee Harrigan seconded the request.

Trustee Stinson - the chief has promised new flags. Trustee Koerner – they used to do that.

Roll call was as follows: Mr. Stinson, yes; Mr. Koerner, yes; Mr. Harrigan, yes.

Trustee Stinson - Not new business. We had a county meeting on the 22<sup>nd</sup>. One of the things that is most interesting, was going to be the change in HB 315, the big thing will be the change in public notice through websites. If that passes we can make out public notices published on the websites. They know that no one gets papers anymore.

There were some other things. It will re-instate the indigent burial fund of 1.5 million.

Ms. Perry – I just looked that up because we had an indigent burial.

Trustee Stinson - They are going to raise the competitive bid from \$75,000 to \$95,000. Heidi Focht, President of the Ohio Township Association gave us a lot of information. The main thing that I never knew, is that we do not have to supply Fire and EMS to the township. If you have a levy, you have to offer them. She said we are not responsible for that unless we are collecting

taxes. That took probably a half hour because that was a vicious debate. Some want an all county to start. There is something about an all county department that would be good.

Trustee Koerner – Believes there should be an all county department.

Trustee Stinson – If you would have heard all of the townships arguing, one township pays one rate and another pays another. It is kind of what the city is doing with us. It's like you should be paying what those in the city are paying. There are some interesting ways of looking at this.

If you notice also with what Brad was talking about. If this does go through, we are going to have to have a meeting August 2<sup>nd</sup>. I am on the executive committee on LUC, and I haven't seen that number of denials. It's not just something that comes up and they pass this. There is quite a debate about this stuff.

According to Jane (Napier), that can be a special meeting. That all has to be published.

Our next meeting will be on July 17<sup>th</sup> at 5:00.

Mr. Evilsizor – I appreciate that you made the motion to replace the flags. The one at the cemetery is in need of repair and replacement. It's not quite as bad as this one. Exhibits 8 through 11 show the tattered flag. In talking with another member of the community, we agreed to purchase and donate new flags to the township. There are two sizes. Clayton Colbert was the other member who contributed to replace those.

Exhibits 12 and 13, the shelter? Why wouldn't that be an appropriate smoking shelter? It would be out of the workplace and an appropriate site and away from the building. It's about a hundred feet from the building.

Ms. Perry – what were the first things? Before you went to 12, did you say 8? Is there a 1 through 7?

Mr. Evilsizor – the 1 through 7 I was going to address about this flag.

Ms. Perry – so there is no 1 through 7.

Mr. Evilsizor - Clayton Colbert talked to me about an alley. I don't know if it is a township alley or part of Center Street. Looking on the Auditor's website (exhibit 36), it looks like it is an extension of Center Street that goes out to Route 36. He has indicated that he has called in a number of times and many have not been returned. He wants to see about getting something done.

Trustee Harrigan – where is he calling? Here?

Mr. Evilsizor – yes. He said he left voicemails.

These are the photographs. It has horrendous chuck holes in that. I think the township could have a lot of liability if something gets damaged.

Trustee Koerner – where does Clayton Colbert reside?

Mr. Evilsizor – Twain Avenue. His shop is called Golden Tire

Trustee Stinson – it is the old motorcycle shop. Steve McCall is looking at this already.

Mr. Evilsizor – he asked me to bring it up.

Trustee Stinson – Steve McCall is looking at that because there is an issue. The alley is not going to be ours to take care of. He has told us that. The thing we have to address is that Mr. Colbert's property is actually on state ground. Steve said he is trying to give an easement off of the State of Ohio. They have to give us a ruling one way or the other. If you look at the Auditor's site, you will see that his driveway actually hooks into state property.

Mr. Evilsizor – it does. It appears as a continuation of Center Street.

Trustee Stinson – We aren't talking about the alley. The alley is an unimproved alley. The township is not responsible for that. Steve McCall has ruled on that. It has never been improved and it does not have to be. Steve will address this.

Mr. Evilsizor – a couple of other minor things. Some updates need to be done on the website. It looks like several of the members of the commission need to be updated.

Trustee Harrigan – those dates are all of the zoning board members. Their terms need to be updated.

Mr. Evilsizor - Exhibit 39. Is the Urbana Daily Citizen Notice of Tuesday, May 28<sup>th</sup>, after the meeting that there was a change. It still indicated the first and third Mondays of the month.

Ms. Perry – I sent her an email, but I don't look at the community calendar. I did put a notice up on the wall.

Mr. Evilsizor – it did change in the Tuesday, June 11 newspaper. That would have been just six days before this meeting.

Ms. Perry – what does it say in that one? Does it say the third Monday?

Mr. Evilsizor – it does. It seems accurate as of last Tuesday.

Ms. Perry – ok.

Mr. Evilsizor - I did want to ask about your recent change to taking four months of the year and only having half of the amount of meetings. Will the township reimburse half of their wages back to the township since they are only meeting half of the times?

Trustee Koerner – townships do not have to meet twice a month.

Mr. Evilsizor – I understand.

Trustee Koerner – we can decide to do once a month from now – ever. Until maybe new trustees come in and change it.

Mr. Evilsizor – I understand that you don't have to, but hasn't that been the policy for years and years?

Trustee Koerner – for some townships, yes.

Mr. Evilsizor – and for this township as well.

Mr. Koerner – I don't know about years and years.

Mr. Evilsizor – you been on here how many years?

Mr. Koerner – probably too long. Is that all you have then?

Mr. Evilsizor – no, it's not.

Mr. Koerner – we have given the five minutes.

Mr. Evilsizor - That will bring another question. I been allotted 10 minutes per month, prior to this month. There has been 2 meetings. The 5 minute rule is inappropriate. It should be at least 10 minutes.

Mr. Stinson – well it's been 10 and a half minutes right now.

Mr. Evilsizor – it's not because a lot of the discussion has been from you, not from me.

Mr. Stinson – it's five minutes per meeting Dan and it's going to stay at that.

Mr. Evilsizor – that is not surprising with these shenanigans that the good old boys play is disrespectful and improper.

Regarding the hall rentals, you said that you were required to have a second fire exit. Where is that?

Trustee Stinson – it's there.

Mr. Evilsizor - going out through the shop?

Trustee Stinson – yes.

Mr. Evilsizor – it that is the case then the fire escape is through the second hand smoke area.

Trustee Stinson – Number one, we haven't done anything. No one has asked about the hall.

Mr. Evilsizor – That's not my question. They would be exposed to the second hand smoke.

Mr. Stinson – we have to have interest in the hall first.

Mr. Evilsizer – in that interest of the public, you should have their best interests in mind. Their safety and well being should be done in advance

Trustee Harrigan – is second hand smoke measurable? If you walk out there now, you wouldn't smell it.

Mr. Evilsizer – sometimes you won't smell it. But the effect still lingers. That is another shenanigan and good old boys thing of trying to keep smoking permitted and it's a disgrace.

Trustee Stinson – ok. Anything else you guys?

Mr. Evilsizer – I do have a final question.

Trustee Stinson – your time has expired.

Mr. Evilsizer – I see your solar lights. When was that approved?

Trustee Stinson – it wasn't approved it was done.

Mr. Evilsizer – at what expense.

Trustee Stinson - it was an anonymous donation.

Mr. Evilsizer – the signage. When was the signage done.

Trustee Stinson – a couple of weeks ago.

Mr. Evilsizer – I would like the minutes of that meeting please.

Trustee Stinson – I don't know that we have to have a motion to change signs.

Mr. Evilsizer – who spent the money for those signs?

Trustee Harrigan – it was another anonymous donation.

Mr. Evilsizer - when was a decision made to go ahead and install them.

Trustee Stinson – once again I don't think we have to...

Mr. Evilsizer - I just asked when it was done.

Mr. Stinson/Harrigan – 2 weeks ago.

Mr. Evilsizer - I would like minutes of that meeting where it was decided to be done.

Trustee Harrigan – it was a revision to clean up that sign that was there before.



Mr. Evilsizor – Whose decision. Was there a meeting then that the township agreed to do that?

Trustee Stinson – we are not going to argue about this anymore. This is ridiculous.

Mr. Evilsizor – I agree it is ridiculous.

Trustee Stinson – we have given you more than ample time.

Mr. Evilsizor – I understand your shenanigans and your good old boys club.

Trustee Stinson – do you have anything else to add? Trustees Koerner and Harrigan indicated no.

Mr. Koerner moved, seconded by Mr. Harrigan to pay the bills and distribute the checks. Roll call was as follows: Mr. Stinson, yes; Mr. Koerner, yes; Mr. Harrigan, yes.

Check No.	Date	Payee	Total Amount
	06/17/2024	City of Urbana	\$103.05
	06/17/2024	CT Communication	\$140.16
	06/17/2024	Ohio Department of Taxation	\$151.99
	06/17/2024	US Treasury	\$1,687.75
20466	06/17/2024	Sandi Perry	\$215.73
20467	06/17/2024	Blair Stinson	\$425.00
20468	06/17/2024	Matthew Harrigan	\$425.00
20469	06/17/2024	Roger Koerner	\$425.00
20470	06/17/2024	Sean Tullis	\$25.00
20471	06/17/2024	Richard McCain	\$25.00
20472	06/17/2024	City of Urbana	\$26.95
20473	06/17/2024	Ward Excavating	\$600.00
20474	06/17/2024	Roberts Refuse	\$68.50
20475	06/17/2024	ADT	\$73.02
20476	06/17/2024	Williams Hardware	\$46.28
20477	06/17/2024	Koenig Equipment	\$33.06
20478	06/17/2024	Cintas	\$216.32
20479	06/17/2024	Heritage	\$529.76
20480	06/17/2024	Pioneer	\$104.38
20481	06/17/2024	Matthew Harrigan	\$883.58

20482	06/17/2024	Roger Koerner	\$742.89
20483	06/17/2024	Richard McCain	\$1,852.24
20484	06/17/2024	Sandra Perry	\$1,237.80
20485	06/17/2024	Blair Stinson	\$837.41
20486	06/17/2024	Sean Tullis	\$878.07
20487	06/17/2024	OPERS	\$2,197.87
<b>Total</b>			<b>\$13,951.81</b>

Next meeting is Monday, July 15, 2024 at 5:00 P.M.

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Being no further business, Mr. Koerner moved to adjourn the meeting seconded by Mr. Harrigan. Roll call was as follows: Mr. Stinson, yes; Mr. Koerner, yes; Mr. Harrigan, yes.



Blair Stinson, President



Sandi Perry, Fiscal Officer

**6-17-24**

**Zoning**

1. Zoning permit (#24-021) for a 20'x28' storage barn for Kevin Snyder.
2. Zoning permit (#24-022) for deck stairs for Rachel Mesalam.
3. Zoning permit (#24-023) two wood decks Dan Kegley Construction.
4. Zoning permit (#24-024) for a home addition for Joe Jensen.
5. Zoning permit (#24-025) for a storage barn for Paul Russel.
6. Zoning permit (#24-026) for a storage barn for Bryan & Summer Beckley.
7. Zoning permit (#24-027) for a 1.35 ac lot split for Michael Scot Dallas.

**6-17-24**

**Cemetery**

1. Buried Betty Moore on 5-31-24 in an urn. P# 214 GS# 5
2. Buried Martha Williams on 5-29-24 in a vault. P# 146 GS# 5
3. Buried Valerie Trostle 5-14-24 in a vault. P# 285 GS# 3
4. Buried Marsha Oder on 4-20-24 in a vault. P# 112 GS# 7

Resolution No. 2024-005-W

A RESOLUTION TO INITIATE AN AMENDMENT  
TO THE URBANA TOWNSHIP ZONING RESOLUTION.

Trustee Roger Koerner moved the adoption of the following resolution:

That an amendment to the Urbana Township Zoning Resolution, identified as Exhibit A and attached hereto, be hereby initiated by the Urbana Township Board of Trustees this 17th day of June, 2024.

Trustee Matt Harrigan seconded said motion. Upon the roll being called, the vote of the members of the Board of Township Trustees was as follows:

	<u>Trustee</u>	<u>Yes or No</u>
Sign:	<u>Matt Harrigan</u>	<u>YES</u>
Print:	<u>MATT HARRIGAN</u>	

Sign:	<u>Roger Koerner</u>	<u>YES</u>
Print:	<u>ROGER KOERNER</u>	

Sign:	<u>Blair Shinson</u>	<u>YES</u>
Print:	<u>BLAIR SHINSON</u>	

Attested to by Township Fiscal Officer: Sign: Sandra B. Penny  
Print: Sandra B. Penny  
Date: June 17, 2024

# Urbana Township, Champaign County

## Zoning Text Amendment

Amend Article II Definitions by amending the definition of “Nursery, Nursing Home” as follows:

~~Nursery, Nursing Home.~~ A home ~~or facility for the care and treatment of babies, children, pensioners or elderly people~~ used for the reception and care of individuals who by reason of illness or physical or mental impairment require skilled nursing care and of individuals who require personal care services but not skilled nursing care. A nursing home is licensed to provide personal care services and skilled nursing care.

Amend the Official Schedule of District Regulations as follows:

In the conditional uses list in Column 3 of the U-1 Rural District, add “Nursing Home” to the list of conditional uses.

### OFFICIAL SCHEDULE OF DISTRICT REGULATIONS

#### Urbana Township, Champaign County

<u>ZONING DISTRICTS</u>	<u>PERMITTED USES</u>	<u>CONDITIONAL USES</u>
(Symbols as used on the Official Zoning Map)	(Accessory uses and essential services are included)	(Permitted upon issuance of a Conditional Use Permit by the Board of Zoning Appeals)
1	2	3
U-1 RURAL DISTRICT	Agriculture; Very low density residential; animal hospital; clinic; agricultural products processing & sales; public use; quasipublic use; Home Occupation;	Kennel; Public service facility; Low & medium density residential; Commercial & Non-commercial recreation; Service business; Light & heavy manufacturing; Signs; Mobile homes, Mobile Home Park; <b>Nursing Home</b> ;

## Urbana Township, Champaign County

### Zoning Text Amendment

**Amend Article II Definitions by amending the definition of “Nursery, Nursing Home” as follows:**

~~Nursery, Nursing Home.~~ A home or facility for the care and treatment of babies, children, pensioners or elderly people used for the reception and care of individuals who by reason of illness or physical or mental impairment require skilled nursing care and of individuals who require personal care services but not skilled nursing care. A nursing home is licensed to provide personal care services and skilled nursing care.

**Amend the Official Schedule of District Regulations as follows:**

In the conditional uses list in Column 3 of the U-1 Rural District, add “Nursing Home” to the list of conditional uses.

### OFFICIAL SCHEDULE OF DISTRICT REGULATIONS

#### Urbana Township, Champaign County

<u>ZONING DISTRICTS</u>	<u>PERMITTED USES</u>	<u>CONDITIONAL USES</u>
(Symbols as used on the Official Zoning Map)	(Accessory uses and essential services are included)	(Permitted upon issuance of a Conditional Use Permit by the Board of Zoning Appeals)
<b>1</b>	<b>2</b>	<b>3</b>
<b>U-1 RURAL DISTRICT</b>	Agriculture; Very low density residential; animal hospital; clinic; agricultural products processing & sales; public use; quasipublic use; Home Occupation;	Kennel; Public service facility; Low & medium density residential*; Commercial & Non-commercial recreation; Service business; Light & heavy manufacturing; Signs; Mobile homes, Mobile Home Park; Nursing Home;

CERTIFICATION OF A RESOLUTION TO INITIATE A PROPOSED AMENDMENT  
TO THE ~~MCARTHUR~~ <sup>URBANA</sup> TOWNSHIP ZONING RESOLUTION  
TO ~~MCARTHUR~~ <sup>URBANA</sup> TOWNSHIP ZONING COMMISSION

I, Gandra B. Perry, Fiscal Officer of Urbana Township,  
Champaign County, Ohio, do hereby certify that the resolution attached hereto, made  
June 17th, 2024, is taken and copied from the record of proceedings of the Board of  
Township Trustees of Urbana Township, Champaign County, Ohio; that the same has  
been compared by me with the resolution contained in said record and that it is a true  
and accurate copy thereof.

Witness my signature, this 17<sup>th</sup> day of June, 2024.

Sign: Gandra B. Perry  
Print: Sandra B. Perry

Township Fiscal Officer

Received by Urbana Township Zoning Commission, \_\_\_\_\_ day of  
\_\_\_\_\_, 2024.

Sign: \_\_\_\_\_  
Print: \_\_\_\_\_

Township Zoning Commission