

**URBANA CITY COUNCIL
REGULAR SESSION MEETING
TUESDAY, DECEMBER 6, 2022**

 APPROVED

President Hess called the City of Urbana Regular Session Meeting to order at 6:12 pm.

City Staff attending: Mayor Bill Bean, Director of Administration Kerry Brugger, Director of Finance Chris Boettcher, Director of Law Mark Feinstein, Community Development Manager Doug Crabill, Zoning Enforcement Officer Preston Carter, City Engineer Tyler Bumbalough, Police Chief Matt Lingrell and Fire Chief Dean Ortleib.

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

Minutes

Mr. Paul moved to put the minutes of November 15, 2022 on the floor for discussion and possible approval. Mr. Thackery seconded.

No comments/corrections were made.

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

Motion passed 7-0

Communications

1. 2023 Urbana City Council Meeting Calendar
2. Oak Dale Cemetery Board Meeting Minutes – September 16, 2022
3. Urbana Shade Tree Commission – October 2022 Meeting Minutes
4. Letter from Columbia Gas of Ohio dated November 22, 2022

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

Mr. Paul stated that if Council did decide to have a second meeting in July, it could be added at a later time.

Mr. Paul inquired as to the time frame for the twelve burials mentioned in the cemetery board minutes. Mr. Brugger stated those twelve would have been since the previous meeting, a span of about two months.

Mrs. Bean asked Mr. Crabill if the citizens paid the costs for the removal that the Shade Tree Commission described in their minutes. Mr. Crabill stated yes, as that is the way the ordinance is written.

President Hess added it appeared the commission is now at a full slate of members. Mr. Crabill stated Lynn Mitchell appeared as a guest and will represent the First Ward as a member in 2023.

Voice vote on acceptance of communications: all ayes; nays, none.

Motion passed 7-0.

Administrative Reports – Board of Control: None

Citizen Comments: None

ORDINANCES AND RESOLUTIONS

Third Reading:

Ordinance 4584-22: An ordinance approving an application for a “Designated Outdoor Refreshment Area” and establishing the Downtown Urbana Designated Outdoor Refreshment Area (Downtown Urbana DORA”) in the City of Urbana, Ohio. (Three readings required, Public Hearing required)

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

Mr. Crabill stated this was to create a DORA in Urbana. Cities our size are allowed up to three DORAs. Council accepted the plan on October 18th. This legislation followed. Publication was in the Urbana Daily Citizen on October 22nd and October 29th. The public hearing was held last meeting on November 15th. DORAs have been proven popular around the State, predominantly in county seats.

No comments/questions from Council.

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

Ordinance passes 6-0 (One abstention)

President Hess then asked when the DORA would theoretically take effect. Mr. Crabill stated the ordinance becomes law after fourteen days. After that, it would be submitted to the Ohio Division of Liquor Control which acts within approximately three weeks.

Second Reading:

Resolution 2433-22: A resolution to appropriate money for the several objects and purposes which the City of Urbana, Ohio must provide for the fiscal year ending December 31, 2023. (Three readings required.)

Mrs. Bean moved to put the ordinance on the floor for discussion. Mrs. Collier seconded.

Ms. Boettcher stated this is the annual appropriation budget. Attached were the operating, capital improvement, and debt services for 2023. The tax budget legislation was passed earlier this year. That was the revenue side, while this is the expense side.

No comments/questions from Council.

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

First Reading:

Ordinance 4388-22: An ordinance authorizing the Indigent Defense Agreement with the Champaign County Commissioners to allow the City and County to receive partial reimbursement from the Ohio Public Defender Commission for the indigent expenses in the Champaign County Municipal Court. (Three readings required)

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

Mr. Feinstein stated the Sixth Amendment provides counsel in criminal proceedings if a defendant cannot afford an attorney. The County Commissioners have set a procedure where the Ohio Public Defender's Office reimburses for indigent expenses. This contract allows the City to make an agreement with the County, where if the State does not fully reimburse the expenses, the City would pay a portion. This requires three readings because there is a potential for an expenditure, which can happen.

Mr. Paul asked what the amount the City was required to pay last year. Ms. Boettcher stated while she didn't have the exact amount, she believed it to be under \$1,000. It's usually about the same amount each year.

President Hess declared this resolution to have had its first reading

Ordinance 4585-22: An ordinance to amend Chapter 1339 of the Urbana Codified Ordinances, and declaring an emergency. (Three readings required, Public Hearing required)

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

Mr. Feinstein stated this ordinance would add definitions for unlicensed or out-of-service vehicles. It also added the definition of refuse, spare parts, and scrap metal to include these as possible nuisance violations. The main key for this amendment is to streamline ways for abatement. It added that the City has the authority to enter private property to do so. It states this expressly, leaving no ambiguity.

Mr. Feinstein stated this ordinance goes through each type of nuisance and states what type of abatement exists for each type. It still allows for summary abatement for the occasions where that is necessary. The appeal process is still in place. Another key change is this ordinance would allow service for whoever is in charge of the property, not necessarily solely the owner.

Ms. Truelove stated the ordinance referenced a board and inquired into that. Mr. Feinstein stated the Mayor can appoint people to a nuisance board, but the process is rarely used.

Mr. Scott asked Chief Lingrell for his insight. Chief stated he was on board and sat in on the drafting of the legislation.

Mrs. Bean asked if Mr. Carter expected the same pushback from the community as the parking issues previously. Mr. Carter did not think so. This issue already existed. It's purpose is to give the City a way to deal with the issue.

President Hess declared this resolution to have had its first reading

Resolution 2646-22: A resolution authorizing the acceptance of the Victims of Crime Act ("VOCA") Grant as administered by the Ohio Attorney General, and declaring an emergency. (One reading required)

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

Mr. Feinstein stated the Law Department has a victim advocate who provides services to victims throughout the legal process. This grant allocated funds to support victim advocacy throughout the State. This was the maximum amount Urbana was eligible to apply for. The grant explicitly states the legislative authority must accept the funds.

Mr. Paul stated the resolution stated the local match was 20%. He asked if the \$25,000 include the City share or not. Ms. Boettcher stated the \$25,000 was solely the 80% awarded, and the City share would be on top of that.

Mr. Paul added this seemed to be more of an annual housekeeping issue than anything else.

Mr. Scott asked what was covered by the non-departmental section. Ms. Boettcher indicated that was a catch-all for things such as insurance, professional services and IT support.

President Hess called for a roll call for passage. Mr. Paul, 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 2647-22: A resolution declaring the necessity of constructing or repairing sidewalks, curbs, and/or gutters along at least portions of Miami Street, Bloomfield Avenue, East Light Street, Freeman Avenue, Storms Avenue and East Broadway Street, and declaring an emergency. (One reading required)

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

Mr. Bumbalough stated the City went around and marked portions for replacement. Homeowners were sent letters in August with a deadline of November to get the issues completed or to be a part of the City's program. About 24 letters came back out of a total of around 80 to 100. Certified letters will go out after this resolution, and if they miss the deadline, the City will do the work and assess the property taxes.

Ms. Truelove asked specifically about the sidewalk on the Broadway property. Mr. Bumbalough stated that at 126 E. Broadway Street, on the north side of the road, a house was built in the last year that failed to put in a driveway, sidewalks, or curb.

Mr. Paul asked when the homeowners would be given the initial cost estimates. Mr. Bumbalough stated the City does not send individual costs and no property owner called in about the costs before signing the letter. He added that Council will have to approve the estimate down the road as part of the Ohio Revised Code process.

Mr. Scott asked when the bidding process would begin for the work to be done by the City contractor. Mr. Bumbalough stated the City was doing the process a little differently this time. The plan was to introduce the wholesale contract around early February. The piecemeal items would then be included into that contract to be completed altogether.

President Hess inquired as to why there were specifications this time. Mr. Bumbalough stated the wholesale program has specification as a part of the plan.

President Hess called for a roll call for passage. Ms. Truelove, yes; Mr. Thackery, yes; Mrs. Collier, yes; Mrs. Bean, yes; Ms. Jumper, yes; Mr. Scott, no; and Mr. Paul, yes.

Resolution passes 6-1.

Department Liaison Reports:

Mr. Paul stated he met with Mr. Feinstein regarding the noise ordinance. They believe that way it is written is fine and will not be moving forward with any changes. He also stated the lateral transfer issue is still on the docket.

Mrs. Collier stated the Safety meeting will meet Tuesday, December 13, 2022 at 5:00 pm in the conference room.

Miscellaneous Business

Mr. Scott stated he was glad to see Dunkin' open and packed.

Mr. Thackery stated the horse parade was fabulous and absolutely packed. He also met with Mr. Feinstein regarding motorized bicycles and believes it is perhaps more of an enforcement issue.

Mrs. Collier stated she saw lights the last two or three nights in the armory. Mr. Brugger stated it is privately owned and is not aware of what is going on there.

Mrs. Bean stated the new brewery is great and recommended everyone should go.

Mr. Crabill stated the gas company was removing the meter at the ALDI location. Safety fencing would be going in next week and demolition would start the week of December 19th.

Chief Ortlieb stated the Fire Division has started the recruitment process and encouraged people to test.

Mr. Brugger stated that leaf pickup is complete and the compost facility is scheduled to close at the end of the week. It may be extended if weather permits but the target is Friday.

Chief Lingrell stated that Officer Harris of the Urbana Police Division will be recognized among other officers across the State at a luncheon in Columbus on Thursday by MADD for his work on OVI enforcement. Officer Harris is responsible for 22% of the City's OVIs.

Mayor Bean stated that there were a lot of people downtown for the parade and the lighting of the Christmas tree. He also thanked UPD for the crowd control.

President Hess asked Chief Lingrell about the giving tree ran by UPD. Chief Lingrell stated it is down there but there were not very many requests this year, which he saw as a positive.

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

ADJOURNED AT 6:51 p.m.

NEXT SCHEDULED MEETING
December 20, 2022, at 6:00 p.m.





Council Clerk



Council President