

**URBANA CITY COUNCIL  
REGULAR SESSION MEETING  
TUESDAY, MARCH 2, 2021**

President Hess called the City of Urbana Regular Session Meeting to order at 6:00 p.m. City staff attending: Mayor Bill Bean, Director of Administration Kerry Brugger, Director of Finance Chris Boettcher, Director of Law Mark Feinstein, City Engineer Tyler Bumbalough, Superintendent of Public Works Chad Hall, Water Superintendent Joe Sampson, Zoning Officer Preston Carter, Zoning Assistant Dusty Hurst and Sewer Maintenance & Facilities Supervisor Brad Yost.

**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**

President Hess asked if there were any additions or corrections to be made and Mr. Paul asked that regarding the Work Session Minutes, if it could be added that he mentioned the need of updating and expansion on Engineering projects, to add, as listed on the City's Website.

Mr. Thackery moved to put the minutes of February 2, 2021, in addition to the minutes of the Works Session of February 24, 2021, on the floor for discussion and possible passage. Mr. Scott seconded. Voice vote on approval: all ayes; nays, none.

Motion passed 6-0.

**CITIZEN COMMENTS**

Richard and Linda Harner – 400 Scioto St. – spoke about Resolution 2601-21, regarding curbs, gutters and sidewalks. He stated, “This is not the first-time curb and gutter work has been done in Urbana. Some favored groups have had the work paid for by grants, and less favored groups have had to pay, but have had the option to contract the work if they didn't like the City's price. We are in a new least favored group, because we are being told to pay and accept the City's price, whatever that is. Last year we had to repair our sidewalks. At that time, we were in the less favored group, we had to pay, but we could contract if we didn't like the City's price, which we did. Resolution 2601-21 was passed February 2, 2021, as an emergency one even though the street work would not be done until the summer. This resulted in no notification of property owners and accepting their input. We believe the project was in the planning stages for a much longer time frame, in which property owners should have been kept in the loop. We did not get the certified letter of this Resolution until February 13, 2021. What is most notable is what was

not included in this letter, namely the property owners estimated cost; notice of this meeting on March 2, 2021; and to highlight that no property owners could do the work or contract it out. The people here tonight are the tip of the iceberg, given the short or no notice. Many people may not be informed of their cost until they get their tax bill. The delayed notification and compressed time frame, appears to be the City's attempt to mandate a single contractor using a curb/gutter machine, exclude local contractors and limit property owners' rights. It should not be approved as proposed. On voting, imagine that these constraints applied to you. The ability of property owners to contract a "Better Price" should be retained.

Ryan Armstrong – 466 Scioto St. stated that he was not here for the unspoken, only for the "secrecy" thing. He stated that he didn't understand the math on how the City came up with their estimates. He added that all he was asking for was transparency.

Diane Doss – 424 Scioto St. said that last summer, she spent \$8,000.00 on her sidewalks. She stated that she would appreciate 10 years to pay the assessments, not 3 years.

Joe Korte – 409 Scioto St. mentioned that Bon Air area received the same letter last year, and they were able to choose their own contractor. He stated the it could be more cost effective for the property owner to be able to do the same.

Rich Colvin – 205, 208, 211 Scioto St. stated there was a lack of communication with the residents. He said that the property owners were putting money out for this curb repair, that they need to be repaired correctly. He spoke about a current issue with the street level.

Richard and Cheryl Barger – 511 Scioto St. had a basic question of why couldn't the home owners do their own work if it was completed with the appropriate specifications. He added that their assessment is over \$10,000.00 and would like the opportunity to get bids themselves, to get a lower cost.

Tom Coles – 472 Scioto St. advised he had no statement, he was just listening to the information that was being provided.

## **COMMUNICATIONS**

1. Planning Commission Meeting Minutes of October 26, 2020
2. Design Review Board Meeting Minutes of November 23, 2020
3. Email from Kerry Brugger responding to Joe Buckwalter's email regarding the Airport Advisory Committee
4. Municipal Court Annual Report for 2020
5. Champaign Countywide Public Safety Communication System Annual Report

6. Letter from Habitat for Humanity to Marcia Bailey, Director, CEP, regarding City lots located on Railroad Street (This is related to Ordinance 4519.20 passed on March 2, 2020)
7. Urbana Parks and Recreation Meeting Minutes of February 10, 2021, and February 13, 2021
8. Thank you letter from CEP for continued support

Mr. Paul had a question on Case Number 3, pertaining to the Planning Commission Meeting Minutes, and asked why Mr. Parker would state that this is the smallest and most difficult project he's ever done. Mr. Bumbalough responded that the work at this subdivision has been continuing for approximately 2 years. He added that the difficulty is with the compliance with the subdivision code, splitting off lots while having a preliminary plat from the Planning Commission.

Mr. Paul stated Mr. Brugger had a very nice response to Mr. Buckwalter's email.

Mr. Thackery asked Mr. Feinstein if the legislation regarding the Railroad St. lots needed to be rescinded. Mr. Feinstein advised no.

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

Motion passed 6-0

## **ADMINISTRATIVE REPORTS - BOARD OF CONTROL**

### **1. EJ Prescott - \$2,939,999.00 (OWDA loan at 1.28% interest, 20-year term)**

Mr. Sampson said that discussion about the Water Meter Replacement Project has been on-going for some time now. He added that the City solicited bids from 6 different contractors. He advised that the project included a 15-year, 100% warranty.

Mr. Paul asked how soon this would start. Mr. Sampson said that they had to order the collectors and repeaters and then the meter installation would begin. He said it would begin in about 3-4 months. Mr. Sampson stated that the meters will go inside of the residence and the radios would go on the outside of the residence. Mr. Paul asked about maintenance for the hardware and Mr. Sampson said that was included in the contract.

Mrs. Collier asked if all of the collectors and repeaters were included in the price and Mr. Sampson affirmed.

Mr. Fields asked what the life expectancy of the equipment was. Mr. Sampson advised that there is a 10-year prorated warranty, so he is expecting the equipment to last approximately 15 years. Mr. Fields asked if the meters were to be read monthly. Mr. Sampson affirmed.

President Hess asked how big the equipment was. Mr. Sampson advised that it is a little bit bigger and thicker than the ones currently.

Mr. Paul asked Mrs. Boettcher that on the lists provided to Council regarding the P.O.'s, it's unclear for what the expense is for. Mrs. Boettcher advised that most of the blankets are for day to day expenses and that it would likely be more beneficial if he were to email her with questions.

## **ORDINANCES AND RESOLUTIONS**

### **First Reading**

#### **Ordinance No. 4534-21**

An Ordinance determining to proceed with the improvement of Crescent Drive in the City of Urbana, County of Champaign, Ohio by constructing or repairing sidewalks, curbs, driveway approaches and appurtenances thereto on parts or all of Crescent Drive between Finch Street and Ames Avenue, and declaring an emergency. (Requires three readings)

Mr. Bumbalough stated that this is part of the timeline and part of the Phase 2A Water Project. He advised that the water lines were installed just before the month of February. The Resolution of Necessity was passed and he advised that the costs were to be split with all of the property owners on Crescent Drive. He added that following the three readings, Council decides if they want to proceed with the project, which consists of the south side of Crescent Drive.

President Hess declared this Ordinance to have its first reading.

#### **Ordinance No. 4535-21**

An Ordinance determining to proceed with the improvement of Scioto Street in the City of Urbana, County of Champaign, Ohio by constructing or repairing curbs, gutters, driveway approaches and appurtenances thereto on a section of Scioto Street between Locust Street and Patrick Avenue, and declaring an emergency. (Requires three readings)

Mr. Bumbalough said that he listened to all of the citizens comments earlier and stated that he appreciated each and every one. He advised that ODOT will mill the street and pave 1 ¾ inches. He stated that the Resolution of Necessity was passed by ¾ of Council. He added that the legal ad ran in the local newspaper on February 5, 2021, and the certified letters were sent on February 8, 2021. He also mentioned that he was aware that the estimates were high, but he desires to estimate high so that the homeowner may be pleased when it doesn't cost as much as what the estimate was. He also added that they were trying to pursue the best cost for the residents and that the project will be put out for bid.

Mrs. Collier advised that one resident mentioned that replacing the curbs may be matched to the new installations. Mr. Bumbalough stated that it wasn't a simple as people may think. He added that the 200 block needs the most repair and that the don't want the curb height about the sidewalk, but there are some that the City could tie into with the design.

President Hess declared this Ordinance to have its first reading.

**Ordinance No. 4536-21**

An Ordinance repealing and replacing Chapter 1126 of the Urbana Codified Ordinance.  
(Requires three readings)

Mr. Carter advised that this Ordinance was the first of many that they were looking to update to add more specificity. In this Ordinance, what is being looked at to change is mainly the materials used and dealing with the time of erecting the same. Currently it allows two years for the completion of the fencing project, and we are looking to change that to six months, with an addition six months for approval.

President Hess declared this Ordinance to have its first reading.

**Ordinance No. 4537-21**

An Ordinance authorizing the issuance of not to exceed \$810,000 of various Purpose Limited Tax General Obligation Refunding Bonds by the City of Urbana, Ohio for the purpose of refunding bonds of said City and paying certain costs related to the issuance of such bonds, and declaring an emergency. (Requires three readings)

Mrs. Boettcher stated that this pertains to various purpose bonds issued in 2010 involving the renovation of the Armory Building, constructing a new recreation building, replacing water lines, constructing the Scioto Street Enhancement Project and replacing sewer lines. She added back in 2010, the bonds were issued at a 4.83% interest rate. She stated that now is the time to issue new bonds with a much lower interest rate, saving the City \$25,000.00 per year for the next ten years.

Mr. Paul asked when would it go into effect. Mrs. Boettcher advised, as soon as possible.

President Hess declared this Ordinance to have its first reading.

**Ordinance No. 4538-21**

An Ordinance authorizing the issuance of not to exceed \$375,000 of Mausoleum Improvements Limited Tax General Obligation Refunding Bonds by the city of Urbana, Ohio for the purpose of refunding bonds of said City and paying certain costs related to the issuance of such bonds, and declaring an emergency. (Requires three readings)

Mrs. Boettcher advised that the current bond was issued in 2010 at 6.75% , and again, now is the time to issue new bonds with a much lower interest rate, 2.6%, saving the City \$8,000.00 per year for the next ten years.

President Hess declared this Ordinance to have its first reading.

**Second Reading**

None

**Third Reading**

None

**COMMITTEE REPORTS**

Mr. Paul said that the Economic Development Committee had their initial meeting. They discussed creating a master plan as well as a marketing plan. He stated it was a good conversation. Mr. Thackery added that in that meeting, they also spoke on the topics of infrastructure and zoning. He also stated that Steve Brune was added to the committee and that a lot of progress happened with a lot of good discussion in that first meeting.

Mr. Paul continued by saying that the Zoning Committee had their initial meeting. He added that the BR-1 is a hot topic right now as is conditional uses. Mr. Thackery also stated that they would be inviting the BZA and Planning Commission members to the meetings and they also spoke of code enforcement. He stated that their second meeting was scheduled for March 18, 2021, to include all committee members in addition to Doug Crabill, Preston Carter, Dusty Hurst and Marcia Bailey.

Mr. Thackery advised that the Safety Committee has held their initial meeting and Fire Chief Ortlieb and Police Chief Matt Lingrell attended. He said that these meeting were held every third Thursday of the month at 6:00 p.m.

Mr. Scott spoke about the Infrastructure Committee and stated the next meeting would include Tyler Bumbalough so that it could be know what upcoming projects are. He added that he felt it would be great if the City could be put on a systematic repair. Additionally, they would be reviewing Section 913, curbs, sidewalks, gutters. Also, he mentioned he would like to get Chad Hall and Colin Stein to the meetings to add their input.

Mrs. Collier spoke about Council Rules/Ordinances Committee. She stated that she spoke with Mark Feinstein and that there are some changes that could be made to Council Rules, and a lot of Ordinances were going to be looked at as well. Mr. Paul added that the Charter Committee spoke of some changes that they would like to see and that Mr. Feinstein could advise her of the same.

Mr. Fields asked Mr. Feinstein if he could show up at Committee meetings as a citizen. Mr. Feinstein advised no.

#### **MISCELLANEOUS BUSINESS/WORK SESSION**

Mr. Paul thanked of the residents of Scioto Street that attended the meeting and spoke to Council.

Mr. Paul moved to excuse absent Council Member Doug Hoffman from tonight's meeting. Mr. Fields seconded. Voice vote on approval: all ayes; nays, none.

Motion passed 6-0

Mrs. Collier said that she was contacted by Richard Kitcher, 305 Park Ave., and he stated to her that his yard was damaged quite a bit by the snow plow. She also advised that she did take pictures of the damage. She asked if the City could repair the damage. Mr. Hall stated that they would look into it.

Mr. Thackery thanked Mr. Hall's team from removing the snow removal in the roundabout.

Mr. Fields advised that he saw a posting on the internet that they were now accepting applications for Legacy.

Mr. Hall advised there is or would be soon, a posting in the newspaper for seasonal work for the City Park and the Compost. He also stated that the Stormwater Advisory Commission had their last meeting last night and they discussed the 10% rate increase that would be coming to Council for consideration. He also stated that he would like to attend the Infrastructure meetings.

Mr. Feinstein said that the Salary Commission has their first meeting scheduled for Tuesday, March 9, 2021. He also advised he would attend their first meeting to add help or guidance if needed.

Mr. Brugger stated he appreciated the support of Preston Carter and Dusty Hurst for their hard work on the fence ordinance. He added that if anyone should have any questions, to please reach out to them. He also said that he appreciated everyone coming out or speaking on-line about the Scioto Street project. He also agreed with Mr. Scott about the greatness of having they City be systematically formed. He added that would require a lot of discussion and a lot of effort to get this accomplished.

Mayor Bean said that he was very saddened to have to advise the passing of Nancy Thorpe. He stated that she was a great lady. He then thanked Mrs. Boettcher for bring the costs down for the bonds, and said that with her hard work, the City is saving money. He then invited Council and any elected official to attend the County Meeting scheduled for March 3, 2021, at 8:30 a.m. at the Chambers office to learn what is going on in the County and its villages. He also thanked Mr. Feinstein for getting the Salary Commission going. He also stated that if anyone has the opportunity to get the Covid-19 shot to get it, for it will help our County, City, yourselves, your families and your neighbors.

President Hess stated that he hoped our new communication system for Council Meetings is working better. Mayor Bean advised that it was working great and he thanked Brad Yost and Amy Deere for their efforts.

President Hess spoke of the scheduled Executive Session. Mr. Thackery moved to enter into Executive Session, Mr. Paul seconded. Voice vote on approval: all ayes; nays, none.

Motion passed 6-0

Adjourned to Executive Session at 7:30 p.m.

Mr. Scott moved to enter into Executive Session and Mr. Thackery seconded. Voice vote on approval: all ayes; nays, none.

Motion passed 6-0



Entered Executive Session at 7:31 p.m.

Mr. Thackery moved to adjourn Executive Session and reconvene the regular Council Session.  
Mr. Paul seconded. Voice vote on approval: all ayes; nays, none.

Motion passed 6-0.

Meeting reconvened at 7:48 p.m.

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


Motion passed 6-0

**ADJOURNED AT 7:49 p.m.**

**NEXT SCHEDULED MEETING**

March 16, 2021, at 6:00 p.m.

  
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Council Clerk

  
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Council President