

**URBANA CITY COUNCIL  
REGULAR SESSION MEETING**

**December 21, 2022, at 6:00 p.m.**

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

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**You may listen to the meeting from your computer, tablet or smartphone. As the State of Emergency has been lifted by Governor DeWine, the Zoom media is available as a method to hear the meetings only. Council participation, and Citizen Comments, will only be in person.**

<https://zoom.us/j/2412774424?pwd=TzBqdXRid1ZQNfZrU1I3UDgvY1J0QT09>

Meeting ID: 241 277 4424

Passcode: 43078

Dial by Phone: 1-646-558-8656

**PLEASE MUTE YOUR PHONES**

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**< REVISED AGENDA >**

- **Call to Order**
- **Roll Call**
- **Pledge of Allegiance**
- **Approval of Minutes**
  1. Urbana City Council Regular Session Meeting Minutes of December 7, 2021.
- **Communications (see attached)**
  1. Communication From the Champaign Countywide Communications Center Advising of capability of Receiving Text to 9-1-1.
  2. Communication from the Auditor of State's Office for the City of Urbana FY2020 Audit Exit Conference on Wednesday December 8<sup>th</sup> (emailed 12/06/21)(see attached)
  3. Memo from Director of Finance regarding proposed City council meeting schedule for 2022 (see attached).

- **Board of Control:** No Board of Control Items

\*\*Footnote – Purchase Orders \$2,501 - \$50,000 for October and November 2021 (see attached)\*\*

\*\*\* Footnote - On December 15, 2021 the Parks & Recreation Board approved the release of \$9,661.81 to Midstates Recreation from the Park Improvement Fund for additional molded rubber surfacing (Change Order #1) for the EVERYbody Plays Inclusion Playground project located at Melvin Miller Park. The additional surfacing is funded by a generous donation in the amount of \$9,661.81 from Lawnview Industries, Inc.\*\*\*

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

- **Ordinances and Resolutions**

**Old Business:**

**Third Reading:**

**Ordinance 4391-21:** An ordinance approving a collective bargaining agreement between the City of Urbana, Ohio and the City of Urbana Service Divisions Public Employees of Ohio Teamsters, Local Union No. 284, and declaring an emergency. (Requires three readings)

**Resolution No. 2433-21:** A Resolution to appropriate money for the several projects and purposes which the City of Urbana, Ohio must provide for the fiscal year ending December 31, 2022. (Requires three readings)

**Second Reading:**

**Ordinance 4390-21:** An ordinance approving a collective bargaining agreement between the City of Urbana, Ohio and the City of Urbana Firefighters and the Urbana Firefighters Association, I.A.F.F. Local 595, and declaring it an emergency. (Requires three readings) (Summary & Draft Contract attached)

**Ordinance 4392-21:** An ordinance approving a collective bargaining agreement between the City of Urbana, Ohio and the City of Urbana Fire Captains and the Urbana Firefighters Association, I.A.F.F. Local 595, and declaring it an emergency. (Requires three readings) (Summary & Draft Contract attached)

**New Business:**

**First Reading:**

**Resolution 2620-21:** A resolution authorizing the Mayor to enter into the 2022-2026 Housing Revolving Loan Fund Administration Agreement with the Ohio Development Services Agency (Grantor) and the City of Urbana (Grantee). (May be passed on one reading)

**Resolution 2621-21:** A resolution to approve a sanitary sewer tap-in for Ryan and Molly Armstrong at 1756 Old Troy Pike (Parcel # K41-11-11-34-00-010-09) as an Extraterritorial Customer, and declaring an emergency. (Suspension of rules requested by utility services applicant).

**Resolution 2622-21:** A resolution to approve a sanitary water tap-in for Ryan and Molly Armstrong at 1756 Old Troy Pike (Parcel # K41-11-11-34-00-010-09) as an Extraterritorial Customer, and declaring an emergency. (Suspension of rules requested by utility services applicant).

**Resolution 2623-21:** A resolution to amend Resolution 2433-20 to modify or increase appropriations within various funds of the City of Urbana, Ohio for the current expenses

during the fiscal year ending December 31, 2021. (Supplemental Appropriations)  
(Requires three readings) \*\*This Ordinance will be a walk-in Ordinance at the meeting\*\*  
(Suspension of rules requested).

**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 defense expenses in the Champaign County Municipal Court and declaring it an emergency.

**Ordinance 4556-21:** An emergency ordinance to accept the material terms of the One Ohio Subdivision Settlement pursuant to the One Ohio Memorandum of Understanding and consistent with the terms of the July 21, 2021 National Opioid Settlement Agreement (Suspension of the Rules) \***Note:** the entire “Final JNJ Settlement Term Sheet” document was included in the e-mailed Council’s packet on December 17, 2021, and a copy is on file with the Council Clerk.

**Ordinance 4557-21:** An ordinance adopting a Statement of Services to be provided to territory consisting of approximately 256.386 acres, more or less, in Urbana Township proposed for annexation to the City of Urbana by Matthew T. Watson, Attorney at Law, as agent for the petitioner, Phoenix Ag, Ltd., and declaring an emergency.

**Ordinance 4558-21:** An ordinance relating to Land Use and Zoning Buffers for territory consisting of approximately 256.386 acres, more or less, in Urbana Township proposed for annexation to the City of Urbana by Matthew T. Watson, Attorney at Law, as agent for the petitioner, Phoenix Ag, Ltd., and declaring an emergency.  
Land Use & Buffers Phoenix Ag Annexation.

**(New) Ordinance 4395-22:** An ordinance approving a collective bargaining agreement between the City of Urbana, Ohio and the City of Urbana Police Patrol Officers and the Fraternal Order of Police/Ohio Labor Council, Inc., and declaring it an emergency.  
(Requires three readings) (Summary attached) (Copy will be distributed at the meeting).

**(New) Ordinance 4396-22:** An ordinance approving a collective bargaining agreement between the City of Urbana, Ohio and the City of Urbana Police Patrol Officers and the Fraternal Order of Police/Ohio Labor Council, Inc., and declaring it an emergency.  
(Requires three readings) (Summary attached) (Copy will be distributed at the meeting).

- **Committee Reports**
- **Miscellaneous Business:**
- **Next Meeting:** Tuesday, January 4, 2022
- **Adjourn**

**ORDINANCE NO. 4395-22**

**AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF URBANA, OHIO AND THE CITY OF URBANA POLICE PATROL OFFICERS AND THE FRATERNAL ORDER OF POLICE/OHIO LABOR COUNCIL, INC. AND DECLARING AN EMERGENCY.**

**WHEREAS**, the most recent collective bargaining agreement between the City of Urbana and its police patrol officers, represented by the Fraternal Order of Police, expires on December 31, 2021; and

**WHEREAS**, pursuant to Ohio Revised Code Chapter 4117, the City engaged in negotiations with the bargaining unit representing the police patrol officers on terms of a successor agreement; and

**WHEREAS**, Sections 2.11 and 2.15 of the Urbana City Charter permit adoption as an emergency to allow the new agreement to be ratified, accepted and approved immediately as the predecessor agreement has expired and the police patrol officers provide services necessary to the preservation of public peace, health, and safety and welfare,

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF URBANA, OHIO;**

**Section One:** That a three (3) year agreement between the City of Urbana and its police patrol officers, represented by the Fraternal Order of Police/Ohio Labor Council, Inc., copy of which is attached to this ordinance and incorporated herein by reference as Exhibit A, is approved as to form and substance and the Director of Administration is authorized to execute said agreement on behalf of the City.

**Section Two:**

Formal actions of this City Council concerning and relating to the passage of this ordinance were adopted in an open meeting in compliance with all legal requirements including O.R.C. §121.22 and Urbana Codified Ordinances §107.01.

**Section Three:**

Council declares an emergency pursuant to Urbana City Charter §2.11 and this Ordinance shall take effect immediately upon passage to preserve public health, safety and welfare.

\_\_\_\_\_  
PRESIDENT

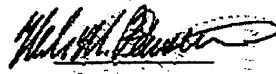
PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_

This ordinance approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
MAYOR

(ORDINANCE 4395-22)

Department requesting: Administration		Personnel: K. Brugger	Director of Law Review 
Expenditure? No	Emergency? Yes	Public Hearing? N/A If yes, dates advertised:	
Readings required: 1 2 [3]			
First reading date: 12/21/21	Second reading date: 1/4/22	Third/Final reading date: 1/18/22	

Anticipated effective date if approved: 1/18/2022

**ORDINANCE NO. 4396-22**

**AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF URBANA, OHIO AND THE CITY OF URBANA POLICE SERGEANTS AND THE FRATERNAL ORDER OF POLICE/OHIO LABOR COUNCIL, INC., AND DECLARING AN EMERGENCY.**

**WHEREAS**, the most recent collective bargaining agreement between the City of Urbana and its police sergeants, represented by The Fraternal Order of Police, expires on December 31, 2021; and

**WHEREAS**, pursuant to Ohio Revised Code Chapter 4117, the City engaged in negotiations with the bargaining unit representing the police sergeants on terms of a successor agreement; and

**WHEREAS**, Sections 2.11 and 2.15 of the Urbana City Charter permit adoption as an emergency to allow the new agreement to be ratified, accepted and approved immediately as the predecessor agreement has expired and the police sergeants provide services necessary to the preservation of public peace, health, and safety and welfare,

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF URBANA, OHIO;**

**Section One:** That a three (3) year agreement between the City of Urbana and its police sergeants, represented by The Fraternal Order of Police/Ohio Labor Council, Inc., copy of which is attached to this ordinance and incorporated herein by reference as Exhibit A, is approved as to form and substance and the Director of Administration is authorized to execute said agreement on behalf of the City.

**Section Two:**

Formal actions of this City Council concerning and relating to the passage of this ordinance were adopted in an open meeting in compliance with all legal requirements including O.R.C. §121.22 and Urbana Codified Ordinances §107.01.

**Section Three:**

Council declares an emergency pursuant to Urbana City Charter §2.11 and this Ordinance shall take effect immediately upon passage to preserve public health, safety and welfare.

\_\_\_\_\_  
PRESIDENT


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

ATTEST: \_\_\_\_\_

This ordinance approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
MAYOR

(ORDINANCE 4396-22)

Department requesting: Administration		Personnel: K. Brugger	Director of Law Review 
Expenditure? No	Emergency? Yes	Public Hearing? N/A If yes, dates advertised:	
Readings required: 1 2 [3]			
First reading date: 12/21/21	Second reading date: 1/4/22	Third/Final reading date: 1/18/22	

Anticipated effective date if approved: 1/18/2022

**MEMORANDUM**

**To:** Mayor Bill Bean  
 Chris Boettcher, Director of Finance  
 Mark Feinstein, Director of Law  
 Matt Lingrell, Police Chief  
 Cat Jones, HR Manager  
 Urbana City Council Members

**From:** Kerry Brugger

**Date:** December 21, 2021

**Subject:** Summary of the Tentative Agreement between the City of Urbana and the Urbana Fraternal Order of Police, (Sergeants & Patrol Officers)

The current three (3) year Agreements between the City of Urbana and the Urbana Fraternal Order of Police, (Sergeants & Patrol Officers) expires December 31, 2021.

After preliminary discussion/communication, negotiations started December 7, 2021. This was the third time both units, Sergeants and Patrol Officers, negotiated jointly in the sessions. Twelve (12) Articles were brought forward from each bargaining unit for negotiation. Agreements were reached on all open items, and the management negotiations team reached a tentative agreement with the Urbana Fraternal Order of Police on December 10, 2021. The union ratified the contract on December 20, 2021.

Ordinances 4395-22 (Patrol Officers) and 4396-22 (Sergeants) are being presented to City Council for authorization to sign the respective Agreements. Following is a brief description of the pertinent changes in each article (Items in bold are the changes made in the Agreements):

<b>Article Number</b>	<b>Title of Article</b>	<b>Pertinent Changes</b>
1	Agreement/Purpose	Left as current language.
2	Recognition	Left as current language.
3	Non-Discrimination	Left as current language.
4	Union Privileges	Left as current language.
5	Authorization/Union Membership	Left as current language.
6	Management Rights	Left as current language.
7	No Strike/No Lockout	Left as current language.
8	Labor/Management Committee	Left as current language.
9	Probationary Periods	Left as current language.
10	Seniority	Left as current language.
11	Layoff/Recall	Left as current language.
<b>12</b>	<b>Investigation &amp; Discipline</b>	<b>Amended Section 12.2 (I) which added language to clearly identify that discipline that no longer has any force and effect shall be clearly identified on the record.</b>



13	<b>Grievance Procedure</b>	<p>&gt;Modified language in Section 13.2 Steps 1, 2 &amp; 3 shifting from working days to calendar days, along with clarifying language relative to deadlines falling on Saturday, Sunday, or recognized holiday being shifted to the next business day thereafter</p> <p>&gt;Modified language in Section 13.2 Step 4 (2.) changing from following the AAA rules to those of the FMCS.</p>
14 (Patrol)	<b>Wages &amp; Benefits</b>	<p>&gt;Agreed to realignment of the wage scale, changing from 15 steps to six (6), moving officers to the step commensurate with their years of service.</p> <p>&gt;Agreed to a 4.0%, 4.0% base wage increase in each of the 2nd and 3rd contract years.</p>
14 (Sergeant)	<b>Wages &amp; Benefits</b>	Agreed to a 4.25%, 4.25%, 4.25% base wage increase in each contract year.
15	Medical, Hospital, Life, and Liability Insurance Benefits.	Left as current language.
16	<b>Holidays</b>	Added Juneteenth to the list of paid holidays.
17	<b>Annual Leave (Vacation)</b>	Modified the accrual schedule to allow employees to reach accrual thresholds sooner in tiers 2, 3, and 4.
18	<b>Sick Leave</b>	Left as current language.
19	Sick Leave Incentive Days	Left as current language.
20	Extended Injury Leave	Left as current language.
21	Military Leave	Left as current language.
22	Jury Duty	Left as current language.
23	<b>Hours of Work and Overtime</b>	Increased Court Appearance minimum reporting time from 2 hrs. to 3 hrs.
24	Special Scheduling	Left as current language.
25	Shift Trading & Bidding	Left as current language.
26	Personal Property Replacement	Left as current language.
27	<b>Uniform Fund</b>	Increased Uniform allowance by \$100, from \$900 to \$1,000.

<b>28</b>	<b>Educational Incentive Plan</b>	<b>Modified Section 28.2 by eliminating ambiguous “in effect” language with the date, January 1, 2019.</b>
<b>29</b>	<b>Residency</b>	<b>Left as current language.</b>
<b>30 (Patrol)</b>	<b>Fitness Standards</b>	<b>Left as current language, but corrected the final failure limit to read “... for a third (3<sup>rd</sup>) consecutive year ...” instead of the current “... “for a second (2<sup>nd</sup>) consecutive year ...”</b>
<b>30 (Sergeant)</b>	<b>Fitness Standards</b>	<b>&gt;Removed physical examination language in Section 30.1. &gt;Maintained language that compliance to the Fitness Standard is voluntary, but allows the Sgts. to receive the same monetary incentives as the Patrol Officers, if they meet the same performance standards.</b>
<b>31</b>	<b>Drug &amp; Alcohol Policy</b>	<b>Left as current language with exception of adding clarifying CDL language in new section, 22.10</b>
<b>32 (Patrol)</b>	<b>Miscellaneous Non-economic</b>	<b>Left as current language.</b>
<b>32 (Sergeant)</b>	<b>Reserved</b>	<b>Left as current language.</b>
<b>33</b>	<b>Severability</b>	<b>Left as current language.</b>
<b>34</b>	<b>Duration and Termination</b>	<b>Agreed to a 3-year contract; 1/1/2022 – 12/31/2024.</b>