

**URBANA CITY COUNCIL  
REGULAR SESSION MEETING AGENDA  
TUESDAY, APRIL 2, 2019, immediately following Public Hearing  
(The UCC Regular Session Meeting will be held in Council Chambers/the Municipal Building)**

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**Call to Order**

**Roll Call**

**Pledge of Allegiance**

**Swearing In of Councilman McKee – Mayor Bean**

**Mayoral Proclamation - Arbor Day**

**Approval of Minutes**

Urbana City Council Regular Session meeting minutes of April 2, 2019.

**Communications**

1. Board of Zoning Appeals Meeting Minutes of March 11, 2019. (See attached)
2. Letter from Spectrum regarding Smart Cities. (See attached and handout at meeting)
3. Email from Ohio Auditor of State regarding filing of audit report. (See attached and emailed 4-2-19)
4. Shade Tree Commission Minutes of October 11, 2018. (See attached)

**Planning Commission**

Motion regarding Planning Commission's recommendation to rezone 861 S. Main St. to B-2 General Business District.

**Board of Control**

1. The Board of Control recommends Council authorize a purchase order to The Champaign Family YMCA in the amount of \$85,027.60 for the management of the Wendell Stokes Municipal Pool for the 2019 season (see attached). This is an increase of 3.45% over 2018, and will be charged to General Fund – Pool and is in the 2019 budget at \$65,000.00. VOTE: 3-0
2. The Board of Control recommends Council authorize a purchase order to True Inspection Services (TIS) in the amount not to exceed \$153,745.05 for construction inspection services for the US 36/US 68 Intersection Improvements (Monument Square Roundabout Improvements)(ODOT PID #103793). This expense will be charged to the Water Fund and Capital Improvement Fund with a portion refundable through the Urban Paving Program grant (see attached). VOTE: 3-0

\*\*\*Footnote - \$2,501 - \$50,000 Purchase Order list for March 2019 (see attached)\*\*\*

**Citizen Comments**

**Ordinances and Resolutions**

**Third Reading**

**Second Reading**

**First Reading**

**RESOLUTION NO. 2441-19**

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION OF THE CITY OF URBANA, OHIO TO ENTER INTO A PARTNERSHIP AGREEMENT FOR THE PY 2019 COMMUNITY HOUSING IMPACT AND IMPROVEMENT PROGRAM (CHIP), DESIGNATING CHAMPAIGN COUNTY TO ACT AS THE OFFICIAL GRANTEE FOR SAID PROGRAM, AND DECLARING AN EMERGENCY. (Requires 1 reading)

**RESOLUTION NO. 2449-19**

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION OF THE CITY OF URBANA TO PARTICPATE IN THE OHIO DEPARTMENT OF TRANSPORTATION'S (ODOT) ROAD SALT CONTRACTS AWARDED IN 2019, AND DECLARING IT AN EMERGENCY. (Rule Suspension Requested)

**RESOLUTION NO. 2552-19**

A RESOLUTION TO AUTHORIZE PRELIMINARY APPROVAL BETWEEN THE CITY OF URBANA, CHAMPAIGN COUNTY, OHIO AND OHIO DEPARTMENT OF TRANSPORTATION FOR PAVEMENT PLANING AND RESURFACING OF UNITED STATES ROUTE 36 FROM LOCUST STREET (SLM 15.05) TO BERWICK DRIVE (SLM 16.25) AND STATE ROUTE 29 FROM SLM 21.07 TO SLM 21.17, and DECLARING AN EMERGENCY. (Requires 1 reading)

**Miscellaneous Business**

**Adjourn**

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**Work Session**



**Office of the Mayor  
Urbana, Ohio**

## **PROCLAMATION**

- WHEREAS:** Arbor Day is recognized by most countries throughout the world; and
- WHEREAS:** the first documented “Arbor Festival” was held in the Spanish village of Mondoñedo in 1594; while the first modern day celebration was recorded in the small Spanish village of Villanueva de la Sierra in 1805; and
- WHEREAS:** once recognized in America by Nebraska City resident, J. Sterling Morton on April 10, 1872, it was Connecticut native Birdsey Northrop, who in 1883 globalized the celebration by delivering his *Arbor Day and Village Improvement* message to Japan; and
- WHEREAS:** we still, today, embrace the words taken from the centuries old chronicles to be “convinced of the importance of trees for health, hygiene, decoration, nature, environment and customs;” and
- WHEREAS:** The City of Urbana has once again been recognized as a Tree City USA by The National Arbor Day Foundation.

**NOW, THEREFORE, I,** Bill Bean, Mayor of the City of Urbana, Ohio do hereby proclaim our city’s recognition of **ARBOR DAY** on Friday, April 26, 2019 and urge all citizens to participate in the continued efforts to replenish and protect our trees and woodlands.

Dated this 16<sup>th</sup> day of April, 2019

Signed: \_\_\_\_\_  
Mayor City of Urbana, Ohio

**URBANA CITY COUNCIL  
PUBLIC HEARING  
TUESDAY, APRIL 2, 2019**

President Hess called the City of Urbana Public Hearing to order at 6:02 p.m. President Hess stated that this Public Hearing was pursuant to Section 1113.11 of the Codified Ordinances of the City of Urbana, to consider a recommendation of the Planning Commission to rezone the commercial part of the property at 861 South Main Street from R-2 Medium Density Residential District to B-2 General Business District. Adam Moore spoke on the application by Linda Rivera and advised Council that the Planning Commission had recommended the proposed amendment to be denied by a vote of 4-1. He also mentioned that the Planning Commission felt this amendment would be considered as spot zoning, for this would be a “stand alone” business. He also stated that the Comprehensive Plans are outdated. Further, he mentioned that the BR District was placed there to decrease commercial growth north.

Linda Rivera spoke about the property now is just a room rental, but still would like to use it as a Nail and Massage Spa.

Mr. Fields stated the neighbors are opposed to this going through, and further stated at this time, this was not a good fit.

Mr. Paul stated that it looks like parking would be an issue.

Mr. Thackery stated that he was opposed to do any zoning changes until the study was complete.

President Hess declared the public hearing closed at 6:17 p.m.

**URBANA CITY COUNCIL  
REGULAR SESSION MEETING  
TUESDAY, MARCH 19, 2019**

President Hess called the City of Urbana Regular Session Meeting to order at 6:18 p.m. City staff attending: Mayor Bill Bean, Director of Administration Kerry Brugger, Director of Finance Chris Boettcher, Director of Law Mark Feinstein, Zoning Officer Adam Moore, and Community Development Manager Doug Crabill.

**PRESIDENT CALLED ROLL:** Mr. Fields, present; Mr. Hoffman, present; Mr. Paul, present; Mr. Scott, present; Mr. Thackery, present; and Mr. Piper, present.

Cub Scouts Troop 11 led those present in the Pledge of Allegiance.

Mayor Bean gave the floor over to Cub Scouts Leader. He stated that “scouting” began in 1910. He stated that there are 12 active units in Champaign County. He said that Cub Scouts is all about service to the community, all about character and physical fitness. The floor was then turned over to the Cub Scouts

who had questions for Council. One Scout asked why all of the trees were cut down in the Square. Mr. Crabill responded that there was an upcoming project in the square that required their removal in addition to stating that the trees were at the end of their life cycle. Another Cub Scout asked why Mayor Bean wanted to be Mayor. Mayor Bean responded that he wanted to give back to his community and make Urbana the best community it could be.

## **MAYORAL PROCLAMATIONS**

Mayor Bean read a proclamation celebrating the YMCA and its 20 years of service.

Mayor Bean read a proclamation making April, 2019, World Autism Month, and April 2, 2019, World Autism Day.

**MINUTES** of the Regular Session Meeting Minutes March 19, 2019 were presented for approval. Mr. Paul noted that he was the no vote for the work session in the minutes and not Mr. Hoffman. Mr. Thackery moved for the approval of said minutes and Mr. Paul seconded. Voice vote on approval: all ayes, nays, none.  
Motion passed 6-0.

## **COMMUNICATIONS**

1. Letter from Department of Commerce, Division of Liquor Control
2. Email from Marcia Bailey, CEP Director, regarding 2018 JOBS Ohio Annual Report
3. Letter from Elton Cultice, regarding upcoming events at Grimes Field
4. Letter from Ohio Municipal League – Transportation Infrastructure Funding Statement
5. Cemetery Board Meeting Minutes of January 17, 2019

Jeffrey Frantz spoke about First Responders Day at Grimes Field on May 24, 2019. He stated that there were a lot of festivities scheduled and that the Opening Ceremony begins at 10:30 a.m. and runs through until 4:00 p.m. He stated that they are honoring the Urbana Fire Department this year. They are raising money with a target amount of \$5,000.00 for the purchase of Carbon Hoodies-protective gear.

Mr. Thackery moved to accept all of the communications. Mr. Paul seconded. Voice vote on approval: all ayes, nays, none.  
Motion passed 6-0.

Andrew Bremer, Managing Director of Local Affairs for DriveOhio, spoke on the pending Resolution to Council regarding the Memorandum of Agreement. He stated that their purpose is saving lives, reducing congestion, improving workforce, etc. He also stated that DriveOhio cannot do their mission without the support of municipalities. He also said that smaller municipalities are responsive. He spoke about the Marysville Smart Intersection. He also stated that the current Memorandum of Agreement does not have any dollars associated with it, that it was discussion only.

**CHAMPAIGN ECONOMIC PARTNERSHIP**

Marcia Bailey provided a handout to Council. She went over the hand out and spoke about PACE Equity funding. She also stated the financing goes against the real estate property. She also stated that this may be a good topic for an upcoming Work Session.

**ADMINISTRATIVE REPORTS – BOARD OF CONTROL**

**1. Public Entities Pool - \$155,707.00 (Departmental Insurance)**

Mr. Fields moved to put this issue on the floor for discussion and possible passage and Mr. Paul seconded. Voice vote on approval: all ayes  
Motion passes 6-0.

\*\*\*Footnote - \$2,501 - \$50,000 Purchase Order list for February, 2019.

**CITIZEN COMMENTS**

**ORDINANCES AND RESOLUTIONS:**

**Third Reading –**

**ORDINANCE NO. 4504-19**

AN ORDINANCE TO MODIFY SECTION 521.08(D)(1) OF THE CODIFIED ORDINANCES TO INCLUDE LAWN CLIPPINGS IN THE DEFINITION OF “LITTER,” AND DECLARING AN EMERGENCY. Sponsored by Councilman Ray Piper.

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

President Hess called for a roll call for passage: Mr. Huffman, no; Mr. Paul, no; Mr. Scott, no; Mr. Thackery, no; Mr. Piper, yes; and Mr. Fields, yes.

Ordinance failed 4-2.

**Second Reading –**

**None**

**First Reading –**

**RESOLUTION NO. 2550-19**

A RESOLUTION TO AUTHORIZE THE DIRECTOR OF ADMINISTRATION OF THE CITY OF URBANA TO ENTER INTO A MEMORANDUM OF AGREEMENT BETWEEN DRIVEOHIO AND THE CITY OF URBANA (THE MUNICIPALITY) TO PARTICIPATE IN THE AUTONOMOUS VEHICLE PILOT PROGRAM (AVPP) AND TO PROMOTE AUTONOMOUS VEHICLE TESTING SITES WITHIN THE CITY.

Mr. Paul stated that he wanted this resolution tabled at the last meeting due to wanting more information and that he was fascinated on what DriveOhio's ideas they could come up with.

Mr. Paul moved to take this resolution off the table, and Mr. Thackery seconded.

Voice vote on approval: all ayes, nays, none.

Motion passed 6-0.

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

President Hess called for a roll call for passage: Mr. Paul, yes; Mr. Scott, yes; Mr. Thackery, yes; Mr. Piper, yes; Mr. Fields, yes; and Mr. Hoffman, yes.

Resolution passed 6-0.

#### **RESOLUTION NO. 2411-19**

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION OF THE CITY OF URBANA, TO PREPARE AND SUBMIT FINAL APPLICATION TO PARTICIPATE IN THE FEDERAL AVIATION ADMINISTRATION AIRPORT IMPROVEMENT PROGRAM AND TO EXECUTE CONTRACTS AS REQUIRED.

Mr. Brugger stated that this was an annual process.

Mr. Thackery moved to put this resolution on the floor for further discussion and passage on the first reading for effective date. Mr. Paul seconded.

Voice vote on approval on the suspension of the effective date rule: all ayes, nays, none.

Motion passed 6-0.

President Hess called for a roll call for passage: Mr. Scott, yes; Mr. Thackery, yes; Mr. Piper, yes; Mr. Fields, yes; Mr. Hoffman, yes; and Mr. Paul, yes.

Resolution passed 6-0.

#### **RESOLUTION NO. 2478-19**

A RESOLUTION TO AUTHORIZE THE MAYOR OR DESIGNEE TO APPLY TO THE CHAMAPIGN COUNTY COMMISSIONERS UNDER THE FISCAL YEAR 2019 COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG") COMMUNITY DEVELOPMENT PROGRAM AND TO FURTHER AUTHORIZE THE MAYOR OR DESIGNEE TO PURSUE OTHER ECONOMIC DEVELOPMENT AND PUBLIC INFRASTRUCTURE-RELATED CDBG PROGRAMS, and DECLARING AN EMERGENCY.

Mr. Crabill advised that there were some changes at the State level. He stated that the application is made every two years and the last application involved Oakland St. He stated that this application would include Sara St. and Freeman Ave., with paving, curbs and gutters. He also stated that they would be going for another grant, Critical Infrastructure, which could provide up to \$500,000.00 in funding.

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

President Hess called for a roll call for passage: Mr. Thackery, yes; Mr. Piper, yes; Mr. Fields, yes; Mr. Hoffman, yes; Mr. Paul, yes; and Mr. Scott, yes.

Resolution passed 6-0.

## **MISCELLANEOUS BUSINESS/WORK SESSION**

Mr. Paul inquired about the purchase for the GPS hardware and inquired how it was going. Mr. Brugger stated that it was going well, that they were actively populating the fields, adding more data to make the program readily available to numerous departments. Mr. Paul also spoke of moving the location of Council Meetings to enable Council and others to have more access to City maps, and more technology. He also stated that the Charter Review was ongoing and that the group seems to be engaged, but there are no funds for supplies and such. Ms. Boettcher stated that he should make sure he wanted to spend taxpayer dollars on this. He also asked Mr. Feinstein to clarify what the Charter exactly is as well as ordinances. Mr. Feinstein stated that the Charter is basically the Constitution and the ordinances are the laws. Mr. Paul also spoke on Chapter 2.10 of the Charter stating that the way the Charter reads, Council is actually having 4 readings on legislation, rather than three. He also stated that the Charter should be cleaned up a bit to make things clear so that Council can do their job correctly.

Mr. Paul motioned for \$1,000.00 for the Charter Review Board supplies. There was no second. Motion failed.

Mr. Thackery spoke about the work force development and Mrs. Bailey gave a brief summary update.

Mr. Moore stated that after the past Council Work Session, letters went out regarding the Vacant Property Ordinance to property owners. He also stated that this ordinance was passed in 2017, and he felt that it was a very good ordinance.

Mr. Brugger spoke about the current Tree Ordinance. He stated there was a lot of research and internal discussion about this ordinance and thanked Mr. Scott for his attendance.

Mayor Bean stated that he received notice from Champaign County Children Services and advised that April 10, 2019, has been declared "Wear Blue to Work" day, for Prevent Child Abuse Awareness Day.

President Hess stated that an Executive Session had been added to the agenda, pursuant to Ohio Revised Code section 121.22(g)(1), for the selection process for the empty City Council seat. Mr. Thackery moved to enter into Executive Session. Mr. Paul seconded. Voice vote on approval: all ayes, nays, none. Motion passed 6-0.

**ADJOURN AT 7:35 p.m.**

Mr. Thackery moved to adjourn Executive Session. Mr. Cledis seconded.

**ADJOURN AT 9:45 p.m.**

Mr. Paul moved to enter back into session. Mr. Thackery seconded.

**BACK IN SESSION AT 9:46 p.m.**



Mr. Feinstein stated that he was present in Council's Executive Session and that Council had followed all of the rules and guidelines during Executive Session. Mr. Feinstein then told Council that it was the time to cast their votes for the new Council member: **Mr. Fields:** Mr. Kerns, **Mr. Hoffman:** Mrs. Foulk, **Mr. Paul:** Mr. McKee, **Mr. Scott:** Mr. Bartley, **Mr. Thackery:** Mrs. Collier, and **Mr. Piper:** Mr. Kerns.

Mr. Feinstein stated that there must be a majority of at least 4.

President Hess dismissed the remaining applicants whose name was not called.

President Hess called for another vote: **Mr. Hoffman:** Mr. McKee, **Mr. Paul:** Mr. McKee, **Mr. Scott:** Mrs. Collier, **Mr. Thackery:** Mrs. Collier, **Mr. Piper,** Mr. Kerns, and **Mr. Fields:** Mr. Kerns.

President Hess dismissed the remaining applicants whose name was not called.

President Hess called for another vote: **Mr. Paul:** Mr. McKee, **Mr. Scott:** Mrs. Collier, **Mr. Thackery:** Mrs. Collier, **Mr. Piper:** Mr. Kerns, **Mr. Fields:** Mr. Kerns, and **Mr. Hoffman:** Mr. McKee.

President Hess called for another vote in effort to break the three way tie: **Mr. Scott:** Mrs. Collier, **Mr. Thackery,** Mrs. Collier, **Mr. Piper:** Mr. Kerns, **Mr. Fields,** Mr. Kerns, **Mr. Hoffman,** Mr. McKee and **Mr. Paul,** Mr. McKee.

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

**ADJOURN: 9:58 p.m.**

Mr. Paul moved to enter back into session. Mr. Thackery seconded. Voice vote on approval: all ayes, nays, none.

President Hess called for another vote: **Mr. Thackery:** Mr. McKee, **Mr. Piper,** Mr. Kerns, **Mr. Fields,** Mr. Kerns, **Mr. Hoffman,** Mr. McKee, **Mr. Paul,** Mr. McKee, and **Mr. Scott:** Mr. McKee.

President Hess declared a majority vote of 4-2 for Mr. McKee.

Mr. Hoffman stated that the At-Large seat will have to run in the November election.

Mr. Fields moved to adjourn. Mr. Paul seconded. Voice vote on approval: 5 ayes, 1 nay, from Mr. Hoffman.

Motion passed 5-1.

**ADJOURN: 10:06 p.m.**

**NEXT SCHEDULED MEETING**

April 16, 2019, at 6:00 p.m.

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Council Clerk

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Council President



## Board of Zoning Appeals

March 11, 2019, Meeting Minutes

### Attendance

**Members Present:** Marty Hess (Vice Chair); Bryant Heflin; Charlie Zerkle; and Skip Mintchell (Alternate).

**Member(s) Absent:** Vince Gonzalez (Chair); and Lisa Haulman.

**Guests Present:** Adam Moore (Zoning & Compliance); Catherine Tanujaya (Zoning & Compliance); Sue Stewart (442 S. Main St.); and Roger Kramer (442 S. Main St.).

### Call to Order and Pledge of Allegiance

**Action:** Marty Hess called the meeting to order at 6:00 PM.

### Prior Meeting Minutes

**Action:** Skip Mintchell made a motion to approve the meeting minutes from January 14, 2019. Bryant Heflin seconded the motion.

**Discussion:** None.

**Vote:** 4-0, motion passed.

### New Business – Application(s)

#### BZA-2019-003 – 303 East Court Street – Tony and Charlotte Marking

**Case # 1:** Variance from Chapter 1123.07(a) to allow a porch to be built zero feet from the side yard lot line, which is five feet less than required by code.

**Application:** Skip Mintchell read the application to the Board.

**Staff Comments & Recommendations:** Adam Moore provided the background and read the staff report to the Board.

**Testimony in Favor:** None.

**Testimony Against:** None.

**Discussion:** Charlie Zerkle had no questions. Skip Mintchell had no issue or questions. Bryant Heflin agreed with Mr. Zerkle and Mr. Mintchell - It's pretty straightforward due to the exceptional circumstance that the house is so close to the lot line and this will be an improvement. Marty Hess spoke with Ms. Markin, who confirmed that the property had been surveyed prior to the placement of the fence. Mr. Hess had no problems with the request.

**Action:** Bryant Heflin made a motion to **approve the application as presented**. Charlie Zerkle seconded the motion.

**Vote:** 4-0, motion passed.

BZA-2019-004 – 442 South Main Street – Roger and Monica Kramer

**Case # 2:** Variance from Chapter 1129.10(a)(4) to allow a fence to be built zero feet from the right-of-way line, which is three feet less than required by code.

**Application:** None.

**Staff Comments  
&  
Recommendations:** None.

**Testimony in Favor:** None.

**Testimony Against:** None.

**Discussion:** BZA-2019-004 application could not be reviewed due to the fact that the builder, Bryant Heflin, sits on the Board and will not be able to vote on this application. Since it takes four Board members to vote on a motion and only three are able to do so, Marty Hess requested to have this application tabled until the next BZA meeting.

**Action:** Skip Mintchell made a motion to **table the application** until the Board is able to vote on a decision. Charlie Zerkle seconded the motion.

**Vote:** 4-0, motion passed.

**Miscellaneous Business**

Public Awareness Utility Bill Flyer

**Discussion:** Adam Moore provided the first draft of the flyer for the Board to review. Cat Tanujaya requested that the Board review the content and bring back any changes or feedback to the next board meeting. The Board suggested minor changes such as formatting change, fee information, and typo corrections.

**Adjournment**

**Action:** Skip Mintchell made a motion to adjourn at 6:20 PM. Charlie Zerkle seconded the motion.

**Vote:** 4-0, motion passed.



FROM THE DESK OF TOM RUTLEDGE, CHAIRMAN & CEO

March 29, 2019

Dear Ms. Deere:

Every day, civic leaders like you are challenged to do more with less while at the same time enhancing the lives of those in your community. Increasingly, you are exploring how to harness "smart city" technologies to create new revenue streams and efficiencies to improve the delivery of public services for the benefit of those you serve.

At Spectrum, we understand both the challenges you face as well as the opportunities offered by the latest technologies. With the right technology, and the right partner, the benefits are endless: from driving greater economic development and civic engagement to improving utility efficiency and enhancing public safety.

You already know we deliver residential customers the information and entertainment that matters most, connect small businesses to our state-of-the-art network to build their American dream, and enjoy the trust and confidence of large enterprises, government entities and school districts to manage their networks and power their services.

And Spectrum is ready to partner with you to make Urbana "smarter". Our experts are ready to work with you to define, deploy, manage, and support smart city solutions. We have the infrastructure necessary including IoT devices, sensors, systems, applications and data resources. We've invested more than \$27 billion since 2014 to extend and enhance our network, and we continue to invest to ensure its enduring superiority. With more than 840,000 miles of network infrastructure delivering Gig speeds across virtually our entire footprint, more than 350,000 WiFi hotspots and our expansion into mobile and 5G services, we have laid the foundation for a brighter and smarter future for Urbana.

With 97,000 locally based employees, Spectrum is dedicated to providing the connectivity to enable the communities we serve to thrive in today's digital age. We are extending the reach of our network to bring high-speed Internet to underserved and unserved communities, including in rural areas. Our industry-leading low-cost broadband, Spectrum Internet Assist, and our partnership with local organizations to improve digital literacy through Spectrum Digital Education Grants are helping close the digital divide. Strengthening our local communities isn't just good business, it's the right thing to do.

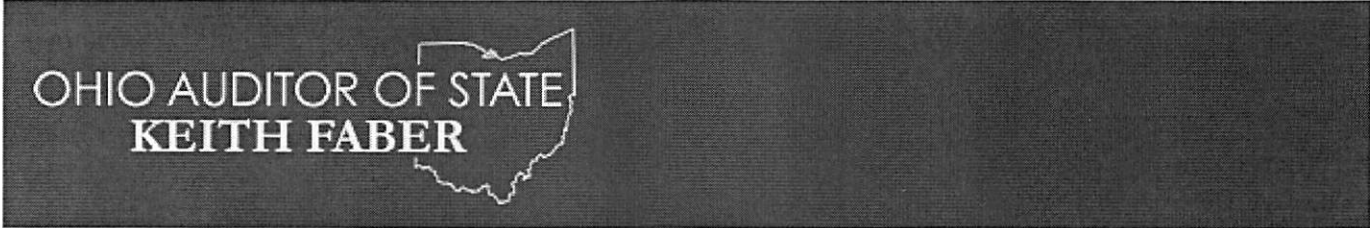
Learn how Spectrum is best positioned to bring these "smart city" benefits to Urbana. The enclosed materials illustrate how our smart city solutions can help improve the quality of life for your community. We also invite you to explore additional resources on our website, [SpectrumSmartCities.com](https://www.spectrum.com/smartcities). Lastly, we would like to meet with you to collaborate on ways to deliver tangible benefits to Urbana, and look forward to your call at **866-284-4108** or email to [SmartCities@Spectrum.com](mailto:SmartCities@Spectrum.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Rutledge". The signature is stylized and fluid.

Tom Rutledge  
Spectrum

**Subject:** Amy Deere - Audit Release Notification - [06a59cham-eap17]  
**From:** "audits@ohioauditor.gov" <audits@ohioauditor.gov>  
**Sent:** 4/1/2019 3:18:17 PM  
**To:** "Amy Deere" <Amy.Deere@ci.urbana.oh.us>;



## NOTIFICATION OF FILING OF AUDIT REPORT

Dear Audit Report Recipient:

Pursuant to Sections 117.26 and 117.27 of the Ohio Rev. Code, this electronic transmission contains the filing of a certified copy of the audit report (and any associated documents) for **City of Urbana**.

The audit report is in PDF file format and can be downloaded by pointing and clicking on the following link:

[View Audit Report Documents](#)

or copy and paste this link into your browser:

<https://audits2.ohioauditor.gov/Request.aspx?d=864c5054-8a87-4929-9539-9f1dc912f3d4>

The entity representative may also access the audit report and management letter, if applicable, via the entity's [Auditor of State's eServices](#) account.

If you have difficulties viewing any of the files, please click here to open a support request with the [Auditor of State Audit Release HelpDesk](#).

Thank you for working with the Auditor of State's Office, and please let me know if we can be of further assistance to you.

Sincerely,

A handwritten signature in black ink that reads "Keith Faber".

Ohio Auditor of State  
Keith Faber

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Ohio Auditor of State, Keith Faber  
88 E Broad ST, Columbus OH 43215-3506  
P: (614) 466-4514 or 800-282-0370  
[www.ohioauditor.gov](http://www.ohioauditor.gov)

## **City of Urbana Shade Tree Commission Minutes – October 11, 2018 at 7:00PM (149)**

### **Roll Call and Introductions:**

Present: Ward Lutz, Jim Lemon, John Kussman, Colin Stein, and Doug Crabill. Earl Cottrill joined the meeting at 7:13PM.

Absent: Tingting Cai

### **Reading and Approval of Minutes (9/13/2018)**

Jim Lemon made a motion to approve the meeting minutes from 9/13/2018 as prepared. Colin Stein seconded the motion. All members in attendance voted (5-0) in favor of approving the minutes as prepared.

### **Old Business:**

Possible Changes to Chapter 905 (Trees): At this point in time, the administrative regulation regarding street trees has been eliminated, and changes will be made to Chapter 905 (Trees). In 2018, the commission plans to finalize and send changes to this ordinance to Urbana City Council for their review and approval. The plan is for city staff to draft an amended ordinance and then seek input about the draft from other city staff and the commission. One of the proposed ordinance amendments is to update to reflect how tree planting permits have been historically handled by the city. Since the ordinance was written, no permits have been formally issued by the city for tree planting. The current goal is to begin the update process for this ordinance before the end of 2018 with adoption in early 2019.

Tree & Stump Removal Update: Doug Crabill reported that seven (7) tree and stump removals had been recently contracted out, and the completion of this work is anticipated before year end. In addition, several removals are currently in progress by a contractor at Oakdale Cemetery. Lastly, Doug Crabill reported that the recent street tree inventory data is being used to prioritize additional tree and stump removals.

Maintenance and Trimming Projects: Doug Crabill reported that additional trimming is planned before year end on East Water Street and for other young tree plantings in the city.

Memorial Tree Program (Fall 2017 Planting): Doug Crabill reported that the Randall tree and the Simpson tree will require replacement this fall. In addition, he reported that the Burnett marker will require replacement. Lastly, the Sticklely tree may also require replacement due to deer damage.

Bare Root Tree Planting Project (Spring 2018): Jim Lemon reported that the majority of the bare root plantings that were planted in the spring are doing okay. However, he did mention that a few were exhibiting stress after the summer months. Ultimately, a few trees will have to be reevaluated in the spring to determine if they have leafed out or not.

Karen Kerns Dresser-Tree Program Donation; Oakdale Cemetery-Arboretum: Doug Crabill reported that the Kerns family is unable to attend a tree planting ceremony on October 11<sup>th</sup>. Furthermore, he stated that he is working to confirm a date and time that is conducive to the family. More than likely, this ceremony will be held in late November or early December.

Oakdale Cemetery-Arboretum: The application has been started and is currently in draft form. The completed application for ArbNet accreditation is anticipated in late 2018/early 2019.

Street Tree Inventory Update: Jim Lemon and John Kussman reported that the street tree inventory update is complete. Doug Crabill stated that this data will be used to determine future removal priorities.

Memorial Tree Program (Fall 2018 Orders/Planting): Doug Crabill reported that approximately 20-22 trees will be part of the fall order, including replacement trees and memorial trees.

Arbor Day Celebration/Arboretum Formal Launch: When the Kerns family is present for a ceremony, this ceremony will be counted as the city's tree planting ceremony for 2018 for Tree City USA requirements.

**New Business:**

Purchase of Nursery Jaws ®: Doug Crabill reported that A. Brown and Sons has a set of used nursery jaws for purchase. After reviewing this potential purchase, the board unanimously requested that the city move forward with this purchase to facilitate safer and more efficient handling of trees.

Misc. Business: Doug Crabill reported that he was working to finalize the bareroot tree planting order for spring 2019 delivery.

Meeting adjourned. Motion to adjourn, Ward Lutz; Earl Cottrill, second; all in favor.



BOC #1

Attachment B

YMCA CITY POOL OPERATIONS BUDGET- 2019

|                                    | No. of Staff | Hourly Rate | Hrs. per Week | No. of Weeks | Salary           | Total               |
|------------------------------------|--------------|-------------|---------------|--------------|------------------|---------------------|
| Pool Manager (in season)           | 1            | \$ 13.00    | 40            | 12           | 6,240.00         | 6,240.00            |
| Pool Manager (overtime)            | 1            | \$ 19.50    | 7             | 6            | 819.00           | 819.00              |
| Pool Manager (pre-and post-season) | 1            | \$ 13.00    | 15            | 6            | 1,170.00         | 1,170.00            |
| Assistant Pool Manager             | 2            | \$ 9.50     | 35            | 14           | 9,310.00         | 9,310.00            |
| Lifeguard Staff (Reg. hrs.)        | 4            | \$ 8.55     | 56            | 13           | 24,897.60        | 24,897.60           |
| Lifeguard Staff (Est. Rental hrs.) |              |             |               |              | 1,544.00         | 1,544.00            |
| Pool Maintenance Staff             | 1            | \$ 9.00     | 10            | 12           | 1,080.00         | 1,080.00            |
| Cert Pool Operator                 | 1            | \$ 10.00    | 5             | 13           | 650.00           | 650.00              |
| Payroll taxes & processing)        |              |             |               |              |                  | 7,157.00            |
| Program Supplies                   |              |             |               |              |                  | 1,500.00            |
| Health Dept. Licenses & Permits    |              |             |               |              |                  | 500.00              |
| Cell Phone                         |              |             |               |              |                  | 160.00              |
| Consummable Supplies               |              |             |               |              |                  | 7,500.00            |
| YMCA Management Fees               |              |             |               |              |                  | 22,500.00           |
|                                    |              |             |               |              | <b>Total PO:</b> | <b>\$ 85,027.60</b> |



BOC # 2

• 205 S. Main Street • Urbana, Ohio 43078 • 937-652-4324 • <http://www.urbanaohio.com> •

April 16, 2019

Urbana City Council  
205 S. Main St.  
Urbana, Ohio 43078

RE: US 36/US 68 Intersection Improvement (Monument Square Roundabout) - Inspection Services

Urbana City Council,

On Tuesday, March 5, 2019 released a request for letters of interest for construction inspection services for the project referenced above. Each consultant and any subconsultants needed to be ODOT prequalified for the services rendered. By the due date of Monday, March 25, 2019, the City was in receipt of five responses. Through a scoring process, American Structurepoint, Inc. and True Inspection Services, LLC were selected as the two frontrunners. Therefore, the scoring committee interviewed the project team from each company and decided to request a formal proposal from True Inspection Services based on their good rapport with ODOT, the project inspector's familiarity with waterline inspections in Urbana, the availability of personnel in close proximity, and their commitment to cater to the needs of the downtown community.


I asked True Inspection Services to provide a not-to-exceed amount. The initial amount was negotiated down by roughly \$30,000. The new not-to-exceed amount before you is \$153,745.05 and includes full-time project inspection throughout the course of the project plus additional hours for special inspections such as electrical and material. Testing services are also attached to this proposed contract.

R.B. Jergens' contract is a construction only contact. Where we've typically handled inspections in-house in the past, the City planned from the outset of the project to consult this work since design was done externally, a qualified full-time eye was needed for the construction process, and other in-house designs would be pressing. Unfortunately, the roughly \$50,000 we originally were receiving in grant funding from ODOT for inspection was eaten up with the overruns in construction costs because of the severely low initial engineer's estimate. Recall we added the water project and urban resurfacing project after the initial grant allocation too.

Attached is a cost/benefit analysis that looks ultimately at my time being allocated to design of the Phase 2 Water Project (not to mention the Powell Avenue to Bon Air Drive Sanitary Sewer

Project) rather than the inspection of the roundabout. Savings to the City could be in the neighborhood of \$100,000.00.

Thank you,

  
Tyler L. Bumbalough, P.E.      4/16/19  
Urbana City Engineer      Date

**COST/BENEFIT ANALYSIS - CITY ENGINEERING TIME**  
**ON MONUMENT SQUARE ROUNDABOUT INSPECTION vs. PHASE 2 WATER PROJECT DESIGN**

**Monument Square Roundabout**

|  |             |
|--|-------------|
| Project Bid Cost:  | \$1,808,913 |
| Consulting Cost (Design)                                   | \$191,265   |
| Consulting Cost (Design) as percentage of project cost     | 10.6%       |
| Construction Inspection Cost (proposed TIS)                | \$153,745   |
| Construction Inspection Cost as percentage of project cost | 8.5%        |

**Rothchild Sanitary Sewer Extension**

|  |           |
|--|-----------|
| Project cost (Force Main/Pump Station only)            | \$268,230 |
| Consulting Cost (Design)                               | \$23,403  |
| Consulting Cost (Design) as percentage of project cost | 8.7%      |

**Phase 2 Water Project**

|  |             |
|--|-------------|
| Estimated Construction Cost                            | \$2,552,263 |
| Estimated Design Cost (outside consultant) 10%         | \$255,226   |
| Consulting Cost (Design) as percentage of project cost | 10.0%       |

|   |                   |
|---|-------------------|
| MSR Construction Inspection Cost (proposed TIS) | \$153,745         |
| Estimated Design Cost (outside consultant) 10%  | \$255,226         |
|   | <u>-\$101,481</u> |

Monument Square Roundabout Improvements PID # 103793

TIS Not-to-Exceed= \$153,745.05  
 CE/CO Costs= 0.084993055

|                                 |    | Grant       | Local         |
|---------------------------------|----|-------------|---------------|
| Construction Inspection at 8.5% | \$ | 80,447.42   | \$ 71,844.76  |
|                                 | \$ | 34,388.19   | \$ 34,388.19  |
|                                 | \$ | 18,944.33   | \$ 18,944.33  |
|                                 | \$ | 2,530.40    | \$ 2,530.40   |
|                                 | \$ | 754.74      | \$ 754.74     |
|                                 | \$ | 16,679.97   | \$ 16,679.97  |
|                                 | \$ | 153,745.05  | \$ 145,142.39 |
|                                 |    | \$ 8,602.66 |               |

|                |    |            |
|----------------|----|------------|
| Water Insp.:   | \$ | 51,068.16  |
| Capital Insp.: | \$ | 94,074.23  |
| UPP Insp.:     | \$ | 8,602.66   |
|                | \$ | 153,745.05 |

MARCH 2019  
Purchase Orders \$2,501 - \$50,00

| PURCHASE ORDER #: | VENDOR:              | PURCHASE ORDER AMOUNT: | DEPARTMENT:                | EXPLANATION:   | BOC APPROVAL DATE & VOTE: |
|-------------------|----------------------|------------------------|----------------------------|--|---------------------------|
| 25830             | BUCKEYE POWER SALE   | \$3,810.51             | ADMINISTRATION             | PARTS LABOR TO REPAIR AUTO START CONTROL ON GENERAL GENERATOR AT MUNICIPAL BLDG            | BOC=3/13/19 (3)           |
| 25831             | SECURITY FENCE GROUP | \$3,000.00             | CAPITAL IMPROVEMENT-FIRE   | PHASE SELECTOR FOR SCIOTO & EAST LAWN OPTICOM IN TRAFFIC SIGNAL AND INSTALLATION           | BOC=3/13/19 (3)           |
| 25832             | SECURITY FENCE GROUP | \$3,300.00             | CAPITAL IMPROVEMENT-STREET | YEARLY MONITOR TESTING   | BOC=3/13/19 (3)           |
| 25850             | JOE REES WELDING     | \$4,500.00             | CEMETERY                   | ORNAMENTAL FENCE REPAIR AT OAKDALE CEMETERY  | BOC=3/25/19 (2)           |
| 25851             | DYE & ASSOC          | \$2,878.00             | WATER                      | LMI MODEL C911-D68H1 PUMP, LMI MODEL C111-D68H1 PUMP AND 200FT DISCHARGE TUBING            | BOC=3/27/19 (3)           |
| 25859             | H&S ASPHALT LLC      | \$ 8,990.00            | SEWER MAINT                | ROADWAY ASPHALT REPAIR PATCH *N LOCUST STREET SANITARY                                     | BOC=3/27/19 (3)           |
| 25860             | HALL SIGNS           | \$ 21,981.00           | CAPITAL IMPROV-STREET      | QUADRANT 3 SIGNS,POST,HARDWARE & QUADRANT 2 SIGNS,POST,HARDWARE (WILL REQUEST IN THE FALL) | BOC=3/27/19 (3)           |

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Chris Boettcher  
Secretary

RESOLUTION NO. 2441-19

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION OF THE CITY OF URBANA, OHIO TO ENTER INTO A PARTNERSHIP AGREEMENT FOR THE PY 2019 COMMUNITY HOUSING IMPACT AND IMPROVEMENT PROGRAM (CHIP), DESIGNATING CHAMPAIGN COUNTY TO ACT AS THE OFFICIAL GRANTEE FOR SAID PROGRAM, AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Development Services Agency, Office of Community Development (OCD) is encouraging local eligible communities to form a partnership to apply for and administer the PY 2019 Community Housing Impact and Improvement Program (CHIP) grant; and

WHEREAS, the formulation of a partnership will enable the City of Urbana and Champaign County to be eligible to apply for \$700,000 in PY 2019 CHIP funds; and

WHEREAS, OCD is requiring that one entity of the partnership take the lead and be the official Grantee.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF URBANA, STATE OF OHIO:

**Section 1:** The Director of Administration of the City of Urbana is authorized to enter into a partnership agreement with Champaign County which authorizes Champaign County and its consultant to prepare the application and administer the PY 2019 CHIP grant.

**Section 2:** The Council of the City of Urbana hereby designates Champaign County as the official Grantee for the PY 2019 CHIP program.

**Section 3:** The Director of Administration and the Director of Finance shall be authorized to commit local CDBG and HOME program income funds as required by the Ohio Development Services Agency, Office of Community Development in accordance with their policies and in order for said application to remain competitive.

**Section 4:** The formal actions and discussion of City Council concerning this legislation were conducted in open meetings in compliance with Ohio Revised Code 121.22 and Urbana Codified Ordinance 107.01.

**Section 5:** City Council declares an emergency. To protect public health, safety and welfare needs of City residents, this legislation shall take effect immediately after passage which will ensure timely submission of the grant application.


\_\_\_\_\_  
Council President

Passed: \_\_\_\_\_

Attest: \_\_\_\_\_

This Resolution approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

|                        |                         |                           |   |
|------------------------|-------------------------|---------------------------|---|
| Department requesting: | Community Development   | Personnel: Doug Crabill   |  <p>Director of Law review</p> |
| Expenditure? Y (N)     | Emergency? (Y) N        | Public Hearing? Y (N)     |   |
| Readings required:     | (1) 2 3                 | Dates advertised: NA      |   |
| First reading date:    | Second reading date(s): | Third/final reading date: |   |
| 4-16-2019              | NA                      | NA                        |   |

Anticipated effective date if approved: 4-16-2019

**PROGRAM YEAR 2019  
COMMUNITY HOUSING IMPACT AND PRESERVATION (CHIP) PROGRAM  
PARTNERSHIP AGREEMENT**

This Partnership Agreement (hereinafter) "Agreement" is made and entered into by and between Champaign County, located at 1512 US 68 South, Suite 100A, Urbana, OH 43078 (hereinafter) "Applicant", and City of Urbana, 205 S. Main Street, Urbana, OH 43078 (hereinafter) "Partner" this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**BACKGROUND INFORMATION**

- A. The Ohio Development Services Agency – Office of Community Development has CHIP funds available through CDBG, HOME and OHTF Federal and State allocations for Program Year 2019 to be offered through a competitive application process.
- B. Funding thresholds are set by the State for CHIP assistance based on partnering status and population of Cities within the partnering jurisdiction.
- C. It has been agreed upon and binding through execution of this Agreement, that Champaign County will be the Applicant and City of Urbana will be the Partner, responsibilities outlined herein this Agreement for purposes of applying for and implementing the PY 2019 CHIP grant, if funded.

**RESPONSIBILITIES OF APPLICANT**

1. Applicant will be responsible for the overall management of the PY 2019 CHIP grant in accordance with the terms and conditions, as outlined in the grant agreement with the Ohio Development Services Agency. Applicant also is compliant with OCD 15-02, Procurement of Grant Administrative Services of Office of Community Development Programs.
2. Applicant will be responsible for administrative duties relating to the overall oversight, management and implementation of the following:
  - Citizen Participation
  - Grant application Pre-Planning Process
  - Grant application preparation, approval and submission
  - Grant agreement execution with the State of Ohio
  - Awarding and ownership of contracts
  - Financial Management including; preparation and approval of all drawdown of funds requests/reports and payment of expenses directly to all vendors
  - Environmental Review Record preparation, certification and compliance



- Determination of allowable costs and maintenance of records and source documentation for State monitoring purposes for at least three (3) years from the final closeout of the PY 2019 CHIP grant
- Management of Affordability Periods/Resale Provisions
- Filing all mortgages on properties and managing mortgages
- Determination of conflict of interest
- Approval of program Policies & Guidelines and CHIP performance manual(s)
- Real and personal property management and disposition
- Certification of program Status and Final Performance Reports
- Management of Citizen Complaint Procedures
- Implementation of Fair Housing Program
- Client intake and file management
- Housing Inspection and Management
- Approval of Change Orders, Final Payments and Final Completion of all Units
- Procurement and oversight of Lead-Based Risk Assessment Services and CHIP Administrator
- Local Representative for all CHIP funded activities.

#### **RESPONSIBILITIES OF PARTNER**

1. Partner will be responsible for selecting CHIP project activities in conjunction with Champaign County Commissioners.
2. Partner will be responsible to enter into this Partnership Agreement with Applicant.
3. Partner will be responsible to pass legislation authorizing Champaign County as the CHIP Applicant.
4. Partner agrees to Applicant utilizing Applicant's adopted Policy & Procedure Manual and Performance Manual for execution of the CHIP Program.
5. Partner agrees to provide any program related information to the Applicant as needed for reporting purposes.
6. Partner agrees to be compliant with Program Policy Notice: OCD 15-02, Procurement of Grant Administrative Services of Office of Community Development Programs.

**AVAILABLE FUNDING**

1. Applicant and Partner grant ceiling amounts as determined by the State of Ohio are as follows:

- Applicant County ..... \$400,000
- Partnering City ..... \$300,000

Total Maximum Grant Request:      \$700,000

It is hereby understood that the total \$700,000 allocation outlined above will be spent on the following activities. It is also understood that while the funds represent \$400,000 for Champaign County and \$300,000 for Urbana, the funds may be spent anywhere in Champaign County and that the following breakdown is only a goal and that the actual expenditures may vary from the proposed budget.

|                             | Champaign County                 | Urbana                          | Total                            |
|-----------------------------|----------------------------------|---------------------------------|----------------------------------|
| Owner Home Repair           | \$129,000<br>10 Units @ \$12,900 | \$81,000<br>6 Units @ \$13,500  | \$210,000<br>16 Units @ \$13,125 |
| Owner Rehabilitation        | \$201,000<br>5 Units @ \$40,200  | \$161,000<br>4 Units @ \$40,250 | \$362,000<br>9 Units @ \$40,222  |
| Habitat – New Construction  | \$22,000<br>1 Unit               | \$22,000<br>1 Unit              | \$44,000<br>2 Units @ \$22,000   |
| Administration/Fair Housing | \$48,000                         | \$36,000                        | \$84,000                         |
| <b>Total</b>                | <b>\$400,000</b>                 | <b>\$300,000</b>                | <b>\$700,000</b>                 |

**PROGRAM INCOME**

1. It is understood the Applicant will account for and manage all Program Income received as a result of recapture of program funds. The Applicant will account for program income received from both Applicant and Partner jurisdictions and will authorize eligible expenses of Program Income in the jurisdiction where the Program Income was generated.
2. The Applicant will prepare and approve Housing Program Income Reports, as required by the State of Ohio.

**TERMINATION**

Applicant and Partner agree that this Agreement will remain in effect until the PY 2019 CHIP funds are fully expended and the funded activities are complete and closed out. Furthermore, neither Applicant nor Partner can terminate or withdraw from this Agreement while it remains in effect as outlined in the Agreement Timing.

**AGREEMENT TIMING**

The term of this Agreement will commence the date of execution by both the Applicant and Partner and remain in effect, until December 31, 2021, provided the CHIP grant is funded. If the CHIP grant is denied funding, this agreement will become null and void the date of the letter from the State to the Applicant of non-funding.

**SIGNATURE:** Each of the parties has caused this Partnership Agreement to be executed by its authorized representatives as of the dates set forth below their respective signatures effective as of the Effective Date:

**Applicant:**  
Champaign County

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: President \_\_\_\_\_

Date: \_\_\_\_\_

**Partner:**  
City of Urbana

By: \_\_\_\_\_

Printed Name: Kerry Brugger \_\_\_\_\_

Title: Director of Administration \_\_\_\_\_

Date: \_\_\_\_\_

Approved As To Form By: \_\_\_\_\_

Mr. Mark Feinstein, Esq.; Director of Law

Date: \_\_\_\_\_

## **RESOLUTION NO. 2449-19**

### **A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION OF THE CITY OF URBANA TO PARTICIPATE IN THE OHIO DEPARTMENT OF TRANSPORTATION'S (ODOT) ROAD SALT CONTRACTS AWARDED IN 2019, AND DECLARING IT AN EMERGENCY.**

**WHEREAS**, it is the responsibility of the City of Urbana to maintain and operate the roadways within the City's corporation limits for the safety of the community; and

**WHEREAS**, Section 5513.01 (B) of the Ohio Revised Code provides the opportunity for Counties, Townships, Municipal Corporations, Conservancy Districts, Township Park Districts, Park Districts created under Chapter 1545 of the Revised Code, Port Authorities, Regional Transit Authorities, Regional Airport Authorities, Regional Water and Sewer Districts, County Transit Boards, State Universities or Colleges to participate in contracts of the Ohio Department of Transportation for the purchase of machinery, material, supplies or other articles.; and

**WHEREAS**, the City of Urbana (hereinafter referred to as the "Political Subdivision") hereby submits this written agreement to participate in the Ohio Department of Transportation's (ODOT) annual road salt bid in accordance with Ohio Revised Code 5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT road salt contract:

a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the road salt contract and acknowledges that upon award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and

b. The Political Subdivision hereby acknowledges that upon the Director of ODOT's signing of the road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and

c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision's participation in the road salt contract; and

d. The Political Subdivision's electronic order for 800 tons of Sodium Chloride (Road Salt) will be the amount the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and

e. The Political Subdivision hereby agrees to purchase a minimum of 90% of its above-requested salt quantities from its awarded salt supplier during the contract's effective period; and

f. The Political Subdivision hereby agrees to place orders with directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT salt contract; and

g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than **Friday, April 19 by 12:00 p.m.** The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: [Contracts.Purchasing@dot.ohio.gov](mailto:Contracts.Purchasing@dot.ohio.gov) by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision's participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision's participation agreement and/or a Political Subdivision's request to rescind its participation agreement.

NOW, THEREFORE, be it resolved by the COUNCIL OF THE CITY OF URBANA, OHIO that this participation agreement for the ODOT road salt contract is hereby approved, funding has been authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation on the ODOT salt contract:

**Section One:**

That the director of Administration is hereby authorized to participate in the Ohio Department of Transportation's Annual Road Salt Bid (018-20) in accordance with Ohio Revised Code 5513.01(B) and agrees to all of the terms and conditions in its participation of the ODOT winter road salt contracts.

**Section Two:**

That the Director of Administration may sign all necessary documents related thereto and to be bound by all terms and conditions as the Director of Transportation prescribes.

**Section Three:**

That the Director of Administration is hereby authorized to agree in the name of the City of Urbana to directly pay vendors, under each contract of the Ohio Department of Transportation in which the City of Urbana participates, for items it receives pursuant to the contract.

**Section Four:**

That it is found and determined that all formal actions of this City Council concerning and relating to the passage of this resolution were adopted in an open meeting of this City Council in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

**Section Five:**

That this resolution shall be declared an emergency to protect public safety and take effect immediately after passage to ensure timely participation in the Ohio Department of Transportation's Annual Winter Road Salt Bid (018-20).



\_\_\_\_\_  
President of City Council

Attest: \_\_\_\_\_

Date: \_\_\_\_\_

This resolution approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

|   |   |   |  |
|---|---|---|--|
| Department requesting: Administration / Street                  |   | Personnel: Kerry Brugger  | Director of Law Review<br><br> |
| Expenditure? Y <input checked="" type="radio"/> N               | Emergency? <input checked="" type="radio"/> N | Public Hearing? Y <input checked="" type="radio"/> N<br>If yes, dates advertised: |  |
| Readings required: <input checked="" type="radio"/> 1    2    3 |   | Third/Final reading date:<br>NA   |  |
| First reading date:<br>4/16/19                                  | Second reading date:<br>NA                    |   |  |

Anticipated effective date if approved: 4/16/19

4/11/2019

**PRELIMINARY LEGISLATION**  
(LPA-ODOT-Let Project Agreement)  
(PARTICIPATORY)

Resolution # : 2552-19

PID No. : 104893

County/Route/Section : CHP 36/29 15.05/21.07

***A RESOLUTION TO AUTHORIZE PRELIMINARY APPROVAL BETWEEN THE CITY OF URBANA, CHAMPAIGN COUNTY, OHIO AND OHIO DEPARTMENT OF TRANSPORTATION FOR PAVEMENT PLANING AND RESURFACING OF UNITED STATES ROUTE 36 FROM LOCUST STREET (SLM 15.05) TO BERWICK DRIVE (SLM 16.25) AND STATE ROUTE 29 FROM SLM 21.07 TO SLM 21.17, and DECLARING AN EMERGENCY.***

The following is a RESOLUTION enacted by the CITY OF URBANA of Champaign County, Ohio, hereinafter  
(Motion/Ordinance/Resolution) (Local Public Agency)  
referred to as the Local Public Agency (LPA).

**SECTION I – Project Description**

WHEREAS, the LPA/STATE has determined the need for the described project:

***Pavement planing and resurfacing of US Route 36 and State Route 29 within the City of Urbana. USR 36 from Locust Street (straight line mile 15.05) to Berwick (Straight Line Mile 16.25) - State Route 29 from Straight Line Mile 21.07 to 21.17, more or less.***

NOW THEREFORE, be it ordained by the City of Urbana of Champaign County, Ohio.  
(LPA)

**SECTION II – Consent Statement**

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

**SECTION III – Cooperation Statement**

The LPA shall cooperate with the Director of Transportation in the development and construction of the above described project and shall enter into a LPA Federal ODOT Let Project Agreement, if applicable, as well as any other agreements necessary to develop and construct the Project.

The LPA agrees to participate in the cost of the project.

The LPA further agrees to pay 100% of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

4/10/2019

PID No.: 104893

The LPA further agrees that change orders and extra work contracts required to fulfill the construction contracts shall be processed as needed. The State shall not approve a change order or extra work contract until it first gives notice, in writing, to the LPA. The LPA shall contribute its share of the cost of these items in accordance with other sections herein.

The LPA further agrees to pay 100% of the cost to install and/or repair curb ramps at all necessary intersections to ensure compliance with the Americans with Disabilities Act.

#### **SECTION IV Authority to Sign**

The LPA hereby authorizes the DIRECTOR OF ADMINISTRATION of said CITY OF URBANA to enter into  
(Signature authority) (LPA-or its division, department or agency)  
and execute contracts with the Director of Transportation which are necessary to develop plans for and to complete the above-described project; and to execute contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Project.

Upon request of ODOT, the DIRECTOR OF ADMINISTRATION is also empowered to execute any appropriate  
(Signature authority)  
documents to affect the assignment of all rights, title, and interests of the CITY OF URBANA to ODOT arising  
(LPA)  
from any agreement with its consultant in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

#### **SECTION V – Utilities and Right-of-Way Statement**

The LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of-way costs include eligible utility costs.

The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

#### **SECTION VI – Maintenance**

Upon completion of the Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the Project in accordance with all applicable State and Federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

4/11/2019

PID No.: 104893

**SECTION VII-Emergency measure**  
(as applicable)

The RESOLUTION is hereby declared to be an emergency measure to expedite the highway project and to promote  
(Motion/Ordinance/Resolution)  
highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its  
passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.


Passed: \_\_\_\_\_, 2\_\_\_\_\_.  
(Date)

Attested: \_\_\_\_\_  
(Clerk)

\_\_\_\_\_  
(Contractual Agent of LPA – Director of Administration)

\_\_\_\_\_  
(Council President)

\_\_\_\_\_  
(Mayor)

|                        |                         |                           |                  |   |
|------------------------|-------------------------|---------------------------|------------------|---|
| Department requesting: | Engineering             | Personnel:                | Tyler Bumbalough | <i>Director of Law review</i>   |
| Expenditure? Y (N)     | Emergency? (Y) N        | Public Hearing? Y (N)     |                  |  |
| Readings required:     | (1) 2 3                 | Dates advertised:         | NA               |   |
| First reading date:    | Second reading date(s): | Third/final reading date: |                  |   |
| 4-16-2019              | NA                      | NA                        |                  |   |

Anticipated effective date if approved: 4-16-2019