

**URBANA CITY COUNCIL
REGULAR SESSION MINUTES – APRIL 10, 2012**

Council President Marty Hess called the Urbana City Council Regular Session Meeting of Tuesday, April 10, 2012 to order at 7:00PM, in Court Chambers/The Municipal Building.

Attendance: All of Council were present

City Staff – Mayor Bill Bean; Mr. Kerry Brugger, Director of Administration; Mr. Lee Williams, Finance Director; Mr. Doug Crabill, Assistant to the Director of Administration; Mr. Chad Hall; Police Chief Matt Lingrell; Mr. Robert Munch; Mr. Chris Stokes

Roll Call and Pledge of Allegiance

Swearing In Ceremony

Mr. Dwight Paul was sworn in to Council (Third Ward Representative), by Mayor Bill Bean. Council President Hess reminded Mr. Paul of the Council schedule for meetings, and also invited him to the first of the month, Informal Meeting. He welcomed Mr. Paul to Council. Mr. Paul took his Council seat at this Meeting.

Approval of Minutes

Mr. Robert Thorpe moved to approve the UCC Regular Session Minutes of March 27, 2012 (with corrections to be made as follows); Mr. Eugene Fields seconded. Motion carried without objection.

Discussion –

Mr. Al Evans stated, “I have a couple corrections—Mr. Lokai made reference to a meeting that we had on February 2, 2005...actually that meeting was February 2nd, 2006. He also made reference that there were 6 Council Members in session...”

“No—I didn’t,” Mr. Larry Lokai replied.

“Well, that’s what the Minutes say—‘It was when we had 6 Council Members in session’—there were only 4 there,” said Mr. Evans.

“I never said 6, I said...” Mr. Lokai answered.

“Larry, Larry—he’s directing this to the Minutes,” said Council President Hess.

“I’m refuting the correction, because I know that 2 people weren’t there...there were 6 Members on Council...there were 4 of the 6 Members present,” said Mr. Lokai.

“Larry—I’m just correcting...” said Mr. Evans.

Mr. Lokai said, “I know.”

“It says that in the Minutes—it’s not you,” Council President Hess said. “It says, ‘6 Members in Session,’ and that’s why he’s correcting...it’s not you.”

“ ‘It was when we had 6 Members in Session,’” Mr. Evans read verbatim from the Minutes, page 8/paragraph 2.

“I’m just specifying,” said Mr. Lokai.

“There were only 4 Members present at that Session,” said Mr. Evans.

“I know that,” Mr. Lokai responded.

“I just wanted the Minutes corrected—to reflect those corrections,” said Mr. Evans.

Mr. Fields (under Miscellaneous/page 8) requested the Minutes be corrected to reflect that he spoke to Mrs. Janice Myers in the audience, who was with her son – a Boy Scout.

Communications

There were no Communications at this Meeting.

Administrative Reports – Board of Control

1.

Mr. Fields moved to authorize a purchase order to Burch Bio Inc. in the amount of \$13,534 for the purchase of 2 Magnetron tubes for The Microwave (This will be charged to the WWTP, and is in the 2012 Budget); Mr. Thorpe seconded. Motion carried without objection.

Discussion –

Mr. Chad Hall explained the Magnetron tubes produce The Microwave frequency. “They work basically like a halogen bulb, and just keep continuing to get weaker,” he said. “We potentially were going to replace a few of these last year, but we elected not to—just to kind of see what kind of life we could get out of them. This is the purchase of 2 Magnatrons, and they come with a...like a rebate...or a discounted fee, since we’re not buying a brand new one. We send our bulbs back, and they send us 2 that’s been rebuilt.” “\$13,000 for rebuilt ones?” asked Mr. Thorpe.

“For rebuilt ones,” answered Mr. Hall.

“How many do we have in that Microwave?” asked Mr. Thorpe.

“Six total,” Mr. Hall replied.

Mr. Thorpe questioned the life, and rebuilding, of the other bulbs (in what time frame).

“I think within the next year to a year and a half...” said Mr. Hall, also discussing the procedures of other municipalities. “I think we’ll start looking a little more in depth at tracking the hours, and rotating 2 tubes a year...and get into a 3 year period. It’s really the only major cost that we have.”

Mr. Thorpe questioned, “The rebuilt vs. new—as far as the longevity?”

Mr. Hall said there is not much difference, and indicated a complete replacement of a bulb (new) is only necessary if the bulb blows apart.

“The financial difference?” asked Mr. Thorpe.

Mr. Hall replied, “About \$5,000—they’re about \$10,500., brand new. One thing I will mention—Burch Bio—there is no increase in cost...”

Mr. Thorpe asked whether the City employees can change the bulbs.

Mr. Hall assured, “We’ve had all that training.”

Mr. Doug Hoffman asked, “Do you see a weakness in them now? Are you expecting them to die soon?”

“Yes—what happens is, when those magnetrons are new you can start them up at 55-60 kilowatts...we usually don’t get any higher than 90...if you take these 2 that are now basically worn out, we’ll start them at about 25-30 (which...it’s a warm up stage)...it’s kind of like...like I said, a halogen,” stated Mr. Hall.

“So there’s no benefit in letting them completely crash,” Mr. Hoffman said.

“How many hours a day do we run that Microwave?” asked Mr. Fields.

“Ten,” replied Mr. Hall.

Mr. Thorpe asked, “How many times can you rebuild these things?”

“I’ve been told, as many times as they can do it,” Mr. Hall replied. “In Frederickstown, I think Mike said they’re in their 5th set of bulbs that are being rebuilt...”

2. (Council received Item 2 past deadline)

Mr. Lokai moved to authorize the Director of Administration to enter into a lump sum design/build contract with Wilcoxon Construction, Inc. for the design and construction of a shelter house for the Barbara Howell Market Street Park in the amount of \$13,500.

(This was the lowest of 2 bids received. A total of \$3,228. in ODNR Natureworks Grant

Funds will be used to partially fund this project. The balance will be charged to the Capital Improvement Fund. The local match portion of this project is in the Budget for \$4,000.); Mr. Fields seconded. Motion carried without objection.

Discussion –

Mr. Doug Crabill stated:

“This is to finish the Natureworks Project at the Market St. Park. Last year we did the basketball hoop upgrade, and actually resurfaced the court. Originally, we weren’t planning on resurfacing the court, or changing the hoops (we were going to put up new backboards), but we ended up doing more...so overall this project’s going to end up costing a little bit more to the City, but the results I think are going to stand for themselves...if you will. The final part of that is the Shelter House replacement (the Shelter House that was down there, that had structural issues)...there was a bid conducted, it was the lowest of 2 received. Basically, the contractor provides a design that matches specifications that can be approved by the Building Dept...then they’ll construct the Shelter House. There will be a sidewalk connecting the basketball court area to the Shelter House, and then there will be a concrete slab under the House itself.”

“Where’s it going to be located?” asked Mr. Fields.

“The same location as the last one,” said Mr. Crabill.

“Back farther?” asked Mr. Fields. “It looks like the basketball courts are where the Shelter House was.”

“No--They’re just to the south of the court, and the footprint of the court (I don’t believe) changed at all,” Mr. Crabill replied. “Very close to where the previous one was.”

“About the same size?” asked Mr. Fields.

“Yes,” said Mr. Crabill.

Mr. Evans commented, “I’m glad we’re replacing it.”

Mrs. Virginia Smith asked, “So this is going to be an open Shelter House—not a closed?”

“Correct,” Mr. Crabill answered.

Mr. Lokai said, “Thanks for the details.”

Mr. Hoffman commented that the whole project ‘is coming along really nicely.’

Mr. Crabill noted that the \$3,228. is what remains of the Grand Funds that have not been expended.

Council President Hess asked, “Did Council—get paperwork for this?”

“I think—you didn’t get the actual bid tabulation, but there were only 2 bids received—there was one that was \$13,500., and there was one \$13,896.,” Mr. Crabill said.

3. (Council received Item 3 past deadline)

Mr. Evans moved to authorize the Director of Administration to enter into a unit price contract with Wagner Paving, Inc. in the amount of \$183,413.55 for 2012 Asphalt Paving of Streets (This was the lowest of 3 bids received. Last year’s final contract was approximately \$146,500. This year’s program is in the budget for \$95,000., and this will be charged to the Capital Improvement Fund); Mr. Lokai seconded. Motion carried without objection.

Discussion –

Mr. Evans asked, “This includes the additional that we talked about?”

Mr. Kerry Brugger replied, “We had asked...we had suggested that we take \$100,000 out of the 68 Bypass Fund to hike the budget, one ninety-five...”

“This money’s coming out of the 68 Bypass Fund,” Mr. Evans sought to verify.

“The original budget was ninety-five...with the extra \$100,000...so we’re good,” answered Mr. Brugger.

“So we decided to build a road, and now we’re going to spend it on fixing a road,” Mr. Evans said.

Council President Hess asked Mr. Crabill to provide a list of where the streets are, and Mr. Crabill provided that listing (also noting the Engineer’s estimate was \$207,000., and the bids received). Mr. Crabill said the list of streets was emailed to Council on the evening of April 9, 2012.

Mr. Crabill stated:

“We’re timing this so that the paving will be done, and we’ll be finishing our Safe Routes to Schools Project (the sidewalk project)—that project has crosswalks striping in it—on some of these...a couple of these streets like Washington and W. Light that are going to be repaved...so we’ll get the repaving done, and with the other project it will do the striping on a couple of the streets...so we’re making the 2 work out timing wise that way.”

“Those were the additional streets—that wasn’t all the streets, was it?” asked Mr. Evans. Mr. Crabill said, “I think there were a few other streets that didn’t make the cut, just based on what we have to spend...but, that is a longer list than what was originally put out.”

“Because I thought that Wooddale and Amherst were on the list,” said Mr. Evans.

“I think those got narrowed down to go into the next program that we do,” said Mr. Crabill.

Mr. Lokai pointed out that Wooddale would be worked on.

Mr. Crabill said:

“Oh, Chad made a good point—Wooddale and Amherst (if we do that water project next year) it would all be dug up...so I think that was the other...I didn’t think about that, but that’s true...the same reason we’re not paving Church and Ward (and those streets), because if the water project goes forward they’re going to get dug up.”

Mr. Evans added, “But we need to get that Patcher out there on Amherst.”

“Washington Avenue—from Main to Jefferson...” Mr. Thorpe began.

“E. Lawn to Jefferson,” said Mr. Crabill.

“Are you going just curb to curb...or are you going to take in the parking lot in front of the East School?” asked Mr. Thorpe.

“Kerry had met with the school, and they’re going to pay their share of that...where the cars are parked there in front of East (that’s actually private property, or school property)...we’re going to work out an agreement for that,” Mr. Crabill answered.

Mr. Fields questioned whether the flashing lights (is part of the Safe Routes to Schools), and whether that would impact any paving. Mr. Crabill explained, and noted, ‘That’s South and East.’

4. (Council received Item 4 past deadline)

Mr. Thorpe moved to authorize the issuance of purchase orders up to \$18,865. for the purchase of equipment to allow for swim meets to be held at Wendell B. Stokes Municipal Pool (A total of \$11,535 of this cost is eligible for reimbursement under an ODNR Natureworks Grant that is anticipated to be awarded to the City in late 2012. If the grant is awarded, the City will seek reimbursement at that time. The local share of this

project is in the Budget for \$8,000., and this local share will be charged to the Capital Improvement Fund); Mr. Fields seconded. Motion carried without objection.

Discussion –

Mr. Crabill explained:

“This was the topic that was discussed at Council (maybe a month, month and a half ago)—we applied for this grant (I believe) February 1st, and this all is to make the Pool have what it needs to be able to host swim meets this Summer...and with the Pool wanting to be able to do that this year (and hopefully improve Pool membership as a result), we made a request for ODNR for this grant that (even though they haven’t made the award yet)...we’ve been told that we were the only one to apply in Champaign County, so as long as the State approves the money in July (at the Statehouse), then this money would come through to us...so we’ve basically been given the go-ahead, with a couple of caveats that we have to understand...”

Mr. Fields asked, “If this passed through tonight—and we would wait to be reimbursed later—to a degree?”

“No—we would front all this money, and we would request \$11,535. later,” answered Mr. Crabill.

“The total is \$18,865.,” Council President Hess added.

“Correct—we would issue several different purchase orders that would add up to that amount,” said Mr. Crabill.

Mr. Dwight Paul questioned, “I’m just kind of surprised by this issue—what has been the demand for swim meets in Champaign County? I had never heard that there was a large demand for swim meets.”

Mr. Crabill replied, “Well—last year was the first year of the program, and they participated in a Springfield league...and most of the meets were held at pools in the Springfield area (also there was a meet with Bellefontaine as well)...and there was very, very good participation.”

“So this is to support an Urbana swim team?” asked Mr. Paul.

“Correct—yes,” said Mr. Crabill.

“So as they host meets—you mentioned that part of the goal is to increase Pool membership—is this also going to become a revenue generator for the City?” asked Mr. Paul.

Mr. Crabill answered, “Potentially—yes. The Pool membership...there were a lot of new family memberships last year (by families that had kids participating in the swim team) that may not have joined the Pool otherwise...so that was...”

“46,” added Mr. Chris Stokes.

“46—that were participating last year,” Mr. Crabill said.

“So in a sense we’re looking at an \$18,000 investment—basically—to hopefully get (long term) bucks back?” Mr. Paul sought to verify.

“Um—hmm,” Mr. Crabill responded.

Council President Hess commented about the need for Council to receive packet information by the stated deadline, to allow for Council’s examination.

Citizen Comments

Mr. Dave Milner and Mr. Jim White addressed Council regarding the upcoming Grimes Gathering of B25s (Honoring the Greatest Generation and the 70th Anniversary of the

Doolittle Raid) scheduled for April 14-16, 2012, at Grimes Field. Both gentlemen provided detailed information regarding the background of this event, particular activities planned, and vendors. Praise was extended to all of the volunteers (inclusive of support personnel – Sheriff’s Dept., the Urbana Police Division, and the Urbana Fire Division), and committee persons/sponsors, who have worked diligently to put this function together.

Mayor Bill Bean noted dignitaries who have been contacted regarding the event, and a proclamation that will materialize from the Governor’s Office.

Mr. Lokai (to Mr. Milner and Mr. White) stressed that, “I know a lot of people are very appreciative of what you guys have done, so if you would pass that along to the organization—there’s a lot of positive P.R. that came from this event.”

Council President Hess added, “Thanks for all you guys have done.”

Council President Hess recognized Mr. Bill Kelley (DP&L) in the audience. Mr. Kelley had no remarks for Council, but Council President Hess requested to see him after the Meeting.

Ordinances and Resolutions

Third Reading –

There were no Third Readings at this Meeting.

Second Reading –

ORDINANCE NO. 4384 –

AN ORDINANCE AMENDING 375.03 OF THE CODIFIED ORDINANCES OF THE CITY OF URBANA, SNOWMOBILES, OFF-HIGHWAY MOTORCYCLES AND ALL PURPOSE VEHICLES

(*Read and declared a Second Reading)

First Reading –

There were no First Readings at this Meeting.

Miscellaneous Business

Mr. Fields - Nothing at this time

Mr. Evans - Nothing at this time

Mr. Paul - Nothing at this time

Mrs. Smith - Discussed a ‘Professional Detailing Sign’ on No. Main St. that is obstructing drivers’ vision; Mr. Brugger indicated it will be reviewed

Mr. Lokai - Said: “Mine is kind of a paraphrased statement, that actually refers to what we’re going to be talking about at the Work Session...but after the article in the (news)paper today...a paraphrased statement that I heard quite a bit of rumbling about is that...people would like to stop listening to people in the business world (who want to make a profit)...and start listening to the citizens, and their concerns that they have on recycling...because they are the ones who pay the bills! This is what I heard from quite a few people today. They read the *Letter to the Editor*...I said, ‘We’re going to have a Work Session on it tonight...I said, ‘Come to the Work Session (if you desire)’...I don’t see any of them here, but there was quite a bit of concern that we need to listen to what the people are saying, and not so much to what the business people who are going to make a profit. I’m just using paraphrased statements.

Mayor Bean asked, "Do you believe that, Larry? Do you believe that the business...? You said (last time) we were being coerced into doing this...do you believe that?"

"You betcha," Mr. Lokai replied.

"...and who's doing that?" Mayor Bean pressed.

"I'll talk to you about it at the Work Session, and privately—I don't want to take too much time," Mr. Lokai answered. "But I did do my homework—I did talk to 11 other cities (quite a few of them are in agreement). I'll share those comments with you after the meeting. I do have two sets—I have that...I do listen to people."

"Yeah, but do you have proof that some company is doing this?" asked Mayor Bean.

"Yep," Mr. Lokai said.

"You do?" asked Mayor Bean.

"Yep," Mr. Lokai said.

"Do you want to show it right now?" asked Mayor Bean.

"Nope," Mr. Lokai said.

"Why not?" asked Mayor Bean.

"I'll show you privately," said Mr. Lokai.

"You're making an accusation, that there's a business out there that's forcing us to do something!" Mayor Bean stated. "I want to see the proof!"

"I've got it right here, Bill," Mr. Lokai said.

"Let me see the proof!" Mayor Bean stressed.

"After the Meeting," said Mr. Lokai.

"Who is it? Who's the company?" asked Mayor Bean.

"Bill—I will talk to you later," Mr. Lokai said.

"No Larry! I want to know!" Mayor Bean insisted.

"I told you what I was going to tell you—I'm going to talk to you after the Meeting—I will not talk to you on t.v. about it!" stated Mr. Lokai. "I'll give you all the details!"

Mayor Bean conceded, "Okay."

"Mr. Hess—point of order—I think that (since Mr. Lokai brought this up), it should be on the record...and not in Executive Session...so if we're going to have this discussion about being coerced (or if some company out there's putting pressure on the Administration)...then it should be talked about in public record, not in a private meeting!" stated Mr. Evans. "You made the accusation—so let's hear it! For the record!"

"I told you what I was going to tell you—I've got the information here," stated Mr. Lokai.

"Well—I can tell you—we're not being coerced by anybody! We're going to go out and...I'll leave this up to Kerry, but I don't like hearing that we're being coerced...by anybody...because we're not!" stated Mayor Bean.

"You're getting backed into a corner," said Mr. Lokai.

"No, we're not," Mayor Bean replied.

"Bill—it's not worth arguing with you about it right now—okay?" said Mr. Lokai.

"You brought it up," said Mayor Bean.

"Just listen to what is said sometimes...and you'd be...better off," said Mr. Lokai.

"Whoa..." Council President Hess added.

Mr. Thorpe - Said, "After that—I really don't know—all I heard was that we're being coerced by another company to do this...and we're supposed to be (I guess from what you're saying, Mr. Lokai), more like other cities! I understand that this is

Urbana...either end of town (north, east, west, south) does not say Dublin, or Bellefontaine, or anything on it! If you've got something to say—Mr. Lokai—bring it out to the public! Don't hide it!"

"Don't worry, Bob—I never hide anything," said Mr. Lokai.

"You're hiding this right now," stated Council President Hess.

"You're hiding this!" added Mr. Thorpe.

"Well—you'll see," said Mr. Lokai.

"Mr. Hoffman—Miscellaneous Business," said Council President Hess.

"Not with a 10 foot pole," Mr. Hoffman replied (to audience laughter).

Police Chief Lingrell - Nothing at this time
Mr. Crabill - Announced Mosquito Spraying will be conducted on April 18 beginning at 10:00AM (until 5:00AM, April 19); Said this will not be a Board of Control item this year, and cautioned residents to close their windows/keep pets inside Mr. Paul asked if the entire city will get done in 1 night; Mr. Crabill replied affirmatively

Mr. Chris Stokes - Nothing at this time

Mr. Robert Munch - Nothing at this time

Mr. Hall - Nothing at this time

Mr. Lee Williams - Nothing at this time

Mr. Brugger - Said, "I talked with Mike Heintz earlier to try to find out when the Asphalt Plant is going to open, and actually they're scheduled to open this week...so the anticipation is (weather permitting) they're going to come in Friday to start paving the 2 box culverts, excavated areas, and some of the Bike Path...so we're going to start seeing more activity...originally they weren't planning on being in until later in April, or maybe even early May...with the weather, they're going to start earlier."

He added, "Just a quick comment—just so we can make sure we're all on the same page—We have had one conversation with each of the three suppliers (or vendors) that contracted, or were contacted the last time for the recycling...and we've had conversations with the Ohio EPA...and emails/conversations with citizens. If somebody knows something that I don't know—please share it—because we haven't even put together a bid package...so I don't know how anybody can be coerced if we don't even have the specs finalized! With that—we'll talk at the Work Session."

Mr. Brugger was (audience) questioned regarding which three vendors were 'talked to.'

"Waste Management, Rumpke, and then Republic/Allied...and then Roberts we've talked to them...and they would be included in that packet," answered Mr. Brugger.

Mayor Bean - Announced the April 12, 2012 (1:00PM) Reception and presentation of proclamations commemorating the "Andrews Raiders" at the Champaign County Library. "The Great Locomotive Chase" (A Disney Movie) will also be shown regarding the April 12, 1862 event.

Council President Hess - Discussed vision of streets (Sycamore toward Scioto St)

and asked that the view be checked there as well; Requested citizens notify the City if there are other streets with (view) problems

Mr. Brugger noted there is an online form for the 'computer savvy' regarding sight obstruction

Announced the following Work Session will also be televised

He said, "To Council and the Administration's concerns, Mr. Lokai, if you're going to bring information to Council...if you don't want to share it, then don't bring it!"

Mr. Lokai replied, "I'm going to share it during the Work Session—that's what I said I'm going to do, and that's what I'm going to do!"

"It's going to be on t.v.," said Council President Hess.

"I don't care—I'm not ashamed of anything I say!" said Mr. Lokai.

"Then why wouldn't you say it to Council?" asked Council President Hess.

"I'll say it on t.v., and you can quote me on it!" Mr. Lokai added.

ADJOURNMENT

Mr. Thorpe moved to adjourn the UCC Regular Session Meeting, to go into the Work Session; Mr. Fields seconded. All were in favor of adjournment (7:55PM). Work Session announced as to begin 'in 3 minutes.'

Council Clerk

Council President