

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

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

Attendance : All Council Members were present with the exception of Mr. Larry Lokai. 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. Tyler Bumbalough; and Police Chief Matt Lingrell

**Roll Call and Pledge of Allegiance**

**Approval of Minutes**

There was some confusion regarding a motion Mr. Robert Thorpe made to combine Approval of Minutes and Communications for acceptance as one. Mr. Dwight Paul had seconded. All were in favor.

There were no questions or comments regarding the UCC Public Hearing Minutes or the UCC Regular Session Minutes of June 26, 2012.

**Communications**

Council President Hess indicated that Communications should be addressed separately from Approval of Minutes. He read the listing of each communication.

Mr. Thorpe asked whether all Communications could be bundled for acceptance. Mr. Thorpe moved to place The City of Urbana Planning Commission Minutes (April 23, 2012); The City of Urbana Design Review Board Minutes (June 4, 2012); the correspondence from the Ohio Dept. of Liquor Control (June 25, 2012) regarding application – Douglas E. Hall, DBA Airport Café, 1636 No. Main, Urbana; and the email sent to Mr. Kerry Brugger (July 3, 2012) from Mr. Dave Noice, regarding ‘Firearms in Public Parks’ on file; Mrs. Virginia Smith seconded. Motion carried without objection.

Discussion –

Mr. Al Evans (to Police Chief Matt Lingrell) asked, “On the email from Mr. Noice—did you—did they (Administration) share that with you?”

Chief Lingrell replied, “I just got a copy of it yesterday...and I haven’t researched it a whole lot, but I saw that there was a response from the City.”

“Kerry—is that something that we need to take a look at, and maybe...?” asked Mr. Evans.

“It’s an administrative reg for the City Parks, and we are in the process of reviewing that reg in its entirety...and when we do, that item will be corrected as needed,” Mr. Brugger answered.

Mr. Evans began to speak further about the issue, but said he would meet with Mr. Brugger another time to get more information and discuss the matter.

Mr. Evans then pointed to Mr. Douglas Hall in the audience, and indicated he ‘has some pertinent information relative to the application for liquor license (Communication #3).

Mr. Hall indicated he would wait until Citizen’s Comments.

**Administrative Reports – Board of Control**

1.

Mr. Evans moved to authorize the Director of Administration to enter into a unit price contract with J&J Schlaegel Inc. for the 2012-2013 unit price concrete work based on need; Mr. Eugene Fields seconded. Motion carried without objection.

Discussion –

Mr. Doug Crabill explained:

“This is our yearly bid for concrete work (which is mainly street openings)—repairing water digs, sewer digs—with concrete...it’s also miscellaneous sidewalk/curb...you know, if they do a water dig, and they dig up the curb...and they dig up the sidewalk, and the street...all of it gets put back through this contract. Typically, we bid this once a year... the current contract expired at the end of June...so this new contract will take over and run for 1 year from...here in July...but that’s how it’s set up, it’s a yearly contract. There were 3 bids received...”

Mr. Crabill delved into the bidding process, and differences in the bidding.

“Ultimately—the Board of Control decided that this bid was the best of 3 bids received,”

Mr. Crabill said.

Mr. Evans repeated the purpose of this Board of Control item.

He asked, “Is this open ended, or not to exceed? How is that?”

“It’s within department budgets essentially,” said Mr. Crabill.

Mr. Lee Williams added, “These are unit prices based on the volume of work that’s done, and then there’s an application of the quantity that’s done...the work that’s done times these unit prices.”

“So—it could be less, it could be more?” asked Mr. Evans.

Mr. Williams replied, “Correct—it just depends on the amount.”

“These are all...like work is assigned through a work order...so each department...let’s say there’s a street dig in front of your house, the Water Superintendent would write up a work order for that to be repaired...that would go to the contractor, and it would be repaired,” Mr. Crabill explained. “...and they would use the unit price in the contract.”

“So Doug (just out of curiosity) you mentioned street openings and cemetery headstone foundations as 2 of the main...what are like 2 or 3 more of the...?” asked Mr. Paul.

Mr. Crabill responded, “The other one that was a larger difference was the sidewalk (the 4 inch sidewalk).”

“What are the ones that we’re mainly interested in?” asked Mr. Paul.

“Street openings is the big one...sidewalk quantity...there’s probably a decent amount of sidewalk that gets replaced when water and sewer digs are done...” Mr. Crabill said.

“Catch basins,” added Mr. Williams.

Council President Hess asked the approximate amount spent last year on concrete work.

“It’s a good amount of money, but it varies from department to department,” said Mr. Crabill.

“One-ninety maybe—does that sound right? Total?” asked Mr. Williams.

“Yeah—within the hundreds,” said Mr. Crabill.

“It’s high—it’s like one-ninety,” Mr. Williams said.

“...and we have no control over that,” added Council President Hess.

“It just depends on the number of digs—that’s really what drives it,” answered Mr. Williams.

2. (\*This item was added just prior to the UCC Meeting)

Mr. Fields moved to authorize a purchase order and a subsequent contract change order to A&B Asphalt Corp. in the amount of \$8,890.91 to replace asphalt at the northern gate at Grimes Field, and to reinstall the loop detectors for the gate at this entrance (The gate is currently out of service due to the surface condition and failing loop wires. This will be

funded by AIP-1711 (95%), and the Airport Capital Fund (5%); Mr. Doug Hoffman seconded. Motion carried without objection.

Discussion –

Mr. Crabill explained:

“As you know—we have an asphalt project at the Airport that has several different funding sources, and we’ve revised the contract a couple times...to add some items, and move the contract a little bit (based on funding sources)...but they now have started...they’ve come back, and they’re starting a major part of the work now (as of Monday)...and we had been asking for a quote for this work...the northern entrance gate to the Airport has been non-functional and (from what I understand) it’s because the asphalt in that area is kind of warped (and not in good shape)...and there’s loop detector wires in that asphalt, and those have failed...so this essentially will replace the asphalt in that area, and reinstall the loop detectors so we’ll have a functioning gate. AIP-1711 (which is one of our Federal Airport Grants)...there is some money left in that, because we were able to get that Ohio Airport Grant...so 95% of this cost will be funded with that grant. The balance will be picked up by the Airport Capital Fund.”

Mr. Evans said, “Point of order, Mr. Hess—I believe this has to be read into the record by the Clerk before we can even move forward.”

Council President Hess (to the Clerk) said, “Okay—would you mind?”

The Clerk read the BOC item.

Mr. Hoffman asked, “With that amount—is that the amount we pay, or we pay 5%?”

Mr. Crabill answered, “We pay 5% out of that amount.”

“Out of the budgeted piece that we already had?” asked Mr. Hoffman.

“Correct,” said Mr. Williams.

### **Citizen Comments**

Council President Hess asked whether there were any questions or comments to be directed to Mr. Douglas Hall. Nothing was brought forth.

### **Ordinances and Resolutions**

#### **Third Reading –**

#### **ORDINANCE NO. 4386 –**

Mr. Evans moved to place Ordinance No. 4386 on the business floor for discussion and passage; Mr. Paul seconded.

Roll call vote to approve: Mr. Evans, yes; Mr. Paul, yes; Mrs. Smith, yes; Mr. Thorpe, no; Mr. Hoffman, yes; Mr. Fields, yes (5-yes to 1-no)

Discussion –

“Are we going to talk about this is the Work Session?” asked Mr. Fields.

Council President Hess replied, “Yes.”

“So would it be advisable to Table it?” asked Mr. Fields.

“Well, we’re going to talk about future...” said Council President Hess, also showing the green book – “Codified Ordinances of Urbana, Ohio” to the new Council Members.

He noted there were 30+ copies of this book at one time, but the number (of inserts) has since been reduced to 12.

Mr. Evans pointed out that when the electronic version is unavailable, there is always a hard copy to refer to. He expressed his preference to have the hard copy.

“I think it’s an important part of being a Council Member—is to have that book—in case the electronic versions are not available you have something that you can reference in

your possession,” said Mr. Evans. “You don’t have to wait to come in here...and any Council Member that was appointed (or elected) that didn’t get their book from the previous Council Member(s) needs to get the book—because it’s an important tool to have.”

Mr. Hoffman indicated the copy in the Council Office is available (and is just a short distance away from his home).

Mr. Thorpe asked, “What’s this costing us a year?”

“The last bill we got was \$4,500—I believe,” said Council President Hess.

“So—with the electronics (as it is today), and you might want to know Mr. Hess...I’m now up to speed with these computers,” said Mr. Thorpe. “I don’t see the sense in spending \$4,500 for a hard copy—when there’s a hard copy at the office. Al—if you want to come up to the office and look at it—that’s fine—but to have one for each Council Member, I can’t see it!”

Council President Hess referred to cutbacks in the total expense.

Mr. Thorpe asked whether the Council Members who received hard copy updates have added the updates to their books.

“Yes—I’d be happy to let you have it, so you can examine it,” said Mr. Evans. “I do use it.”

“I find it easier to go to the web page—myself,” said Mr. Fields.

“We’ve already got them, and we have to pay for them—so—that’s what we’re working on tonight,” Council President Hess commented.

#### **RESOLUTION NO. 2368 –**

Mr. Thorpe moved to place Resolution No. 2368 on the business floor for discussion and passage; Mr. Hoffman seconded.

Roll call vote to approve: Mr. Paul, yes; Mrs. Smith, yes; Mr. Thorpe, yes; Mr. Hoffman, yes; Mr. Fields, yes; Mr. Evans, yes (6-0)

Discussion –

“Lee mentioned revised numbers on the amount—I forget when you said they were,” said Mr. Paul.

Mr. Williams replied, “We look at this on a quarterly basis, so there could be a revision of this later in the year...I do have one more data point...we do have June data point in here, and based on what I’ve seen in June I wouldn’t make any changes to what we did...”

#### **Second Reading –**

#### **RESOLUTION NO. 2369 –**

Mr. Evans moved to suspend the rules on three readings; Mr. Paul seconded.

Roll call vote to approve suspension: Mrs. Smith, yes; Mr. Thorpe, yes; Mr. Hoffman, yes; Mr. Fields, yes; Mr. Evans, yes; Mr. Paul, yes (6-0)

Mr. Evans moved to place Resolution No. 2369 on the business floor for discussion and passage; Mr. Paul seconded.

Roll call vote to approve passage: Mr. Thorpe, yes; Mr. Hoffman, yes; Mr. Fields, yes; Mr. Evans, yes; Mr. Paul, yes; Mrs. Smith, yes (6-0)

Discussion –

Council President Hess said, “I had a question posed to me—this is being done for safety...why isn’t a traffic light being put up instead of doing this?”

Mr. Crabill explained in reference to the Manual of Uniform Traffic Control Devices that tells ‘where a traffic light can be, and where a stop sign can be.’

At this point, Mr. Crabill requested passage of Resolution No. 2369 and 2370.

“The application deadline is next Thursday,” he announced.

**RESOLUTION NO. 2370 –**

Mr. Evans moved to suspend the rules on three readings; Mr. Paul seconded.

Roll call vote to approve suspension : Mr. Hoffman, yes; Mr. Fields, yes; Mr. Evans, yes; Mr. Paul, yes; Mrs. Smith, yes; Mr. Thorpe, yes (6-0)

Mr. Evans moved to place Resolution No. 2370 on the business floor for discussion and passage; Mr. Paul seconded.

Roll call vote to approve: Mr. Fields, yes; Mr. Evans, yes; Mr. Paul, yes; Mrs. Smith, yes; Mr. Thorpe, yes; Mr. Hoffman, yes (6-0)

Discussion –

Mr. Crabill explained:

“This one is a 0% loan application to Ohio Public Works for a portion of our Phase 1 Water Main Project...this, I believe, is around \$600,000.”

Mr. Hoffman asked about the time frame.

Mr. Crabill indicated, “It’s about a whole year you have to wait on the money once you apply.”

Construction will begin the following Fall.

**First Reading –**

**RESOLUTION NO. 2371 –**

A RESOLUTION TO AUTHORIZE THE DIRECTOR OF ADMINISTRATION OF THE CITY OF URBANA, OHIO TO ENTER INTO AGREEMENTS WITH THE CHAMPAIGN FAMILY YMCA AND URBANA CITY SCHOOLS FOR THE ACQUISITION OF A 5.98 (+/-) ACRE PARCEL OF LAND USE AS A STORMWATER RETENTION POND AND TO AUTHORIZE THE PLATTING OF LAND IN THIS AREA FOR FUTURE DEVELOPMENT

(\*Read and declared a First Reading)

Discussion –

Mr. Tyler Bumbalough explained:

“This is an agreement approached...by the YMCA to take over the gravel pit...a portion of that gravel pit is also by the school...therefore, we’re entering into an agreement with (both) the school and the YMCA. There will be a land swap involved in this, where the YMCA donates not only the gravel pit to us, but a portion of the northern acreage to the school...and the school donates a portion of the southeast acreage to the YMCA. The acreages are (roughly) the same at 2 acres, and along with that we wanted to establish right-of-way on the extension of Washington Avenue out to the eastern border of the YMCA property...in order to...within...in future years to have thoroughfare through that property. There will also be an extension of right-of-way from Community Drive on up to the north...”

Mr. Paul asked, “Has the boards for both the Y and the schools—have they acted on this already?”

“Yes—everybody so far (at this point) is in agreement to move forward,” replied Mr. Brugger. “...so until we get our piece finalized, then we can’t go forward with all of it... but right now everybody’s on board.”

Mr. Hoffman commented that this is a good opportunity, with ‘good forward thinking on everybody’s part.’ He thanked Mr. Brugger and Mr. Bumbalough for ‘putting this together.’

Mr. Brugger said, “Well, this is (again) one of those things where historically we’ve taken retention ponds (and things like that) that weren’t really maybe in our best interests...this one was one that Engineering said, ‘This one makes sense for us to take it.’”

“No monetary exchange?” asked Mr. Thorpe.

“There’s no monetary exchange at this point...it’s going to be in-kind services, and one thing I would like to make clear is—there is no construction plan for any roads,” stated Mr. Brugger. “We’re strictly establishing right-of-ways, and trying to make sure everything’s in place...so when (and if) the opportunity ever is needed to put the roadway through...there isn’t a plan to start paving anything in the near future.”

“One other thing—the person that called me this morning—this is not 600 acres, it’s 5.98 acres,” stated Mr. Thorpe.

“...and just for a point of clarification, we do have Skipp’s approval on the Resolution,” Mr. Brugger told Council.

### **Miscellaneous Business**

Mr. Thorpe - Nothing at this time

Mr. Hoffman - Complimented City Officials/Staff on the quick clean up after the recent storms (particularly in The Square)

Mrs. Smith - Echoed Mr. Hoffman’s remarks, and commented about ‘Neighbors helping neighbors’

Mr. Paul - Agreed with the previous statements  
Thanked Chief Lingrell for data he received regarding intersection accidents; Said he is reviewing the data, and requested a meeting with Chief Lingrell to go over the information

Mr. Evans - Nothing at this time

Mr. Fields - Complimented the look of the Shelter House at the Park

Police Chief Matt Lingrell –

Announced the 2<sup>nd</sup> Annual Drug Drop-Off on July 21 (8:AM-11:AM)  
Urbana Police Officers will be partnering with Hearth and Home, along with Mr. Chad Hall (WWTP) to collect old medications and others

Said 40 lbs. were collected the previous year, and the DEA destroys the drugs

Announced the open homicide case of Mr. Lou Taylor; Noted that this year would have been Mr. Taylor’s 87<sup>th</sup> birthday; Discussed the \$5,000 reward that has been posted for information to assist this case; Stressed the need for someone to speak for Mr. Taylor, and help him

Mr. Bumbalough –

Nothing at this time

Mr. Crabill - Asked citizens to help the tree lawn by watering

Mr. Williams - Nothing at this time

Mr. Brugger - Provided an update on the storm pick up: Wards 1 & 4 are completed; started on Ward 3 (July 10); July 11 goal to finish Ward 3, and move to Ward 2; Noted the intent was to allow residents to have sufficient time

to clean up, and get debris to the curb  
He noted 27 trees were marked by Mr. Chris Stokes for removal, and added, “Not one of those fell!”  
Announced the Retreat (July 21<sup>st</sup>/Morning of); Stated intent to have an Agenda and basic information out by the end of the week (or very early next week)—info will be sent electronically  
Noted a lot of information to share/a lot of coming activity/and the need to share the financial impact to the City  
Reminded everyone about the “Be Green” collection at the Community Building on Sat., July 14 – 8:30AM-1130AM

Mayor Bill Bean –

Thanked Chief Lingrell and Mr. Nick Selvaggio regarding their hard work and diligence on the Lou Taylor case; Mayor Bean discussed his knowledge of and relationship with Mr. Taylor, and noted he was a ‘great fellow,’ and is ‘definitely missed’

At this point, Mr. Thorpe moved to excuse Mr. Larry Lokai from this Meeting; Mr. Paul seconded. Motion carried without objection.

“Doug—I heard there was a Federal Grant for housing removal that was supposed to trickle down—have you heard anything about that?” asked Council President Hess.

“Not at Federal,” Mr. Crabill said. “There’s the mortgage foreclosure settlement that all the big banks reached a settlement with 26 state attorney generals...and there was a settlement in Ohio to receive money...that money was designated to Champaign County, and then it will be open to townships, cities, and villages in the county...later this year we’ll have to submit a list to the county for consideration. Demolitions would be sometime next year.”

Council President Hess –

Noted he has received calls about the deduct meter for water  
“If you want to save some money on your sewer bill—go to the Water Dept., get a deduct meter, and have it installed...and you’ll save quite a bit of money (that you won’t have to spend on sewer),” he said.

Announced the Work Session immediately following this Meeting.

### **Adjournment**

Mr. Thorpe moved to adjourn the meeting at 7:43PM; Mr. Hoffman seconded. All were in favor of adjournment.

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Council Clerk

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Council President