

**URBANA CITY COUNCIL
REGULAR SESSION MINUTES – JULY 24, 2012**

Council President Marty Hess called the Urbana City Council Regular Session Meeting of Tuesday, July 24, 2012, to order at 7:00PM in Court Chambers / The Municipal Building.

Attendance – All Council Members present; Council Clerk absent

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; Fire Chief Mark Keller; Police Chief Matt Lingrell; Mr. Chris Stokes;

Roll Call and Pledge of Allegiance

Firefighter Introduction

City of Urbana Fire Chief, Mark Keller, introduced the newest Firefighter Adam Poole (Hired July 2, 2012). Council and others in attendance welcomed Firefighter Poole with applause.

Approval of Minutes

Mr. Larry Lokai moved to approve the UCC Regular Session Minutes and Work Session Minutes of July 10, 2012; Mr. Dwight Paul seconded. Motion carried without objection.

Communications

Mr. Robert Thorpe moved to place the City of Urbana Shade Tree Commission Minutes (June 2012- #101), and the LUC Regional Planning Commission Executive Committee Meeting Minutes (July 12, 2012) on file; Mr. Doug Hoffman seconded. Motion carried without objection.

Administrative Reports – Board of Control

1. Mr. Eugene Fields moved to authorize a purchase order to O.P. Aquatics in the amount of \$6,615 for the purchase of an ADA pool lift and 5000 tread step (Recommendation based on the City Pool becoming ADA compliant/ This will be charged to Pool Capital, and is not in the 2012 Budget); Mr. Al Evans seconded. Motion carried without objection.

Discussion –

Mr. Chris Stokes explained:

“We originally had a chair that was no longer for ADA compliance, and since we had to put it in the budget (not in the budget per se, but in the grant—Land and Water Conservation Fund Grant)...recently we had a pool party scheduled...a baptism of a 95 year old lady, and we had to cancel...because our lift was inoperable so...to try to get compliant we have to have 2 means of entrance into the pool (the lift, the chair, and the steps will do that for us, so that’s what this is now).”

Mr. Paul asked, “So we have a chair now...do we have the ADA recommended lift now, or we don’t have one at all?”

“No,” Mr. Stokes replied.

“How long has the chair been—not working?” asked Mrs. Virginia Smith.

“Just since the beginning of the year,” answered Mr. Stokes.

Mr. Lokai agreed with Mr. Stokes regarding public safety as a concern, and recommended moving forward with this item.

Mr. Hoffman questioned whether the lift is something that must be done.

“Yes—it was put into effect at the beginning of the year—there were a lot of pools that

told the ADA (or the State) that they would not open, because they couldn't afford to do that," stated Mr. Stokes. "They gave us a 1 year grace period...we get the lift, or we don't have a pool."

2. Mr. Thorpe moved to authorize a purchase order to Software Solutions in the amount of \$11,664 for the annual software license and maintenance support for the financial systems that process the City's general ledger, accounts receivable, accounts payable, payroll, income tax, and utility billing systems (This will be charged equally to the 3 finance departments, and is in the 2012 Budget); Mr. Fields seconded. Motion carried without objection.

Discussion –

Mr. Lee Williams explained:

"This is the annual software license and maintenance support that we pay (and we see annually)...it covers 3 major areas...it covers the annual license renewal (which we committed to when we purchased the software)...it also covers unlimited tech support 24/7, and that's including off hours shifts with nights and weekends (if the systems go down)...and it includes future upgrades to the existing software that we have...and I think what Mr. Fields will ask me is, 'How much was last years'?' It's the same amount—this is a multi-year agreement (year 3), and it's \$11,664 (same as last year)."

Mr. Paul asked about contract expiration.

"Fourteen," Mr. Williams said.

"Do you have to call them for support?" Mr. Paul asked.

"No—very stable system," answered Mr. Williams.

"Same as last year?" asked Mr. Thorpe.

"Yes sir," Mr. Williams said.

"Do they backup also—or is that something we do?" asked Council President Hess.

"They backup overnight, but they don't backup off site," said Mr. Williams.

3. Mr. Fields moved to authorize a purchase order to White's Service Center in the amount of \$21,965 for the purchase of a new 2013 Ford Utility Police Interceptor to be used by the Fire Chief (This was the lowest price of 2 quotes received / This will be charged to Fire Capital, and is not in the 2012 Budget); Mr. Evans seconded. Motion carried without objection.

Discussion -

Fire Chief Mark Keller addressed Council:

"This vehicle would replace the 1999 Ford Explorer we had...that's pretty much done in fire service...we want to replace it, basically due to mechanical issues."

4. Mr. Lokai moved to authorize the Director of Administration to enter into a 3 year contract (beginning Sept. 1, 2012) with Waste Management of Ohio, Inc. for the Residential Recycling Program (The cost per residential unit will be \$3.18 per month for the contract duration. This contract is renewable for up to 2 additional years at the same cost. This is a decrease in the cost from the \$3.62 per month that is charged under the current contract. The monthly cost to the City will be \$11,448. based on residential units. This is the lowest and best of 3 bids received. This will be paid from the Recycling Fund—from revenues collected from the Residential Utility Billing Accounts, and is in the 2012 Budget); Mr. Evans seconded.

Roll call vote to approve: Mr. Evans, yes; Mr. Paul, no; Mrs. Smith, no; Mr. Lokai,

No; Mr. Thorpe, yes; Mr. Hoffman, no; Mr. Fields, yes (4 No to 3 Yes)

“I have 3 yes and 4 no, so I guess we’re not going to be doing recycling,” said Council President Hess.

“You’re saying, Mr. Hess, that with this voted down—we’re not going to recycle after the 31st of August?” asked Mr. Thorpe.

“Bring your recycling tubs back,” said Council President Hess.

“No,” said Mr. Lokai.

Mr. Kerry Brugger said, “I think there’s more to that, Mr. Hess, and I was just...”

“Yeah—I think there’s quite a bit more to that—but I think we should explain that to them (probably) in the next meeting,” stated Council President Hess. “It’s unfortunate that we worked that hard (and that long), and that’s what happened.”

Discussion –

Mr. Doug Crabill explained:

“As you remember in May—we passed a Resolution through Council (after having much discussion about where to go with recycling in the future)—based on that Resolution, we went out and conducted a bid process to bring bids back to Council... also that Resolution extended our current agreement by 90 days...so our current agreement runs through August 31st. This new agreement would pick up September 1st, and would take over as a new contract...so we tried to follow Council’s guidance that we received in the Spring as to what we were looking at doing. Basically (what we ended up with when we put the bids together) was keeping a program that was essentially the status quo...the 18 gallon containers would continue to be used...but as you can see, there would be a decrease in the monthly cost (based on the competitiveness of the bids that were received). We also have an option that was put in Waste Management’s bid that (actually all bidders were asked to provide it)—what they would charge to provide the wheeled cart (that was discussed), which would be entirely an option for residents (they would not have to use that cart)...but it would be an option that would be available, if someone would like to have one (at no additional charge). There’s also a business recycling option, and I think I need to get a little more information on what defined a business...or what the thought on that was (John’s here from Waste Management tonight), but that would be a (not a mandatory), but like a sign out type program that would be offered for the same fee...so we got some good options with this bid.

The other thing also (that Waste Management put together) was...Kerry had expressed doing something different with the way our recyclables are collected in this building...and Waste Management (through this contract) has offered to provide a trash or recycling compactor for our building (here) at no charge...so we can do away with all the wheeled carts that are sitting out all the time (and kind of unsightly), but...we do generate a lot of recyclables in the building.

Those are just kind of some extras that go along with this contract, but ultimately—it’s a status quo program, and the cost would be reduced from where we are now.”

Mr. Hoffman (referring to a printout distributed to Council) said:

“The intention of the printout was to go back to 2006 (when the program began/to show what our recycling rates

were in tons, from 2006 all the way up to 2011)—the point of the document was to show that a recycling program in a community has actually helped to in-

crease recycling. I don't think anybody in here would argue that recycling is not a good thing (because it is). I just wanted to show that it's been beneficial to have an actual program in place for people to be encouraged to recycle."

Mr. Crabill added, "We found out from Waste Management during the process—we have anywhere from a 65-70% participation rate (and if I understand right), participation rate is defined as...even if someone only puts that bin out once in the month... like a senior citizen who may take a month to fill that bin, but they still put it out... they're seeing (based on the information they collect when they're running the route) that 65-70% of the residents are using the service...and I think that lines up with the amount of waste that's...recyclables that are being collected."

Mr. Thorpe noted being impressed with Mr. Hoffman's printout, and said, "...and with the reduction in cost (I assume we're going to have a small reduction in our water bill)—the only concern I have is, in the contract...is there a fuel cost adjustment?"

Mr. Crabill replied, "No--the fuel surcharges—we basically left that out, so we asked for this to be a price that would be good for 3 years (and renewable for up to 2 additional years)...so we did not get into any type of fuel cost adjustments."

"So—you're going to be at this \$3.18 for 5 years (roughly)?" asked Mr. Thorpe.

"If the full 5 years are exercised in the contract—yes," answered Mr. Crabill.

Mr. Lokai expressed 105% agreement that recycling is needed (as Mr. Hoffman supported with his printout). He noted he had talked with the EPA and the North Central Solid Waste District.

Mr. Lokai said:

"They want those big sacks of trash to go down, and they want the big sacks of recycling to go up—and this is happening! I don't think there's anybody in this room that is opposed to recycling. My concern becomes a financial (and mandatory) type of a suggestion. Those who were on Council when we talked about this in 2006—the opening bid back then was \$3.16...once there was only 1 bidder...that actually gave the 1 day a week complete city, it went up to \$3.62...so the price we are quoted now is actually going back to 2 cents more than we had the opening bid in 2007, I guess...or 2008, whatever.

The concern that I have is that—if we would pass this Board of Control recommendation, there really is no choice...this is what I've worked all the way through for the last 4 years, whether you use or not—you're going to pay for it! There are no options available—you have to pay it (whether you use it, or not)! That becomes a little bit (and I shouldn't probably use this strong a word...but I will...) it becomes a little bit dictatorial to the citizens of this town that we're making them do something that they don't have a choice in!

I think what is a better choice down the road (and it can be done) is that every carrier that offers trash collection also offers recycling...and then, if they want to put a charge for recycling in there, then let them do that (let them reflect that). Put it on the open market—let all the (4) carriers put that price in front of the citizens!

The other thing that is a concern of mine (and probably the biggest concern) is I think (and Lee I could be talking out of turn)—I'm not so sure that you, and Kerry, and Bill, are 100% in favor of collecting utilities on our utility bill...and I know DP&L and everybody else in there maybe...in some cities you put your electric bill

the city, gas bill to the city...I personally am in favor of not collecting any money for any company, and let that company collect the bill...and have them pay that person direct. If we have the recycling or the trash collection person (that say you're going with Company 'A') they can put that on your bill, and let the citizen know what you're charging...then the person out there (as the citizen) can look at this charge, this charge, and this charge...to see which one is the most competitive, as they will make the decision as opposed to us...so I do have some problems with making it mandatory for 3 years...this ballpark (roughly) \$500,000 that we're collecting, and giving to a company...that opens the door for other utility companies to say, 'This is a pretty good deal.' We're doing your work for you—and we get no commission off of it—some cities get 5% off of it, we get nothing for it!"

Mrs. Smith stated, "I believe in recycling—however I get citizens' calls—they don't like the idea that we're making them. They want to be able to choose...so they've got 30-40% out there that doesn't recycle, in which we should have 100%. I think we should listen to the citizens—I don't know how to do that, but I think we should listen to what they say...and what they want! I mean—I don't like being told that I'll have to pay for something to keep the city happy..."

Mr. Paul said :

"I think the numbers that Mr. Hoffman brought up needs to reflect the fact that everybody agrees with recycling...not to get long winded, but I agree with Mr. Lokai, and Mrs. Smith, Mr. Hoffman...pretty much everything I've heard...so I'm not going to rehash this."

Mr. Evans stated:

"I believe in recycling, and I believe in choice...but I also believe there are times that people that elect people, expect you to make decisions...and we were asked (as a Council) to give the Administration some directions on what we would like to see moving forward in the recycling program...and actually (looking at the bids) they pretty much put in the bid package as what we asked them to put in there...so (like I said) you know...I believe in choice and I believe in recycling, but I also believe that the citizens (that we're talking about) elect us to make these vital decisions... and I believe that the recycling program is working...and that we ought to pass this recommendation.

Now—as far as having vendors or trash collectors that—I guess I don't see City Government telling a business that if you want to collect trash in the City of Urbana you have to offer recycling...that's the other side that could be dictatorial to a...private company that wants to do business in Urbana...to look at a company and say, 'If you want to pick up our trash, you're going to have to provide recycling,' I think that goes just as far the other way."

Mr. Fields said, "I kind of agree with Al—and it is a savings as to what it was before."

Mr. John Minear (Waste Management Representative) addressed Council, Administration, and all others with an invitation for questions.

Mrs. Smith asked Mr. Minear, "Why can't you guys send a bill, and do the collecting yourself?"

Mr. Minear replied, "We could—but the specifications were...you know...made that...choice...some communities do it...the difference is, if you have us do it—

your price goes up (because there's a cost to do it—there's also a cost of collections) whereas a community has the ability to collect revenues much easier than a private company...because (quite frankly) some people will not pay...they just won't, and then we have bad debt that gets accumulated...and there's a cost to that bad debt...and depending on the community, bad debt can get as high as anywhere between 10-15%...which just increases the cost for everyone else, so when a municipality does put it on their utility bills the cost is reduced to the citizens.”

“He's correct—that's how it was put together—so, knowing that it would cost more if we had an outside company do their own billing,” Mr. Crabill interjected.

“5 years ago, or 6 years ago—we were looking for the cheapest way to do this—and that's why we did it this way,” said Council President Hess.

“So—if I decide that I'm not going to pay my water bill (which also contains the recycling bill)—who gets stuck eating the cost?” asked Mr. Paul.

“Every bill gets paid,” said Mr. Crabill.

“To who?” asked Mr. Paul.

“To the City,” Mr. Crabill replied.

“To Waste Management—they get paid back every month, regardless if—everybody in Urbana says, ‘I don't want to pay for this anymore, I'm not paying any money to my utility bill’ we're still writing a check for almost twelve grand to Waste Management,” stated Mr. Paul.

“Correct,” said Mr. Crabill.

“They have no risk in this at all—we're assuming all the risk for collections,” said Mr. Paul.

“Right,” Mr. Crabill said.

“...so if somebody doesn't pay, we're eating the cost—it's not...” Mr. Paul said.

“...but we're not eating any cost (and Lee can speak to that), but we collect...just like a water bill, a person can't move in and take over that water account without it being paid current...I mean, I think occasionally there might be 1 that gets put on the tax rolls, but (again) eventually it gets paid,” stated Mr. Crabill. “...so I mean, that's a percentage...I bet you it's less than 1% that we're not...”

Mr. Paul interjected, “...but to me it seems like that's almost apples to oranges...between a water bill (which is a utility) and recycling (which is an individual company providing a service).”

“No you don't understand—but when we did this originally (in order to save the citizens money), we did it this way...we could've done it the other way, and they would've assumed the risk...and then it would've been another (what) 10-20% more—you guys, talked about back then?” asked Council President Hess.

“We did this to save the citizens money,” added Mr. Evans.

Mr. Crabill said, “Essentially what you do is you take that amount—that \$3.18, and times the 3,600 households...and they send the City a bill for that amount...and that's what gets paid.”

“Right—regardless?” asked Mr. Paul.

“Correct—but we're not eating anything—I mean, if...I think the fund has actually...has brought a little bit ahead (but not by much)...so...it's a break even proposition,” Mr. Crabill stated.

“So—what did I miss—if I decide not to pay, what did I miss?” asked Mr. Paul.

Several replied, "Your water."

Council President Hess again noted the savings back when to the citizens.

Mr. Crabill said, "The reality is—if you have 5 different trash companies all offering recycling, you're paying for 5 different trucks to drive down the street to pick up recycling...5 different...don't shake your head, Larry, because there would be 5 different companies driving down the street picking up recycling versus driving down 1 street and picking up (you know—in a block, 12 bins instead of 2 bins)! It's just simple routing and mathematics—that's the cheaper option. That's why it was done this way..."

"I was shaking my head for a reason, but I'll talk about that later," Mr. Lokai said. "Okay," said Mr. Crabill.

"...but don't correct me like that," stated Mr. Lokai.

Mr. Fields said, "You remember that (like Larry had said earlier)—that their first bid was \$3.16, and (for some reason) it went up to \$3.62..."

"It had to be rebid—Council voted down recycling, and it came back...and it got rebid...and it cost everybody 50 cents more per customer for the last 3 years," Mr. Crabill replied.

Mr. Minear stated:

"There was trash included with that...so there was a trash bid, and a recycling bid...so there was a combination of 2 services combined...so that also helped to reduce the recycling cost, because you had the entire city's trash...so (for a company like ours) we look at integrated costs as well (you know) for the trash, as well as the recycling...so you contend a discount the one over the other...uh-huh... depending on how you want to do your business model...so that's why that price was so low. When the trash was taken out (and you didn't have that), then the price went up to the \$3.62."

Mr. Evans sought clarification (with the old contract), "If you remember—the reason we voted it down and it cost the citizens the extra 50 cents, was because that proposal would basically put a local company out of business...so in an effort to keep a local company viable we (the Council at that time) voted that proposal down for trash and recycling from 1 vendor...so that we could keep our local people working...so consequently, we've had to go back out for bid...and when Waste Management rebid, it was bid out of our price...but we didn't... it's not like we felt the acting cost...cost the citizens extra money...we acted, because we were trying to keep a local company in business."

"I think you'd have to go back and reread that—it was essentially the recycling was its own number—I mean, I had to research this a lot, and the recycling (was its own number), and because of all the controversy about implementing the program it was voted down...and then EPA came back, and said, 'You still need to enroll in the program.' It was rebid, and because the bids were on the street (and they had already revealed their prices)—they went higher the second time around."

"I thought there was an issue with..." Mr. Evans said.

"No—and we did receive pay-as-you-throw bids, and so that was part of the mix," said Mr. Crabill. "Actually, what came to Council after they voted essentially not to go with pay-as-you-throw was for the recycling only option."

"The pay-as-you-throw was what was going to be the problem," said Mr. Evans.

“Yes—yeah—you’re right,” added Mr. Crabill.

Mr. Hoffman said Mr. Crabill’s remark about more trucks on the road couldn’t be disputed, and said, “I’ve got a problem with the City collecting the fees—I’ve got a problem with the fact that the citizens have really no choice—I do see what Al’s saying, that as a Council (there are times) that you have to make decisions on behalf of the city. I don’t want to make a decision here that negatively impacts recycling in the city—I think there can be some common ground (potentially). Does it happen this go ‘round? Does it happen the next go ‘round? I think there’s a better way to help satisfy everyone. I know I personally like to make choices—I know what Marty said—it may be cheaper to pool your resources, I don’t think you can dispute that...but for me it comes to the core of the citizen, and not being able to have a choice! I know (typically) as choice goes away...quality of service (typically diminishes...now I’m not saying that toward Waste Management, because I don’t believe that to be true...but in general, that can (sometimes) be the case.” Mr. Hoffman praised competition as ‘a good thing,’ and said it helps to drive price(s) down.

Mr. Thorpe said, “I disagree thoroughly with Mr. Hoffman—this has been the easiest way to do this, is to get billing through the City. If Waste Management has to bill each individual person—like he said, they’re going to have collection problems and everything else (which we do not have with the water bill)...the only thing I’ve got objection to (I guess) is...if you have an empty house, but have the water turned on...you still collect the \$3.62 for a month for that house.”

“Yeah—it’s on the bill,” Mr. Crabill confirmed.

“I don’t know how you’d do it, but I’m sure with the computer system today...that could be eliminated, and what objection would you have to that?” asked Mr. Thorpe.

Mr. Crabill replied:

“Well, I think their number stays at 3,600—for the length of the contract, because you’re going to have units that are—we tried to compare what’s actually in the system today...and tried to come up with a round number...a number that would be stationary, but we know we’re going to have numbers that might be higher (or a bit lower)...depending on (you know) foreclosures, or whatever situation may create an absence in the bill...or new units coming online...so that’s why the 3,600 was decided upon...and (if I’m not mistaken) there is a way to turn your service off during...like a...for snowbirds (for example)...so that might answer that question...but that 3,600 number is a round number that links with what our average residential users are...”

Mr. Minear stated:

“The bid specifications stated to the haulers that there was slightly over 3,700 customers (water users in the city), and we were required to supply the number that we would charge for...Waste Management selected a lower number for that purpose, Councilman Thorpe—because there is an average there...we know that people are going to go on vacation, we know that there’s going to be some vacancy...so that’s why we selected...instead of going with the 3,700 number (which we could’ve specified), we went to a little over a hundred homes less.”

“So you’re collecting the 3,600?” Mr. Thorpe sought to verify.

“Yes,” Mr. Minear replied.

“I just want to comment that more and more people ought to be on the recycling program,” said Mr. Thorpe. “Last Thursday (I go around this town), and it was fantastic the amount of stuff that Waste Management will pick up! If that was all going into a landfill, it would be a tremendous amount!”

Mr. Lokai said, “I would have to agree with Doug...Bob (I’m sorry—I can’t 100% agree with you), but that’s okay...that’s why we’re here... there is a way of collecting (and Waste Management knows that)...I have talked to other cities...there are some cities that (and you can check them out) they put the recycling cost in their trash bill...and if you don’t pay your recycling charge, they don’t pick up your trash...it’s as simple as that! The city of Urbana (and you can quote me on this) needs to get out of the business of collecting money for a company...”

Mr. Lokai made reference to Ordinance No. 4265, and stated, “Trash collection companies...Waste Management haulers can (if they want to) stop picking up your trash. When the trash starts piling up at your house (guess what)—you will do something! I really can’t support this recommendation, because I know there is a better way.”

“You pick up trash for people in Urbana—how do you bill them?” Mrs. Smith asked Mr. Minear.

“We bill them on a quarterly basis,” Mr. Minear replied.

“Okay—so if you can bill them on a quarterly basis, why can’t you bill them to pick up their recycling?” asked Mrs. Smith.

“We could—the billing issue is not an issue for us—we can do it...when we bill it costs more money...” said Mr. Minear.

“Correct,” said Mrs. Smith.

“...because you build in the billing cost, you build in the bad debt, and you build into all of that...Councilman Lokai’s point is, if a contract that you have allows for you to shut off their trash...you can do that...we have contracts with municipalities where we collect trash and recycling (it’s all included in the bundle package), and communities do not allow us to shut that off regardless of whether we collect our money,” explained Mr. Minear. “There’s other communities—a good example is the city of Kettering—we bill for trash and recycling...we can shut them off...we still have cost to drive by...we still have cost to collect that debt...when you do those things it’s...(as Doug stated), it’s simple math...if our costs go up, we’re going to pass those through...and that’s what you see here, is if we had the bill you would see about a 40 cent per month increase to...just to do the billing, and then you’d have another portion to figure what the bad debt here is...so all of that would have to be calculated and factored in, but it’s not an issue for us not to...it’s just an issue of how much do you want your residents to pay, and how you want to structure that.”

Mr. Thorpe added, “I think another thing for people to understand—there’s 1 recycling carrier in town, but there’s more than 1 trash pick up (carrier), and it would be a tremendous job to separate those all out...and bill them individually...”

Council President Hess told Mr. Thorpe that Mrs. Smith had the floor.

Mrs. Smith said, “So—did you and Doug, or you and the Administration sit down and say, ‘This is how much I’m charging now,’ for people to pick up their trash...”

they can have this price...and then you say...you discuss it with them that if I add recycling to that, then their trash will go up...or did you discuss that?"

"We did not get into trash at all," Mr. Crabill replied. "In our preliminary discussion we talked about that option again, because more and more cities are going to that option...but based on the input we received from Council, we went forward with recycling only...essentially trying to maintain what we have."

"You mentioned EPA—now—are they the ones that told us that we had to recycle, and if we didn't...we would be penalized for something?" asked Mrs. Smith.

"It's a little bit confusing, and gray...my understanding of it is that we are part of the North Central Ohio Solid Waste District...they had a plan that has expired since the last recycling contract was put in place, but that plan was written (in part) by the Ohio EPA...and part of what they wrote in that plan was to offer curbside recycling in the city of Urbana, and to have a non-subscription service (which is what we've had), and because of (I think) Ohio EPA had been involved in that plan they pushed the Waste District to try to move that plan forward...and at the time, there was a lot of debate and discussion about it...and basically, to help the District comply with the plan to keep the District in compliance (which—we were part of the District)...the program was put in place. Since then—that plan expired—there's been a new plan put in place, but that plan essentially says that the City will continue having a curbside program (a non-subscription service)."

Mr. Paul asked, "So—I looked over the Resolution that was passed by Council (I think it was in 2008), as well as the Ordinance that ends up in the books. The Resolution said non-subscription, the Ordinance said subscription...so...can you just give a brief...what's the difference between the two?"

"A non-subscription is what we have now where essentially all residential units are participating...there's no sign-up, basically it's automatic...the inverse of that is what Mr. Lokai has mentioned of doing a program where essentially it would be a free for all where businesses can come in and offer the service...in addition to their trash service," stated Mr. Crabill. "That option is out there, but then (if you have that mechanism) and you put...that a hauler has to offer recycling, then you have to have someone essentially policing that...you know...knowing who all the haulers are, what they're offering...which becomes another cost to the City essentially by trying to monitor something like that."

Mr. Paul asked, "Well, could that be done through some kind of a yearly fee, or licensing type of thing through the haulers?"

"I think there are places that do that," answered Mr. Crabill.

"I know there are places that do that," said Mr. Paul. "I know that could be one possibility."

"I think you just get back to the 1 truck concept (picking up house by house), and having the street to pick up essentially...versus multiple trucks picking up just a few houses," said Mr. Crabill. "Essentially people would be paying (I think) more money by having to subscribe themselves."

Mr. Paul replied, "So in some respects...I kind of think the system we have now...okay yes, we're trying to save some money, but it's a conscription. It's not the subscription...you're doing it whether you use it, or not. In my mind—I use it—I have an issue with not allowing competition."

“You’ve got to have competition in the fact that you had 3 sealed bids (received from 3 different vendors)...the other thing we also tried to do in this case, was to make sure we covered our bases as far as options...we asked for 1 day, 3 day, and 4 day options,” stated Mr. Crabill. “...and I believe on the 1 day option (which is what Waste Management has preferred to do), we ended up receiving 2 other competitive proposals (sealed bids)...so essentially competition has been there in the marketplace...whether we did it, or the citizen did it...it’s not like we went out and pulled a number arbitrarily out of the air...and from what I understand (from talking to the Waste District) we got a really good price compared to what they’ve seen in other places when it’s a recycling option.”

“I know that basically—the mandate is—we have to have a plan,” said Mr. Paul. “That’s it—there’s nothing built around that that says you have to collect a certain amount of tonnage, or you have to have anything other than you have to have a plan ...so I mean it could be anything...we could say multiple companies come in...we could say we’re going to leave things as they are...but there’s no specific rules around what that plan’s supposed to be...but we’re pretty much free to do almost anything...”

Mr. Kerry Brugger corrected, “Well, not necessarily—because if you remember right—we have Ordinance 4265, which is local law...if we choose to do something different, you need to tell us what that is...because we’ve done everything you’ve asked us to do, and I don’t know where else we can go.”

“When did the original contract expire?” asked Mr. Evans.

“Over a year ago,” Mr. Crabill responded.

Mr. Evans stated:

“We’ve kicked this can down the road for a year—some Council Members weren’t on Council when the Administration came to Council initially, and asked us for some direction...so some of you folks didn’t have any input...but the Council sitting at that time gave the Administration the direction that we wanted to go in with this recycling...like I said, we kicked the can down the road for a year...I don’t know how we can...I don’t think it would be a good idea to scrap the program, and start all over from scratch...especially when does this...our extended agreement...” “August 31st,” Mr. Crabill interjected.

Mr. Brugger made reference to an email sent out defining a timeline/summary of ‘the last contract, where things are.’

Mr. Evans summed up by saying, “Each Council Member has legitimate arguments about recycling.”

He urged Council to ‘go ahead and put this recommendation into play.’

Mr. Fields concurred with Mr. Evans’ remarks, and added, “There’s no sense in...to keep on riding this horse...I call for a vote.”

“Before we vote—we have 1 more carrier out there that has not had the opportunity to say anything...if anybody had any questions, I think it’s only fair business practice,” Mr. Lokai said.

“A recycling carrier? This is a recycling discussion!” stated Council President Hess.

“That could recycle,” said Mr. Lokai.

“I mean—nothing against Robert’s Refuse, but they didn’t bid...so I don’t think

this has anything to do with this discussion,” Council President Hess insisted.
“Okay,” Mr. Lokai replied. “We’ll wait until later.”

Mr. Brugger pointed to the B.O.C. Footnote (and summary worksheet), and announced the savings involved. Mad River Topsoil is working with the City.

Citizen Comments

Mr. Bill Kelley (DP&L) addressed Council regarding the recent storm, and solicited questions. 75 out of 88 counties reported major storm damage. He discussed DP&L response to the devastation (205,000 customers were affected). Mutual aid crews came to Ohio from as far as Oklahoma and Wisconsin.

“I think the utility company did a great job—I know that there were some people that were out of power for an extended period of time, but when you consider the amount of damage that was done,” stated Mr. Evans.

“Initially people were pretty impatient, but once they started understanding the magnitude of the storm—not only for this area, but all of Ohio (and all of the eastern part of the country) they got more gracious with us...so...appreciate that,” Mr. Kelley said.

Mr. Evans commented regarding how ‘emergencies kind of bring out the best in people...neighbor helping neighbor.’

Mr. Paul said, “Great job!”

Mrs. Smith agreed with Mr. Evans.

Mr. Lokai briefly mentioned telephone calls regarding other electric carriers.

Mr. Kelley stated:

“That’s—for the generation portion of your bill (generation/transmission which is about 65 to 70% of the bill)—and get discounted, there are multiple companies offering those discount programs including DPL Energy Resources (that’s one of them), in addition to First Energy, ADP, and there’s a list of others on our website...and on the PUCO website, but it does get confusing for people...there’s a lot of transition, and activity going on with the electric industry.”

“I just don’t think the City needs to be involved with that at all—that’s all I have to say,” said Mr. Lokai.

Mr. Thorpe told Mr. Kelley, “I think you’ve done a wonderful job—even though I was out of electric 16 hours, but actually I had a chance to talk to my wife!”

Mr. Hoffman also expressed appreciation to Mr. Kelley.

Ordinances and Resolutions

Third Reading –

There were no Third Readings at this Meeting.

Second Reading –

RESOLUTION NO. 2371 – (*Read and declared a Second Reading)

First Reading –

RESOLUTION NO. 2372 –

A RESOLUTION AUTHORIZING THE ANNUAL COLLECTION OF DONATIONS FROM THE GENERAL PUBLIC TO BENEFIT THE MUSCULAR DYSTROPHY ASSOCIATION IN COMPLIANCE WITH SECTION 371.06 OF THE URBANA CITY CODE

Urbana Firefighter Jason Croker (Pres. Of Urbana Firefighters Local #1823) addressed Council regarding this Resolution. He explained for the benefit of the new Council

Members (and others) the reason for this collection, and the procedure. Last year, over \$4,800 was collected—the last 3 years totaled close to \$26,000.

Mr. Lokai moved to place Resolution No. 2372 on the business floor for discussion and passage; Mr. Thorpe seconded. Motion carried without objection.

Discussion –

Mr. Thorpe asked, “Who is personally responsible for stepping out in front of a car? Is it coming back to the City on that, or...is that your personal...?”

Firefighter Croker replied, “In starting with (probably 2 years ago) we eliminated on duty fire personnel participating in this, so this is completely a volunteer effort by the Urbana Firefighters on their off duty and personal time...with that being said, the Muscular Dystrophy Association has an insurance policy for each and every participant...that I believe is up to a million dollars.”

Mr. Paul asked Firefighter Croker to announce the dates and times again.

Mrs. Smith asked why the particular location.

Firefighter Croker defined the historic reasons for the location, primarily pointing to the availability for firefighter quick response to emergencies in the past. Currently,

Firefighter Croker defined the location as now traditional, and noted that citizens know this place as the collection point for this drive.

Miscellaneous Business

Mr. Fields - Nothing at this time

Mr. Evans - Nothing at this time

Mr. Paul - Nothing at this time

Mrs. Smith - Nothing at this time

Mr. Lokai - Said, “I know that we did not accept the Board of Control’s recommendation, but there is another step to that...if you look at (Ordinance) 4265, it has an implementation plan in there...if we were to rescind Ordinance No. 4265 tonight with no notice, it takes a two-thirds vote (and that’s 5 of us)...if we give notice, and that’s what I want to do for the Agenda of the August 14th meeting...put it on the Agenda, to rescind Ordinance No. 4265, it would take a majority vote then...because there’s prior notice given for that...that then would put us back to the original Ordinance to have a recycling program...we could set it up appropriately (and implement it in a reasonable fashion)...it would not take 3-4 months, we would not have to go out to bids/quotes...in other words, what you would say is basically, ‘I’ve talked to other cities—you, the hauler of trash, will supply recycling to your customers.’ You can put whatever fee you want in there...then it’s up to you (the hauler) to collect for those fees—not the City of Urbana! I did talk with Skipp earlier today, and it does have to be rescinded...but I would like to get that on the Agenda for the August 14th meeting.”

Mr. Thorpe - Nothing at this time

Mr. Hoffman - Mentioned the upcoming Fair; Briefly mentioned the flashing lights at the train tracks on Edgewood, and vision/safety issues

Police Chief Matt Lingrell –

Announced statistics of the ‘Drug Drop Off’ on July 21st; Announced The 2nd Annual Law Enforcement Night Out (Aug. 2- from 7-9:30PM), at the City Pool

Mr. Stokes - Provided Swim Team results (3rd out of 16)

Mr. Crabill - Nothing at this time

- Mr. Hall - Nothing at this time
Mr. Williams - Nothing at this time
Mr. Brugger - Provided statistics about the Computer Collection Activity (220 donations, averaging about 150 pounds a piece); Announced the Miami St., and North & South Main St. portions of repaving that was scheduled to begin this week was delayed a week by ODOT
- Mayor Bill Bean –
Mentioned he, Mr. Brugger, and Ms. Marcia Bailey were invited to ORBIS (new equipment/presses were expected in)...a ribbon cutting was held; Mayor Bean said he appreciates everything ORBIS is doing, and he looks forward to the company staying in Urbana a long time
- Council President Hess –
Announced a Work Session following with the projected topics

Adjournment

Mr. Thorpe moved to adjourn the meeting to move into the UCC Work Session; Mr. Fields seconded. All were in favor of adjourning the UCC Regular Session to move into the Work Session (*Time of adjournment was not recorded in the absence of the Clerk).

Council Clerk

Council President