

**URBANA CITY COUNCIL
REGULAR SESSION MINUTES – JANUARY 8, 2013**

Urbana City Council President Marty Hess called the Urbana City Council Regular Session Meeting of Tuesday, January 8, 2013, to order at 7:00PM, in Court Chambers / The Municipal Building.

Attendance – All Council Members 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

Roll Call & Pledge of Allegiance

Brief Presentation

Mr. Jack Keegan, Public Information Officer (PUCO) addressed Council regarding “The Emerging Electric & Natural Gas Industry in Ohio, Inclusive of Energy Choice & Government Aggregation” (*See Council Files for Full Documentation)

Mr. Robert Thorpe questioned Mr. Keegan regarding telephone calls received identifying as DP&L, but then changing to ‘Clear Energy,’ and large monetary amounts mentioned over the telephone for changeover. Mr. Thorpe questioned whether these telephone calls involve misrepresentation.

Mr. Keegan pointed to rules requiring companies to identify themselves, and advised anyone receiving such calls to ask for the name of the person calling. He added that misrepresentation should be reported.

Mr. Thorpe encouraged people to ‘listen to the whole story.’

Mr. Dwight Paul asked for a contact name/number, if there are questionable marketing tactics taking place. Mr. Keegan referred to the division number on the utility billing, and advised to ‘call your utility first.’ He also said there is contact information among the literature Council had previously received.

Mr. Larry Lokai commented that Mr. Keegan did ‘a good job explaining the information,’ and added, “Tell your supervisor to give you a raise!”

Approval of Minutes

Mr. Thorpe moved to approve the UCC Regular Session Minutes (December 18, 2012); Mr. Eugene Fields seconded. Motion carried without objection.

Communications

1. Mr. Thorpe moved to place the LUC Regional Planning Commission Executive Committee Meeting Minutes(December 13, 2012) on file; Mr. Lokai seconded. Motion carried without objection.
2. Mr. Lokai moved to place the City of Urbana Board of Zoning Appeals Minutes (September 10, 2012 & October 8, 2012) on file; Mr. Thorpe seconded. Motion carried without objection.
3. Mr. Lokai moved to place the City of Urbana Design Review Board Minutes (August 27, 2012 & September 24, 2012) on file; Mr. Paul seconded. Motion carried without objection.
4. Mr. Al Evans moved to place the City of Urbana Planning Commission Minutes (August 27, 2012 & September 11, 2012) on file; Mr. Lokai seconded. Motion carried without objection.

Administrative Reports – Board of Control

1. Mr. Lokai moved to authorize a purchase order to CMI in the amount of \$14,020 for

the annual Data Base support, AMS RMS query, and Authority RMS (This will be charged to the Police Division, and is in the 2013 Budget); Mr. Paul seconded. Motion carried without objection.

Discussion –

Police Chief Matt Lingrell addressed Council: “This is our annual renewal for our Records Management System...if your recall, prior to 2011...paid \$28,620 for this service, and in 2011 we switched to how we received our LEADS (the information from ILINKS which charged \$14,500 a year)...and we went with RED Hawk to save the City some money...so we (year-to-year now) we save \$12,500. This runs everything...the car computers, the Division computers...lets us communicate with the 911 Center.” “Thanks for saving us money,” said Mr. Fields.

Mr. Paul asked, “When you switched systems—did you lose any capabilities, or anything?”

Chief Lingrell replied, “I’ll actually say it got better...because when you’ve got a problem and you call Red Hawk, they help you.”

2. Mr. Lokai moved to authorize a purchase order to Smartbill, LTD. in the amount of \$36,000 for postage to mail monthly utility bills (This will be charged to Utility Billing, and is in the 2013 Budget); Mr. Evans seconded. Motion carried without objection.

Discussion –

Mr. Lee Williams said, “This is the fee we pay to Smartbill for them to handle our third party billing (postage).”

“So this is just postage?” asked Mr. Paul.

“It’s postage, and the handling fee,” Mr. Williams responded.

“Okay—so it’s basically everything Smartbill is going to charge us—is that up, or down over last year?” asked Mr. Paul.

Mr. Williams described simple ‘tweaks.’

Mr. Doug Hoffman said, “If it was just postage, I would think there may be better ways to distribute, but they’re actually taking our data and putting it in the form of a bill...I mean, that’s more than just getting it to the house.”

Mr. Doug Crabill indicated it can be emailed (as long as it’s a business day).

Council President Hess encouraged any citizens desiring to have their bill emailed to come to the Utility Office to sign up.

“If you get it emailed—and now the cost of that business goes down, how does that impact the City to get it emailed?” asked Mr. Hoffman.

“It would be a savings to the City,” replied Mr. Williams. “They would still charge us for the transaction portion, but not the postage portion.”

Mr. Hoffman questioned the possibility of a rebate to customers.

“Well—we’re on a discount—we’re not paying the full 45 cent first class rate,” Mr. Williams stated.

3. Mr. Thorpe moved to authorize a purchase order to Purvis Brothers in the amount of \$155,000 for fuel for 2013 at the Airport (This will be charged to the Airport, and is in the 2013 Budget); Mr. Fields seconded. Motion carried without objection.

Discussion –

Mr. Williams said, “This is just opening up a P.O. for the Airport to sell fuel at a profit.”

Mr. Fields added, “The key word is ‘profit.’”

Mr. Lokai encouraged passage of this item to sell fuel, to make a profit.

Mr. Thorpe asked, “This is paid in increments?”

“It’s paid in...yes sir...as delivered,” said Mr. Williams.

4. Mr. Lokai moved to authorize a purchase order to the Auditor of State in the amount of \$24,030 for audit services for 2013 (This will be charged to Non-Departmental, Water, and Sewer Divisions, and is in the 2013 Budget); Mr. Thorpe seconded. Motion carried without objection.

Discussion –

Mr. Williams said, “This is standard...year-over-year Auditor fees, nothing different.”

“...and they were here, or...they haven’t come yet?” asked Council President Hess.

“They’ve been here, and...they’re back,” replied Mr. Williams.

“This is just the Water & Sewer Divisions?” asked Mr. Thorpe.

“Water and Sewer...and General Fund (which is Non-Departmental),” said Mr. Williams.

“We’re paying the State \$24,000?” asked Mr. Thorpe.

“Yes sir—to check me,” said Mr. Williams.

5. Mr. Thorpe moved to authorize a purchase order to CleanAll Services in the amount of \$18,000 for Municipal Building cleaning services for 2013 (This will be charged to Public Works, and is in the 2013 Budget); Mr. Fields seconded. Motion carried without objection.

Discussion –

Mr. Doug Crabill explained: “This is continuing the cleaning company that we had starting like mid-year last year (I think we started...maybe in August). They work M-F in the evening, and clean the major common areas of the building (including the hallways, the bathrooms, and all of that). This does not expand upon that, so it’s still going to basically be hallways and bathrooms...and entrances, and that type of thing. Stuff that the public sees most frequently, so that’s going to continue in 2013...and this also includes some money to do floor care, window cleaning, things like that. I’ve actually developed a schedule for 2013...so it will trigger some of those extras as the year goes on...carpet cleaning, and things like that...so this is inclusive of that as well...there should be a not-to-exceed...”

Mr. Fields questioned whether this is within the scope of the agreement completed back in August.

“Yes—it’s basically a continuation,” answered Mr. Crabill.

Mr. Paul complimented the appearance of the building as ‘looking much better,’ and encouraged continuation of the same.

Mr. Lokai noted this as a ‘good deal,’ and encouraged Council to move forward for passage.

6. Mr. Paul moved to authorize a purchase order to CDM Smith, Inc. in the amount of \$970,000 for the construction services contract for the new Water Pollution Control Facility upgrade and expansion (This expenditure will be funded entirely by an OWDA (DEFA) loan / Attachment to Council); Mr. Fields seconded. Motion carried without objection.

Discussion –

Mr. Chad Hall addressed Council: “I don’t know exactly what your attachment is—

Exhibit A of the contract gives a good break down of what this \$970,000 is being spent for. A few of the highlights...now this is just for the construction services as the plant (the new facility) is being built.

CDM Smith will have an on-site representative...onsite, every day as needed... meaning 'as needed' is if...weather delays, holiday shutdowns (you know) any of those kind of things...that's to include a 21 month construction time frame for that on-site representative."

Mr. Hall elaborated on prints and plans, as well as coordination (conducting) monthly meetings for those involved in the construction process, review of change orders, pay requests, and the start-up & training of the new facility. Manual development, along with a standard operating procedures plan and emergency action plans were also mentioned.

"I thought it was a very easily understood contract," Mr. Hall added, while pointing to Mr. Dave Stewart (of CDM Smith) in the audience.

Mr. Hall invited questions.

Mr. Fields asked, "Is he going to be on-site?"

"Is Dave? Dave will be making visits," said Mr. Hall.

"Well, yeah—I know we've had a long work history with him," Mr. Fields said. "We appreciate everything he's done."

"When's all this going to start?" asked Mr. Evans.

"It looks like construction could potentially start June or July—we've still got—I'll be coming back to Council with some other documents...and then once construction does start, we're looking at (roughly) 2 years," stated Mr. Hall. "If we could have both sides of the facility completed (up and running) by July of 2015, that's kind of our goal."

"...and this upgrade will give us the capacity to go through...?" asked Mr. Evans.

Mr. Hall said, "I would hope to get...unless we get another Weidmann...I would hope that...I would be more than glad to take another Weidmann...I think we should easily get 15 years/20 years out of it. We're going from 3mil gal. a day average to 4 and a half...currently, we're at a peak of 5 mil a day...we're going to 9...so we've got some capacity available..."

"I guess my point is—we're building a facility that's going to be able to handle it," said Mr. Evans. "...any increased capacity, and we're not going to have to do this again in 5 years."

"No," replied Mr. Hall.

Mr. Lokai said: "I've talked to Chad about this on quite a few occasions, and I know that we had some different kind of concern with the Water Plant (where you had 1 person designing, 1 person constructing, and I think 1 that manages)...what this is...you have the same person designing as doing construction. If you're in the construction business you like to have a lot of change orders, so you can make money...but if you're in business (what we're in, and what we're supposed to be doing) is to save money...I think if you look at the long range plan of it, we've got the same person designing and constructing...that probably will have fewer change orders, because they know what the right hand and the left hand are doing..."

Mr. Thorpe agreed with Mr. Lokai regarding building and design.

Mr. Hoffman said, "A million dollars—this has everything in it you needed to have

in it..."

"I might add too...that that price \$970--- is not to exceed, so he's said they're actually going to manage the pricing all the way through...so we will not pay more than that amount," stated Mr. Kerry Brugger.

Council President Hess asked, "Is there any liability coverage on their end—for anything—that would happen?"

"Yes—we do carry professional liability insurance, and automobile insurance—all the insurances required for construction...and it's required of all our subs also," Mr. Dave Stewart responded.

"We just want to make sure that if something would happen, that somebody will be responsible," said Council President Hess.

7. Mr. Fields moved to authorize a purchase order to Urbana City Schools in the amount of \$13,112 for taping City Council Meetings, and for miscellaneous events throughout 2013 (This will be charged to Non-Departmental expense, and is in the 2013 Budget); Mr. Paul seconded. Motion carried without objection.

Discussion –

Council President Hess asked, "Very straight forward—like last year?"

"Exactly," said Mr. Williams.

"What we've done is—basically wanted to make sure we had the p.o. in place to keep the service going throughout the year—I know the LAC is in the process of reviewing (ongoing) the overall project, and how we want to handle this," said Mr. Brugger. "We thought it was important to go ahead and get this in place—we took current pricing, just extrapolated over 12 months, and we added a couple of events in there just to get this (p.o.) moving," stated Mr. Brugger, who also complimented the service received.

Citizen Comments

There were no Citizen Comments brought forth.

Ordinances and Resolutions

Third Reading –

ORDINANCE NO. 4388

Mr. Evans moved to place Ordinance No. 4388 on the business floor for discussion and passage; Mr. Lokai seconded.

Roll call vote to approve: Mr. Fields, yes; Mr. Evans, yes; Mr. Paul, yes; Mrs. Smith, yes; Mr. Lokai, yes; Mr. Thorpe, yes; Mr. Hoffman, yes (7-0)

Discussion –

Council President Hess asked the amount of the partial reimbursement. There was no stated amount.

Second Reading –

RESOLUTION NO. 2380

*Read and declared a Second Reading

Discussion –

Mr. Crabill reviewed (explanation) of the Resolution as stated at the previous meeting.

Mr. Paul asked about the pole lights, spacing, and state regulation.

"I'm not sure on that honestly (what the spacing is)—I know that the spacing from like Miami St. (that was an enhancement project 5, 6 years ago), actually on Scioto St. is

further apart...so I don't know if (in the design) they will space it much further...I'm not sure," said Mr. Crabill. "The letter of intent is due February 1st, so we can wait for the Third Reading."

RESOLUTION NO. 2381

*Read and declared a Second Reading

Discussion –

Mr. Crabill reviewed this Resolution again, as stated in the previous meeting.

"This one is due March 1st, with pre-application February 15th," he said.

First Reading –

RESOLUTION NO. 2383 –

RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT FOR THE HOUSING REVOLVING LOAN FUND ADMINISTRATION AGREEMENT WITH THE OHIO DEVELOPMENT SERVICES AGENCY (GRANTOR) AND THE CITY OF URBANA (GRANTEE)

Mr. Crabill provided an explanation (and requested a Suspension of the Rules, and Passage): "Basically the City has what they call a Program Income Fund...both for Home Funds, and CDBG Funds that have been received in previous years by the City. Most of the program income that's in the fund is from old house loans that were made by the City decades ago...back in the 80s...and basically, for the City to continue to have these funds on hand in the City (as an account), we have to sign an agreement every 3 years basically setting out the terms of those funds sitting here in the City. You may recall—this is the same pool of money that we requested a waiver about a year or two ago to help 'The Caring Kitchen' with the heating unit...there was a process that we had to go through with the State in order to spend that money for that purpose...so basically, every 3 years we have to sign this agreement to keep the money on hand...to say that we're going to administer it the way the agreement spells it out."

Mr. Crabill defined monetary figures at the request of Mr. Fields.

Mr. Crabill explained why the Resolution needed to be passed, and noted that Mr. Lokai had questioned this (Rules Suspension & Passage) prior to the meeting. The State sent this via email on December 24th.

Mr. Lokai touched upon the three reading rule, red flags, and the reasons why there are three readings. Mr. Lokai expressed appreciation for Mr. Crabill's explanation.

"It was late coming back from their legal department," said Mr. Crabill.

"Poor planning on their part," Mr. Lokai interjected.

Council President Hess asked, "What would happen we didn't get it back to them tonight?"

Mr. Crabill said, "I don't think they'd come after us right away—but if we didn't return the agreement they would pull the money out of the City—take it back."

"For a rare occasion—I agree with Mr. Lokai—mark that down for the first of the year!" said Council President Hess.

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

Roll call vote to approve suspension: Mr. Evans, yes; Mr. Paul, yes; Mrs. Smith, yes; Mr. Lokai, yes; Mr. Thorpe, yes; Mr. Hoffman, yes; Mr. Fields, yes (7-0)

Mr. Evans moved to place Resolution No. 2383 on the business floor for discussion and passage; Mr. Lokai seconded.

Roll call vote to approve: Mr. Paul, yes; Mrs. Smith, yes; Mr. Lokai, yes; Mr. Thorpe, yes; Mr. Hoffman, yes; Mr. Fields, yes; Mr. Evans, yes (7-0)

Miscellaneous Business

- Mr. Hoffman - Expressed appreciation to those who put the Division Activities Report together
Asked Mr. Hall how the new video camera is working out; Mr. Hall indicated it is working well, and he has 'a list' of jobs to do with it
Noted 'a lot of money was spent tonight,' but added that the items were in the Budget and planned for
- Mr. Thorpe - Commented regarding Mr. Hall's demonstration/cable cleaning
- Mr. Lokai - Mentioned the importance of Budget passage in December; Briefly discussed expenditures made at this meeting
- Mrs. Virginia Smith -
Noted (2) yield signs are down in The Square; Mr. Brugger said that attention will be given to the signs on Wednesday, and Mr. Stein will reset them again
- Mr. Paul - Said, "I didn't realize before I came on Council how much activity goes on behind the scenes...that no one really appreciates...I think the sewer guys, the water guys...in particular. You guys in the Administration do a fantastic job...the questions are always answered quickly (and fully answered). Thank you very much for kind of helping me along...I still want to learn..."
He applauded the members of Council for being 'on the same page,' and the Economic Development Team
"I'm excited to see progress!" he said.
- Mr. Evans - Said, "First of all—I'd like to kind of shout out to all of the Public Works employees...with the recent snowfall, and clean up of that. They've had some things that they didn't expect to happen during that whole thing, and I think they managed to get everything done in an orderly fashion."
Discussed the upcoming Ohio Municipal League Legislative Luncheon on February 6, 2013 in Columbus; Encouraged Council attendance at this function to provide Urbana representation; Asked the Clerk to handle registration forms for Council; Said he plans to attend
Discussed taping of Council Meetings, and announced a meeting regarding on January 14 (4:30PM) in the office across from the Admin office for the Cable Access Committee; Noted this as the first of (4) quarterly meetings being held; The Committee will be appointing, and reappointing members; Noted Council and others are welcome to attend
- Mr. Fields - Said he is looking forward to seeing what happens in 2013
- Police Chief Matt Lingrell -
Nothing at this time
- Mr. Doug Crabill -
Said, "I just wanted to clarify as I was sitting there (and Chad was explaining CDM's contract)—that was just to administer the construction

itself, not to actually hire the contractor to build it...so this may be redundant (we may already know that)...we will actually be bidding the construction part of it here (I think) in March...is that what we decided? That will be the big expense to approve when that comes..."

Noted Mr. Tyler Bumbalough has finished the paving tentative list, and said, "That will be going out for bid...we'll be doing our street paving...the CDBG street paving, which is Laurel Oak and E. Light (E. Light from Talbot to Main)...and then we'll get you a list of what's on the regular City program...also have S. Main from where they stopped here on...just past Reynolds...probably going to hit the streets here for bid next week, so just wanted Council to know."

Mr. Hall - Nothing at this time

Mr. Williams - Nothing at this time

Mr. Kerry Brugger –

Gave Council a heads up regarding blanket purchase orders that will come to Council at the next Regular Session

Expressed thanks for the comments on the snow events; Noted the Email updates he sent to Council w/ the PUCO information

Announced Christmas tree pick up will continue this week and next

Announced a Public Hearing to be held at 7:00PM on Tuesday, January 15, 2013, in Court Chambers regarding the 4th Ward Water;

Noted the Floyd Browne Group will be present at the Public Hearing to provide a final presentation/summation

Announced the 'Sign Ordinance' discussed last month will be on the Agenda for the next Regular Session; Noted Mr. Brad Bodenmiller has 'worked really hard in putting that together, so we want to see that at the next meeting'

Complimented the hard work of Mr. Bumbalough, and Mr. Mike Heintz, regarding preparation of the paving plans

Commented regarding Mr. Crabill's discussion of paving, "What we want to do is try to stay ahead of all these programs, and get them out early in the year...so we can get them in pecking order early, and not get caught to where we strangle a little bit...and get caught at the end of the year...you'll see a lot of activity here in the next few meetings...proposals and authorizations to move forward with certain projects."

He encouraged Council input/communication and questions

Mayor Bill Bean –

Piggybacked off of Mr. Paul's remarks about the Water & Street Departments—doing 'a great job.'

"On the 24th, we had a dig on Madison Avenue...and they came in, did a great job, and got it done...and then on the 26th we had a nice snow...and both Colin and Bob's crew did a good job...and my hat was off to them...I really appreciate everything they've done. They're doing a great job out there!" Mayor Bean stated. "Our citizens should appreciate everything that they're doing."

Council President Hess –

Said, “On the Activity Report—Chad, can you give us (or can you email)...personally, I would like to get how many gallons you treat a month...is that possible? Just to be on...how much we’re pumping/how much we’re treating...”

Mr. Hall replied, “Yes.”

EXECUTIVE SESSION

An Executive Session was requested by the Administration to discuss ‘Personnel.’

Mr. Thorpe moved to adjourn to EXECUTIVE SESSION (8:03PM); Mr. Lokai seconded

Roll call vote to approve: Mrs. Smith, yes; Mr. Lokai, yes; Mr. Thorpe, yes; Mr.

Hoffman, yes; Mr. Fields, yes; Mr. Evans, yes; Mr. Paul, yes (7-0)

ADJOURNMENT

Following the brief Executive Session, Mr. Evans moved to reconvene to Regular Session and adjourn; Mr. Fields seconded. All were in favor of adjournment.

Council Clerk

Council President