

**URBANA CITY COUNCIL  
REGULAR SESSION MINUTES – JUNE 25, 2013**

The Urbana City Council Regular Session Meeting of Tuesday, June 25, 2013, was called to order at 7:00PM in Court Chambers / The Municipal Building, by **Council President Marty Hess**.

Attendance: All Council Members were present with the exception of Mr. Dwight Paul, and Mr. Robert Thorpe

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; and Mr. Robert Munch

**Roll Call & Pledge of Allegiance**

**Approval of Minutes**

Mr. Al Evans moved to approve the UCC Regular Session Minutes (June 11, 2013), and the UCC Work Session Minutes (June 18, 2013); Mr. Eugene Fields seconded. Motion carried without objection.

**Communications**

Mr. Doug Hoffman moved to place the LUC Regional Planning Commission Executive Committee Meeting Minutes (June 13, 2013) on file; Mr. Fields seconded. Motion carried without objection.

**Administrative Reports – Board of Control**

There were no Board of Control requests at this meeting.

**Citizen Comments**

There were no citizens who came forward at this meeting.

**Ordinances and Resolutions**

**Third Reading –**

**RESOLUTION NO. 2394 –**

Mr. Al Evans moved to place RESOLUTION NO. 2394 on the business for discussion and passage; Mr. Fields seconded.

No discussion.

Roll call vote to approve: Mr. Hoffman, yes; Mr. Fields, yes; Mr. Evans, yes; Mrs. Smith, yes (4-0)

**RESOLUTION NO. 2395 –**

Mr. Hoffman moved to place RESOLUTION NO. 2395 on the business floor for discussion and passage; Mr. Evans seconded.

No discussion.

Roll call vote to approve: Mr. Fields, yes; Mr. Evans, yes; Mrs. Smith, yes; Mr. Hoffman, yes (4-0)

**ORDINANCE NO. 4400 –**

Mrs. Virginia Smith moved to place ORDINANCE NO. 4400 on the business floor for discussion and passage; Mr. Evans seconded.

Discussion –

Mr. Hoffman noted clarification was needed regarding the article in the newspaper concerning the salary range listing.

“It read as though there was going to be a huge increase in salary—I thought maybe someone could explain that,” Mr. Hoffman said.

Mr. Kerry Brugger replied, "Right—the range that's listed in the Ordinance (this Ordinance) is the same range that's in the previous Ordinance. All we're doing is cleaning up some of the language, and taking away the ending date...so now we have 'in effect date'...and it will be current as long as everything else stays the same, so we don't have to go back every 2 or 3 years. It's amended just to change the date, so...the pay range didn't change."

"Thank you," said Mr. Hoffman.

"...and just for clarification (so everybody knows)...what is that range again?" asked Council President Hess.

"I don't have that in front of me, Mr. Hess," said Mr. Brugger.

Mr. Hoffman said again, "It was a little misleading in the paper this morning—I just wanted to clarify."

"Just like the two—we did last—we did the Third Reading with the Fire (last session)...pay range stays...we're just changing the in-effect date, and then just some other minor verbage just to line things up..." stated Mr. Brugger.

"Just so everybody knows...the Police Chief is not getting a \$20,000 pay raise...that's the important thing that everybody's going to ask," Council President Hess said.

(\*See language in Ordinance No. 4400 for salary range)

Roll call vote to approve: Mr. Evans, yes; Mrs. Smith, yes; Mr. Hoffman, yes; Mr. Fields, yes (4-0)

#### **ORDINANCE NO. 4401 –**

Mr. Hoffman moved to place ORDINANCE NO. 4401 on the business floor for discussion and passage; Mr. Fields seconded.

Discussion –

"Again—they're not getting a raise—it's just..." Council President Hess said.

"Right—same thing," Mr. Brugger interjected.

Roll call to approve: Mrs. Smith, yes; Mr. Hoffman, yes; Mr. Fields, yes; Mr. Evans, yes (4-0)

#### **Second Reading –**

#### **ORDINANCE NO. 4402 –**

(\*Read and declared a Second Reading)

Discussion –

Mr. Chad Hall explained:

"This is the sewer rate increase for the Capital side of the Waste Water Treatment Plant Upgrade (this is the Capital side, and not the operational/maintenance side)—15% that will start in January 1<sup>st</sup>, 2014, 7 ½% in January of '15, and a projected 8% in January of 2016."

Council President Hess indicated this was part of discussion at the Public Hearing held prior to this meeting.

#### **RESOLUTION NO. 2396 –**

(\*Read and declared a Second Reading)

Discussion –

Mr. Williams stated:

"This evening we had a Public Hearing at 6:45PM in consideration of Resolution No. 2396 (copy read)...the purpose of the Tax Budget is to make estimates of resources (really revenues) available for appropriation in 2014. What this process does is it sets the

level of/amount of money that you can spend come September of this year when we do the expense budgets (which is called the Appropriation Budget). If Council approves the Tax Budget by July 15<sup>th</sup>...it's presented to the County Budget Commission by July 20<sup>th</sup>. This year—to give you an idea of where some of the numbers are—the General Fund Revenues this year exceed expenses by approximately \$20,000...the Revenue stream for this year ( for 2014) is expected to be six million four-ninety-five, so with \$20,000 additional that means the expenses are projected right now to be six million four-seventy-five. The main source of our revenue, income tax is increased 3.3%...it's expected to increase 1.8 additional for an accumulative total of 5.1%. That's definitely a help to our revenue stream considering we've lost revenue to the phase out of the Tangible Personal Property Tax, the state reduction of the local government fund, and the elimination of the Estate Tax.

For budget purposes increases and expenses for 2014 are currently budgeted zero. We're concerned about the new Affordable Care Act, that could add some 10-20% to just health care costs alone.

Also—of (un)honorable mention here is—we're going lose a grant...we have a SAFER Grant for the Fire Department, that includes 2 firefighters...we're going to lose that in January of...we will lose that this year...so that in January of '14, we will not have those funds available. That's approximately \$142,000 a year...and one other fund to mention...as Chad indicated earlier, we're going to have rate increases over the next 3 years...those rate increases are to fund the increase in debt for his WWTP upgrade. I think the word 'upgrade' is a little bit soft...I think it's more of a replacement of most of his facility...it's a very expensive proposition...in excess of \$20mil, so that rate increase (if we started in '14) will be adequate to fund those debt payments starting in 2016."

**First Reading –**

**RESOLUTION NO. 2397 – (Water Main Replacement – Wooddale/ Amherst)**

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION OF THE CITY OF URBANA TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION (OPWC) STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED (\*Read and declared a First Reading)

Discussion -

Mr. Doug Crabill explained:

"If you recall—we applied for the Phase 1 Water Main Project on Court, Church, Ward... and also Wooddale and Amherst...we tried (last year) to get OPWC Funding for just Wooddale and Amherst (to basically break that off to be a separate project)...it did not score high enough (they have a little set scoring parameter)...it didn't score well enough...so Tyler and I have sat back down (and have gone back through), and we're trying to make it potentially a grant/loan project...which might help it score better. Instead of borrowing all the money through the other program we would potentially get some grant money from that...through OPWC, so this is to apply...54% and 46%, I forget which is loan/which is grant..."

He added, "It's not the City's year to apply for OPWC, but the County...we always have projects ready in case there's other projects that aren't submitted by other agencies. That project is a \$560,000 project."

Council President Hess asked, "...and no hurry to get it in?"

"No—not at this meeting—I think the application will be due at the end of July."

**RESOLUTION NO. 2398 – (Muzzy Rd. Bridge Widening)**

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION OF THE CITY OF URBANA TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION (OPWC) STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED (\*Read and declared a First Reading)

Discussion –

Mr. Crabill said:

"This is also Ohio Public Works Commission—again, we're just trying to go in with the projects that are on the shelf (that we're trying to find funding for). This one's been in the Capital Budget off and on over the last couple years, and has been beat out by other things at the end of the day...so this would essentially widen the bridge on Muzzy Rd. (that has been struck countless times by semis accessing that road), so this would actually add 4 feet to each side of the bridge...and continue to use the existing structure, but make it wider...so altogether add 8 feet to the bridge, which would hopefully solve the problem that we've been having with the bridge.

If it's been hit recently—at least it hasn't come to Council...so anyway, we're looking at doing this one as a 50% grant/50% local...and it's only about a \$100,000 project."

Mr. Evans stated, "Well—it has been hit since the last repair—it's just not bad enough to...it has been whacked pretty good since the last repair."

"Okay," said Mr. Crabill.

"On this OPWC—each project, each stand on their own merit and get rated?" asked Mr. Hoffman.

Mr. Crabill answered, "Yes! They have a scoring system...and it's very straight forward. Each score is based on how it lines up on the sheet..."

Mr. Hoffman said, "By offering to take a portion of this on in a loan..."

"Well, this one would be 50% grant/50% local (cash), so by increasing that percentage we can score 2 or 3 or 4 more points better than..." Mr. Crabill said.

"We may not know the score that takes it home, but I mean...do these look like they're close enough that they might happen, or is this more of a ...?" asked Mr. Hoffman.

Mr. Crabill said:

"I think both projects score a 64...the cut off line last year was 80, but at the County Subcommittee there's a potential to pick up 5, 10, or 15 points...generally this is the Village's year, so if the Village applies they probably will get the 15 points...although the County Committee (a lot of times) tries to distribute the points to get more projects funded in the County in general. We're competing against...in a district...so we're competing against Greene, Clark, Union, Madison, Preble...all those counties, and so ultimately we want to bring home as much money here as we can. Typically the County Committee will throw points where they need to go to get the projects done."

"Thank you," Mr. Hoffman said.

"How much money do they have?" asked Council President Hess.

Mr. Crabill replied, "It's about a million dollars a year in Champaign County...it used to be called Issue 2 years ago...this is Round 28, so it's been around awhile."

**ORDINANCE NO. 4403 –**

**AN ORDINANCE AUTHORIZING THE DIRECTOR OF ADMINISTRATION OF THE CITY OF URBANA TO DISPOSE OF SURPLUS REAL ESTATE LOCATED AT 517 SO. MAIN ST. (PARCEL #K48-25-00-02-24-010-00) THROUGH THE PUBLIC BID PROCESS OUTLINED IN OH REVISED CODE SECT. 721.03**

(\*Read and declared a First Reading)

Discussion –

Mr. Crabill stated:

“This is a property (the structure no longer exists), but the parcel does...but basically, back in 2010 the City acquired this property (or basically it was given to us). It was a nuisance property...we had bees, we had rodents, we had...it was pretty complicated how we ended up with it...but anyway, it ended up in the City’s name, and the taxes have not been paid for several years...and we were able to use Neighborhood Stabilization Funds to tear the structure down...and now we’re going to get it off of our books, and get it back...hopefully get the taxes paid, and get it back into productive use again.

So basically (look at the Ordinance itself)—there’s just over \$9,000 of taxes due on this lot...the County’s appraised value is \$9,920., and so we set a minimum bid at \$10,000.”

Mr. Fields asked, “Will that encompass the transfer of the deed, and all that?”

“Yeah—the difference between...recovering the taxes and getting those paid in full (which part of that is like \$3,000 in assessments the City actually has against the property for...mowing, and tearing down part of the structure before the house was torn down...so we did increase that amount...)” said Mr. Crabill.

“...and if someone purchased it, it’s big enough to put a home on?” asked Mr. Fields.

Mr. Crabill indicated the person would probably have to go through BZA, to build on the property. He indicated it ‘doesn’t have the minimum frontage.’

“It’s like 56 feet wide—I think it needs to be 60,” he said.

Someone (an unidentified ‘neighbor’ in the audience) said, “There’s 48, plus a 10 foot alley.”

Mr. Crabill said, “We’d like to get it off of our books, and clear it...so we can move forward.”

“There will be extra income this year, Lee—what will you do with all that money?”

Council President Hess said (to Mr. Williams).

“Now is that going to clear up that alley deal in the back?” asked Mr. Fields. “Because I know that’s been a...”

“That’s a whole ‘nother issue,” Mr. Crabill said. “This essentially allows taxes to be paid, and the property to go into someone else’s hands...and get it into tax paying use...we’re not really making any money off the deal. We’ll break even.”

“Before we have to mow it anymore,” added Mr. Fields.

“We quit assessing the mowing, because we were assessing ourselves,” said Mr. Crabill.

“Do you want to suspend the rules on this?” asked Mr. Fields.

“Actually—this has to pass by a two-thirds vote—so, I don’t think so,” said Mr. Crabill.

**Miscellaneous Business**

Mr. Hoffman - Said, “How do we dictate the light cycles (like on E. Lawn)? It takes about a half an hour to get down E. Lawn St.”

He questioned the cycling of lights, mentioned off school hours, and asked whether there is a city or state rule

“I can’t speak to that—I can find out,” Mr. Brugger answered. “I would imagine we have some control over that, but I’d have to check that out.”

“The light at Ward St. is tied into the one at Washington Ave.—is that right?” asked Council President Hess.

“Yeah—there’s a cable that runs between the two signals,” said Mr. Crabill.

Mr. Richard McCain and Council President Hess briefly discussed the particulars of Ward & Washington

Mr. Hoffman said he was asked to bring up this topic

“I hope to have an answer by midnight,” Mr. Brugger said jokingly.

Mrs. Smith - Discussed 250 Poe Ave., noting there is wood blocking the windows (but said children can climb over the wood, and into the house)  
“When you go into that house, there’s a nice big hole there,” she said.

Mr. Brugger took note of the address

Mr. Evans - Discussed the need to fill the empty Council seat; Said the issue needs to be addressed, and Council should move quickly  
He said Council needs to interview potential candidates  
A few noted awareness of interested persons, including Council President Hess who said, “I have people that told me they would be willing to serve until the election is certified...and the people that I’ve talked to have no desire to run for the position.”  
“We need to interview—I think that’s part of our responsibility,” said Mr. Evans. “I don’t think it’s fair to put that responsibility on you.”

It was determined that resumes should be submitted to the Clerk (or Council Members/President Hess) by July 8. Council will review the resumes, and interviews will be scheduled for July 9 (prior to the UCC Regular Session that evening).  
Mr. Evans asked the Clerk to put notice in the newspaper.

“You have until the 15<sup>th</sup> of July to appoint somebody—that will be the 45 days—if Council doesn’t appoint somebody by that time...then the President of Council appoints somebody,” said Council President Hess, while also noting the Council President has 45 days to appoint.

Several Council Members suggested appointing (deciding) at the Meeting on July 9.

Council President Hess said the Mayor could possibly swear that person in on the same evening.

He invited those residents interested in the position to get resumes in as soon as possible.

The appointed person will fill the term until the end of December 2013.

Mr. Evans verified that the appointed person is also eligible to participate in the election.

Mr. Fields - Agreed in reference to Mr. Evans’ statements, “This is something we need to do.”

Mr. Crabill -