

URBANA CITY COUNCIL
REGULAR SESSION MINUTES – SEPTEMBER 24, 2013

The Urbana City Council Regular Session Meeting of Tuesday, September 24, 2013, was called to order by **Council President Marty Hess**, at 7:00PM, in Court Chambers / The Municipal Building.

All Council Members were present.

City Staff in Attendance – Mayor Bill Bean; Mr. Kerry Brugger, Director of Administration; Mr. Lee Williams, Finance Director; Mr. Brad Bodenmiller (in at 7:12PM); Fire Chief Mark Keller; and Assistant Municipal Prosecutor/ Staff Attorney Breanne Parcels (in audience).

Roll Call and Pledge of Allegiance

Approval of Minutes

Mr. Robert Thorpe moved to approve the UCC Regular Session Minutes and Work Session Minutes of September 10, 2013; Mr. Eugene Fields seconded. Motion carried without objection.

Communications

Mr. Thorpe moved to place the LUC Regional Planning Commission Executive Committee Meeting Minutes (09-12-2013), on file; Mr. Fields seconded. Motion carried without objection.

Administrative Reports – Board of Control

There were no Board of Control items at this Meeting.

Citizen Comments

Ms. Sandy Newman, 276 Dellinger Rd., Urbana, addressed Council with:

“I’d like to speak on the Dellinger Rd. destruction/construction project. I talked with Mr. Evans some time ago about this, and he didn’t have much information on it (I thought he would get back to me, but I haven’t heard any more about it).

So I have a few comments about it (we discussed this somewhat at one of the meetings at Salem Township), but...I just want to say that I had written a letter to *The (Urbana) Citizen* about this...and apparently it didn’t get through. I guess they didn’t want to upset the City fathers!

But anyway---what I did say was—that the hill on Dellinger Rd. has long been a contentious problem...it was there when I moved there 50 years ago...it’s always been a safety concern!

My oldest daughter was nearly killed at that crossing...crossing the road to catch her school bus on the first day of school in 1969...and apparently the truck driver who was driving (travelling from east to west) didn’t see that big yellow bus sitting at the top of the hill...he said, “I didn’t think about school starting today.” Driver inattention has long been a problem...it still is, and there has been nothing done to control the traffic there! I discussed this problem years ago with North Newton (who was the County Engineer at that time)...”

Ms. Newman noted there was no funding available during North Newton’s term to correct the situation, and said she again discussed the problem with Mr. Jack Engle. Ms. Newman said she felt plans were in the works for correction, “...but again, it did not happen.”

She continued, “During these periods of time there have been a number of accidents in this area (some fatal)—mostly due to driver inattention—and now (many years later)

we're being told that...because a lady who lives in the condos, has complained about the sight problem...the grading is going to be done! Of course, the hill was there long before the condos ever arrived.

I have a concern with the grading problem—however when, Mr. Tyler Bumbalough (who is the City Assistant Engineer, as I understand) came out a few weeks ago to advise me that it was going to happen...I asked why it was being done at this particular time—since we now have many school buses travelling this route—and the road will be closed to much traffic. I was there this afternoon, and saw (at least) a dozen vehicles and a bus...leaving Stepping Stones, picking up children...uh, this happens twice a day, picking up children...dropping off children...and so now that we have the school, they've decided to do that.”

Ms. Newman added, “Anyway, he said, ‘Well, we got some money...and along with the road grading, we're planning to install a city sewer (on Salem Township's side of the road). This sewer will begin at Julia St. intersection, and travel east to the last house on the north side (or Salem Township's side of the road) where it will dead end.”

She briefly touched on the topic of annexation, and noted in discussion ‘with a lady out there’—that lady is interested in being annexed.

She stated:

“A few years ago—when City Planner, Melanie Kendrick, lived there...she petitioned residents to see if they wouldn't all like to be annexed into the city—I believe all the residents resoundingly said, ‘No’...and of the current residents I've talked with, none have indicated in favor of being annexed into the city...but rather feel they're being blindly forced into this position. These plans (although just presented to us) have been in the works for at least 2 years, according to the drawings that I have received.

Some of the residents of this area did attend the Salem Township Trustees Meeting to talk about that...but we were told that it was a Health Department concern! If your septic system fails, the Health Department will not allow you to have it repaired. I'm not aware of any residents having problems with their system, but I've lived on that site for almost 50 years...and I've had no problems. Are you now going to cause something to happen that we need to do that?

The resident on the south side of Dellinger Rd. (or on the city side) also has her own septic system...that she was told by Mr. Bumbalough that if she wished to, she could cross the road to tap into that new city sewer. If this sewer was placed on the city side (or the south side)—should it not be extended to East Lawn Ave. whereby the residents who live there (who are not currently on the city facilities) would have the option of tapping into that sewer? Why would residents of the north side—not be entitled to the same access—if the sewer is placed on the (city) south side of the road?

There are many roadside problems in this area that are very dangerous—Children's Home Rd., Children's Home & Dugan Rd., Dugan Rd. & Rte. 36, Clark Rd., 296 & Ludlow—all of these are hazards (just to name a few)! These monies could be spent to alleviate some of these hazards!

At the Salem Township Meeting, Mr. Crabill said, ‘This is not going to cost you residents anything!’ Certainly, if we are required to hook onto that sewer—it will be at our expense...and if we are annexed into the city, the tax increase will be magnanimous!”

Ms. Newman continued:

“Two things came from the Salem Township Meeting though—I was told, apparently the lady who complained about the road problems...lived in Salem Township for many years, and so she was quite aware of the site/of the problems (before she moved into the condos). Also—it was mentioned to me, ‘I think they want to annex you into the city’...so apparently that’s been a topic of discussion for some...long time.

Mr. Brugger said, ‘We don’t have an ulterior motive—we’re not going to try and hard ball anybody!’ In reality—that’s just what you are doing (if we are annexed in the city)! A recent school levy that was passed at West Liberty Salem would add approximately \$200. to our tax bill for Salem Township residents. This Fall—Salem Township will have a levy on the ballot for road repair and upkeep—I trust that the residents there will remember how this \$342,600. was spent on a sewer that we did not need...did not ask for...going nowhere...doing nothing!

Thank you.”

Ordinances and Resolutions

There were no 3rd or 2nd Readings at this Meeting.

First Reading –

RESOLUTION NO. 2401 (With Attached Mayoral Proclamation)

A RESOLUTION CONFIRMING THE DESIGNATION OF THE CITY OF URBANA, MADE ON SEPTEMBER 11, 2013, AS A ‘PURPLE HEART CITY’

*Administrative request for passage at this Meeting.

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

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

Mr. Paul moved the place RESOLUTION NO. 2401 on the business floor for discussion and passage; Mr. Al Evans seconded.

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

Mayor Bill Bean stated, “Well, we’ve been honored to become a Purple Heart City, and in the process they wanted Council’s (pretty much) blessing for them doing this...and we have some things (some show-and-tell here) after you end up passing this Resolution...but it’s been a great honor...and they wanted to do it by 9/11...and so it really got a...I don’t want to say ‘put on the fast track’, but we didn’t have a Council Meeting, so...what we need to do is just pass this Resolution. We as the City do recognize, and Council recognize, that...we’re going to be a Purple Heart City, and that’s what it’s about.”

Mayor Bean read the plaque that the City received, and together—he and Mr. Brugger--raised the Purple Heart Flag that has been presented to the City. Mayor Bean said the flag will be given to the Fire Chief to fly under the American Flag in The Square.

Council Comments—

Mr. Fields said, “I just think it’s an honor that we received that.”

Mr. Evans stated, “Good job, Bill—that’s quite an honor, and I’m sure that the veterans in the town (and in the county) applaud your efforts.”

Mayor Bean described the 9/11 ceremony as ‘something to behold,’ and mentioned other aspects of the day/ceremony that made the event a success.

Mr. Paul said, “Good job!”

“It’s a real honor for the city of Urbana!” added Mrs. Amy White.

Mr. Thorpe commented, “Being a veteran—it’s just an honor to be with these people...and as they sat out at the Freedom Center, it was quite an episode...and the whole city should be proud of this! Thank you.”

Miscellaneous Business

Mr. Hoffman - Asked, “Around annexation—as a city, we don’t annex property—is that correct, Marty? Doesn’t that come from the county (giving up property), or how does that work?”
Council President Hess replied, “We can’t forcibly annex anything—30 years ago...we possibly could, but all the laws have changed...if someone wants to come into the city, they have to go through the county (just like it happened at south point)...so it’s not something that’s forced upon people. We do make it available, and we offer services once they’re annexed in. We got a letter (you got a copy of the letter to everybody out there), about all the services they will be getting...so...we do not forcibly annex anyone!”
“I just want to make sure the citizens understood that,” said Mr. Hoffman.
In reference to Ms. Newman’s remarks, Council President Hess said, “I don’t understand where she heard that, and I’m pretty sure that nobody from the city said that we were going to annex all that—I was hoping she would stick around, so we could talk to her...but...yeah, we do not forcibly annex...we welcome to the city, but don’t forcibly annex.”

Mr. Thorpe - Nothing at this time

Mrs. White - Nothing at this time

Mrs. Virginia Smith
- Nothing at this time

Mr. Paul - “I think she may have got the idea...there was a comment made about future growth...I did hear that at the last meeting, so...that may have been where she thought, ‘Oh, they’re coming to annex this’...which (to my knowledge) is not the plan...so...” stated Mr. Paul.
He also plugged the upcoming Hoopla Parade –Sept. 28 (1PM);
Noted over 40 participants thus far; announced Council President Hess as the event’s MC

Mr. Evans - Said, “I’d like to make a comment about the lady’s comments...her perception of being annexed was long before that meeting, by the way. I had a meeting with her for several minutes at my store a few weeks ago, and I explained to her that we don’t solicit or force anybody to annex into the city...that annexation is a petition that usually originates with residents that group together, and want to annex into a city...or a resident who meets the requirements, and can annex into the city. We do not go out and seek people to annex in the city—I explained that to her at great length—she was convinced that we were coercing them to come into the city. I felt (at that time) that I wasn’t going to be able to change her mind, so that’s why I...I didn’t get back with her...I thought that I had told her everything that she

needed to know. That was way, way before they had the meeting about it...but just to give you some idea that...that I don't know where she's getting her information, but we're going to be hard pressed in convincing her that...that we don't have an ulterior motive."

Thanked Mayor Bean for writing a letter to the new residents explaining city services (offering to speak with residents, if needed), and welcoming the new residents to the city

- Mr. Fields - Noted a resident (jogger) contacted him regarding The Bike Path, and verified that cars have the right-of-way
Discussed Powell Ave. (offset); Asked if there are signs to make people aware of that
Council President Hess referred to 'Drivers' Ed Training'
Mr. Evans briefly mentioned basics of driving (rules)
Mr. Fields and Council President Hess referred to several offsets in the city
"I hope there isn't a bad accident there," Mr. Fields said.

(*Mr. Thorpe left the Meeting at this point)

Fire Chief Mark Keller –

Nothing at this time

Mr. Brad Bodenmiller –

Nothing at this time

Mr. Lee Williams - Nothing at this time

Mr. Kerry Brugger –

Said, "On the Columbia Gas project that's on Boyce, Lincoln, Lafayette, and Washington—Tyler (Bumbalough) talked with Columbia Gas earlier yesterday...and just wanted to kind of give an update on where we're at...the gas main is probably about 80% complete in terms of getting the mains in...the surface lines are only about 25% complete...it's like they're pretty well wrapping up Boyce St., and doing the final reseeding and concrete work, and that type of thing. We keep working through that, so if you look at the total project we're probably around 40-50% complete. The anticipation is they'll work through October, and probably into November--before that wraps up. I don't have a lot of the specifics...for particular, specific questions they need to contact Columbia Gas..."

Council President Hess asked, "They're going to be here next year too?"

Mr. Brugger replied, "They have another phase—we don't know for sure where it's...what it includes yet."

- Mayor Bean - Announced the Chili Cook Off (Sat., Sept. 28th beginning at 9AM); Announced entertainers/vendors/food for the event; Encouraged everyone to attend

Council President Hess –

Reiterated, "We are not pushing annexation on anybody—no matter what anybody thinks (or says)—we'll welcome you to the city, but

we're not going to force you to come in.”
Noted the Administrative request for a Work Session following this Meeting

Adjournment

Mr. Paul moved to adjourn the Regular Session Meeting at 7:33PM; Mr. Fields seconded. All were in favor of adjournment.

Council Clerk

Council President

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(*A Work Session followed this Meeting – Work Session Minutes are available by request)