

**URBANA CITY COUNCIL
REGULAR SESSION MINUTES – OCTOBER 22, 2013**

Council President Marty Hess called the Urbana City Council Regular Session Meeting of Tuesday, October 22, 2013, to order at 7:02PM, in Court Chambers / The Municipal Building.

Council Present – Mr. Doug Hoffman, Mr. Dwight Paul, Mrs. Virginia Smith, Mrs. Amy White, and Council President Marty Hess

Council Absent: - Mr. Al Evans, Mr. Eugene Fields, Mr. Robert Thorpe

City Staff in Attendance – Mayor Bill Bean; Mr. Kerry Brugger, Director of Administration; Mr. Lee Williams, Finance Director; Police Chief Matt Lingrell; Fire Chief Mark Keller (in at 7:20PM); Assistant Municipal Prosecutor/Staff Attorney Breanne Parcels (in audience)

Roll Call and Pledge of Allegiance

Approval of Minutes

Mr. Dwight Paul moved to approve the UCC Regular Session Minutes and Work Session Minutes of September 24, 2013; Mr. Doug Hoffman seconded. Motion carried without objection.

Communications

Mr. Paul moved to place each of the following Communications on file:

1. October 3, 2013 email to Council from Mr. Joe Buckwalter regarding suggestion that the City accept credit and debit cards as a form of payment for utilities and other services
2. The LUC Regional Planning Commission Executive Committee Meeting Minutes, October 10, 2013
3. Invitation to the LUC Regional Planning Commission Annual Dinner, November 21, 2013 (6:30PM) at Urbana University
4. City of Urbana Shade Tree Commission Minutes (July, August, & September 2013)

Mr. Hoffman seconded. Motion carried without objection.

Discussion –

Mr. Paul (to Mr. Lee Williams) asked Mr. Williams to provide explanation around Mr. Buckwalter's questions regarding the debit/credit card, and issues involved.

Mr. Williams replied:

“The credit card situation is (kind of) not as simple as just one aspect of debit and credit cards...it's just not utility billing...when we would accept a credit card here at the City Building, we would have to accept a credit card for everything...so what we've got to do is establish credit cards for payments of anything that comes our way, including anything from the Court...all the way up to Cemetery, out at the Parks, the Pool...things of that nature. It's not as easy as it was when we put them in at the Airport...the Airport's kind of an island...stand alone action...fuel purchases...easy to do.

We've looked at it in the past, and we are going to continue to look at it. The thing that complicates it a little bit is the fee base...and the fee base tends to be a structure of the cost of using the credit card, assigned to the people who decide to use the credit card...citizens who use a credit card should pay for those credit card fees...they shouldn't be spread over the whole universe of the customer base, so we looked at that...it's going to take probably several months to complete this a...interesting time

table in Mr. Buckwalter's memo, at the end of the year. We are shooting for that (I don't want to guarantee it), but that's what we're planning on doing."

Council President Hess said, "Dwight—for your information, I think Mr. Buckwalter contacted us...a couple years ago..."

Mr. Williams stated, "Earlier this year he did—yes, it was earlier this year."

Council President Hess stated, "Was it? He talked to me a couple years ago (wondering), and I said, 'We were working on it,' and we're still working on it...but it is something that's...not easy overnight. Appreciate you working on it, Lee."

Administrative Reports – Board of Control

1. Mr. Paul moved to authorize a purchase order to Ricoh USA in the amount of \$39,909 for the purchase of (6) new copiers (This will be charged to Non-Departmental Capital plus Various User Divisions' Capital, and is not in the 2013 Budget); Mrs. Virginia Smith seconded. Motion carried without objection.

Discussion –

Mr. Kerry Brugger stated:

"Just another clarification on the summary that I provided—there was a clarification that in my zeal to put this thing together, I misstated something—the current units were not leased, they were purchased in '07...and it was my understanding that at the time we were putting this together that they had been leased prior, and then we had turned around and purchased them...but in fact they were purchased new in 2007. I just want to make sure that's clear before we move on."

Mr. Paul asked, "I see that we're going from 4 units to 6—so we have the current 4 units...are at the WWTP, Court, the Administration Building, and then the Police & Fire share 1...where are the other 2 going to go?"

Mr. Brugger replied, "Okay—what we have right now, we're going to increase the 1 we have on the main floor (right outside Gail's Office) that's shared with pretty much everybody on the administration side...we're going to put 1 on the upper floor for Building/Zoning & Engineering, and Administration...Finance, Law, everybody else would use the lower 1. We have the 1 going to WWTP...Police & Fire will share 1...the Court...originally the Court wasn't part of replacement when we did this originally and they are now part of the project...so we're just adding the...and each of them are going to be different...we're not having 'one size fits all.'

Ricoh came in last year when we started going through this process, and evaluated the usage to make sure that we had the proper sized equipment all the way around...so the intent is to try to balance the unit to demand, so we're not putting in a small unit for a large demand...or a large unit for a small demand. Currently the one on the main floor that gets used right outside Council Office is just really becoming a nightmare...trying to keep it going...I think last week there were 3 times we had to get service in here to clear it, and open it up...so...they've served their purpose, and we (you know) got a pretty good price together to put this in as a purchase versus a lease...and again, we looked at this last year...and kind of just the last minute decided we'd put it on hold we thought we'd get another year out of it (we almost made it)! Now is an opportunity for us to take advantage of the state pricing before it kicks in (price adjustment) after the first of the year."

"So we're pretty close to the price for 6, that we got 4 for in '07," said Mr. Paul.

Mr. Brugger explained the math to Mr. Paul regarding the breakdown for 6 copiers.

(*Refer to attachment, 'Copier Replacement Summary' for details)

"But do we know...we've got 4 units...the Administration unit is the 1 that's heaviest use...were any of the other 3 lightly enough used that they could be stretched out a little further?" asked Mr. Paul.

Mr. Brugger indicated that was 'looked at, and you take your best guess...and move forward...and sometimes you win, sometimes you lose.' He pointed to the package and price as the driver to being more feasible/prudent to do the entire sale. Mr. Brugger said the older copiers will appear on govdeals.com, or in the July auction.

"Okay—so whatever you manage to get out of them you're going to put back in the fund—it won't be much (probably)..." said Mr. Paul.

"We'll put it back in the General Fund," Mr. Brugger confirmed.

Mr. Hoffman stated, "You know—I'm not a huge fan of it not being in the Budget, but as you said...it's something you tried to extend, so I think you were trying to be frugal...and I think 6 years on anything electronic in nature (as much as these get used) I think is a long life...so especially with some of the projects that are up and coming, we're going to be printing a lot of documentation. I also understand the hassle and the down time in waiting for people...and it's not very productive...so I think you're getting a good price...I do appreciate you trying to hold off on it..."

"How many copies does each department do a year? Do you have any idea?" asked Council President Hess.

Mr. Brugger answered, "The contract we set up for the service and maintenance agreement (I believe) is 400,000 black & white, and 45,000 color across the spread across the contract...so...at the end of the year we do a settle up, and it is (and has been) extremely high the last couple years...so we run that pretty close to the contract."

Citizen Comments

Ms. Dianne Mowrey, 850 Amherst Dr., addressed Council:

"The street between Finch and Ames has become a bit of a drag strip...I'm not pointing to any one particular group of people...the speed is clearly 25...rarely does it ever get followed! Neighbors in the street and around the area...they witness people going anyplace from 20-30 miles over. We have had speeding problems on the street with kids drag racing...literally lining up, and racing! People don't want to let their kids play out front...they don't let their kids play on the sidewalks anymore, because of the kids doing this (and other people speeding). There's a concern that...somebody's going to lose control, and end up in someone's yard!

The City did do a speed sensor (at one point)...it was kind of beneficial, but it was also located in a position where it was sort of a self-induced start/finish line for the racing...so it didn't really catch the speeders that it needed to catch.

I know that occasionally they've put cruisers on the street to sit down in the neighborhood and watch, but they're doing it in the off hours! Plenty of people have called and complained...and said, 'Listen—they're doing this in the late afternoon/early evening (especially after it gets dark), and the weekends are absolutely the worst!'

I mean--11, 12 o'clock at night you can hear them just zipping up and down the street! If you're putting a cruiser on the street in the morning hours—it's not catching them!

People are at work! People are at school! So the citizens on the street would like to see the City make more of a proactive approach to doing with regards to the speeding. It's a

residential street! It's not a highway! It's not a thoroughfare! People take that street to avoid Scioto St.—we get that—but the excessive speeding has got to stop...in some way, shape, or form!”

Ms. Mowrey gave a petition ‘signed by virtually everybody in the neighborhood’ to Mayor Bill Bean, who then passed the petition to the Council Clerk for record. (Twenty-six citizens signed the petition – Copy may be requested in the City Council Office).

“That should be a little bit of a testament to the fact—the neighbors want something done,” said Ms. Mowrey. “We do want to see something done!”

She pointed to the petition request for speed bumps (similar to what was added to The Square).

Council President Hess asked for review of the situation with the Administration and the Police Chief.

He said, “Speed bumps—I can’t address those—we’d have to talk to the State and to the Engineer to see if those are something that can be done...I see those in other towns...I hear they are legal, and they aren’t legal...we’d have to find out for you, but maybe by next Meeting...maybe we’ll have better results for you, how’s that?”

“Thank you,” Ms. Mowrey replied.

Urbana City Schools Superintendent, Mr. Charles Thiel, 711 Wood St., also addressed Council to remind everyone about the upcoming Renewal Levy. He elaborated on the purpose of the Continuing Renewal Improvement Levy noting ‘it is not a tax increase for the residents of Urbana City Schools.’

He stated, “The funds from that Permanent Improvement Levy are used for repairs and improvements, and purchase of items that last 5 or more years—durable items is not an operating fund Levy...and the other important piece of the Renewal (that we have on the ballot) is that the Renewal in November of this Levy will move into a continuing basis instead of a 5 year limited basis...will mean that it will be the last time that it will need to be renewed.”

Mr. Paul asked, “I saw the letter from Mr. Rademacher in the paper (I think it was today)...or it may have been yesterday...he was questioning, ‘Why make it permanent? What happens if someday in the future, whenever that happens to be...we get new buildings...this Levy continues?’ I mean, how does all that work? Does it get revisited?”

Mr. Thiel explained the process relative to millage, and stressed, ‘Just because you have a brand new building doesn’t mean that there isn’t maintenance issues, and other concerns that you have to take care of.’

He projected with the (3.5 mills that currently generates 1.67 effective mills) as about a half million dollars for the school district. Mr. Thiel added that school buses can also be purchased with the money, rather than tapping operating funds.

“We’ll always have baseball, soccer, football fields, gymnasiums, bleachers—those kind of things that will need upgraded repairs—the track, is another thing that’s an asset to the community (that many people use and walk on) that will have to be repaired and refurbished...” he said.

Mr. Paul said, “On a sideline—I know a number of years ago we did have a levy to build new buildings, and that is not involved with this levy at all (I understand that)...just as a sideline, I thought I heard somewhere that when we first tried to pass the building levy some years ago...the State would pony up 29% of the cost for the new buildings. From

what I heard (and you can validate if this is true or not) I heard now it's up to 60%--is that correct?"

"Originally in 2004, when the district asked for a bond issue for total new facilities (Pre-K through 12)—at that point, our equity number from the State ranking provided us with 43% State funding...and the district would have to come up with the other 57%," Mr. Thiel responded, also explaining about the ranking and decline (the district's lost value over time). "We've gone from us needing to come up with a local share of 57%...that is now moved down to 39% under the current fiscal year program...that's where we're at is, we would have to come up with 39% and the State would come up with 61%...so it has changed dramatically."

Mr. Paul referred to a pecking order (funds dispersed) list, with Urbana being 110 on the list.

"Yeah—we're two hundred and...we were 260, 230 in that poll list (of all of those districts), and so unfortunately we've not been able to access those funds...so we've gone into the program in what's called 'a deferred program'...we have said, 'We're not quite ready at this point in time'..." said Mr. Thiel, also noting (4) time limited levies currently.

Ms. Pamela Bowshier, representing The Monument Square District, addressed Council beginning with identification of current Board Members : Mr. William Heitman (president), Ms. Diane Kremer (treasurer), Ms. Pam Bowshier (secretary), Dr. Dave Smith, Ms. Judy Page, Mr. Rich Colvin, and Ms. Marcia Bailey.

She noted the MSD also became a member of The Downtown Affiliates Program under Heritage Ohio.

Ms. Bowshier expressed appreciation to the Urbana City Council for steadfast support of MSD endeavors downtown. She also thanked all who have volunteered and pledged support to the organization (specifically to the success of events including: The Art Affair, The Chili Cook-Off, and The Hoopla Parade).

She announced end-of-the-year events: The Holiday Open House (Nov. 1-3), the upcoming Christmas Gala (Dec. 4 at 6-9PM, Cheetah Lounge, W.B. Factory), and Santa Land (with the arrival of Santa on Nov. 29).

"Thank you very much—you guys are very busy—appreciate it!" said Council President Hess.

Mr. Ben Vollrath (DP&L) was in the audience – Nothing to report at this time/No questions from those in attendance.

Ordinances and Resolutions

Third Reading –

There were no Third Readings.

Second Reading –

There were no Second Readings

First Reading –

RESOLUTION NO. 2402 –

A RESOLUTION TO APPROPRIATE MONEY FOR THE SEVERAL OBJECTS AND PURPOSES WHICH THE CITY OF URBANA, OHIO MUST PROVIDE FOR THE FISCAL YEAR ENDING DECEMBER 31, 2014

(*Read and declared a First Reading)

Discussion –

Mr. Hoffman said, “The information that you provided was very thorough, and we’ve all talked about how important budgeting is...and projecting...that way we don’t have to sit in here, and really question the expenses and items that are brought before us...so I appreciate all the work that goes into this, Lee, and the rest of the Administration...I learned a lot of new things here a few weeks ago...so I appreciate it.”

“Who did you have?” asked Council President Hess.

“I had Engineering and Finance,” replied Mr. Hoffman.

“Okay—good,” said Council President Hess.

Mrs. Amy White said, “I’d just like to second what Doug said—it was very informational, and I learned a lot—thanks!”

Mrs. Virginia Smith joked, “Well--I didn’t really learn a whole lot—Lee, you weren’t that good, but...”

With laughter, Mrs. Smith added, “I’m only teasing—I learned a lot—you did a good job, Lee! Thank you!”

“Whew!” Mr. Williams responded.

Mr. Paul said, “Very well done—thank you!”

Council President Hess asked Mr. Williams for a brief explanation of the Resolution.

Mr. Williams stated:

“This is the First Reading for The Appropriation Budget—back last Summer, we did a approval of the Tax Budget—that’s a disguise for the revenue stream. The Appropriation Budget is nomenclature for the expense side of that budget in process. Major elements of the difference in total this year it’s...\$15.9mil budget in total...8.6 of that comes from the General Fund, and supporting General Funds (which is the four-tenths money)...and 6.3 comes from the General Fund specific (which is just the 1% fund).

The fund’s up about \$400,000 year-over-year...went from \$15.4mil to \$15.9mil...actually that’s \$500,000. Most of it is in Capital, and some of it is in Police & Fire...”

He noted the loss of the Safer Grant this year, and reflected on the ‘unfortunate, negative impact.’

“Everything else in the budget process (from an expenditure standpoint is strictly what we call, ‘Run Rate’)—which means if we spend it this year, we plan on spending it traditionally next year—and that’s the essence of really, The Appropriation Budget this year—which identifies our expenses for 2014,” Mr. Williams said.

Council President Hess announced this Resolution will have three readings and added, “I can tell Council that we went through the Council’s budget, and we were up \$150.—I’m going to see if we can squeeze that back out, but you know...advertising costs have gone up...but other than that...”

Miscellaneous Business

Mr. Hoffman - Nothing at this time

- Mrs. White - Reminded everyone about ‘Beggar’s Night’ Thurs. Oct. 31st; Urged everyone to exercise caution to ensure safety of youngsters Trick-or-Treating
- Mrs. Smith - Nothing at this time
- Mr. Paul - Suggested posting ‘Communications’ online
 “I think we may need to think about that—I think we need to change that—I think it seems right to me that if someone spends the time to send a letter to us (communicate to us)—basically all we’ve done in the past is we say, ‘Okay, we’ll take it,’ and it goes into the record never to be seen again,” Mr. Paul said.
 “Mr. Paul—it’s part of the Minutes that are posted—it’s listed in the Minutes,” said the Council Clerk.
 (*Council discussion regarding Communications is published online; A Public Records Request may also be made to view complete copies of Communications presented at Council Meetings)

At this time, Mr. Paul moved to excuse Councilman Al Evans from this Meeting; Mr. Hoffman seconded. All were in favor of excusing Mr. Evans.

Mr. Paul moved to excuse Councilman Robert Thorpe from this Meeting; Mrs. White seconded. All were in favor of excusing Mr. Thorpe.

Mr. Paul moved to excuse Councilman Eugene Fields from this Meeting; Mrs. White seconded. All were in favor of excusing Mr. Fields.

Fire Chief Mark Keller –

Said: “Some of you know I’m on the Operations Board for the 911 Center (Chief Lingrell and myself, and 1 of the County Fire Chiefs, EMA Director...we’re all on the Operations Board), and we’d like to ask for your support of the 911 Levy on the ballot, November 4th. It’s a half mill levy (a 0.5mill levy) that a...just to lay it all out there, we desperately need to maintain the services that we have...”
 Chief Keller invited anyone with questions about the Levy to contact him

Police Chief Matt Lingrell –

Thanked Council for approving the copier(s) expenditure
 Expressed appreciation to the ladies who voiced the drag racing concerns
 Stated, “Your voice is heard. I think it’s a powerful thing that you bring—I’m sorry it gets to the point to where you bring a petition, but I think it’s powerful...I think it stands out...and I think it’s something that does open your eyes more...”

Chief Lingrell added, “...It’s young people...It’s young boys driving (we know who most of them are)...They’re driving in bad ways. I would say a couple things...one, that I would encourage parents...and here’s where I would encourage parents...I’ve been off duty before, sitting at the corner of Jefferson and Scioto, and seen a couple of the boys drive recklessly...well, if I’m off duty seeing people drive recklessly, their Fathers have seen them drive recklessly (or their Mothers have seen them). At some point they’ve seen

them. They can say they haven't, and they can challenge you that it hasn't happened...but I would encourage parents to sit down with them...the boys aren't bad people...they're out having fun, it's that time of life...and they think nothing bad is going to happen...but something bad is eventually going to happen...and it will be hurtful and painful to that family (or to that neighborhood)...and it's not something anybody deserves!

I encourage the boys also (or the girls)...but mainly the boys, to take some responsibility and do the right thing! In response to their neighborhood—it is a difficult neighborhood—but let me tell you, they're not the only neighborhood that we're getting calls on.”

Chief Lingrell referred to the purchase of the speed sign, and amount of requests he receives to place the (1) sign in numerous locations. He explained how the speed sign works inclusive of the digital display shut-off that still records the speed/time of occurrence. An example was given of a vehicle that travelled Bloomfield Ave. (1:15AM) at 105 miles an hour, and has since been caught.

He suggested a little bit better policing for the area in question, and encouraged citizens to keep calling if there is a problem.

“Hopefully the officers will be available, and they'll get there,” Chief Lingrell stated.

“The boys...we find a couple places that we think are hiding places (to catch them when they're driving recklessly)...well, the boys will drive by and wave...so they know where we're hiding! It's not really fair, but that's the way it is...and we're going to keep doing the right thing to try to deal with it. We have cited a couple of people (not there), but in other places in the city...”

He cautioned, “It's really about being respectful of other people...and be respectful of your own life (you only get one)! Everybody in this room can tell a story about a tragedy involving somebody they knew in their family (or somebody that was related), or somebody in their neighborhood.”

Chief Lingrell expressed commitment in dealing with the problem.

He said:

“We brief at two o'clock for the nightshift—this was a hot topic for like 3 weeks...we'd talk about it at briefing, ‘Hey Amherst Dr., Crescent Dr.’...and like everything else, that dumps down...and after awhile you quit talking about it at briefing, and you're onto the next issue...and we probably forget about it (and we shouldn't forget about it)...I'm not saying that tonight you're going to see 5 police cars out there...but I do agree with you, if they're out there at the wrong time that's not a way to terminate anything...”

Council President Hess said, “Thank you, Chief—you guys do a lot of work, but with limited manpower...and I hope everybody appreciates what you do do...thank you!”

Mr. Lee Williams - Nothing at this time

Mr. Kerry Brugger - Shared a story about walkers out on Jefferson & Washington ‘early Sunday morning’ making it part of their AM routine to pick up trash

He said, “I just think that's what this is all about—People take pride, and talk about it—Do it, and do it for the right reasons! It's our community!”

Noted Mr. Tyler Bumbalough received an update from the State (Resolution passed in 2011 for Bridge Inspections); Mr.

Bumbalough reported (5) bridges – not inclusive of Market St –

that are in the process of replacement; All the bridges that are warranted to have inspections have all passed at 100% or greater
“Our bridges in the city are in good condition,” Mr. Brugger said.
Mentioned Mr. Brad Bodenmiller sent out an email regarding ‘Moving Ohio Forward,’ said noted the process is in ‘full swing’;
Noted bids are due in at the end of the month
The Railroad crossing on Edgewood—last week Mr. Doug Crabill and Mr. Brugger met with the West Central Ohio Port Authority; WCOPA is getting ready to advertise for bids to upgrade those crossings with focus on the northern set
Leaf pick up is scheduled to begin the week of Nov. 4, and regular runs will continue for 4 weeks (to Dec. 1, as the target of the cycle)

Announced The Compost Facility hours; 8-4:30 M-F & 9-3 Sat.; It will be open through Nov.; Branches/Leaves/Yard Waste/ & Garden Debris may be brought to the Facility
Said the WWTP Upgrade is in ‘full swing,’ and provided some information on concrete pours (750 yards poured in the last 2 weeks); Project is going ‘like clock work’

Dellinger Rd. started Oct. 21; Mr. Brugger provided a brief update on progress; Projected completion – by Thanksgiving

Mayor Bill Bean - Repeated information regarding ‘Beggars’ Night,’ at 6-8PM, on October 31st; Asked everyone to be cautious/ take care of little ones

Reminded everyone of Election Day (Nov. 5); Told everyone to get out and vote; Mentioned those running for Council and Urbana Trustees, and the School Levy

Council President Hess –

Stressed the importance of voting

He said, “It really makes me mad when I see 20% or 30% of people voting, and people in other worlds fight and stay in line for days to vote...we don’t do it, and I don’t understand why! That is what our country is based on! I don’t care who you vote for—just go to the polls and vote!”

Revisited the drives on Jefferson Ave. (congestion), and asked whether anything will be done to alleviate the problem

Mr. Brugger stated, “We have—we are—we won’t...those were all put in by the developer when that property was developed... for us, we don’t have the (I’ll call it—the authority)...we can work with them, try to develop an opportunity as things change there...but the way it’s currently set up...it’s just like we get calls about a stop sign missing from one of those, and they’re not our stop signs...they belong to the developer, or whoever owns that property. We don’t have the jurisdiction to go and change those. We’ll try to work with them, if there’s a desire to do so.”

Mr. Brugger noted thus far there has been an unwilling response

to addressing the problems (from discussions that have previously taken place)
Council President Hess noted the block between Scioto & Water St.; Asked if there is a desire for Council to call or write to someone about the situation in that area
“I know we can’t do it, but can we ask them to do it?” asked Council President Hess.
“We’ve had discussions...but I’m sure we can have them... raised again,” said Mr. Brugger.
“I would be more than happy to write a letter...as a citizen, not as president,” Council President Hess concluded.

OTHER –

Mr. Brugger asked, “Mr. Hess—not to get into your business--but...we’ve talked about it a little bit in recent months, about the November/December UCC Meeting schedule...have you reached a decision on that?”

Council President Hess replied, “Well, I thought we’d wait until a full Council is here, but Lord knows when we will see a full Council again!”

“I thought we had a...somebody came up with a brilliant idea just moving (I believe) the meetings forward, or back...Kerry, I think it was you...” said Mr. Hoffman.

Mr. Brugger noted a change to the UCC Meeting schedule for the months of November and December 2013, due to the holidays (with one meeting falling on Christmas Eve), was proposed in earlier meetings. He suggested that UCC Meetings during those months could be moved to the first and third Tuesdays.

Mr. Paul clarified the UCC Meetings would then be: Nov.5, Nov. 19, Dec. 3, & Dec. 17. “Correct,” said Mr. Brugger.

Mr. Paul moved to change the UCC Meeting schedule in November and December 2013 to the first and third Tuesdays; Mrs. Smith seconded. Motion carried without objection.

Adjournment

Mr. Paul moved to adjourn the Regular Session Meeting at 7:52PM; Mrs. Smith seconded. All were in favor of adjournment.

Council Clerk

Council President