

**URBANA CITY COUNCIL**  
**REGULAR SESSION MINUTES – NOVEMBER 19, 2013**

**Council President Marty Hess** called the Urbana City Council Regular Session Meeting of Tuesday, November 19, 2013, to order at 7:02PM, in Court Chambers / The Municipal Building.

Council Present – All Council Members were in attendance with the exception of Mr. Robert Thorpe

City Staff Attending – Mayor Bill Bean; Mr. Kerry Brugger, Director of Administration; Mr. Lee Williams, Finance Director; Mr. Doug Crabill, Assistant to the Director of Administration; Ms. Marcia Bailey; Mr. Chad Hall; Police Chief Matt Lingrell; Assistant Municipal Prosecutor/ Staff Attorney Breanne Parcels; and Mr. Colin Stein

**Roll Call and Pledge of Allegiance**

**Brief Presentation**

Urbana Police Officer/F.O.P. Lodge #93 Representative Josh Jacobs addressed Council regarding the ‘F.O.P.Christmas Giving Tree Project.’ The annual community outreach activity allows children who might not otherwise receive a gift, to receive a gift through the generosity of those who pick up a tag from the tree (which will appear in the Municipal Building lobby – after Thanksgiving/December 2). He encouraged those wishing to help out to get a tag as soon as possible, because tags disappear quickly. Officer Jacobs noted that the F.O.P. brought gifts to over 200 children in the city. He said request forms will be available at the Police window, November 20-29. Gifts should be dropped off at the Police Dept. by December 20, with the tag attached to the item. Delivery of gifts will begin December 23.

“Our community really steps up and stands behind this, and we really do appreciate that,” he said.

“Do you take Santa Claus with you when you deliver?” asked Mrs. Virginia Smith.

“No—we are Santa Claus on that day!” Officer Jacobs replied. “It’s some good building with young children in our community—that sometimes, they need to have some good building with the Police Dept. It’s also a good building with the adults of the community too—we get a lot of good feedback.”

Officer Jacobs noted he’s received numbers of calls asking, ‘When can I get my tag?’ and added. “That’s really the true meaning of Christmas, and that means a lot!”

**Approval of Minutes**

Mr. Dwight Paul moved to approve the UCC Regular Session Minutes (November 5, 2013); Mr. Doug Hoffman seconded. Motion carried without objection.

**Communications**

1.

Mr. Paul moved to place the City Of Urbana Planning Commission Minutes (August 26, 2013 & September 23, 2013) on file; Mr. Hoffman seconded. Motion carried without objection.

2.

Mr. Paul moved to place the Communication to Council from Ms. Marcia Bailey, Economic Development Coordinator (November 13, 2013) on file; Mr. Hoffman seconded. Motion carried without objection.

Discussion –

“Is this the one for the...uh...?” Mr. Al Evans began.

“The retail store? Yes!” Ms. Marcia Bailey interjected.

“Has there been any progress?” asked Mr. Evans.

“No—nothing outside of the current Communication,” answered Ms. Bailey. “I’m working with a couple of other leads to possibly fill the vacancy. I haven’t secured anything yet, but there is some interest from 2 other groups that might want to rent the space.”

“I notice we’re trying to be proactive in getting the C-TEC involved—trying to find jobs for those folks,” said Mr. Evans.

“Right,” Ms. Bailey confirmed. “The hope is that we could help those folks transfer into a new job before they lose their current job. I’m still trying to convince the local establishment to stay in place—they have not broadcast where they’re going to make closures—but in talking to the corporate, this is the store they have targeted. Ours, and a couple others...but...”

She stressed the effort to get those employees in the work force, before they lose the jobs.

“So—a lot of people are hearing this (for the first time)...we’re saying ‘they—

them’...are we prepared to say who this is?” asked Mr. Paul.

“I’m prepared—the corporation hasn’t announced it—but I think the community needs to know, from what I’ve heard,” replied Ms. Bailey. “So yes—Big Lots has made the decision (their corporate decision) that they would be closing our Urbana store.”

She added that through discussions, she was told that ‘the store will be closing after the first of the year.’

#### **Administrative Reports – Board of Control**

1.

Mr. Hoffman moved to authorize a purchase order to the Treasurer, State of Ohio, in the amount of \$7,744.68 for the 2014 public water system license fee (This will be charged to Water Division, and is in the 2013 Budget); Mr. Eugene Fields seconded. Motion carried without objection.

Discussion –

Mr. Chad Hall stated, “It’s just an annual renewal—there’s no increase from last year...this is the license to operate a public water system.”

“If we don’t pay, we don’t get water,” Mr. Fields commented.

Mr. Evans added, “Well, I just would like to say that (if you remember, in his spirit), this is...these are the things that used to drive Councilman Thorpe crazy...so Bob, I said a little bit for you! But what can you do?”

“Are there any inspections or anything—that we have to go through first before getting this piece of paper (basically—is what we’re heading for)?” asked Mr. Paul.

Mr. Hall responded, “I don’t believe that there’s any inspections...Bob (Munch) has continuous monthly monitoring...testing...you know, they have to do that.”

“So this kind of covers nothing but a licensing fee—you don’t get anything in return at all for this?” asked Mr. Hoffman.

“No,” said Mr. Hall.

2.

Mr. Evans moved to authorize the Director of Administration to enter into a contract or contracts for design and subsequent construction on the Robert Rothschild Farm Sewer Main Extension on U.S. Rte. 36 E., in the amount of up to \$25,000 (This cost is in addition to the \$193,000 previously committed to this project, and is necessary to locate

the pump station approximately 390 feet to the south of its original location. This project will be charged to the WWTP Capital, and is in the 2014 Budget for \$193,000 – Attachment Provided, on file); Mr. Paul seconded. Motion carried without objection.

Discussion –

Mr. Kerry Brugger stated:

“The summary that came in the packet hopefully gives you enough background in how we got to where we are. The challenge with this project (as you’re well aware) is...before you can send in an application, you have to have an estimate for what the job is going to be...so once we developed an internal estimate, we made the application (and Council approved that)...once the application was reviewed, they...we were advised we weren’t going to be awarded all the money that we estimated...because then we’d have to come back, and ask for...the gap...the money that was not funded, and continue with hiring an engineering firm...and going through all the due diligence for the environmental review (that type of thing)...after that was completed, we realized the estimate we originally started with was not maybe enough...so that was a \$24,775 gap, and in order to move forward...we have to make sure all of the funding is in place to finish the design, and go out for bid...”

Mr. Evans asked, “Why do we have to move the pump station?”

Mr. Hall explained:

“After reviewing the site, the plans...from the original state that we had started with (back a year or so ago), we felt that by relocating that pump station further to the south...and with the preliminary design that we have now from Burgess & Niple that...ultimately at the end of the day, the city owns the connection that feeds the pump station...so if anything develops in the future to the south, or the residential homes to the south down Three Mile Rd...I can remember if we can cross Three Mile, eventually down the road...that was back in the study that Mike and Tyler (I’m not even sure Tyler was working on it)...but anyways, that allows us to bring gravity sewer in to that pump station, and not be interrupting the Rothschild’s property through an easement...so basically the flow comes out to the edge of Three Mile Rd., and then travels north...and comes back into the pump station. We have to meet the right-of-way setbacks for any public utility as far as like the pump station...we can’t set it out in the road ditch...so that’s kind of what has driven the location of the pump station.. Also—we were kind of made aware of distance for driveways off of a state highway—there’s got to be a certain amount of setback...so if had left the pump station in the original location, it was going to incur additional cost for driveway access. It was kind of...one thing led to another...and it looked like it was a lot easier to move this thing back further south...so...with the proposed layout now, we will use Rothschild’s truck drive as the entrance to the pump station. Their drive is roughly 400’ from 36 on through...”

“So basically—the additional cost is for...pipe?” asked Mr. Evans.

“Basically, yes,” answered Mr. Hall.

He added, “There’s a few other items that lowered the cost by moving it...for instance, the pump station won’t have to be as deep...we won’t have to go down say 30’ vs. now 20’...you know, when you get into that additional subsurface it gets expensive.”

Mr. Paul asked, “So (I recall when we first talked about this), the initial cost was \$160,000 to the City...and I remember (I kept looking at the details as to why) but I recall it that we thought that in 2 years, we would have that paid back, right?”

Mr. Lee Williams said, "Correct."

"Okay—so we initially started at \$160,000...then we went to \$193,000 with the new estimate...and now we're at (what) \$217,000...and we think that the goal posts have been moved...the final time...we're done," stated Mr. Paul. "So at the end of the day—that we're looking at (basically) \$50,000 more or less...additional...that we're not going to see come back...correct?"

Mr. Williams responded, "No—we will see that--we will see it."

"So whatever we're putting into this, we're going to see come back?" Mr. Paul sought to confirm.

"Absolutely," said Mr. Williams.

"That's what I'm concerned about...and the same time as what we originally had?" asked Mr. Paul.

"Probably not—probably not," replied Mr. Williams. "I mean it wouldn't be fair to say that the initial investment of \$160,000 paying back over 2 years would be the same as \$217,000, over 2 years. The thing we don't know, Dwight—and the thing that Chad and I deal with, is not only the cost of the project...but we also deal (and struggle with) the actual revenue...we don't know...we're estimating the revenue. The payback could be lower...and it could be higher...we're just not sure yet. We're not sure of the volume—we're not sure of the density...so until we get some more factual information on the revenue stream from what's going to go through that line...we can't really determine the revenue stream accurately. We're estimating that as well."

"Understood--but (at the end of the day)—this is not a situation where we're putting \$200,000 out, and we're not seeing any return," said Mr. Paul.

"Correct," Mr. Williams said.

"Basically, it's covered...so whether it's 2 years, 5 years...in my mind, that's okay...I'm okay with that," stated Mr. Paul.

"Rough order of magnitude—when you think of \$200,000 (the estimate Chad and I worked up initially) was understated somewhat, given the new volumes and the new percentages...we think we might still have a payback in 2 years on \$200,000...so at two seventeen, it might be 2 years and 2 months...it's in that 2 year neighborhood," Mr. Williams said.

"Okay—good enough," Mr. Paul replied.

Mrs. Smith asked "So is this a guarantee that you won't be asking for no more money?"

Mr. Brugger responded, "No—that's what Chad's alluding to...the fact that...everything we've been doing so far is based on estimates...so this gets us to a point, we can go out for bids...Burgess & Niple can go out, and we can get bids...we hope then the bids come in at (or below) the prices that we have the prices that we have estimated at this point. You know—if there's something different, obviously we'll have to revisit it...but our hope is...that they've sharpened their pencils a little bit more, and you know their estimates are a little more accurate than ours were a year and a half ago."

Mrs. Smith asked, "...and then my question is...it says it's in the 2014 Budget...if we keep changing our dollar amount, how can it always be in the Budget already...or do you budget too high?"

Mr. Williams answered, "No—I don't budget high—the \$193,000 is in his 2014 Budget for Capital expenditures...if it goes to \$217,000, the additional \$24,000 or \$25,000 is not in his budget...so \$193,000 to \$217,000 is already in his Capital plan."

Mr. Hoffman said, "I just want to make a statement—this (from the very beginning) was a coordinated project amongst several people...and whether it's a 2 year savings, and ends up being a 4 year...I mean look at the WWTP...we got bids back, and they weren't what we thought they were going to be...that can happen here on a smaller scale...but even if it went into 4 years, I think there's still a pay back...and there's still other intangibles besides just a pay back on the sewer line...you know, looking at keeping jobs, and other different things...so...do you want to spend twenty five grand? No, but it's something that's going to have to be done."

Mayor Bill Bean stated, "I'd just like to say that Rothschild's has now put on a second line...they're really expanding, and they need this. They've increased their employment, and (you know) to me it's very positive...and the...I think the pay back...they're going to be using this system more...because (when we started this) they had 1 line...that's all they were running, and now they're running 2 lines...and they're really going great guns! The sooner we can get them on line, the sooner we can start getting the pay back..."

Mayor Bean recommended passage of this item, to move forward.

Ms. Bailey added, "With the timelines that we're looking at now...if this Budget is approved (the new request is approved) we're still in line to see the money released from the state by mid-December."

Ms. Bailey noted the retention of 52 jobs, plus additional jobs that will be coming in. "That's kind of like the unknown also...it's not a direct revenue source for Chad..." added Ms. Bailey.

Council President Hess asked, "Are we metering this...when we check all the meters?"

Mr. Hall answered, "Yes."

### **Citizen Comments**

There were no Citizen Comments.

### **Ordinances and Resolutions**

#### **Third 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

Mr. Paul moved to place Resolution No. 2402 on the business floor for discussion and passage; Mr. Fields seconded.

Roll call vote to approve: Mr. Evans, yes; Mr. Paul, yes; Mrs. Smith, yes; Mrs. White, yes; Mr. Hoffman, yes; Mr. Fields, yes (6-0)

Discussion –

Mr. Fields said, "Thanks Lee."

#### **Second Reading –**

There were no Second Readings at this Meeting.

#### **First Reading –**

#### **RESOLUTION NO. 2403 (AMENDED) –**

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT FOR ELECTRIC GENERATION SUPPLY AND STREET LIGHTING SERVICES FOR USE ON PUBLIC PROPERTY AND STREETS IN THE CITY OF URBANA, CHAMPAIGN COUNTY, STATE OF OHIO, FOR A

PERIOD OF (31) MONTHS COMMENCING MAY 2014, AND EXPIRING  
DECEMBER 2016

(\*Request for Suspension of the Rules/ Passage on Emergency)

Mr. Evans moved to place Resolution No. 2403 as Amended, on the business floor for discussion; Mr. Paul seconded. Motion carried without objection.

Discussion –

Mr. Brugger explained the familiarity of this Resolution, and the reason for the Amended version as omission of the word ‘emergency,’ at the last Meeting. He noted the word allows for a contract to be signed immediately.

“Sounds like a good deal to me, Kerry,” said Mr. Fields.

Mr. Evans pointed out (as a point of order) that the proper words have to be in the Resolution.

Mr. Brugger said the words are in the last sentence of the Amended version.

“Just to reiterate, Lee, I think you mentioned at the last meeting—that getting this price locked in would save us about \$50,000 a year—is that about right?” asked Mr. Paul.

Mr. Williams replied, “Roughly—based on this year’s consumption levels—yes.”

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

Roll call vote to approve: Mr. Paul, yes; Mrs. Smith, yes; Mrs. White, yes; Mr. Hoffman, yes; Mr. Fields, yes; Mr. Evans, yes (6-0)

Mr. Evans moved to place Resolution No. 2403 (Amended) on the floor for passage, and declare an emergency; Mr. Paul seconded.

Roll call vote to approve: Mrs. Smith, yes; Mrs. White, yes; Mr. Hoffman, yes; Mr. Fields, yes; Mr. Evans, yes; Mr. Paul, yes (6-0)

**RESOLUTION NO. 2404 –**

A RESOLUTION TO AUTHORIZE PRELIMINARY APPROVAL BETWEEN THE CITY OF URBANA, OHIO AND THE OHIO DEPT. OF TRANSPORTATION FOR PAVEMENT PLANING AND RESURFACING WITH ASPHALT CONCRETE OF U.S. RTE. 68 FROM THE SOUTH CORPORATION LIMIT (STRAIGHT OINE MILEAGE 5.10) to 0.06 NORTH OF STATE RTE. 55 (STRAIGHT LINE MILEAGE 5.54) ANDFROM LAUREL /OAK ST. (STRAIGHT LINE MILEAGE 7.17) TO THE URBANA NORTH CORPORATION LIMIT (STRAIGHT LINE MILEAGE 8.65) IN THE CITY OF URBANA, CHAMPAIGN COUNTY, OHIO – CHP US 68 5.10

(\*Read and declared a First Reading)

Discussion –

Mr. Doug Crabill defined the purpose of this Resolution as completion of a section of road that had been overlooked by ODOT.

He said, “This essentially rescinds what’s already been passed, and adds that section between 55, and the micro-surface section of 68 going out downtown on the sooth side...so we already planned on doing Laurel / Oak north...this just adds that small section that had been previously overlooked by ODOT...construction would still be next year, 2014.”

Mr. Crabill indicated this Resolution can have three Readings, and is due by the end of December. He noted the estimate for this is \$77,000 at the local share, which reflects the current budget that ODOT has.

Mrs. Amy White asked, “The percentages on this—it’s 80% state, and 20% city?”

Mr. Crabill said, “The 80% is actually Federal money through ODOT.”

**RESOLUTION NO. 2405 –**

A RESOLUTION ENACTED BY THE CITY OF URBANA, CHAMPAIGN COUNTY, OHIO, TO AUTHORIZE THE DIRECTOR OF ADMINISTRATION TO NEGOTIATE WITH AND CONTRACT WITH URBANA TOWNSHIP FOR TOWNSHIP PORTIONS OF THE U.S. RTE. 36 EAST IMPROVEMENTS (PID#96836)

(\*Read and declared a First Reading)

Discussion –

Mr. Crabill explained:

“This is the U.S. Rte. 36 East improvements...eventually from Berwick Dr. to Dugan Rd...this section of road was scheduled to be resurfaced in 2015, but that’s now been moved to ’16...but we were looking at doing a larger project when the resurfacing was scheduled to take place.

So what that evolved into was a stormwater project with curb and gutter, and putting pipe in ditches, and things like that...that we hope to apply for an OPWC application in 2014, or ’15 (depending upon how time works)...so that would fund the stormwater portion, and then there’s the portion that’s called, ‘transportation alternatives’...sidewalk, street lighting, trees, those type of items.

When we applied—we were under the understanding that ODOT would pick up the 20% local match for the township portions of the project (that are funded with the transportation grant)...we found out in talking with ODOT (we’ve actually met with ODOT) that the township has not picked that portion up, so we had an initial meeting with the trustees and discussed the project...and shared what we hoped to accomplish with the project...and basically asked for them to potentially come up with the funding for the 20% on the township portions of this area...”

Mr. Crabill defined the township areas (locations for the township’s being asked to come up with the local share).

“That looks right now about \$27,000 for the transportation alternatives portion, and about \$10,000 for the stormwater...so altogether about \$38,000 is what they’re looking at potentially,” stated Mr. Crabill. “So we just had an initial meeting with them...this Resolution would give the Director power to negotiate with them, and come up with an agreement that deals with the funding for the township portions of this project.”

Mr. Crabill pointed to other negotiations regarding future maintenance (sidewalks, street lighting, etc.)

“Not something we anticipated, but it doesn’t necessarily make sense to leave these portions of the project out...ODOT actually said that they could potentially pull our funding if the township portion is left out...and the reason being...that we’re trying to create pedestrian access in this corridor...” said Mr. Crabill, outlining terminology and definition. “...also the project scored better by connecting everything together, putting sidewalks on both sides...”

He said the first step is to meet with the township, and form an agreement.

Mr. Fields asked, “Wouldn’t the property owners be responsible for the sidewalks—once they put it in—whether they were in the township, or not?”

Mr. Crabill said, “Townships don’t have sidewalk maintenance codes like the city does, so there’s...there has to be a mechanism in place for how the sidewalk will be maintained in the future within the township...because ODOT will not maintain that sidewalk.”

Mr. Evans asked, "We all know that...people that operate in government know that funds aren't readily available a lot of the time...if (for some reason) the township cannot secure the money (to do their portion), will that scrap the whole project?"

Mr. Brugger responded:

"It puts it at risk...we've had...I think we've had 3 weeks of email, and finally got everybody together...it was one of those situations where (to Doug's point) typically ODOT will pick up township portions of these type of projects...but they won't on this one...and if we don't do it, well then...that could jeopardize the project...so the question that we asked was, 'Well, if you don't recognize it as being eligible for ODOT to pay, then how can you recognize it to penalize us for not doing it?'

So that's really kind of our problem...so Doug and Tyler and I met with a couple of the trustees here a couple of weeks ago, and we're scheduled to be back out there December 2<sup>nd</sup> I think for the next meeting...so they have the information...we'll keep visiting with them, and trying to work through it...we hope that they understand there's an obligation...it isn't necessarily something everybody likes to do, but there's an obligation...and there's an improvement to their property...but that's really where we're at with it...the bottom line is, Al (to your point), very bluntly...if they don't fund it, we have 2 options...fund it, and somehow make that work...or put the project in jeopardy."

"Do we have the money to fund it, if they can't?" asked Mr. Evans.

"I guess we'd have to look at that if it comes down to it," said Mr. Brugger.

Mr. Evans asked, "Would there be any way for us to recoup any money that we invested on their behalf?"

"I can't speak to that right now—I don't know," Mr. Brugger replied.

"So there's a lot of questions," said Mr. Evans.

"A lot of questions," Mr. Brugger confirmed. "...and that's why we want to make sure we have the right visibility on it, and have 3 Readings...we're not trying to push this thing through."

Mr. Evans emphasized safe access for the citizenry.

Mr. Brugger stated:

"...to Doug's point (just for clarity), we've already done...over the last couple years...working on those lateral storm sewer lines, and that has to be in place before the ODOT project starts, and then for the storm sewer to be put in...the sidewalks, curb, gutter, and all that...then there will be a milling, and they'll take the crown that's currently there and shift it north about four and a half to five feet...so the whole roadway will be a lot better transition/a lot smoother, and a little wider for everybody to be able to maneuver back and forth...going east to west. The impact on that, to the general public, is going to be significant, and I think we just need to keep our eyes on it...and push forward on it."

Mr. Hoffman said, "Really we're asking for someone to work with us..."

Mr. Brugger replied, "I believe that they're looking out for the best interest of the citizens too—I would believe that they'll step up, and do the right thing."

"I believe so," said Mr. Hoffman.

Council President Hess clarified that this is 'just for negotiation,' and noted the Administration will come back to Council if there is cost involved.

Mr. Fields asked, "With the CDBG grant—we couldn't use any money from that for that?"

“The township could technically apply to the county program...then we’d have to get it figured out, and qualify it...or see if it would qualify,” answered Mr. Crabill. “That’s a potential...we could dig into that a little bit, and see what...yeah, it’s possible...we’d have to look and see if it would be qualified...it doesn’t really benefit residential property, but it does benefit disabled folks.”

**RESOLUTION NO. 2406 –**

A RESOLUTION AMENDING RESOLUTION 2376 TO MODIFY OR INCREASE APPROPRIATIONS WITHIN VARIOUS FUNDS OF THE CITY OF URBANA, OHIO (Rules Suspension Requested with Passage)

Mr. Lee Williams explained:

“This is a culmination of all of those things that we brought through the Board of Control items that we brought throughout the year that said, ‘This is not in the Budget in the 2013 Budget.’ I have to apologize—there’s no mention in the Resolution for ‘emergency’—we plagiarized/used last year as a copy form, and either we missed that item (or two, it wasn’t on the previous Resolution)...so I apologize for that not being on there, but I’m asking for passage.”

Mr. Williams made reference to an email sent to Council 11/18, and said, “Hopefully everyone got it and had a chance to look at it—it narrates the items greater than \$10,000 that are of significance.”

He briefly outlined big ticket items, and said, “The rest of the items are less than \$200,000 on a budget of \$15.2mil last year.”

Mr. Evans asked, “Do you want to declare an emergency as well as a rules suspension?”

“I’d like to—if it’s okay with Council,” said Mr. Williams.

“So we’ll need to amend this,” said Mr. Evans, noting discussion after suspension of the rules.

Mr. Paul asked, “So basically, Lee, we’re just kind of level setting—correct?”

Mr. Williams answered, “Yes—right—even though we’ve all approved and agreed on the Board of Control items each and every time we approve them...like for example, the snow plows...we have to go in now, and reappropriate that money...because it never has been put into a budgetary mode.”

Mr. Paul moved to AMEND Resolution No. 2406, as an ‘emergency’; Mr. Evans seconded. All were in favor of the Amendment, with the exception of Mr. Evans (5-1).

Mr. Paul moved to suspend the rules on three readings, to place this Resolution on passage; Mr. Fields seconded.

Roll call to approve suspension: Mrs. White yes; Mr. Hoffman, yes; Mr. Fields, yes; Mr. Evans, no; Mr. Paul, yes; Mrs. Smith, yes (5-1)

Mr. Paul moved to place Resolution No. 2406 on the business floor for passage; Mrs. White seconded.

Roll call vote to approve: Mr. Hoffman, yes; Mr. Fields, yes; Mr. Evans, no; Mr. Paul, yes; Mrs. Smith, yes; Mrs. White, yes (5-1)

**RESOLUTION NO. 2407 –**

A RESOLUTION AUTHORIZING A CASH ADVANCE FROM THE GENERAL FUND TO THE MAUSOLEUM TRUST FUND OF THE CITY OF URBANA, OHIO (Rules Suspension Request for Passage)

Mr. Williams said:

“Again—using last year’s Resolution, I didn’t copy over—either that, or it wasn’t on last year’s Resolution to declare an emergency...this is the difference between what we’ve sold at the new Mausoleum, and what it cost us to support the debt payment.”

Mr. Fields moved to AMEND Resolution No. 2407, to ‘declare an emergency’; Mr. Hoffman seconded. Motion carried without objection.

“One quick question, if I may—so if we don’t pass this tonight—what happens?” asked Mr. Paul.

“We have a debt payment due—that means we’ll run the General Fund negative, until we do pass it...because there’s not enough money in that Mausoleum Trust to pay the debt payment,” said Mr. Williams.

Mr. Evans moved to suspend the rules on three Readings; Mr. Fields seconded.

Roll call vote to approve suspension: Mr. Fields, yes; Mr. Evans, yes; Mr. Paul, yes; Mrs. Smith, yes; Mrs. White, yes; Mr. Hoffman, yes (6-0)

(\*There was brief confusion when Council President Hess asked for a Roll Call Vote on passage; Mr. Paul pointed out that Motions had not been made toward passage)

Mr. Hoffman moved to place Resolution No. 2407 on the business floor for passage; Mr. Paul seconded.

Roll call vote to approve: Mr. Evans, yes; Mr. Paul, yes; Mrs. Smith, yes; Mrs. White, yes; Mr. Hoffman, yes; Mr. Fields (6-0)

**ORDINANCE NO. 4408 –**

AN ORDINANCE CONFIRMING THE APPOINTMENT OF RHONDA WARD AS DIRECTOR OF FINANCE FOR THE CITY OF URBANA, AND PROVIDING COMPENSATION FOR THE POSITION

(Request for Suspension of the Rules and Emergency Passage)

Mr. Brugger clarified in the verbage of the Ordinance, it does ask for Suspension of the Rules and Emergency Passage. He added that the information (verbage regarding ‘emergency’) was not transposed to the Agenda.

“It’s written correctly—it’s just not reflected in the Agenda that way,” Mr. Brugger reemphasized.

Mr. Paul said, “Mr. President, I make a motion we place Ordinance No. 4408 on the business floor for discussion.”

“You can’t place it on the business floor for discussion, until you suspend the Three Reading Rule!” stated Mr. Evans. “Then we can discuss it.”

“Okay then—I withdraw,” said Mr. Paul.

Mr. Paul moved to suspend the rules on three readings on Ordinance No. 4408; Mr. Evans seconded.

Roll call vote to approve:

Mr. Paul, yes; Mrs. Smith, yes; Mrs. White, yes; Mr. Hoffman, yes; Mr. Fields, yes; Mr. Evans, yes (6-0)

Mr. Paul moved to place Ordinance No. 4408 on the business floor for discussion and passage; Mr. Evans seconded.

Roll call vote to approve:

Mrs. Smith, yes; Mrs. White, yes; Mr. Hoffman, yes; Mr. Fields, yes; Mr. Evans, yes; Mr. Paul, yes (6-0)

Discussion –

Mayor Bill Bean stated:

“I’ve known Rhonda for quite sometime, and being a Urbana resident...and I worked with her at Urbana University when I was on the Board...she was the CFO at Urbana University...she’s going to be taking Lee’s spot, she’s going to be coming in on the 25<sup>th</sup> of this month (which is next week), so we need to pass it in an emergency...and I appreciate you doing this. She’s just a really good accountant, CFO...and I think she will do well following what Lee has done, and I appreciate it.”

**ORDINANCE NO. 4409 –**

AN ORDINANCE CONFIRMING THE APPOINTMENT OF BREANNE PARCELS AS DIRECTOR OF LAW/ MUNICIPAL PROSECUTOR FOR THE CITY OF URBANA, AND PROVIDING COMPENSATION FOR THE POSITION

(\*Read and declared a First Reading)

Mayor Bean noted this is not an emergency, and announced the current Law Director;/City Prosecutor Gil Weithman will leave office as of January 1, 2014.

“You all know that Breanne’s been working for you...she’s come in, and she’s been the Staff Attorney now since over a year ago...and she’s come with high marks from our present sitting Judge, and from Skipp (Weithman)...so I would like to just say that I think she’s been doing a good job for (not only the Administration), but for Council,” said Mayor Bean.

“I think it’s a very good choice,” Mr. Paul commented.

**ORDINANCE NO. 4410 –**

AN ORDINANCE AMENDING CHAPTER 145 OF THE CODIFIED ORDINANCES OF THE CITY OF URBANA, OHIO TO BE TITLED BOARD OF CONTROL

(\*Read and declared a First Reading)

Discussion –

Mr. Brugger stated:

“The summary that I put together (that went out with the packets) hopefully provided some background of how we got to this point...it was October of 2011 (after lengthy discussion) there was a request to adjust the Board of Control threshold, and there was discussion...to go as high as \$25,000...I think we negotiated (I shouldn’t say, ‘We negotiated’)...there was discussion back and forth at that time...and we kind of settled on a split...a threshold where if it’s in the budget, the threshold was \$7,500...if it’s not in the budget (let me make sure I got this right)...if it’s not in the budget, the Board of Control could go to \$2,500 without coming to Council.

What I put together for you was a little background...over the last 12 months, you’ve had 83 Board of Control items...none of them fell within that threshold of over \$2,500 (and less than \$7,500)...only 13 out of 83 were from \$7,500 to \$10,000...so what our hope is...I think we’ve shown (over the last couple years) that you know...we are providing the transparency that Council’s requested. I know Lee puts out a monthly budget...or a monthly expenditure report showing all the different expenditures that do not necessarily come to Council.

So in order to maybe eliminate that two-tiered...and just kind of break everything at one point...we’re just asking for consideration to amend Chapter 145, to just make it a straight \$10,000...anything over \$10,000 would come to Council, and anything under \$10,000 would be according to the guidelines for the Board of Control.”

**ORDINANCE NO. 4411 –**

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP, REZONING THE  
18,484 ACRES APPROVED FOR THE ANNEXATION ON AUGUST 13, 2013  
(\*This Ordinance was not read by the Clerk)

Council President Hess announced that there was a request to take this Ordinance off the Agenda.

Mr. Brugger said, "I believe there was...I think we wanted to put it on the floor for Council to act on it—right?"

"Yes—that's what I was trying to tell you...we want to vote to..." Mr. Evans began.

"...send it back to the Planning Commission," Council President Hess completed Mr. Evans' statement.

Mr. Brugger briefly explained the Ordinance, and said that more information has come forward that 'still now needs to be validated.'

He said Council should send this Ordinance back to the Planning Commission, so they 'officially go back through that data, and then bring it back.'

Mr. Evans noted 3 choices: accept, modify, or send it back.

Mr. Evans moved to advise the Administration to ask the Planning Commission to revisit Ordinance No. 4411, and that 'we send it back to them for reexamination'; Mr. Hoffman seconded. Motion carried without objection.

**Miscellaneous Business**

Mr. Fields - Announced a '2<sup>nd</sup> Annual Chili Dinner with Santa' on Dec. 14 at 3-7PM, (Location not mentioned/No flyer given to the Clerk); Tickets can be purchased Boldman's Printing or the Shirt Shop downtown; Phone- 937-408-8547 / John, 937-653-5811 / Richard, 937-308-6072 /Jamison Funds are used for underprivileged children in the City of Urbana

Mr. Fields moved to excuse Mr. Thorpe from this Meeting; Mr. Evans seconded All were in favor of excusing Councilman Thorpe

Mr. Evans - Said, "What you're seeing tonight on t.v. (hopefully) is the result of a... one of our volunteer boards that we have here in Urbana...when the

Mayor was elected to his office, there was a vacant seat on the LAC Committee (which is the Local Access Committee), and Mayor Bean asked me to Chair that Committee...and in our first meeting, one of our first tasks that we talked about was to try to get our video presentation for the Council Meetings upgraded."

He noted a goal of getting cables off the floor, and to utilize equipment that the school has to stream meetings live.

"So with the work of this volunteer Board, and with the cooperation of the Administration, and with the cooperation of Judge Susan Lippencott...we were able to accomplish that...our portion of it, at a relatively low cost, as compared to other options.

He recognized and expressed appreciation to those who served/are serving on the Volunteer Board: T.D. Evans, Lee Williams, Audra Bean, Linda Smith, Christina Bruun-Horrigan, Sandi Arnold, and Tony Pena.

He thanked the Administration as well, and noted this effort as an accomplishment.

Mr. Evans (to Police Chief Matt Lingrell) asked the speed limit from Wards Lane south to the new city limits.

Police Chief Lingrell stated:

“I believe it’s 35 mph—I will tell you that recently the State was here and worked with one of our officers (and with Tyler) going throughout the city...checking some of those...especially the entry into the city, and we found that in many locations they were marked wrong...and so we’ve changed...and the State’s changed many of the locations throughout the entries to the city...whatever they’ve put there is the correct, so if you’re looking at me like you know it’s a different speed...that is the correct speed...they just corrected it in the past month, and it’s kind of shocking to a few people...because the speed has gone up in some locations.”

He provided an example.

Mr. Evans said, “On behalf of the people that live on the east side—I want to thank you, and the department, for your diligence out there with our problem...but what I also want to say to the citizens is...we don’t want the people that are coming over there and doing what they’re doing...they’re welcome in our neighborhood...we don’t want anybody to think that they’re not welcome there! We just want them to drive safely when they’re in our neighborhood. We want you to come—don’t feel that you can’t come over—we would just like you to drive safely!”

Chief Lingrell said discussion has taken place with the boys who were driving too fast, and he said they see/understand the reason for safety.

Mr. Paul - (to Mr. Crabill) asked about progress on street lights

Mr. Crabill noted ‘no movement’ on that, and said the contract with DP&L Energy, and Miami Valley Lighting, must be in place in order to reassess that

Mr. Paul noted the upcoming holiday, and wished everyone ‘safe travel’

Mrs. Virginia Smith –

Wished the Clerk a ‘Happy Birthday’

Asked about activity recently at Q-3; Mr. Brugger elaborated on the need for a thorough evaluation regarding what it will take for remediation

Mrs. Amy White –

Wished everyone a ‘Safe and Happy Thanksgiving’

Mr. Hoffman –

Requested minimizing ‘Emergencies, and Suspension of the Rules for Passage’ and said, “The rules are there for a reason—it’s always a little uncomfortable when we have to suspend so many.”

Noted the recent ‘Standard & Poor’s Rating’ for the City from A+ to AA-, just 3 steps from a top rating of AAA ; Mr. Williams attributed to improved rating to strong management and strong budgetary priorities, and said ‘It’s good news!’

Police Chief Lingrell –

Nothing at this time

Mr. Crabill – Provided further clarification on Q-3; Noted focus largely on gathering potential demolition cost; Said the City has remediation cost

Announced (due to the absence of Mr. Robert Munch) a water service out in the Grimes Circle area Nov. 25; Repair is anticipated that day, but there will be a boil order in that neighborhood through possibly Nov. 27; Said a hydrant needed to be replaced; Defined the area as ‘mainly north of Grimes Circle, north of the Armory, and following No. Main to the city limits

“This is in time for Thanksgiving,” said Mr. Evans.

Mr. Crabill said door hangers were distributed

Mr. Chad Hall –

Discussed finalization of the compost season; Said the schedule will extend to the end of November with normal Friday hours on Nov. 29, and normal Saturday hours on the 30th

Provided a ‘quick project update,’ with details of concrete pouring and installation of steel rebar; Said pictures will be posted on the city’s website

Mr. Colin Stein –

Announced the last pick up of leaves will begin December 2<sup>nd</sup>, for the final sweep; Noted there is no Spring clean up, so encouraged everyone to get their stuff done

Provided more insight regarding the water issue near Grimes

Mr. Brugger –

Provided an update on Columbia Gas –a letter was received from Columbia Gas (Nov. 13) regarding the pipeline project that’s been going on (Boyce, Lafayette, Lincoln, and part of Main/part of Julia)

He said, “They’re closing up shop on the 22<sup>nd</sup>...they’re going to finish... what they’re saying is they’ve got 200 of the 350 service lines completed, and all the mains have been installed with the exception of those on No. Main St. They plan to complete the construction by the end of this year, but they’ve had unexpected increases in construction projects/work loads elsewhere...and they’ve got to redeploy some crews to finish up some other areas...so as a result the main line and service line installation will be temporarily halted beginning November 22<sup>nd</sup>...plans to resume main and service line installations during the first quarter of 2014...and they are going to remove all steel plates, and...make all the repairs into hard surfaces, so they’re not going to leave things open to gravel...they’re going to concrete, and do everything they can to close everything up over the winter and finish up what they have started...but they’re not going to be able to finish that project like they originally anticipated.”

Mr. Brugger told Council he would keep them posted regarding changes.

Mr. Brugger provided a brief update on ‘Moving Ohio Forward,’ the demolitions; said the bids were opened the end of October; Discussed ‘Heater Excavating,’ and the company’s prior experience with demolition; Plans to start in early December around Poe Ave., and working south.

Expressed appreciation to the Four Seasons Garden Club for their work near The Monument, and The Square

Mentioned the ‘streaming live,’ and said those people that don’t have cable/converter boxes have lost the local access channel (Channel 5 from Time Warner, as well as 6 or 7 other channels that now are being broadcast in HD); Noted receiving a letter from Michael Gray (Time Warner) regarding what customers need to do in order to have continued access; Customers should contact Time Warner by Jan. 12, 2014 to obtain the DA’s and remote controls at no cost until Dec. 31, 2014. Beginning Jan. 1, 2015, each adapter will cost \$1.50 per mo.; There is no requirement for anyone to change their subscription; Advised to obtain the 800# at the website and follow the directions.

Mayor Bill Bean –

Expressed appreciation to Mr. Evans, the LAC Committee, and T.D. Evans for the new t.v. system; Noted it as a benefit to the community  
Expressed appreciation to Police Officer Josh Jacobs and the F.O.P. for doing the Annual Christmas Tree Project; Noted, “It’s a big success!”  
Announced The Monument Square District is having the ‘Gala Christmas Tree Auction,’ Dec. 4 at the Cheetah Lounge (behind W.B. Marvin)  
Wished everyone a ‘Happy and Safe Thanksgiving!’

Council President Hess –

Also expressed appreciation to the LAC Committee  
Expressed appreciation to Mr. Lee Williams, and Attorney Gil Weithman for all that they have done for the city

**Executive Session**

Mr. Evans moved to adjourn to Executive Session (8:13PM) to discuss ‘Personnel’; Mr. Fields seconded. Motion carried without objection.

**Adjournment**

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

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Council Clerk

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Council President