

**URBANA CITY COUNCIL
REGULAR SESSION MEETING MINUTES
TUESDAY, MARCH 11, 2014 @ 7:00 P.M.**

President Marty Hess called the regular meeting of the Urbana City Council to order at 7:05 p.m. City staff attending: Mayor Bill Bean, Director of Administration Kerry Brugger, Director of Finance Rhonda Ward, Director of Law Breanne Parcels, Assistant to Director of Administration Doug Crabill, Water Superintendent Robert Munch, Wastewater Superintendent Chad Hall, City Engineer Tyler Bumbalough, and Amy Deere from the Law Department.

PRESIDENT CALLED ROLL: Doug Hoffman, present; Tony Pena, present; Pat Thackery, present; Virginia Smith, present; Dwight Paul, present; Al Evans, present; Gene Fields; present.

President Hess led the Pledge of Allegiance.

MAYORAL PROCLAMATION: Mayor Bean introduced Mr. John Hannah and issued a mayoral proclamation recognizing March as Developmental Disabilities Awareness Month. Mr. Hannah began working with Champaign Residential Services Inc. ("CRSI") in 1995 as a consumer advocate. Mayor Bean said Mr. Hannah is very active in several statewide committees, serves as president of ARC Ohio, and has the distinction as a participant at the first Special Olympics held in Chicago in 1968, as well as international Special Olympics, playing basketball. Mr. Hannah thanked the mayor and members of council. Mayor Bean read the proclamation aloud, encouraging the public to get to know individuals with developmental disabilities, "recognize ability, not disability, and picture their potential."

MINUTES of the previous meeting, February 25, 2014, were approved as received with one correction due to the omission of a Council member's name on a motion to authorize a purchase order to CMI. Councilman Fields was later able to identify that Councilman Evans made the motion from his notes.

Voice vote on approval: all ayes; nays, none. Motion carried without objection.

COMMUNICATIONS: President Hess presented the Columbia Gas of Ohio notification to improve the Loudon Street and Light Street Gas Pipeline System. Councilwoman Smith moved and was seconded by Councilman Paul. Councilman Paul stated the meeting is scheduled for March 19, 2014, from 6:00 p.m. to 7:00 p.m. at the First Christian Church, 113 Orange St. Voice vote on approval: all ayes, nays, none. Motion carried without objection.

ADMINISTRATIVE REPORTS – BOARD OF CONTROL:

- 1. Burch Hydro, Inc. - \$42,680 (Wastewater Treatment Plant Division)**

Councilman Paul moved to authorize a purchase order to Burch Hydro, Inc. in the amount of \$42,680 for labor and equipment to pump and haul liquid sludge from the existing primary digesters in preparation for demolition. This will be charged to the Waste Water Treatment Plant Division and will be re-appropriated within existing fund originally approved in the 2014 budget. Councilman Evans seconded.

Mr. Hall reiterated his explanation from the February 24 work session, that this purchase order was not originally in the 2014 budget due to the fact that they were expecting to do the demolition in 2015 to construct new, larger digester tanks in the same spot as the old ones.

Councilman Paul and Councilman Evans both questioned Mr. Hall about moving up the date nine months. "So there's no additional money, we're just moving it forward, moving the expenditure up?" Councilman Evans asked. Mr. Hall confirmed.

Director of Administration Kerry Brugger said that the amount of the purchase order is based on a "worst case scenario," if the sludge tanks are completely full when the work is done. Otherwise, the cost could come in under the requested dollar amount.

Voice vote on approval: all ayes, nays, none. Motion carried without objection.

POINT OF ORDER: Related to the correction of the minutes, Councilman Evans said that he was the council member who was not identified properly. President Hess said it would be corrected prior to the next meeting.

CITIZEN COMMENTS: President Hess opened the floor for citizen comments and noted two individuals had signed in to speak.

Dave Johnson of South Walnut Street brought three issues to council's attention.

1. School sign. Mr. Johnson introduced himself as a former school employee and asked about the language on the flasher sign noting the school zone for South Elementary on South Main St. The sign states that it is a 20 mph zone during "restricted hours" and Mr. Johnson asked if the sign could be changed to specify the hours because the flashers weren't lit at the normal time earlier this week due to the time change from Daylight Savings.

2. Wildlife control. Mr. Johnson expressed concern about wild animals within the city limits especially deer during "rut" season. He said he feels that children being outside and walking to school could be at risk, as well as draw coyotes as predators of deer, also putting children and pets at risk. He asked council to look into options.

3. Taxes. "As the federal and state government takes more and more of our funds that we never see, because it goes into the black hole we call Washington D.C., the City of Urbana taxes on gross income, so we are paying taxes on money that we never see," he said. He quoted information from the City's Web site and asked council to look into taxing net income rather than gross income. "I know this is common for many cities in Ohio but it doesn't mean it's right," he said. He said a fairer proposal is for the City to tax net income at 1.5%, "that way I know what I'm actually paying taxes on."

President Hess said due to his own former career with the Urbana City Schools in the field of transportation, he could speak to the school zone sign based on his communications with the Ohio State Highway Patrol. "Restricted hours are the hours that any kind of school activity is occurring," he said. Mr. Johnson said he appreciates the efforts of the Urbana Police Division to keep children safe too, as the presence of a parked cruiser often causes drivers to slow down.

Carol Tong of Tanglewood said she has resided in Urbana for the past 27 years and she apologized to the administration and council for not attending sooner. "This is a marvelous town and when my son visited for the first time, he said 'Mom, is this Mayberry?'" She thanked the public officials for their work to make the city a great place to live.

ORDINANCES AND RESOLUTIONS:

No Third Readings

No Second Readings

First Readings

ORDINANCE NO. 4418-14

ORDINANCE OF COUNCIL OF THE CITY OF URBANA APPROVING AN ADDENDUM TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF RUBANA, OHIO AND THE CITY OF URBANA SERVICE DIVISION AND THE PUBLIC EMPLOYEES OF OHIO TEAMSTERS LOCAL UNION NO. 284, PASSED MARCH 12, 2013 (ORDINANCE NO. 4391.)

Mr. Brugger said this is the "re-opener" for the Teamsters union representing public works/streets, water and wastewater employees. The Teamsters were the first bargaining unit that the administration met with when going through negotiations on the initial contract, and came to an impasse when it came to the topic of wages. So the administration agreed to "parity language" that would give the Teamsters the equivalent of the "best raise" for either the firefighters or the police officers when the salaries were up for review.

"They will pretty much mirror the patrolmen," Mr. Brugger said, except for the lump sum payments police officers were eligible to receive. The Teamsters employees will receive a 1.25% increase in 2014, retroactive back to November 27, 2013. On November 27, 2014 they will receive an additional 1.5% increase for the third and final year of the contract.

Councilman Evans requested verification of no lump sum payment, and Mr. Brugger said the parity language only applied to percentage raises, not any lump sums.

President Hess declared that Ordinance No. 4418-14 has had its first reading.

RESOLUTION NO. 2416-14

A RESOLUTION TO APPROVE THE APPOINTMENT OF KERRY BRUGGER AS SUBSTITUTE FOR MAYOR BILL BEAN AT THE UPCOMING CHAMPAIGN HEALTH DISTRICT ADVISORY COUNCIL MEETING; AND TO DECLARE AN EMERGENCY.

Mr. Brugger advised Council he needed voting power on behalf of the City to attend the Champaign Health District Advisory Council Meeting on behalf of Mayor Bean. Mayor Bean noted that he would be unable to attend due to a Monument Square District meeting at the same time. Because the meetings were scheduled for the day after the regular session of Council, it was requested as an emergency.

President Hess questioned Ms. Parcels about the declaration of emergency and suspension of the rules. She clarified that the City Charter requires three readings and rules suspension for any non-emergency legislation, but emergency legislation may take effect immediately once council recognizes the emergency if the proper language is in the ordinance or resolution and council passes the legislations by a two-thirds majority vote.

Councilman Paul asked Mr. Brugger to verify this would be the only time he would have the ability to vote on behalf of the City, and Mr. Brugger confirmed. Councilman Evans asked if the charter specifies the Council President to act as default, and Ms. Parcels confirmed the charter gives the Council President authority to be "acting mayor" when needed, but also clarified the statute organizing the Health District Advisory Council requires the "chief executive of the municipal corporation" to attend and vote, which is why the mayor has to appoint a designee approved by council to comply with the statute rather than the city charter.

Voice vote on approval: all ayes; nays, none. Motion carried without objection.

RESOLUTION NO. 2417-14

A RESOLUTION TO AUTHORIZE THE OHIO DEPARTMENT OF TRANSPORTATION TO PROCEED WITH PAVEMENT PLANING AND RESURFACING OF THE EXISTING UNITED STATES 68 ROADWAY (PID #91177) AND TO AUTHORIZE THE FISCAL OFFICER (DIRECTOR OF FINANCE) TO APPROPRIATE \$104,832.00 TOWARD SAID PROJECT, AND THE DIRECTOR OF ADMINISTRATION TO SIGN ANY CONTRACTS OR OTHER DOCUMENTS RELATED TO SAID PROJECT.

Mr. Crabill said this resolution replaces an earlier version submitted to council but not enacted due to the addition of required language from the Ohio Department of Transportation and differences in the dollar amount originally submitted. This project is the resurfacing of U.S. Route 68 from Laurel Oak Street to the northern City limits, and a small portion of State Route 55 to the southern City limits. Construction would be this summer. Mr. Crabill said the ordinance does not have to be passed tonight but it has to be back to ODOT by April 4, 2014, hence the emergency request with two readings and request for passage on the second reading. Mr. Crabill said it is not uncommon for dollar variations in projects as ODOT updates their estimates right before they are placed out for bids. He also noted the addition of the southern section added approximately \$10,000 to the paving project.

President Hess declared that Ordinance No. 2417-14 has had its first reading.

MISCELLANEOUS BUSINESS:

Councilman Fields asked about methods to slow down drivers coming through the downtown area to improve safety for pedestrians and other motorists. Mr. Brugger said that he would look into that and mentioned that Mr. Crabill and Mr. Bumbalough are also working on this issue.

Councilman Fields also pointed out that Locust Street is lacking a street name sign at the intersection with Scioto Street and that the historical marker for Billy Clifford on Water Street is missing. Mr. Brugger advised that the sign was removed due to a language change to the sign, and it will be replaced by the Ohio Historical Society.

Councilman Evans asked about wind and storm damage and the opportunity for residents to have branch/debris pickup at the curb. Mr. Brugger advised that the compost facility will be open as soon as possible, with a target date of March 31, 2014, for residents to dispose of yard waste.

Councilman Paul asked Mr. Munch if \$18,000 is a typical figure to replace a residential service line (related to discussion at the public hearing prior to the council meeting about the Phase I water main replacement project). Mr. Munch replied that it is typically closer to \$3,000, but a number of factors can increase that amount such as distance to the main, etc. Councilman Paul also suggested neighbors could negotiate with private plumbers as a group to get a better deal.

Councilwoman Smith reminded citizens of her phone number.

Councilman Thackery encouraged citizens to go out and clean up their properties as the snow melts and to take pride in the appearance of their own neighborhoods and city as a whole.

Councilman Pena asked about the responsibility of structure demolition following a house fire.

Mr. Brugger advised that the City's Fire Chief works with the insurance company on coordinating removal.

Councilman Hoffman also asked about the Phase 1 project and replacement of service lines. Mr. Munch verified that the City cannot force a citizen to install a new water service line, but noted that if the old service line is inadequate, broken or unable to be safely connected to the new mains through the new valve boxes/curb stops, then the property owner would have to pay for the upgrade to be able to connect to the City's water.

Councilman Hoffman also pointed out that his home was missed during Christmas tree pickup. Mr. Brugger advised it would be taken care of.

Mr. Brugger advised that he, Mr. Bumbalough, and Mr. Crabill met with Columbia Gas representatives about finalizing the project on Loudon and Light Streets with a completion date in mid-May of this year. He also encouraged attendance at the March 19 meeting.

Mr. Brugger also addressed spring cleanup at the cemetery and advised citizens to retrieve any permanent or semi-permanent grave decorations as the workers will hold them at the garage for a few days, starting March 15. "Be reasonable, because we have to mow it," he said. "We can't have a shepherd's hook smacking someone on a mower."

Mr. Brugger also spoke about the rough winter and its impact on the City's budget.

President Hess clarified with Mr. Brugger that enforcement of the rules at Oak Dale Cemetery has not changed. Mr. Brugger encouraged the citizens to keep in mind the appropriateness of things placed on the graves of their loved ones, to consider not only the overall appearance of the cemetery, but to consider visitors to neighboring graves as well. "Just be respectful," he said. Councilman Fields asked if the cemetery advisory council still exists, and Mr. Brugger said no records exist that he can find and it is not outlined in the City Charter.

Councilman Evans moved to retire into Executive Session at 8:01 p.m. to speak to a personnel hiring matter and Councilman Paul seconded. Roll call vote on Executive Session: Councilman Hoffman, yes; Councilman Pena, yes; Pat Thackery, yes; Virginia Smith, yes; Dwight Paul, yes; Al Evans, yes; Gene Fields; yes.

Councilman Evans motioned to reconvene to regular session at 8:08 p.m. Councilman Paul seconded. Voice vote on returning to regular session: all ayes; nays, none. Motion Carried without objection.

“It is our job as a council to hire a council clerk,” Councilman Evans said, and moved to hire Amy Deere as Urbana City Council Clerk. Councilwoman Smith seconded.

“I think we had some fabulous candidates,” Councilman Thackery said.

Voice vote on approval: all ayes; nays, none. Motion Carried without objection.

President Hess said the salary will be addressed at a later date and Ms. Parcels reminded Council that it can set the salary for the clerk through its own ordinance or by modification of the existing Central Staff Ordinance, but either way, to “make sure that it is in writing.”

Ms. Deere accepted the appointment as clerk.

Councilman Fields motioned to adjourn the meeting and Councilman Paul seconded.

Voice vote on adjournment: all ayes; nays, none. Meeting Adjourned at 8:11 p.m.

NEXT SCHEDULED MEETING:

March 25, 2014, at 7:00 p.m.



Council Clerk



Council President