

URBANA CITY COUNCIL
REGULAR SESSION MEETING MINUTES
TUESDAY, May 13, 2014, @ 7:00 p.m.

President Marty Hess called the regular meeting of the Urbana City Council to order at 7:03 p.m. City staff attending: Mayor Bill Bean, Director of Administration Kerry Brugger, Director of Finance Rhonda Ward, Director of Law Breanne Parcels, Wastewater Director, Chad Hall, Water Superintendent, Bob Munch. Media present: reporters from the *Urbana Daily Citizen* and WPKO Radio.

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

Mr. Hess led those present in the Pledge of Allegiance.

MINUTES of the previous regular meeting, April 22, 2014, were reviewed. Mr. Paul moved for approval, with second by Mr. Evans. Voice vote on approval: all ayes; nays, none. Motion carried without objection.

COMMUNICATIONS: (1) Letter from Department of Commerce, Division of Liquor Control, regarding a new liquor permit for 949 N. Main St., Urbana. Mr. Evans moved to accept the communication, Mr. Paul seconded. Discussion between Mr. Evans and Ms. Parcels took place referencing an individual that once came in explained the liquor permit procedures. Ms. Parcels further explained how the procedure occurs and how many permits a municipality is usually allowed. Voice vote on approval: all ayes; nays, none. Motion carried without objection.

(2) City of Urbana Shade Tree Commission Minutes – March, 2014. Mr. Paul moved to accept this communication, Mrs. Smith seconded. Voice vote on approval: all ayes; nays, none. Motion carried without objection.

(3) Phase 1 Water Main Replacement Project mailer. Mr. Paul moved for approval, Mrs. Smith seconded. Mr. Paul inquired about the number of mailers went out. Mr. Brugger advised roughly 500 and it was also posted on the City's website. Mr. Paul spoke of some valuable information, initial water system installed in 1877, and City took it over in 1911, and asked Mr. Munch if the original equipment is being used. Mr. Munch advised yes. This equipment is approximately 145 years old. Voice on approval: all ayes; nays, none. Motion carried without objection.

(4) Letter from Mayor Bean to Dr. David R. Decker, President, Franklin University. Mr. Paul moved to accept this communication, Mr. Pena seconded. Mr. Evans thanked Mayor Bean for

writing the letter as he felt it was important to welcome them to the City. Voice vote on approval: all ayes; nays, none. Motion carried without objection.

(5) Letter from Ohio Farm Bureau, regarding Annual Policy Development Meeting. Mr. Paul moved for approval, Mr. Evans seconded. Voice vote on approval: all ayes; nays, none. Motion carried without objection.

(6) Land Use Agreement Draft regarding the Agreement between the City of Urbana and the Monument Square District of Ohio, Inc. Mr. Paul moved for approval, Mr. Evans seconded. Voice vote on approval: all ayes; nays, none. Motion carried without objection.

ADMINISTRATIVE REPORTS – BOARD OF CONTROL

1. Utility Service Company, Inc. (Water Division)

Mr. Paul moved to authorize a purchase order not to exceed \$14,000.00 for the washout, condition assessment and disinfection of four water towers, to Utility Service Company, Inc. The requested amount to include a \$4,000.00 contingency. Mrs. Smith seconded. Mr. Munch spoke in detail on this issue, reviewed the necessity with Council and answers to questions were provided. Voice vote on approval: all ayes; nays, none. Motion carried without objection.

2. Rabenstein Electric (Water Division)

Mr. Paul moved to authorize a purchase order in the amount of \$12,000.00 to Rabenstein Electric, for the replacement of a 125 HP VFD high service pump motor starter, to which this expense may be reimbursed by insurance. Mr. Evans seconded. Mr. Munch explained what happened to cause the contact to Rabenstein Electric. Mr. Munch advised that the damage was beyond repair. Voice vote on approval: all ayes; nays, none. Motion carried without objection.

3. B&K Digital / CDW-Government, Inc. (Various Divisions)

Mr. Paul moved to authorize a purchase order in the amount of \$9,540.00 to B&K Digital and \$20,460.00 to CDW-Government, Inc., for the implementation, hardware and software to replace Windows XP desktops and upgrade the City's technology infrastructure.

Mr. Evans seconded. Mr. Brugger briefly discussed the necessity of this purchase, as it was discussed in previous meetings in more detail. Voice vote on approval: all ayes; nays, none. Motion carried without objection.

CITIZEN COMMENTS:

John Shutway, of 573 E. Church St., asked if Council reviewed proposed Ordinances and confirm with the Ohio Revised Code. Mr. Evans explained that all Ordinances and Resolutions were reviewed by the City Law Director. Mr. Shutway then inquired about Ordinance No. 4424-

14, involving the Solicitor License application. Mr. Shutway advised of a Supreme Court case involving solicitation in the State of Pennsylvania. He further stated that solicitors in Murdock, Pennsylvania, were stopped and the City was sued. Ms. Parcels explained that they were stopped due to the fact that the Murdock case involved protected first amendment religious speech, rather than commercial activities. Mr. Shutway continued with a question regarding Ordinance No. 4425-14, to add a landlord liability section, pertaining to drug abuse. Mr. Brugger advised that this ordinance was going to be requested to be tabled by administration.

ORDINANCES AND RESOLUTIONS

(all reviewed by Director of Law prior to introduction):

Third Reading –

ORDINANCE NO. 4423 – 14

AN ORDINANCE ESTABLISHING THE SALARY SCALE AND RESPONSIBILITIES OF COUNCIL CLERK, CONFIRMING THE APPOINTMENT OF AMY DEERE AS COUNCIL CLERK AND DESIGNATING THE COUNCIL CLERK AS THE APPOINTEE FOR PUBLIC RECORDS TRAINING REQUIREMENTS ON BEHALF OF ELECTED CITY COUNCIL MEMBERS.

Mr. Pena stated that he felt that this ordinance was not discussed in detail. Mr. Hess asked if Mr. Pena would like to table this ordinance, and Mr. Pena responded, yes. Mr. Fields seconded. Voice vote on placing Ordinance No. 4423-14 on the table: 4 ayes, 1 nay. Ordinance tabled.

Second Reading –

RESOLUTION NO. 2421-14

A RESOLUTION TO AUTHORIZE THE DIRECTOR OF ADMINISTRATION OF THE CITY OF URBANA TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION (OPWC) STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT GRANT PROGRAM(S); TO AUTHORIZE THE MAYOR TO EXECUTE CONTRACTS AS REQUIRED; AND TO AUTHORIZE THE DIRECTOR OF FINANCE TO COMMIT AND APPROPRIATE LOCAL MATCH FUNDING FOR THIS PROJECT.

President Hess declared a second reading.

RESOLUTION NO. 2422-14

A RESOLUTION TO AUTHORIZE THE DIRECTOR OF ADMINISTRATION OF THE CITY OF URBANA TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION (OPWC) STATE CAPITAL IMPROVEMENT GRANT AND LOAN PROGRAMS; TO AUTHORIZE THE MAYOR TO EXECUTE CONTRACTS AS REQUIRED; TO AUTHORIZE THE DIRECTOR OF FINANCE TO COMMIT AND APPROPRIATE LOCAL MATCH FUNDING FOR THIS PROJECT; AND

TO FURTHER AUTHORIZE THE DIRECTOR OF FINANCE TO MAKE THE NECESSARY ASSURANCES FOR THIS LOAN AS REQUIRED.

President Hess declared a second reading.

RESOLUTION NO. 2423-14

A RESOLUTION OF SUPPORT AND LOCAL MATCH COMMITMENT FOR THE CITY OF URBANA'S SHARE OF THE DELLINGER ROAD BRIDGE REPLACEMENT PROJECT.

Mr. Brugger answered questions that were asked. President Hess declared a second reading.

RESOLUTION NO. 2424-14

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO AN AGREEMENT WITH MONUMENT SQUARE DISTRICT FOR USE AND IMPROVEMENT OF THE LOT LOCATED AT 19 MONUMENT SQUARE, URBANA.

Mrs. Smith moved to suspend the rules for passage, Mr. Fields seconded. Voice vote on approval: all ayes; nays, none. Motion carried without objection. Mrs. Smith moved for final discussion and passage. Mr. Evans seconded. Roll call vote: Mr. Fields, yes; Mr. Evans, yes; Mr. Paul, yes; Mrs. Smith, yes; Mr. Pena, yes. *Resolution Passed 5-0.*

ORDINANCE NO. 4424-14

AN ORDINANCE TO AMEND SECTIONS OF CHAPTER 755 OF THE URBANA CODIFIED ORDINANCES PERTAINING TO REQUIREMENTS AND FEES FOR SOLICITOR LICENSE APPLICANTS.

President Hess declared a second reading.

ORDINANCE NO. 4425-14

AN ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF URBANA, OHIO TO ADD A LANDLORD LIABILITY SECTION UNDER THE EXISTING CHAPTER 513 PERTAINING TO DRUG ABUSE.

This ordinance was requested to be tabled by Administration.

First Reading –

ORDINANCE NO. 4427-14

AN ORDINANCE TO AMEND SECTION 936.02 OF THE CODIFIED ORDINANCES PERTAINING TO SEPTAGE DEFINITIONS.

Mr. Hall provided detailed information regarding the necessity of this ordinance. Questions were asked and answers provided.

President Hess declared a first reading.

MISCELLANEOUS BUSINESS:

Mr. Paul moved to excuse Mr. Thackery and Mr. Hoffman. Mr. Fields seconded. Voice vote on approval: all ayes; nays, none. Motion carried without objection.

Mr. Paul wanted to thank Rich and Pat for mulching the square and the monument.

Mrs. Smith spoke of the upcoming "Relay For Life".

Mr. Hall desires to provide a Muzzy Road construction update at the next meeting.

Mrs. Ward advised that at tax budget to go to the Commissioners, will be provided to Council at next meeting so that the same can have the required three readings and provided to the Commissioners by the due date of July 20, 2014.

Mr. Brugger stated that he met with Mrs. Kearns referencing her continued rodent infestation at her residence. Mr. Brugger continued by thanking Mrs. Smith for attending this same meeting and advised that this issue is continuing to be looked into. Mr. Brugger also stated as a reminder of the meeting scheduled for April 23, 2014, at the High School auditorium regarding the neighborhood meeting, Phase 1 water main replacement issue.

Mayor Bean stated that he attended the Senior's Day at the fairgrounds. He states that it was the largest ever held. Mayor Bean continued by congratulating Jim and Barb Larson for being voted the 2014 Outstanding Senior Citizens.

Mr. Hess inquired of the improvement of street sweeping. Mr. Brugger advised that there were no extra funds available and that there have been minor repairs made to the current sweeper. The sweeper has been out approximately three times and that there would be no contractual sweeping.

Mr. Fields moved to adjourn and go into executive session, Mrs. Smith seconded.

Roll call vote to enter into executive session: Mr. Fields, yes; Mr. Evans, yes; Mr. Paul, yes; Mrs. Smith, yes; Mr. Pena, yes.

NEXT SCHEDULED MEETING

May 27, 2014, at 7:00 p.m.

Council Clerk

Council President