

 APPROVED

**URBANA CITY COUNCIL
REGULAR SESSION MEETING MINUTES
TUESDAY, April 7, 2015 @ 7:00 p.m.**

President Marty Hess called the regular meeting of the Urbana City Council to order at 7:00 p.m. City staff attending: Mayor Bill Bean, Director of Administration Kerry Brugger, Director of Finance Chris Boettcher, Director of Law Breanne Parcels, Wastewater Superintendent Chad Hall, Director of Engineering Tyler Bumbalough, Economic Development Director Marcia Bailey, Community Development Director Doug Crabill, Water Superintendent Bob Munch, Parks and Recreation Superintendent Chris Stokes, and Police Chief Matt Lingrell.

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

President Hess led those present in the Pledge of Allegiance.

MINUTES of the regular session meeting of March 17, 2015, in addition to the work session of March 24, 2015, were all approved as received. Mr. Thackery moved for the approval of the minutes and Mr. Paul seconded. Voice vote on approval: all ayes; nays, none. Motion carried.

President Hess read the Petition for the Annexation of 2.0852 acres along East U.S. Hwy 36, Parcel No. K41-11-11-11-00-005-00, filed by Attorney Ronald C. Tompkins on behalf of CT Development Urbana, LLC, with the Champaign County Commissioners on March 26, 2015. Mr. Tompkins was present and questions were deferred to be addressed along with the companion ordinance later in the meeting.

COMMUNICATIONS:

1. Letter from Department of Commerce, Division of Liquor Control regarding permits to sell alcohol to expire June 1, 2015. Mrs. Smith moved for the approval of this communication and Mr. Fields seconded. Motion carried without objection.
2. Board of Zoning Appeal Minutes, 12-8-14 and 12-18-14. Mrs. Smith moved for the approval of this communication and Mr. Paul seconded. Motion carried without objection.
3. Champaign Health District Annual Report – 2014. Mrs. Smith moved for the approval of this communication and Mr. Pal seconded. Motion carried without objection.
4. Downtown Parking Reminder to merchants of the City of Urbana. Mrs. Smith moved for the approval of this communication and Mr. Paul seconded. Motion carried without objection.

ADMINISTRATIVE REPORTS – BOARD OF CONTROL:

1. Public Entities Pool - \$135,354.00 (Departmental Insurance Accounts)

Mrs. Smith moved to authorize a purchase order to Public Entities Pool for the purchase of property and casualty insurance, this amount representing a 1% decrease from 2014. Mr. Fields seconded. Ms. Boettcher explained what the insurance covered. Voice vote on approval: all ayes; nays, none. Motion carried without objection.

2. Ferguson Waterworks - \$10,770.00.00 (Water Fund)

Mrs. Smith moved to authorize a purchase order to Ferguson Waterworks, for the purchase of six fire hydrants. Mr. Thackery seconded. Mr. Munch explained the need for the fire hydrants which were to replace those that have been damaged or destroyed, for instance in motor vehicle crashes. Voice vote on approval: all ayes; nays, none. Motion carried without objection.

3. All-Phase Electric Supply Company - \$10,850.00 (Capital Improvement)

Mrs. Smith moved to authorize a purchase order to All-Phase Electric Supply Company, for the purchase of 31 Cree LED retrofit lights for the decorative lights located along Miami Street. Mr. Evans seconded. Mr. Bumbalough spoke of the cost benefits of the new bulbs in addition to the utility rebate. He stated that the savings would be around \$1,800.00 - \$2,000.00 per year with the retrofits. The payback period would be approximately 5 years and there would be a 10 year warrant with the bulbs and that they should last approximately 15-16 years. Additionally, the bulbs are US made and the cost is \$50.00 per bulb with a rebate totally \$1,500.00. Finally Mr. Bumbalough stated overall there would be a savings of approximately \$20,000.00 - \$25,000.00. Voice vote on approval: all ayes; nays, none. Motion carried without objection.

4. Trenor Motors, Inc. - \$22,286.00 (Water Fund)

Mr. Evans moved to authorize a purchase order to Trenor Motors, Inc., for the purchase of a 2015 Chevrolet Equinox LS (AWD) for use for the Water Superintendent. Mr. Pena seconded. Mr. Munch said his current vehicle will be used to replace the meter reading vehicle, which may be auctioned through GovDeals.com. Voice vote on approval: all ayes; nays, none. Motion carried without objection.

5. Woodruff Fence - \$27,532.52 (Capital Improvement)

Mr. Fields moved to authorize a purchase order to Woodruff Fence, for the purchase and installation of chain link fencing at the Adult Softball Fields 1 and 2 located in Melvin Miller Park. A reimbursable NatureWorks Grant has been secured for 75% of the purchase, and the City will fund 25% of the purchase through the Capital Improvement budget. The City will be reimbursed for \$20,369.00 with a net cost to the city of \$7,163.52. Mrs. Smith seconded. Voice vote on approval: all ayes; nays, none. Motion carried without objection.

6. Rescinded by Board of Control and not put forth for Council approval.

7. Lantz Sales Co. of Urbana - \$13,991.00 (Cemetery Capital)

Mr. Evans moved to authorize a purchase order to Lantz Sales Co. of Urbana, for the purchase of two (2) Grasshopper 725KT/3452 front-mount mowers (with trade in). Mr. Fields seconded. Mr. Stokes spoke of the efficiency benefit of the new mowers reducing the need for manpower hours. Voice vote on approval: all ayes; nays, none. Motion carried without objection.

8. Lantz Sales Co. of Urbana - \$10,996.00 (Parks and Recreation Capital)

Mr. Evans moved to authorize a purchase order to Lantz Sales Co. of Urbana, for the purchase of one (1) Batwing mower. Mr. Fields seconded. Voice vote on approval: all ayes; nays, none. Motion carried without objection.

CITIZEN COMMENTS:

Steve Inskeep – 937 Boyce St., Urbana, spoke regarding his experience when the Urbana Police Division executed a search warrant at his property recently. He expressed dissatisfaction with the conduct of the officers and the seizure of his property. “I’m not here to litigate anything,” he said.

John Shutway – 573 E. Church St., spoke of the March 17 work session that he and his son attended. He stated that his son got up and left during the meeting due to the fact that “ a councilman got upset, red in the face and kept raising his voice” during the topic of school construction. He indicated his son was “not impressed.” He also referred to Ohio Revised Code Section 124.34 without explanation.

ORDINANCES AND RESOLUTIONS:

Third Reading –

RESOLUTION NO. 2427-15

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION OF THE CITY OF URBANA TO SUBMIT AN APPLICATION TO THE OHIO DEPARTMENT OF NATURAL RESOURCES UNDER NATUREWORKS ROUND 22 GRANT APPLICATION PROGRAM FOR PARK IMPROVEMENTS, AND DECLARING AN EMERGENCY.

Mrs. Smith moved to put this resolution on the floor for discussion and passage. Mr. Fields seconded. President Hess called for a roll call for passage: Mr. Hoffman, yes; Mr. Fields, yes; Mr. Evans, yes; Mr. Paul, yes; Mrs. Smith, yes; Mr. Thackery, yes; and Mr. Pena, yes.

Resolution passes 7-0.

Second Reading - None

First Reading –

RESOLUTION NO. 2411-15

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION OF THE CITY OF URBANA, TO PREPARE AND SUBMIT FINAL APPLICATION TO PARTICIPATE IN THE FEDERAL AVIATION ADMINISTRATION AIRPORT IMPROVEMENT PROGRAM AND TO EXECUTE CONTRACTS AS REQUIRED, AND DECLAINING AN EMERGENCY. President Hess declared this resolution to have a first reading.

RESOLUTION NO. 2443-15

A RESOLUTION TO AUTHORIZE THE MAYOR OR HIS DESIGNATED REPRESENTATIVE TO MAKE APPLICATION TO THE CHAMPAIGN COUNTY COMMISSIONERS UNDER THE FISCAL YEAR 2015 COMMUNITY DEVELOPMENT BLOCK GRANT COMMUNITY DEVELOPMENT PROGRAM AND TO FURTHER AUTHORIZE THE MAYOR OR HIS DESIGNATED REPRESENTATIVE TO PURSUE OTHER ECONOMIC DEVELOPMENT AND PUBLIC INFRASTRUCTURE RELATED CDBG PROGRAMS, AND DECLAINING AN EMERGENCY. (Rules Suspension Requested)

Mr. Paul moved to suspend the three reading rule. Mr. Thackery seconded. President Hess called for a roll call for the suspension of the three reading rule: Mr. Fields, yes; Mr. Evans, yes; Mr. Paul, yes; Mrs. Smith, yes; Mr. Thackery, yes; Mr. Pena, yes; and Mr. Hoffman, yes. *Three Reading Rule Suspended.* Mr. Paul moved to put this resolution on the floor for discussion and passage. Mr. Thackery seconded. President Hess called for a roll call for passage: Mr. Evans, yes; Mr. Paul, yes; Mrs. Smith, yes; Mr. Thackery, yes; Mr. Pena, yes; Mr. Hoffman, yes; and Mr. Fields, yes. *Resolution passes 7-0.*

RESOLUTION NO. 2444-15

A RESOLUTION TO AUTHORIZE THE DIRECTOR OF ADMINISTRATION OF THE CITY OF URBANA TO PREPARE AND SUBMIT AN APPLICATION FOR THE US ROUTE 36 EAST (STORM WATER/STORM SEWER) IMPROVEMENTS AND 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 THE AUTHORIZE THE DIRECTOR OF FINANCE TO COMMIT AND APPROPRIATE LOCAL MATCH FUNDING FOR THIS PROJECT.

President Hess declared this resolution to have a first reading.

RESOLUTION NO. 2445-15

A RESOLUTION TO AUTHORIZE THE DIRECTOR OF ADMINISTRATION OF THE CITY OF RUBANA TO PREPARE AND SUBMIT AN APPLICATION FOR THE POWELL

AVENUE/CEMETERY SANITARY SEWER PROJECT AND 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 AUTHROIZE 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 this resolution to have a first reading.

RESOLUTION NO. 2446-15

A RESOLUTION TO AUTHORIZE SANITARY SEWER UTILITY EXTENSION AND TAP-IN FOR KOENIG EQUIPMENT, INC. AS AN EXTRATERRITORIAL CUSTOMER

(Suspension of rules requested by utility services applicant)

Mr. Paul moved to suspend the three reading rule. Mr. Fields seconded. President Hess called for a roll call for the suspension of the three reading rule: Mr. Paul, yes; Mrs. Smith, yes; Mr. Thackery, yes; Mr. Pena, yes; Mr. Hoffman, yes; Mr. Fields, yes; and Mr. Evans, yes. *Three Reading Rule Suspended.* Mr. Paul moved to put this resolution on the floor for discussion and passage. Mr. Evans seconded. President Hess called for a roll call for passage: Mrs. Smith, yes; Mr. Thackery, yes; Mr. Pena, yes; Mr. Hoffman, yes; Mr. Fields, yes; Mr. Evans, yes; and Mr. Paul, yes. *Resolution passes 7-0.*

RESOLUTION 2449-15

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION OF THE CITY OF URBANA TO PARTICIPATE IN THE OHIO DEPARTMENT OF TRANSPORTATION'S COOPERATIVE PURCHASING PROGRAM FOR SUMMER (418-16) AND/OR WINTER (418-16) COTNRACTS FOR ROAD SALT, AND DECLARING AN EMERGENCY.

President Hess declared this resolution to have a first reading.

ORDINANCE NO. 4442-15

AN ORDINANCE ADOPTING A STATEMENT OF SERVICES TO BE PROVIDED TO 2.052 ACRES, MORE OR LESS, IN URBANA TOWNSHIP ROPOSED FOR ANNEXATION TO THE CITY OF URBANA, AND DECLARING AN EMERGENCY.

Mr. Paul moved to put this ordinance on the floor for discussion and passage. Mr. Fields seconded.

Mr. Hoffman stated that he was glad to see that this project was proceeding. Mr. Evans had some questions regarding the location of the property involving this project and answered by Mr. Crabill. Mr. Evans was also informed during his asking of the same that this ordinance had to be passed tonight.

President Hess called for roll call for passage: Mr. Thackery, yes; Mr. Pena, yes; Mr. Hoffman, yes; Mr. Fields, yes; Mr. Evans, yes; Mr. Paul, declared a point of order for the ordinance was not placed on the floor for discussion and passage. Mr. Paul moved to put this ordinance on the floor for discussion and passage. Mr. Fields seconded.

Ms. Parcels stated that this ordinance did not require three readings, as the City Charter's reading rule is pre-empted by the Ohio Revised Code Chapter 709 for expedited annexation, which requires council action within a deadline that does not permit multiple readings, but it still must be treated as an emergency. Mr. Brugger reminded Council that "emergency" legislation does not mean "life-and-death" but rather that it takes effect immediately, not 30 days from passage.

MISCELLANEOUS BUSINESS:

Mr. Fields reminded all Council members to turn in their papers to the Ethics Commission. He also thanked Chief Lingrell for the annual report involving the police department.

Mr. Evans inquired to Ms. Parcels whether Council Members are considered classified employees of the City. Ms. Parcels replied that elected officials are not classified employees.

Mr. Paul thanked Chief Lingrell for the annual report and also spoke of the prospect that in the upcoming years, the Police Department has a potential number of retirements of officers with many years of dedicated service, and he stated that this issue should not be overlooked.

Mrs. Smith thanked Chief Lingrell for the annual report stating that it was very beneficial. She also stated that the nice weather is coming and for citizens to please mow their grass and to pick up their trash. She also stated that should anyone need any help to please just ask.

Mr. Thackery also thanked Chief Lingrell for the annual report.

Mr. Pena spoke of a deer problem. He stated that there was a neighbor having issues with deer coming onto their property, being a nuisance, and his neighbor was providing a salt block for the deer. Mr. Pena inquired as to the way to go about this issue to find a resolution, if any. He further discussed the idea of having a shuffle board on or around the racquetball courts. He stated that it would make a nice addition.

Mr. Hoffman spoke of the annual police report and stated that the facts are, the majority of police officers do a fantastic job. He further spoke of the need to clean up yards in the City, and that he was cleaning up his yard.

Chris Stokes spoke of Mr. Pena's thoughts of the shuffle board idea and he stated that it was presently in their grant "wish list". He further stated that on July 10th and 11th of this year, there would be a park festival held at the park with a lot of fun activities for people of all ages.

Ms. Parcels added to Mr. Fields comment of the need for disclosures to be filed with the Ethics Commission by April 15, 2015. She further stated that she was currently working on her quarterly report, but stated that the first quarter caseload is down in the Municipal Court.

Chief Lingrell spoke of the month of June will hold Safety Town this year. It will be held out at Melvin Miller Park and it is for incoming kindergarteners. He further stated that Safety Town provides all sorts of safety issues for children.

Mr. Brugger stated that there is a need for a work session scheduled for April 28, 2015. He further stated that the Compost is open Monday through Friday 8:00 a.m. to 4:00 p.m., Saturday 9:00 a.m. to 3:00 p.m. and closed on Sunday's and holidays. He also mentioned that Port North is now open and he has spoke with Officer Tipton and Officer Tipton states how wonderful the facility is. He further stated that they would like to do a bigger launch on the opening of Port North. Mr. Brugger gave an update on the Roadside Park transfer and that there were some issues that had surfaced referencing some issues with the transfer and that they were trying to re-evaluate how to work through the process.

Mayor Bean said that on April 19, 2014, there would be a Downtown Clean-up Project from 2:00 p.m. – 4:00 p.m. He further stated that the water fountains at the Dog Park would be turned on tomorrow. He also spoke of the Easter Egg Hunt that was held at the High School. He stated that there was a big turnout for the same and thanked all of the sponsors and all that helped with the hunt. He reminded everyone to wear blue to work tomorrow to recognize the prevention of child abuse.

President Hess spoke of concern about Pointe North and the anglers not wanting to follow with the policy of catch and release for some species. He advised that Officer Tipton might want to keep an eye on this issue, due to the fact that approximately 15 individuals were spotted with buckets and nets since public fishing opened. Mr. Brugger stated that ODNR plans to inventory the fish, and also stated that there are to be no transfer of fish from other waterways, which is punishable with a fine. Mr. Evans added that individuals must have a fishing license to fish.

President Hess continued with advising that Urbana City Schools are having a "Journey to Independence" event at the Champaign County Community Center on April 16, 2015, from 6:00 p.m. to 7:30 p.m. This free event is to help families and students with disabilities and there would be pizza, raffle prizes, and lots of fun with information booths and guest speakers.

Mr. Evans motioned to adjourn to executive session, Mr. Paul seconded. Voice vote on approval: all ayes; nays, none. Motion carried without objection.

To discuss pending/potential litigation with Ms. Parcels as the attorney for the public body pursuant to Revised Code 121.22(G), Mr. Evans motioned to adjourn to executive session, Mrs. Smith seconded. Voice vote on approval: all ayes; nays, none. Motion carried without objection.

Mr. Evans motioned to reconvene from executive session, Mr. Pena seconded. Voice vote on approval: all ayes; nays, none. Motion carried without objection.

Mr. Evans moved to adjourn, Mr. Pena seconded. Voice vote on approval: all ayes; nays, none. Motion carried without objection.

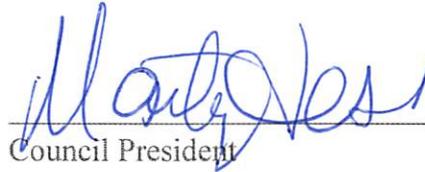
ADJOURN at 8:46 p.m.

NEXT SCHEDULED MEETING

April 21, 2015, at 7:00 p.m.



Council Clerk



Council President