☑ APPROVED

URBANA CITY COUNCIL
REGULAR SESSION MEETING MINUTES
TUESDAY, May 5, 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: Director of Administration Kerry Brugger, Director of Finance Chris Boettcher, Director of Law Breanne Parcels, Community Development Director Doug Crabill, and Water Superintendent Bob Munch.

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 April 21, 2015, in addition to the work session meeting of April 28, 2015, were all approved as received. Mr. Paul moved for the approval of the minutes and Mr. Thackery seconded. Voice vote on approval: all ayes; nays, none. Motion carried without objection.

Economic Development Director Marcia Bailey and Vicki Deere-Bunnell gave a presentation regarding the Monument Square District Board and the upcoming event "Rock the Monument – Four Miler" to be held on June 12, 2015, at Melvin Miller Park. Mrs. Bailey stated that when there are events in the city, there is an increase in downtown business functions, up to 75%. Mrs. Deere-Bunnell stated that they are looking at wellness and fitness programs and decided to join with Dave Bacher's Rhythm N' Foods Festival at the fairgrounds for the "Rock the Monument – Four Miler" event, a timed chip run by Speedy Feet, or a "fun walk" which is only 1.5 miles. She stated that the event will show guests the beauty of the park as well as the City. Registration is at 5:30 p.m. and the race will be held at 7:00 p.m. The fee is $20 through May 28th, and after that $25 for late registrations. All proceeds will go back into downtown projects.

COMMUNICATIONS:

1. City of Urbana Shade Tree Commission Meeting Minutes of October 16, 2014, November 13, 2014, and March 12, 2015. Mr. Paul moved to accept this communication and Mrs. Smith seconded. Voice vote on approval: all ayes; nays, none. Motion carried without objection.
2. Design Review Board Meeting Minutes of November 17, 2014. Mr. Paul moved to accept this communication and Mrs. Smith seconded. Voice vote on approval: all ayes; nays, none. Motion carried without objection.
3. Planning Commission Meeting Minutes of February 23, 2015. Mr. Paul moved to accept this communication and Mr. Pena seconded. Voice vote on approval: all ayes; nays, none. Motion carried without objection.

4. Message from Marcia Bailey/Tom Coles regarding Champaign County Manufacturing Association and the desire for student ambassadors at the upcoming 2015 Champaign County Fair. Mrs. Bailey stated that they hope to get students to work at the booth this summer at the fair. The main purpose of this event is to give the students a "leg up" on the road to employment. The age limit is from middle-school students and up. Mr. Paul moved to accept this communication and Mrs. Smith seconded. Voice vote on approval: all ayes; nays, none. Motion carried without objection.
5. Paint the Town Purple for the Relay for Life of Champaign County being held May 15 – 16, 2015 at the Champaign County Fairgrounds. Mrs. Smith stated that Dr. Seuss is the theme this year, and Mr. Evans stated that this event is very meaningful for him personally due to the loss of three loved ones to cancer in the past year. He encouraged attendance to support the fund-raising for hospice and other activities. Mr. Paul moved to accept this communication and Mr. Pena seconded. Voice vote on approval: all ayes; nays, none. Motion carried without objection.

ADMINISTRATIVE REPORTS – BOARD OF CONTROL:

1. **Hach Company - $9,054.00 (Sewer Capital)**

Mrs. Smith moved to authorize a purchase order to Hach Company for the purchase of two Hach Sigma portable samplers and accessories for the lab, which would replace two of the four existing units. Mr. Munch indicated the units are used to sample industrial wastewater sites and manholes semi-annually for substances such as metal, soil and grease as mandated by the EPA. Mr. Fields seconded. Mr. Munch stated that these units should last approximately 10 years. Mr. Hoffman abstained from the vote due to his employment with a sister company of the Hach Company. Voice vote on approval: all ayes; nays, none. Motion carried without objection.

2. **Waste Management of Ohio, Inc. (Recycling Fund, Residential Utility Billing Accounts)**

Mr. Paul moved to authorize a contract extension with Waste Management of Ohio, Inc., by one additional year (from September 1, 2015, through August 31, 2016) for the Residential Curbside Recycling Program. Mrs. Smith seconded. Mr. Brugger said the current rate of $3.18 per month for each residential unit will be maintained during the length of this contract extension. This same rate will also be maintained for small business customers who have voluntarily subscribed for the program. The monthly cost to the City will be $11,616.54 (based on 3,653 residential units). Mr. Evans inquired as to billing and participation. Mr. Brugger said about 83 percent of residential customers participate and provided figures on tonnage diverted from the landfill since 2010, noting Urbana ranks sixth in effectiveness out of 10 communities in the North Central Solid Waste District with non-subscription programs. Voice vote on approval: Five ayes; and Mr. Evans and Mr. Hoffman nays. Motion carried 5-2.

3. **Utility Service Co., Inc. of Atlanta, Georgia (Water Division Capital Improvement)**

Mr. Paul moved to authorize the Director of Administration to enter into a Master Services Agreement with Utility Service Co, Inc. of Atlanta, Georgia for a one year term with automatic one year renewals unless cancelled and to authorize the Director of Administration to enter into Scope of Work No. 1 under the agreement for the long term care and maintenance of the East Lawn Avenue Elevated Water Tank Tower. In contract years 1-5, the cost shall be $105,639.00 per year and in contract years 6, 7, and 8; the cost shall be $40,766.00 per year. Mr. Munch noted that the tower is "in excessive need of repair" and this asset protection plan will spread out the cost of repairs over time, but will not involve a water rate increase even though the company will "do half a million dollars in work the first year" of the contract. "The inside of the tank needs to be scraped down to the bare metal and built back up," he said. "Structurally it is all right, but it is a riveted tank so it will take a lot of work by hand instead of blasting." Mr. Evans seconded. Voice vote on approval: all ayes; nays, none. Motion carried without objection.

There were no $2,501.00 to $7,500.00 purchase orders for March, 2015, and the purchase orders for April for $2,501.00 to $7,500.00 were attached. Mrs. Smith move to accept the same and Mr. Pena seconded. Voice vote on approval: all ayes; nays, none.

CITIZEN COMMENTS:

David Hess – 114 Lafayette Ave., Urbana. Mr. Hess stated that he and his neighbors had recently became aware of efforts by the Mental Health, Drug and Alcohol Services Board and Residential Administrators Inc., to purchase 112 Lafayette Ave. seeking to start a recovery house in that residence. He stated that he and other neighbors are very concerned about crime and about possible retaliation by former jail inmates that could reside in the home, as one neighbor is employed at the Tri-County Regional Jail. He stated his opinion that opening a recovery home is inviting drug dealers into the community. He also stated that he is very concerned about children mingling with addicts just blocks from Urbana schools. "It only takes one thing and we're not comfortable with the concept that one thing will not occur," he said. "There was no visibility on this. We had no idea this was coming. MHDAS believes there is no opposition .... because there's been no outreach." Mr. Hess said neighbors have been circulating a petition and put up yard signs in opposition. "We are not comfortable and we will not accept it."

Vince Gonzales – 132 Lafayette Ave., Urbana. "I hope the City would back us by seeing the number of people here because we are your City," he said, noting the numerous residents in attendance who were opposing the recovery house siting at 112 Lafayette.

Richard Kerns, 222 Lafayette Ave, Urbana. Mr. Kerns recalled the fight decades ago to take the neighborhood from duplexes to single family dwellings. "If we put this in our neighborhood it is going to pull the property values down," he said. "We have to keep this block for the youngsters, the young people. I've been in the ward 53 years, and we don't need anyone coming in with this type of operation."

Tom Adams – 602 Hagenbuch, Urbana. Mr. Adams spoke of his concern about a neighbor who allegedly collects aluminum cans from the curbside recycling bins and takes it to Springfield to sell it for cash. He further complained that he had to contact Terminex for the past five years for pest control, for his neighbor has a lot of trash build up in and around his property and has refused to clean it up for three years. He states that this neighbor puts signs in his garage "with foul language cussing the neighbors out" that he then displays periodically. "It's getting ridiculous," he said.

ORDINANCES AND RESOLUTIONS:
Third 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 DECLAING AN EMERGENCY.
Mr. Evans moved to put this resolution on the floor for discussion and possible passage. Mr. Paul 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.*

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 TO AUTHORIZE THE DIRECTOR OF FINANCE TO COMMIT AND APPROPRIATE LOCAL MATCH FUNDING FOR THIS PROJECT.
Mr. Fields moved to put this resolution on the floor for discussion and possible passage. Mr. Paul seconded. President Hess called for a roll call for passage: Mr. Fields, yes; Mr. Evans, yes; Mr. Paul, yes; Mrs. Smith, yes; Mr. Thackery, yes; Mr. Pena, yes; and Mr. Hoffman, yes. *Resolution passes 7-0.*

RESOLUTION NO. 2445-15

A RESOLUTION TO AUTHORIZE THE DIRECTOR OF ADMINISTRATION OF THE CITY OF URBANA 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 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.

Mr. Evans moved to put this resolution on the floor for discussion and possible passage. Mr. Paul 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. 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.

Mr. Fields moved to put this resolution on the floor for discussion and possible passage. Mr. Evans seconded. President Hess called for a roll call for passage: Mr. Paul, yes; Mrs. Smith, yes; Mr. Thackery, yes; Mr. Pena, yes; Mr. Hoffman, yes; Mr. Fields, yes; and Mr. Evans, yes. *Resolution passes 7-0.*

Second Reading –

RESOLUTION NO. 2450-15 (as amended)

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION OF THE CITY OF URBANA, TO PREPARE AND SUBMIT FINAL APPLICATION TO PARTICIPATE IN THE OHIO DEPARTMENT OF TRANSPORTATION'S FISCAL YEAR 2016 OHIO AIRPORT GRANT PROGRAM AND TO EXECUTE CONTRACTS AS REQUIRED.

(Suspension of Rules Requested)

Mr. Paul moved to suspend the three reading rule for passage. Mr. Thackery seconded. President Hess called for a roll call to suspend the three reading rule: Mrs. Smith, yes; Mr. Thackery, yes; Mr. Pena, yes; Mr. Hoffman, yes; Mr. Fields, yes; Mr. Evans, yes; Mr. Paul, yes. Rules Suspended. Mr. Brugger stated that the language on this resolution needed to be amended to include "declaring an emergency." Mr. Evans moved to amend the language of this resolution to include "declaring an emergency." Mr. Paul seconded. President Hess called for a roll call for the requested language change: Mr. Thackery, yes; Mr. Pena, yes; Mr. Hoffman, yes; Mr. Fields, yes; Mr. Evans, yes; Mr. Paul, yes; and Mrs. Smith, yes. Motion to amend carries. Mr.

Evans moved to suspend the three reading rule for passage on the amended resolution. Mr. Paul seconded. President Hess called for a roll call to suspend the three reading rule on the amended resolution: Mr. Pena, yes; Mr. Hoffman, yes; Mr. Fields, yes; Mr. Evans, yes; Mr. Paul, yes; Mrs. Smith, yes; and Mr. Thackery, yes. Rules suspended on the amended resolution. Mr. Evans moved to put the amended resolution on the floor for discussion and passage. Mr. Paul 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. *Amended Resolution passes 7-0.*

First Reading –
RESOLUTUION NO. 2447-15
A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNATED REPRSENTATIVE TO AMEND THE INTERGOVERNMENTAL AGREEMENT DATED AUGUST 30, 2011 FOR SEWAGE TREATMENT SERVICES BETWEEN THE CITY OF URBANA, OHIO AND THE BOARD OF COMMISSIONERS OF CHAMPAIGN COUNTY, OHIO, BY AMENDING THE MAP DEFINING THE URBANA DRAINAGE BASIN, and DECLARING AN EMERGENCY.
Mr. Crabill noted this agreement is a modification to expand the area the City is able to serve through sanitary sewer due to the Rothschild's project. President Hess declared this resolution to have had a first reading.

RESOLUTION NO. 2451-15
A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF URBANA ("CITY") TO ENTER INTO A JOINT AGREEMENT WITH THE BOARD OF COMMISSIONERS OF CHAMPAIGN COUNTY, OHIO ("COUNTY") DESIGNATING THE COMMUNITY IMPROVEMENT CORPORATION ("CIC") OF CHAMPAIGN COUNTY, OHIO TO ACT AS THE ECONOMIC DEVELOPMENT PARTNER FOR THE CITY OF URBANA AND CHAMPAIGN COUNTY, OHIO.
Mr. Evans noted that while he previously opposed the partnership, he met with CEP board members after the most recent work session to discuss his concerns. "I'm satisfied this is the right direction," he said. "I was hesitant on five years, but I understand the need for long-term investment. I would still like to see the county come up with more funding, but it's not a deal breaker." Mr. Brugger noted that the City budget will not be an increased cost for next year, and County Commissioner Steve Hess also spoke in support of the CEP. President Hess declared this resolution to have had a first reading.

MISCELLANEOUS BUSINESS:

Mr. Hoffman stated that he appreciates it when citizens come out and speak, expressing their concerns.

Mr. Paul inquired as to the status of the garage on Kenton Street. Mr. Crabill stated that the demolition quotes were coming and they include three contractors. Mr. Paul added they the City are being proactive and not reactive. He also thanked residents for their calls and their feelings expressed.

Mrs. Smith discussed people out mowing their yards but they need to use their trimmers as well. She also stated that if a citizen lives in a neighborhood that has a neighbor who has a nuisance issue, maybe "ignoring them" is the key to conflict avoidance.

Mr. Thackery stated that the City's administration is looking ahead, and he felt great about that.

Mr. Pena said that there were a lot of things going on the City at this point in time and he also said that the administration was doing a great job.

Mr. Evans declared that Mr. Doug Crabill knows his business and was doing a fantastic job. He continued on speaking about Pointe North and heard nothing but great comments about public fishing. He said that a lot of bluegill fish were being taken and he mentioned that you should only take what you can eat. He also mentioned that citizens should take a trash bag with them when they go fishing to pick up any trash that they may see so that the area could remain clean. He also mentioned that ATV's are not allowed in that area and people who chance ATV riding are ruining the atmosphere for the majority.

Mr. Crabill stated that on May 15, 2015, the department will start looking at tall grass and weeds and the nuisance ordinance will be enforced. He also said that regarding the Phase 1 Water Project, Church St. is being finished up and crews then will be proceeding to Court St. He also mentions that they were making progress on Woodale and Amherst area. Additionally, he stated that Muzzy Bridge will close around the middle of May.

Ms. Parcels requested an executive session (not on the agenda) to discuss pending litigation.

Ms. Boettcher said that credit cards are now being accepted in the Utility Department and the on-line link would be coming later on this month. She said that everything would be in full force in the month of June.

Mr. Brugger stated that the changeover to the new Wastewater Treatment Plant happened today and all was going well. He also said that he is getting a lot of positive reviews on Pointe North.

President Hess mentioned that when citizens notice someone doing something that they shouldn't be doing, like riding ATV's at the Pointe North ponds, to contact the Sheriff's Office immediately.

Mr. Paul moved to go into executive session to discuss pending litigation with Ms. Parcels as the attorney for the public body pursuant to ORC 121.22(G)(3) at 8:52 p.m., Mrs. Smith seconded. President Hess called for a roll call for entering executive session: Mr. Fields, yes; Mr. Evans, yes; Mr. Paul, yes; Mrs. Smith, yes; Mr. Thackery, yes; Mr. Pena, yes; and Mr. Hoffman, yes. Mr. Paul moved to reconvene from executive session at 9:01 p.m. Mrs. Smith seconded; Voice vote on approval: all ayes; nays, none. Mr. Paul moved to adjourn the meeting. Mrs. Smith seconded. Voice vote on approval: all ayes; nays, none.

ADJOURN at 9:01 p.m.

NEXT SCHEDULED MEETING
May 19, 2015, at 7:00 p.m.

Council Clerk

Council President