

URBANA CITY COUNCIL
REGULAR SESSION MINUTES – JANUARY 11, 2011

The Urbana City Council Regular Session Meeting of Tuesday, January 11, 2011, was called to order at 7:00PM by **Council President Marty Hess**, in Court Chambers/The Municipal Building.

Attendance: All Councilmen were in attendance with the exception of Mr. Eugene Fields and Mr. Robert Thorpe. UCC Clerk, Ms. Gail Eldridge was absent due to difficult driving conditions.

City Staff in Attendance: (*No attendance taken)

Roll Call and Pledge of Allegiance

Communications

1.

Mr. Bill Bean moved to place the Proclamation declaring January 25, 2011 as *Ohio Point-In-Time Count 2011 – Everyone Counts!* Day in the City of Urbana (an opportunity to help bring an end to homelessness of our most vulnerable and disabled neighbors by ensuring that *Everyone Counts!*) on file; Mr. Steve Shaw seconded. Motion carried without objection.

2.

Mr. Larry Lokai moved to place the Urbana Planning Commission Minutes (November 8, 2010), on file; Mr. Shaw seconded. Motion carried without objection.

Administrative Reports – Board of Control

1.

Mr. Lokai moved to authorize the Director of Administration to enter into a contract with Carol Hall as Airport Manager for the amount of \$14,360. for a 12 month period beginning 01-01-2011 (The same amt as 2009/2010; This is in the 2011 Budget, and was reviewed by the City Law Director); Mr. Shaw seconded. Motion carried without objection.

Discussion –

“I think everybody knows that Carol’s a bargain at \$14,000...there’s been a lot of growth and activity up at the Airport the last several years, and Carol’s very much in tune with the network system around the State...and when you speak of Urbana, you speak to Carol Hall and her connections...I think (she’s) very deserving...” stated Mr. Lokai urging passage.

2.

Mr. Al Evans moved to authorize the Director of Administration to enter into a contract with Susan Tehan as the Oakdale Cemetery Coordinator for the amount of \$10,008. for a 12 month period beginning 01-01-2011 (This is in the 2011 Budget, and was reviewed by the City Law Director); Mr. Lokai seconded. Motion carried without objection.

Discussion –

Mr. Evans (to Mr. Bruce Evilsizor) asked, “Mrs. Tehan assumed some of the responsibilities that were being handled by Chris Stokes, correct?”

“That’s correct—yes,” Mr. Evilsizor replied.

“...and he actually took a cut in pay when he was relieved of these responsibilities...when they were passed over to Susan?” Mr. Evans asked.

“Yes,” answered Mr. Evilsizor.

“Is the cut that Chris took similar to what we’re paying to Susan?” asked Mr. Evans.

“Yes—yes,” said Mr. Evilsizor.

Mr. Bean (referring to a consultation with Attorney Gil Weithman) said, “I still have a concern—are we going to pay (in case if something happens on the job) Worker’s Comp for them?”

Mr. Evilsizor responded, “All 3 of these are listed on the Worker’s Comp list—so yes (if something happens) they could file a Worker’s Comp claim.”

“If they’re an independent contractor, shouldn’t they be carrying their own Worker’s Comp?” asked Mr. Bean.

“Yeah, it’s my understanding that uh—the Auditor (in some previous year) looked at that, reviewed that, and said that we needed to put them on the Worker’s Comp...I don’t know how long ago that was...it was back when the previous Finance Director was here...but based upon that, yeah,” said Mr. Evilsizor.

“I just never knew of anybody that was an independent contractor...I just find it very unusual that we would have them on Worker’s Comp when they’re an independent contractor...and being an independent contractor, I would think that they would have their own insurance in case they did something harmful to somebody or some thing...and that the City would be held harmless in the event something like that happened,” stated Mr. Bean.

“...and the Auditors will be back here shortly, so I guess we’ll have a conversation with them, and review that situation with them...see what they say this time,” Mr. Evilsizor added.

Mr. Lokai referred to the classification as a part-time employee.

Mr. Evans noted that Attorney Weithman was shaking his head when Mr. Lokai referred to Mrs. Tehan as a part-time employee of the City.

Attorney Weithman explained the amount of time necessary to carry Worker’s Comp.

“I think the whole Workman’s Compensation thing has to do with whether the contractor is issued a 1099—we’re paying them on a payroll, we’re not giving them a 1099—correct?” asked Mr. Evans.

“We’d be giving them a 1099—yeah we are,” said Mr. Evilsizor, with Mr. Lee Williams concurring.

“Right—they don’t come out of payroll, they come out of payables,” stated Mr. Williams.

“But basically (the way I understand it) is, is that the option is up to (in our case), the employer (whether we’re able to carry them on Workman’s Comp or not)...we could not, but that doesn’t mean that we can’t...so it’s basically at our option to carry them on Workman’s Comp,” said Mr. Evans.

Attorney Weithman indicated that it is his belief that the City has to carry them if they work certain hours.

3.

Mr. Bean moved to authorize the Director of Administration to enter into a contract with Marcia Bailey as Economic Development Coordinator in the amount of \$10,920. for a 6 month period beginning 01-01-2011 (This is in the 2011 Budget, and was reviewed by the City Law Director); Mr. Lokai seconded. Motion carried without objection.

Discussion –

Mr. Kerry Brugger questioned whether this is the same amount as 2010, and Mr. Evilsizor verified the amount is the same.

Mr. Lokai referred to previous questions that have come up related to the position hire at \$35.PH, and the position vacated by Ms. Melanie Kendrick ('her perks and benefits' were noted at around \$68,000). He spoke of a difference of \$32.79 vs. \$35., and a savings of \$26,000 a year for this part-time position. Mr. Lokai said Ms. Bailey's hours total 12 per week.

"Personally, I think we need a full-time position...and the way things are, I know it's tough...but it's Economic Development...and having somebody 12 hours a week, I just don't think (the way things are) will really get it...and I would like to see us get a full-time person, myself," commented Mr. Bean.

"If it's any consolation, the Budget has the contract position in for the first half of the year...and it has a full-time Economic Development Manager in for the second half of the year...it helps," stated Mr. Williams.

"That's nice to hear," Mr. Bean responded.

4.

Mr. Brugger moved to authorize a purchase order to Idexx Labs in the amount of \$5,674.03 for e-coli testing equipment and supplies for 1 year (This will be charged to the Waste Water Treatment, and is in the 2011 Budget); Mr. Shaw seconded. Motion carried without objection.

Discussion -

Mr. Chad Hall noted that the State has made a rule change taking effect in 2011 (changing the sampling techniques), and is an equipment upgrade. He said this should be roughly a year and a half to 2 years payback, vs. sending to an outsource lab.

Mr. Brugger asked whether this item was quoted, or was contracted.

Mr. Hall acknowledged another quote, and added that with the other quote, there were some QAQC problems (in the industry, found in late 2010). He said it was still an issue.

5.

Mr. Shaw moved to authorize a purchase order to Tritech EMS Inc. in the amount of \$2,506.30 for annual software support (Last year's cost was \$2,488.88; This will be charged to Ambulance, and is in the 2011 Budget); Mr. Brugger seconded. Motion carried without objection.

Discussion -

Mr. Evans questioned the purpose of this BOC item.

"It's the standard software package, maintenance that's offered when you get the software package," said Mr. Williams.

"It's for Ambulance billing?" asked Mr. Evans.

"Yes," replied Mr. Williams.

6.

Mr. Shaw moved to authorize a purchase order to the Auditor of State in the amount of \$28,000 for audit fees associated with the 2010 audit (Last year's cost was the same; This will be charged to Misc-Non-Departmental, Water and Sewer; This is in the 2011 Budget); Mr. Lokai seconded. Motion carried without objection.

Discussion -

"You gotta do it right?" quipped Council President Hess.

"Correct," answered Mr. Williams.

"When we had an independent audit—what did it cost us?" asked Mr. Evans.

“It was \$28,000 last year...and Al, that was the commitment the Auditor of State makes when they come in and take over an account is...they charge no more than the previous audit for charged in the last year of their contract, and that was year 5 of a 5 year agreement last year,” stated Mr. Williams.

“Because I remember when we went with that company, we had a competitive bid process...and they were (not the lowest)...” Mr. Evans said.

“...and when the Auditor of State replaces them, there is no competition,” said Mr. Williams.

“There you go—so this is the same as the independent?” Mr. Evans verified.

“Yes it is—it’s the same fee, yes,” answered Mr. Williams.

7.

Mr. Bean moved to authorize a purchase order to the Otis Elevator Company in the amount of \$3,040.63 for the 2011 service contract-Fire Division (This will be charged to Public Works and Property; This is in the 2011 Budget); Mr. Lokai seconded. Motion carried 3-2, with objection noted as by Mr. Bean and Mr. Brugger.

Discussion –

“Is this more than last year—or less, or the same?” asked Mr. Shaw.

Mr. Doug Crabill noted it as a slight increase, with an inflation factor each year on their contracts. He said Mr. Evilsizor ‘was looking at that today, and I think it’s around \$200.’

“This is (more or less) inspecting and servicing the equipment (and making sure that it’s up to...?” asked Mr. Shaw.

“I think there’s some type of test that has to be made...um...on a monthly basis—I think that’s what this is...as well as any service maintenance...” answered Mr. Crabill.

Mr. Brugger questioned the use of Otis versus other possible services.

“I’m not all that familiar with this one—this one came across my desk as a renewal of basically a contract that we’ve had for awhile,” said Mr. Crabill. “We get a 2% discount by paying in advance on services for the year (so that’s why it’s here now, and not at some other point in the year)...but this is one that we may want to look at (in the future) to see if we are getting the most competitive price...I believe they’ve worked with Otis for quite awhile. It is an Otis Elevator.”

“Do we have to approve this? Could we look into it here in the next 2 weeks, or 3 weeks? Maybe have it come (back) our first meeting in February?” asked Mr. Bean.

“The way it’s been billed now...yeah, we’d lose the 2% discount...basically, the payment’s due now,” said Mr. Crabill. “I’d like to look at it maybe...at the end of this next year (going into 2012), and see if we can either stick with this one, or come up with something different. This is something I haven’t been involved with before, and it ended up on my desk...so I went ahead and sent it through, but I think it’s worth looking at.”

Mr. Evilsizor indicated that Administration would get back to the chairlift shortly, and expressed hopes that the same company could service the chairlift and the elevator. Mr. Crabill concurred with Mr. Evilsizor’s thoughts.

“But if you’re talking 2%--\$60.? You know, maybe we can get another contract from somebody else that’s going to save us (at least the \$60.), and maybe more!” stated Mr. Bean.

“I think it needs to be looked at—I’m sure not sure if now is the time,” Mr. Crabill said. Mr. Lokai did not see delaying the vote, and said, “There are not many companies that do this, and we need to get it done...”

Mr. Evans said, “If this is a renewal—when does the current contract expire?”

“I’m not familiar with it—like I said, it ended up on my desk. I’ve never dealt with this before,” replied Mr. Crabill.

“I guess (what I’m driving at is), if it’s coming up now—has it already expired?” asked Mr. Evans.

“That’s possible, yeah—it may be a year by year price adjustment—it may not even be a contract,” said Mr. Crabill “I just never worked with them before. I didn’t ask a lot of questions.”

Mr. Evilsizor interjected, “Yeah, it’s just a year by year...”

Council President Hess asked, “Do we use this all the time?”

“No—it doesn’t get used very frequently—it’s required to be there,” answered Mr. Crabill.

8.

Mr. Evans moved to authorize a purchase order to SmartBill Corp. in the amount of \$36,000 for postage to mail 2011 monthly utility bills. (This will be charged to Utility Billing, and is in the 2011 Budget); Mr. Lokai seconded. Motion carried without objection.

Discussion –

Mr. Evans referred to ‘a discussion with a young lady this week,’ and said the discussion falls into the City ‘spending a lot of money and using a lot of paper in our utility statements.’ He said a customer questioned whether the City can go into email billing.

“We are looking at alternative suppliers for this service, for the future (outside of the SmartBill arena...and we’re not sure what they offer,” stated Mr. Williams. “We know some other firms offer electronic interchange (and information) without paper...and we are looking at those companies (outside of SmartBill), but for this year, with SmartBill (I think this is year 3 or 4 of a 5 year)...so I got 2 or 3 years left on this one.”

“She was concerned with the environment, and thought this was a way for the City to go green...and at least, give the customers that option,” said Mr. Evans.

“...and we haven’t gone back to SmartBill yet to ask them if they have a green option (which we’re going to do too,” Mr. Williams responded.

Mr. Robert Munch mentioned (for utility billing) the possibility of direct withdrawal from the customer’s bank account.

“I believe she’s already been in the office, and she was basically told, ‘No,’” said Mr. Evans.

Mr. Munch said the proper forms would have to be completed to utilize the checking account method.

“According to her—she did approach the Water Department (at the window), and was told that that isn’t possible,” answered Mr. Evans. “She was told that she could either send it in by the mail, or drop it in the box out there.”

Mr. Williams indicated the customer could see Amy or Denise regarding the billing/payment matter.

Mr. Lokai and Mr. Williams briefly discussed the cost involved.

“Do we know how much the fee is?” asked Mr. Bean.

“Between \$500. and \$600. a month,” replied Mr. Williams. “So of the \$36,000., it’s called postage on the purchase order, but (in reality) it’s \$30,000. worth of real hardcore postage, and then there’s \$500. a month times 12 months, then there’s \$6,000

(approximately) for services...that's for handling the data interchange (actually stuffing and mailing the envelopes, sending the bills out), so..."

"That's what Al said—if we could go to electronic (or at least, offer it)...maybe we can give the citizens a little \$1. or \$2. (or whatever that cost would be) back to them..." said Mr. Bean.

"There are a few people that would like to go paperless, and we understand that," said Mr. Williams.

Mr. Evans asked, "Who stuffs them?"

"SmartBill," said Mr. Williams.

"Okay then, when we want to mail something—you send it to them?" asked Mr. Evans.

"Correct—they provide the service, we provide the documentation..." said Mr.

Williams.

Mr. Lokai discussed the old system versus the new system, which allows for inserts.

"Do you pay extra for the inserts?" asked Mr. Evans.

"Yes, we do," replied Mr. Williams.

"For the printing—yeah," added Mr. Evilsizor.

Mr. Evans questioned whether the City could contract with Lawnview Industries for the stuffing.

"Well—it's not really the stuffing, just the printing of them...because they're stuffing the Water Bill...so when they're doing one application, they do them both...their fee is minimal, and there's no additional postage...you go to another party for mailing, we're going to pay postage again," stated Mr. Williams.

9.

Mr. Lokai moved to authorize a purchase order to Evans Electric in the amount of \$3,805. for Monument lighting upgrade (This will be charged to Capital Improvement, and is in the 2011 Budget); Mr. Shaw seconded. Motion carried 4-1, with objection noted as by Mr. Brugger.

Discussion –

Mr. Lokai asked, "Is there a current (outlet) right now at the Monument?"

"There's an outlet up there, but it doesn't work—it hasn't worked in probably 5 years," answered Mr. Crabill. "Everything up there is in bad shape, and that's why this was in the Budget last year (\$2,000.). We didn't know what it would cost until we got some type of quote to work with, so that's why that amount was put into the Budget last year...the fixtures themselves ended up being \$2,000 of it (or more)...the fixtures themselves are pretty darned expensive. The lighting on the Monument has been out since the middle of December...we had Evans look at it at that time, and it was determined that there was some kind of short in it that involved the wiring itself...decided that it was more advantageous to put the repair money towards the upgrade that we're planning on doing anyway...so at that point, Evans began working up basically a design and a proposal on how that would all work. That came back just before the deadline for Board of Control." Mr. Crabill also noted there have been inquiries as to why the lighting is not on up there, and said he feels that this is a competitive quote.

Mr. Lokai questioned the potential safety hazards.

"The wiring itself is substandard (at best)—I know when I was up there during the Summer, weeding after watering...the soil was wet—you could feel the charge coming

through the soil in certain places,” said Mr. Crabill, also noting that prior to the Roundabout the fixtures ‘kept getting struck and run over.’

He also made reference to a flagpole floodlight, and he discussed LED fixtures which would qualify for a DP&L rebate to offset cost.

Mr. Brugger questioned the reason why this item was brought (to Council) in January with the ground frozen, when there were obviously issues in the Summer.

“I don’t have a problem with getting it fixed—I just, I guess, am a little concerned with the timing...” said Mr. Brugger.

Council President Hess asked specifics on ‘where’s the switch to shut it off.’

“There’s a box—I believe, it’s back there by the old Main News, back behind the gravel lot,” said Mr. Evilsizor.

10.

Mr. Lokai moved to authorize a purchase order to Wilbur Smith Associates in the amount of \$46,000 for annual technical assistance service (This will be charged to the Waste Water Treatment, and is in the 2011 Budget); Mr. Shaw seconded. Motion carried without objection.

Discussion –

(To Mr. Chad Hall) Mr. Lokai asked, “How many Class II, Class III, and Class IV operators to they have now?”

Mr. Hall replied, “We have zero Class IVs—I’m the only Class III—I have one actual licensed II...I have an OIT (Operator In Training), that’s II, which needs about 9 more months...just needs to fill in service time...and then I have 2 Classifieds.”

Mr. Lokai noted at one time Wilbur Smith & Associates had a \$92,000 contract. He questioned whether those services would be required after obtaining a Class IV.

Mr. Hall explained the Classes, Dave’s contract, ‘additional work that needs to be done,’ and the advantages to having a consultant.

Mr. Lokai agreed that Dave (Stewart) has been an asset to the WWTP.

Mr. Evilsizor (at Mr. Brugger’s request) explained, “The 2.55 net labor multiplier—I guess that’s a standard industry thing that’s used—and I guess if you’re under 3, that’s supposed to indicate lower (you know) overhead, but...I think that’s um take whatever Dave’s hourly rate is, and when you do the multiplier there that covers the overhead and profit...and all the extra stuff other than his hourly rate...supposedly anything under 3 is good, but that’s...”

Mr. Brugger said, “Then it says at the end of that sentence, ‘Expenses will be charged at a cost plus 10%,’ and I know a lot of times that’s kind of considered a danger, but I also know that they’re negotiable...and unless we have transparencies where we’re at for receipts (validating that—I don’t know if we do or not)...those are the kinds of things (when we move forward), I really think we need to start asking questions...”

11.

Mr. Shaw moved to authorize a purchase order to the LUC Regional Planning Commission in the amount of \$5,122.80 for annual membership estimated at 11,384 (this will be charged to Misc-Non-Departmental, and is in the 2011 Budget); Mr. Evans seconded. Motion carried without objection.

Discussion –

Mr. Evans opened discussion about The Comprehensive Plan.

Mr. Evilsizor indicated it began in 2007, and has been going on for 3 years.

Mr. Evans said, “Since Melanie left, we haven’t heard a lot about The Comprehensive Plan—other than that—what does the LUC do for us?”

Mr. Crabill noted he thought the delay in The Comprehensive Plan has been ‘our delay, and not with the LUC.’ He referred to a list provided last year by LUC of the services provided to the City.

“We did not ask for that this year—Jenny has had surgery, and is out right now so,” said Mr. Crabill.

“I guess I know what the risk is, and...it’s just one of those things that we contract with the LUC to provide services for us (and we pay for it)...and it seems like they can’t provide a service if we don’t ask for it...correct?” asked Mr. Evans. “Are we asking you for services?”

Mr. Wes Dodds answered, “Certainly (if you have) we’ve been here when you asked us to be here, and you are right—with a small staffed office, it’s hard for us to be as proactive as we’d like to be...but certainly, if there’s a service that we can provide...and you’ve asked for it, we will do that.”

“Okay—in 2010—how many times has the City of Urbana contacted the LUC, and asked you for contract services that we pay for? How many requests have you had?” asked Mr. Evans.

“I couldn’t put a number—personally, I’ve had several phone calls from Brad Bodenmiller to discuss various different zoning issues—it may not be a specific service he’s asking for, but more of a consultation as far as, ‘I’ve got a situation here...I need your opinion on this.’ Several times—I don’t know the exact number—I’ve had initial conversations (with both Bruce and Brad) about potential projects, or future things they’d like to think about doing...” stated Mr. Dodds. “After Melanie left, we were meeting with Brad every 2-3 weeks to work on a Comprehensive Plan...”

He noted Mr. Bodenmiller had to work on another area, so The Comprehensive Plan was temporarily put on hold.

“...and we are making progress?” asked Mr. Evans.

“Right—like I said over the last few months, it had to go to the back burner...but we are progressing,” said Mr. Dodds.

Mr. Evans sought assurance that the City is utilizing all that comes with the LUC annual membership.

Mr. Brugger requested the breakdown of the 11,384, and Mr. Crabill responded, “It comes from the Ohio Department of Development (for 2008, in a population estimate they have). It is a per capita number.

Mr. Lokai discussed the reevaluation and reportion leading to less of a burden on the municipalities. He discussed the ‘good working relationship with LUC, ‘ and referred to LUC as another ‘tool in the toolbox.’

Mr. Crabill described working with LUC as invaluable, and a ‘good networking opportunity.’

Mr. Bean suggested using (along with the part-time City’s Economic Development person) the LUC to a greater extent, and the Champaign County Economic Development person ‘in order to get some things done.’

He noted that while on the Planning Commission, “We hardly ever used the LUC, but then again—we had a full-time Economic Development person.”

12.

Mr. Shaw moved to authorize a purchase order to Reynolds Inc. in the amount of \$11,260 to repair/replace well pads at Wells #8 and #9 at Old Troy Pike (This will be charged to Water Capital, and is in the 2011 Budget); Mr. Lokai seconded. Motion carried without objection.

Discussion –

Mr. Shaw asked whether both Wells are usable.

“Yes—both wells are presently usable—Well #8 isn’t because of different problems, but um...” replied Mr. Munch.

“But there’s no problem with the Wells themselves?” asked Mr. Shaw.

Mr. Munch explained, also indicating he wants to get things done before March 1st.

“What happens on March 1st?” asked Mr. Evans.

Mr. Munch referenced the First New Comprehensive Sanitary Survey (Inspection) of the Urbana Water System, and indicated this is ‘like a report card.’ He said he has areas to correct prior to this date.

Approval of Minutes

Mr. Shaw called ‘point of order’ asking whether the Minutes were as yet approved at this Meeting. They had not been approved up until this point.

Mr. Lokai moved to approve the UCC Work Session Minutes (December 21, 2010) and UCC Regular Session Minutes (December 21, 2010); Mr. Shaw seconded. Motion carried without objection.

Citizen Comments

There were no Citizen Comments at this Meeting.

Ordinances and Resolutions

Third Reading – There were no Third Readings at this Meeting.

Second Reading – There were no Second Readings at this Meeting.

First Reading –

ORDINANCE NO. 4357 – AN ORDINANCE TO AMEND AND REVISE CHAPTER 913, CONSTRUCTION AND REPAIR OF SIDEWALKS AND CURBS, OF THE CODIFIED ORDINANCES OF THE CITY OF URBANA, OHIO

(Read and declared a First Reading)

Discussion –

Mr. Brugger said, “Previously we talked about curbs—in light of the repair in storm basins and some water digs, different things--in replacing the curbs, putting in variations on the theme...2 inch high ranging up to maybe the standard...at that time the discussion was to try to blend it in with the existing so it matches (and doesn’t look as bad), but I’ve seen some sections where we’ve done 50, 60 feet and put in 2 inch curb to match these ramps...I’d like to understand what specifications are established going forward...”

Miscellaneous Business

Mr. Evans requested 2 items be added to the Work Session on January 18.

One topic : Request that the Administration and the Health Insurance Committee (and all parties that were included in putting that proposal together) to come to the Work Session.

Mr. Evans requested explanation to Council on ‘how we came about choosing the vendor that we chose, and how that process worked.’

He asked the Administration to invite the appropriate parties to that meeting, and added that he has a lot of questions.

Mr. Evans also said he wished to revisit the Board of Control process/operation, and rules. He pointed to specifics in the Charter rules about the Board of Control, and Council's role. Mr. Evans asked Council to bring their questions, and also asked that the Law Director be present as well.

Council President Hess asked Attorney Gil Weithman whether there is a State or Revised Code Issue to govern the Board of Control.

Attorney Weithman answered, "No I think our Charter speaks to it, and I think what it is Council can set up rules...and what it is...if Council doesn't set the rules, the Board of Control itself sets the rules...and I don't know when it came into existence, but...nobody else came up with the rules, so the Board of Control set their own rules...that's what happened."

"So if Council wants a set of rules, that's their prerogative?" asked Council President Hess.

"Yes," Attorney Weithman responded.

Mr. Brugger said he looks forward to the Health Insurance discussion. He noted that he has had a number of people contact him regarding the process, and how it works.

Mr. Brugger moved to excuse Mr. Robert Thorpe and Mr. Eugene Fields from this meeting; Mr. Lokai seconded. Motion carried without objection.

Mr. Brugger said he has received questions regarding whether 'we're going to get a double feature on Channel 5.' He noted the December 14th Meeting has been shown for about a month, and people were hoping to see the December 21st Meeting.

Mr. Shaw said he understood the importance of lighting The Monument, but noted the lighting issue in The Square still needs to be addressed. He commented about other areas in town that are over-lit, causing one to squint...and pointed to the City of Marysville has having a brightly lit downtown at night. Mr. Shaw stressed the importance of watching for pedestrians in the darkness of The Square.

"Is there something we could do? Could that be looked at? Revisited?" he asked.

Mr. Shaw added, "It's dangerous for me—I don't want to hit anybody!"

"Yeah, yeah—I know on the 2 (decorative)lights that are down, we're looking at repositioning those so that they're less likely to get hit in the future...'cause I think if we put them back up, they're going to be back down...so, so...Mike's looking at that...and seeing if we can't use those little islands that are existing up there, so it will be kind of close to where they were situated..." said Mr. Evilsizor.

Mr. Shaw referred to the lights across the tops of the buildings as being 'great,' adding, "It enhances the downtown—my congratulations to whoever did that—it really is great. It adds to the downtown look (and not just for Christmas), they're on all the time...but for safety sake, something to light up the crosswalk..."stated Mr. Shaw.

"Yeah, and it's kind of a situation that we have all over town...I guess, when you look at any of the intersections out there (you know)...um, um, you know...you have to be...the driver has to be..." Mr. Evilsizor began.

Mr. Shaw interjected, "But at the other intersections, you've got a red light and a green light...or a 'Don't Walk'...but at The Square, you've got to go ahead and walk...because it's a State Law that you've got to stop for them...and if we can't see it, it's your fault!"

"Yeah—we'll get those other 2 lights back up...um, um...I don't know whether it makes sense to put brighter lights up there in The Square, or not...I think (you know)you still have other intersections across town, whether it's on Main Street or on the side

street...where you know the drivers have to watch out for the pedestrians, and be mindful..."stated Mr. Evilsizor.

"I know, but my point is—at The Square, and The Roundabout!" Mr. Shaw emphasized. "...and the walks are...you just walk right out...it's regardless of where traffic is, you just walk out...you are in the right-of-way...the pedestrian is always in the right-of-way...I don't want to hit anybody, and I don't want anybody else to hit anybody! I think it's just dangerous!"

He also questioned whether there is any (Federal or other) monies available to address this safety issue.

"Yeah—we can take a look at it...I don't know," said Mr. Evilsizor.

"It's an ongoing problem...and it seems like Winter is worse, so...we'll look into it, we'll have Administration look into it...somebody...they can stand out there with flashlights," said Council President Hess.

Mr. Lokai expressed appreciation for information regarding the Health Issue from Mrs. Chris Boettcher concerning the process, and the scoring/grading of clients. He referred to misinformed information floating around the community coffee shops, and elaborated on some of the misinformation. Mr. Lokai noted that people apparently are not happy with the present service, and questioned where Council has a role.

"I think (somewhere along the line) we have to give a little bit of credence, and faith in the people making decisions that they are doing some things that are in the best interest of all the citizens in the City...so with that, I'll be interested in seeing how the discussion goes," stated Mr. Lokai.

Mr. Bean said, "Just to follow up on that—I didn't hear one person tell me that they had bad service with Stocksdales—not one!...and I've talked to quite a few of the employees."

He also discussed Mr. Brugger's mention of a purchasing policy, and asked Mr. Evilsizor whether he was 'still in process of trying to get that going.'

Mr. Evilsizor noted it would be part of the Work Session items to be discussed/reviewed.

Mr. Bean said, "Are we supposed to (at this Meeting) rehire Gail? Do you want to hold off, and do it? I don't have any real issues with Gail...I would like to make a motion that we rehire Gail for the next year."

Mr. Lokai and Mr. Shaw (jointly) seconded.

Discussion –

Mr. Lokai pointed out that the Clerk is really not an employee of any other City department.

"She's actually the Council's employee (kind of a separate entity, so to speak)," said Mr. Lokai, also noting he has previously done considerable research of Clerk's positions in other communities regarding time/salaries. "We get a good value for the amount of work that's put into that..."

"Well, I appreciate her communication to us—she's on top of things, and she lets Council know what's going on...I think she does a good job," Mr. Bean said.

Council President Hess added, "A good job with Minutes too."

All were in favor of rehiring the Clerk.

(To Mr. Williams), Mr. Bean asked for a financial report.

Mr. Williams replied, "Four six three six...against a Budget of four five zero zero...one thirty six ahead...primarily driven by business income tax improvement...this month

(through today) we're at two twenty four, and the target for the month is three fifty, so we've got a good start with January as well..."

"That's good—let's hope it keeps going," stated Mr. Bean.

Mr. Crabill added 'ODOT Projects' (Grant Applications, and the proposed use of the East Side Park for a 'Park and Ride') as other Work Session topics.

Council President Hess asked whether these all have to be discussed in January, and Mr. Crabill stressed he needed to do the 'ODOT' topic especially.

Mr. Chad Hall and Mr. Robert Munch had no further remarks at this time.

Mr. Mike Heintz discussed replacement of curbs (in response to Mr. Brugger's comments), and noted curb replacement as typically 6 inches high. He elaborated on the 'blending' process used with the curbing.

"If you always want them 6 inches high—hey, that's easier for us!" stated Mr. Heintz.

"We just always tried to use a common sense approach in the past. If you're unhappy with that—we'll change what we do!"

Mr. Brugger discussed specific projects (Between E. Ward and E. Church on Locust, as an example).

Mr. Heintz noted that there are discussions with property owners to determine their preferences, and defined the purpose of curbing.

Mr. Heintz also announced the OPWC Funding approval for the \$900,000 storm project. He said in the next couple of months, Council will see newspaper ads, and the project will be put out for bid.

"As you all know (in July) we're approved for three smaller OPWC projects, and all of those will be going this Fall," said Mr. Heintz.

Police Chief Wagner had no remarks this evening.

Mr. Williams had no additional remarks.

Mr. Evilsizor said, "Columbia Gas asked if I'd pass along...that they're going to be starting this month on replacing gas lines along So. Walnut St., and some of the intersecting streets. They're going to be sending information out to the neighborhood, plus they're going to be having a public meeting on it."

Mr. Evilsizor also requested a short Executive Session on "Property."

Mayor Ruth Zerkle had no remarks this evening.

Council President Hess reminded Council about the City/County Meeting on January 18th, prior to the Work Session. The City/County Meeting will begin at 5:30PM.

Council President Hess told Council about an email from Mr. Evilsizor regarding a volunteer who he would like to utilize for document scanning (Old City Council Records). He noted receiving an Ohio Historical Records Advisory Board Grant Guideline for 2011 (for a \$500 to \$3,500 match), and added that it was discussed at the Informal UCC Meeting. Council President Hess suggested that all of the historical Council information (currently housed in the City Building Basement), could be scanned to be online.

Council President Hess (again) said the Council records in the basement should be moved up to the Clerk's Office at some point.

He said, "This Meeting you've set all of your Agenda for this next year—if there's anybody else you want to hire—you've read the Charter, you know what your obligations are for the rest of the year...so I'll reserve that until the next meeting."

Council President Hess noted a meeting he (and Mr. Brugger) had with the Urbana Schools Video Department, and discussed the school's request for a year long contract (purchase orders), "...so they know where we stand, and we know where we stand...but Council has to pass an Ordinance to that affect/Resolution to that affect...we'll talk about that at the Work Session...or we'll talk about it individually and come up with an idea...that's something I think we should do, just to get it done..."

He referred to good ideas that Mr. Brugger and Mr. T.D. Evans brought to the table.

EXECUTIVE SESSION

(At approximately 8:05PM) Mr. Evans moved that Council go into **Executive Session** to discuss "Property"; Mr. Shaw seconded. Mr. Bean requested amending to also discuss "Economic Development." Request accepted.

Roll call vote to approve:

Mr. Bean, yes; Mr. Evans, yes; Mr. Brugger, yes; Mr. Shaw, yes; Mr. Lokai, yes (5-0)

ADJOURNMENT

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

Council Clerk

Council President