

**URBANA CITY COUNCIL**  
**REGULAR SESSION MINUTES – JANUARY 25, 2011**

The Urbana City Council Regular Session Meeting of Tuesday, January 25, 2011, was called to order by **Council President Marty Hess**, at 7:04PM in Court Chambers /The Municipal Building.

Attendance: All Councilmen were present

City Staff in Attendance: Mayor Ruth Zerkle; Mr. Bruce Evilsizor, Director of Administration; Mr. Lee Williams, Finance Director; Mr. Brad Bodenmiller; Mr. Chad Hall; Mr. Robert Munch; Mr. Colin Stein; Fire Chief Jim McIntosh; Firefighter/Paramedic Jason Croker; Firefighter/Paramedic John Dale

In Audience: Mr. Bill Kelley / DP&L

**Roll Call and Pledge of Allegiance**

**Approval of Minutes**

Mr. Steve Shaw moved to approve the UCC Regular Session Minutes (January 11, 2011), the City/County Meeting Minutes (January 18, 2011), and the UCC Work Session Minutes (January 18, 2011); Mr. Eugene Fields seconded. Motion carried without objection.

**Communications**

Mr. Robert Thorpe moved to place the LUC Regional Planning Commission Executive Committee Meeting Minutes (January 13, 2011), on file; Mr. Bill Bean seconded. Motion carried without objection.

**Administrative Reports – Board of Control**

**1.**

Mr. Thorpe moved to authorize a purchase order to Pioneer Electric in the amount of \$40,000. for electric for the Water Treatment Plant, and the State Route 29 Wellfield (this will be charged to the Water Department; This is in the 2011 Budget); Mr. Fields seconded. Motion carried without objection.

**2.**

Mr. Bean moved to authorize a purchase order to Ikon in the amount of \$2,539.26 for the copier expenses for the period covering 12/29/90 to 12/28/10 (This will be charged to the Administration Department; This is in the 2011 Budget); Mr. Thorpe seconded. Motion carried without objection.

Discussion –

Mr. Thorpe (to Mr. Lee Williams) asked, “Is this always billed in arrears?”

“It is—the cost of the copies are billed after we take the meter reading at the end of the year...so this would be for all of last year,” answered Mr. Williams. “This is typical—I looked at last year’s—I couldn’t find it. It’s on the Board of Control, so the only thing I can assume is that it was less than \$2,500 last year. I did go through each month, and couldn’t find it.”

**3.**

Mr. Thorpe moved to authorize a purchase order to Kennedy Cottrell Richards in the amount of \$11,250. for each of the Fiscal Years 2010, 2011, and 2012, accumulating to \$33,750. for 3 years for the CAFR (The previous contract was \$13,000. annually, which amounted to \$39,000. for 3 years; This will be charged to the General Fund Non-Departmental – Professional Services; This is in the 2011 Budget); Mr. Larry Lokai seconded. Motion carried without objection.

Discussion –

Mr. Kerry Brugger said, “Just a couple questions—2010, are they going to give some credit for last year, or how’s that...?”

“It should say for audit years 2010, 2011, and 2012,” said Mr. Williams.

“Then, last question is just...I think they’ve done an excellent job for us...the acknowledgement that the contract was signed prior to the Board of Control, then prior to the meeting...what would happen if we didn’t want to spend the money?” asked Mr. Brugger.

Mr. Williams replied, “I would rescind it.”

“So are we going to be audited by a private firm now?” asked Mr. Al Evans.

“This is the compilation portion of the CAFR—this is the part where they pull all of the pieces together,” said Mr. Williams. “They’re actually the co-author with me, of the CAFR (that’s this piece of it). Last year (and for the last 5 years) you’ve had a \$42,000 package--which is \$28,000 for the audit, and \$14,000 for the CAFR (which includes miscellaneous charges)—it’s \$13,000 for the CAFR, plus \$1,000 of miscellaneous (in case we encounter a Federal schedule that needs to be prepared). Because we split the business between Kennedy Cottrell, and the Auditor of State...the Auditor of State’s performing the audit...Kennedy Cottrell is doing the compilation, so it’s a split between 2 vendors.”

“C-A-F-R, stands for?” asked Council President Hess.

Mr. Williams said, “Comprehensive, Annual, Financial, Report.”

**4.**

Mr. Evans moved to approve a 2011 blanket purchase order (40 Items Inclusive- See Listing in Council Files/ 01-25-2011); Mr. Fields seconded. Motion carried without objection.

Discussion –

Mr. Evans said, “If Council will note that (Item #21) is a purchase order to Urbana Parts for \$5,000...If I could, I would like to abstain on that item (that’s my company).”

Council President Hess questioned why Heritage Cooperative -fuel- was split out (for every department) on the 40 item listing.

“So we can charge each department—and they have a record of that there with each purchase order assigned to each—Street, Parks, Cemetery, etc.,” Mr. Williams responded.

**Citizen Comments**

There were no Citizen Comments at this Meeting

Council President Hess recognized and welcomed Mr. Bill Kelley, DP&L, in the audience.

**Ordinances and Resolutions**

**Third Reading -**

There were no Third Readings at this Meeting

**Second 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 Second Reading)

**First Reading –**

**RESOLUTION NO. 2319 – A RESOLUTION CONFIRMING THE APPOINTMENT OF LEE WILLIAMS AND EUGENE FIELDS, JR., TO THE TAX INCENTIVE**

REVIEW COUNCIL, FOR THE EXECUTIVE, AND DECLARING A SUSPENSION OF THE RULES

(\* Mr. Evans said a Suspension of the Rules was not necessary)

Mr. Evans moved to place RESOLUTION NO. 2319 on the business floor for discussion and passage; Mr. Shaw seconded. Motion carried without objection.

Discussion –

Council President Hess (to Mr. Williams) asked, “When do you guys meet?”

“March—the date is to be determined, but it’s March,” said Mr. Williams.

**ORDINANCE NO. 4348 (NOW AMENDED) – AN ORDINANCE IMPLEMENTING SECTIONS 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE, ESTABLISHING AND DESCRIBING THE BOUNDARIES OF A COMMUNITY REINVESTMENT AREA IN THE CITY OF URBANA AND DESIGNATING A HOUSING OFFICER TO ADMINISTER THE PROGRAM AND CREATING A COMMUNITY REINVESTMENT HOUSING COUNCIL AND A TAX INCENTIVES REVIEW COUNCIL**

(Read and declared a First Reading)

Discussion –

Mr. Brad Bodenmiller was asked to address this Ordinance.

“Once we pass this, we have to send it to the Department of Development--they have to confirm it. We used their language to create the Ordinance,” he said explaining the changes.

“Can you give us a brief overview of what this...Council’s responsibilities would be?” asked Mr. Evans.

“Sure—Council basically...what we have to do is, we establish who would be Administrative to do the actual...set up the agreements, but Council actually goes over it, and approves each agreement (individually),” answered Mr. Bodenmiller. “We also have a Tax Incentive Review Council (which you’ve just confirmed the members for that)...” He also noted the designation of a Housing Officer.

“It’s the same thing that we’ve had in the past (that we approved a month or two ago), and then what we’ve had (I think) since the 1980s, I believe,” said Mr. Bodenmiller.

Mr. Evans verified, “So basically what this is—this is a program for us to be able to (or for any individual) to be able to obtain funds (and possibly tax breaks) for reinvesting...or rehabbing property?”

“Right—exactly—so you can get a tax break (you could say) on real property if you actually make an improvement...the tax break goes only on that improvement...so if you buy \$100,000 house and add a garage that’s worth \$20,000, the tax incentive is only going to be on the garage,” said Mr. Bodenmiller.

He explained the Ordinance as a business incentive as well.

“So let’s just say a property owner (or a landlord) wanted to...uh...repair, refix, revitalize a rental property...are they able to obtain tax incentives on that as well?” asked Mr. Evans.

“Correct—I think they have to spend at least \$5,000., and they would want to spend a little bit more than that...because sometimes it’s not really worth your time if it’s not a significant improvement to the property,” Mr. Bodenmiller answered.

“So this program will (possibly) help the overall condition of some of the neighborhoods?” Mr. Evans (again) sought to verify.

“That’s exactly it,” said Mr. Bodenmiller, also pointing to a housing survey (that was created over the Summer with an intern) to explore areas where revitalization should be encouraged.

Council President Hess asked, “How much money are we actually going to get off this? How much money will we potentially get with this? How much (total) can we get?”

“It doesn’t actually get us money, but what it does is it actually provides a tax break,” stated Mr. Bodenmiller. “If they make a significant improvement.”

Mr. Bodenmiller added that this Ordinance should have three Readings, and indicated that Attorney Gil Weithman said that the wording is appropriate.

**RESOLUTION NO. 2320 – A RESOLUTION AMENDING RESOLUTION NO. 2314 TO MODIFY APPROPRIATIONS WITHIN VARIOUS FUNDS OF THE CITY OF URBANA, OHIO**

Mr. Robert Thorpe moved to place RESOLUTION NO. 2320 on the business floor for discussion; Mr. Evans seconded. Motion carried without objection.

Discussion -

“Now (because this is a monetary thing), we should suspend the rules?” asked Mr. Evans.

Mr. Lokai said, “You should suspend the rules.”

Mr. Williams said, “I would prefer to do that (if you wouldn’t mind)...um, this is merely...2320 is going to go out and replace 2314...2314 was the narrative, that went to the County Auditor...and I think last Tuesday (in the Work Session) I described what had happened was, the narrative had picked up last year’s values for the two enterprise funds Water and Sewer, and all this is doing is correcting those...the financials (and all the numbers were accurate—didn’t change)...just that Resolution sheet needs to be updated with the County Auditor...so if we could, I’d like to get that out to her as soon as possible...it’s a housekeeping thing more than anything else.”

Mr. Evans moved to suspend the rules on three readings; Mr. Lokai seconded.

Roll call vote to approve suspension: Mr. Evans, yes; Mr. Brugger, yes; Mr. Shaw, yes; Mr. Lokai, yes; Mr. Thorpe, yes; Mr. Bean, yes; Mr. Fields, yes (7-0)

Mr. Evans moved to pass RESOLUTION NO. 2320; Mr. Lokai seconded.

Roll call vote to approve: Mr. Brugger, yes; Mr. Shaw, yes; Mr. Lokai, yes; Mr. Thorpe, yes; Mr. Bean, yes; Mr. Fields, yes; Mr. Evans, yes (7-0)

**Miscellaneous Business**

Mr. Williams - Nothing at this time

Mr. Evilsizor - Requested the addition of “Personnel” to the Executive Session

Secondly, Mr. Evilsizor announced the SAFER Grant.

He said:

“The Urbana Fire Division received word (last week) that on their application for \$285,000 to get the 2 laid off firefighters back to work...they received word that that was awarded to the City (to the Fire Division)...um, remember when we applied for that (you know) we just wanted to take a second look at it...because it’s kind of a commitment of 3 people, with the 10% reduction (you know) 3 people were going to be affected, so we have to commit to maintaining those 3 people...and the grant will play for 2 of the people...and looking at that, it makes sense...um, to proceed with the grant. I guess when you factor in maybe some unemployment and (you know) costs that we would incur over a 2 year period of time, plus maybe pay out some on a firefighter (you know) if we had a lay-off of a 3<sup>rd</sup> firefighter...when another firefighter comes back from military, then (I

guess, the bottom line is) it makes sense...it's a real good deal for the City. I want to thank Chief Jim McIntosh, and Firefighter Jason Croker. Jason's spent a lot of time on (you know) searching for that uh grant, and then applying for that grant...and putting it together. Jason (I know) is available for questions, if anybody has any questions...or if you want more information, he'll be happy to provide that."

Firefighter Jason Croker was asked to come to the podium.

Mr. Thorpe asked, "This is for a 2 year grant? What happens after the 2 years?"

Mr. Croker responded, "With this particular grant—unlike grants in the past, there is no retention period—so after 2 years, the City's commitment is done. From there on, the firefighters will be funded by the City (should they choose to keep those 2 positions), but there is no commitment to retaining them."

"So—there is a possibility they could be laid off again!" stated Mr. Thorpe.

"After the 2 years—yes...hopefully this will get us through the economic times that we're in...when we'll be able to fund the Fire Department fully again. This will buy us some time," said Mr. Croker.

Mr. Evans said, "I just want to commend you on your efforts (Jason and Chief) on obtaining this grant. I am confident that uh...this is enough money to carry these 2 positions over through the time of the grant...and I'm also confident that by the time the grant runs out, our economic situation will be to our advantage...and we'll be able to maintain those positions."

"I think it is worth mentioning...this grant is funded through FEMA (in conjunction with the Department of Homeland Security). The grant's called SAFER...the acronym is **Staffing for Adequate Fire and Emergency Response**. It's sole intent is to return laid off firefighters back to work to prevent further layoffs (and provide additional staffing), so that...you know...any particular community can be as safe as it possibly can be!" stated Mr. Croker. "Nation wide, there's only been \$426mil slated for this grant (which seems like a lot of money), but when you take a look at our entire country (and the number of publicly funded fire departments--that are in the same position we are in), there's only about 10% of applicants that actually receive the grant...so (as of last Friday) we were only the 22<sup>nd</sup> department in the country to receive this money...so that's pretty impressive."

"Jason, does that offset funds beyond this in salary...it also covers the fringe benefits, and other benefits?" asked Mr. Brugger.

"Yes sir—it funds 100% of salary and benefits for the 2 laid off positions that we have—everything exclusive of overtime," Mr. Croker replied.

Mr. Bean stated, "I just think you've done a wonderful job in doing this (and you had told me before that you were going to do it)...you got 'er done! I'm proud of you, and our Chief, for making it happen—thank you!"

"Congratulations," Council President Hess added.

Council President Hess (to Mr. Evilsizor, in reference to electronically transmitted and signed copies of the Fire/EMS Agreement between the City and Union, Salem, and Urbana Townships/ 2011) said, "Bruce—would you like to speak to the EMS Contract to the Township?"

Mr. Evilsizor responded:

"Um yes—we've finally got all of the signed copies...from I guess Urbana Township, Union Township, and Salem Township...Mad River Township declined to participate in

the coverage for 2011 (they opted to go out west there with another Fire Department)...I think um...I think it ended up being about um, maybe about another \$31,000 between 2011 and 2010, so we were kind of helping to support (you know) the Fire Department's efforts between the City and then in the townships. One of our goals was to try to have the townships pay more of a fair share to provide the service out to the township, because a lot of our service is out to the township...and so (you know) made some progress on that effort. We still have some ways to go...which the township know that. The townships are also looking at some other options also, to try to keep their cost down...which is going to be a challenge for all of us (you know) in the future...but it's all wrapped up. I guess we'll get back into it um...I'm not sure when...(you know) maybe May, June...as far as starting discussions for next year, and try to get something lined up more long term, if that's what makes sense."

Council President Hess said, "I noticed there's a charge back when we use their equipment...how often do we use their equipment? Do you know? Chief?"

Fire Chief Jim McIntosh replied, "We've changed the vehicles we respond with when we go outside of the City now—so the reason most of the City equipment (unless it's a County fire, then we use County equipment)...so since the beginning of the year, I think we owe \$50."

Council President Hess said, "Okay—okay...and I imagine you chart that every time something goes out the door."

"Yes—yes," answered Chief McIntosh.

Mayor Ruth Zerkle - Said, "I'd like to congratulate the Chief and Jason for your co-active efforts in getting that grant, and also...22<sup>nd</sup> in the whole state is absolutely marvelous...in the U.S.A., right? U.S.A, that's pretty awesome guys! So you took that effort, and you made things happen for the Fire Department—much appreciated by this Administration, and I agree with Mr. Evans...I'm looking to be very positive about the next couple years...we'll be able to regroup, and be on top of things...thank you again!"

Mr. Chad Hall - Nothing at this time

Mr. Colin Stein - Nothing at this time

Council President Hess noted hearing 'good things about getting rid of the snow in the last couple weeks'

Mr. Robert Munch - Nothing at this time

Mr. Brad Bodenmiller - Nothing at this time

Mr. Fields - Nothing at this time

Mr. Evans -Nothing at this time

Mr. Brugger - Said, "Just a quick question—Bruce (in the Activity Report) I noticed there were a couple comments made about trucks and vehicles. I know that (especially Colin is getting hit pretty hard on wear and tear on equipment). Are there any surprises that maybe you didn't have budgeted? Looking ahead after you've seen a month under your belt...heavy use? Are you looking to replace some things this year?"

Mr. Evilsizor said:

“I know on the dump trucks (you know)...we’re behind on the dump trucks...we really need to uh (you know) find some...I guess we’re looking for some good used dump trucks...I guess (ideally) it would be nice to buy new, but I think we’re going to try the approach of buying something that’s used (and in real good shape). We really need to kind of focus on that...next couple years, and get several of those replaced so that we can beef up the fleet on that.”

- Mr. Shaw - Nothing at this time
- Mr. Lokai - Referred to being in a ‘listening mood tonight’
- Mr. Thorpe - Nothing at this time
- Mr. Bean - Nothing at this time
- Council President Hess - Again remarked about receiving positives regarding the recent snow removal.  
Commented about someone saying there was not enough salt down, and he said, “I told them we’re in a financial pinch.”  
Mr. Stein responded, “We salt the same as we always have, for the last 20 years.” Mr. Stein briefly explained his procedures.

**Executive Session**

Mr. Fields moved to adjourn to Executive Session (7:35PM) to discuss “Property” and “Personnel”; Mr. Evans seconded.

Roll call vote to approve: Mr. Shaw, yes; Mr. Lokai, yes; Mr. Thorpe, yes; Mr. Bean, yes; Mr. Fields, yes; Mr. Evans, yes; Mr. Brugger, yes (7-0)

**Adjournment**

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

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Council Clerk

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Council President