

**URBANA CITY COUNCIL  
REGULAR SESSION MINUTES – MARCH 8, 2011**

**Council President Marty Hess** called the Urbana City Council Regular Session Meeting of Tuesday, March 8, 2011, to order at 7:00PM in Court Chambers / The Municipal Building.

Attendance: All Councilmen were present with the exception of Mr. Al Evans.

City Staff in Attendance: Mayor Ruth Zerkle; Mr. Bruce Evilsizor, Director of Administration; Mr. Lee Williams, Finance Director; Mr. Doug Crabill, Assistant to the Administrator; Mr. Brad Bodenmiller, Mr. Chad Hall, and Police Chief Pat Wagner

**Roll Call and Pledge of Allegiance**

**Approval of Minutes**

Mr. Robert Thorpe moved to approve the UCC Public Hearing Minutes (#1) February 22, 2011, the UCC Public Hearing Minutes (#2) February 22, 2011, and the UCC Regular Session Minutes – February 22, 2011; Mr. Eugene Fields seconded. Motion carried without objection.

**Communications**

Mr. Fields moved to place the Urbana Planning Commission Minutes (January 31, 2011) on file; Mr. Larry Lokai seconded. Motion carried without objection.

**Administrative Reports – Board of Control**

There were no Board of Control items at this Session.

**Citizen Comments**

There were no comments from citizens in attendance at this Session.

**Ordinances and Resolutions**

**Third Reading –**

**ORDINANCE NO. 4358 –**

AN ORDINANCE BY THE CITY COUNCIL OF URBANA, OHIO TO VACATE PORTION OF CAROLYN AVENUE, BETWEEN PARCELS LISTED (5) IN URBANA, OHIO

Mr. Fields moved to place ORDINANCE NO. 4358 on the business floor for discussion and passage; Mr. Lokai seconded.

Roll call vote to approve passage: Mr. Lokai, yes; Mr. Thorpe, yes; Mr. Bean, yes; Mr. Fields, yes; Mr. Brugger, yes; Mr. Shaw, yes (6-0)

Discussion –

Mr. Lokai pointed out that ‘the property owner of the house, and the buyer of the land’ were present in the audience to field questions.

Mr. Fields indicated his questions had already been answered.

Council President Hess noted that Mr. Al Evans had questions, but his questions have been addressed.

**Second Reading –**

**ORDINANCE NO. 4359 –**

AN ORDINANCE ESTABLISHING THE PROCESS FOR GIVING NOTICE OF COMPETITIVE BIDDING

(Read and declared a Second Reading)

Discussion-

Mr. Lokai stated, “I think this is a good, forward move. I know that I talked to Bruce 15 months ago about this process. It gives us a tool to work with. It can answer a lot of

questions as to why we're doing, what we're doing...and also give everybody that wants to make a bid or a quote (whatever the case might be)...it does set the perimeters for something that is structured, so I encourage (next reading) Councilmen strongly support this."

Mr. Bill Bean (to Mr. Evilsizor) asked, "Bruce, what triggers this? At what price, or...? When are we going to use this?"

Mr. Doug Crabill responded, "Revised Code is \$25,000...is your threshold for bidding versus quoting (typically)...so that's when it would be most commonly used. A lot of our purchasing is under that amount, so it wouldn't be used a lot...but it would be used, so...but think of the things that end up coming to you, large construction projects (things like that) they come to Council anyway...they go through a competitive bid process, but actually for day-to-day purchases we don't have a lot that come to you that require this particular process...but it would be there if we need it, and it would help us save some cost."

Mr. Kerry Brugger asked, "...and that \$25,000 is for the package...not necessarily if you had 5 items...with all the total is \$25,000...?"

"Yeah—it's just a section in the Revised Code, that talks about \$25,000., so...but there's a lot of stuff we buy on State Bid that would not be part of that," explained Mr. Crabill.

"The chances of using this particular situation aren't that great (based on the type of purchasing that we do), but it would be there as a tool if we needed it to essentially save the cost on the legals...and a lot of vendors now, they're going to finding bids online anyway (more and more), so we're really using that a lot right now with the construction bidding...and it's really helped in that process."

"Just for everybody's benefit—exactly what will you be using this for?" asked Council President Hess. "You said large projects?"

Mr. Crabill responded, "Well, the projects we'd still follow the procedure we do now, which requires 3 legal ads for a large construction project (for example, like Russell St., that's out for bid right now—that's 3 legal ads)...this doesn't talk about construction projects, it's more the purchase of goods or services (well not even services, as much as goods)...so again it would be...we just did a bid process for mowers (for the Cemetery, and the Street Department), and that was a competitive bid process that had 2 legal ads...if this had been in place, we would've only had to have done 1 legal ad."

"The truck you bought...we bought last week (or 2 weeks ago) for the Parks..." Council President Hess began.

"My understanding is, that utilized the State Bid Process so...I wasn't involved in that one, but...that's my understanding, so a lot of our purchasing we utilize the State Bid Process (for example, like buying an ambulance...that's available on State Bid, so we probably could use State Bid and not use this particular process...the backhoe we bought last year was on State Bid...) It's here if we need it, so..." said Mr. Crabill.

**ORDINANCE NO. 4360 –**

AN ORDINANCE BY THE CITY COUNCIL OF URBANA, OHIO, TO VACATE A PORTION OF W. WARD ST. BETWEEN PARCELS LISTED (5), AND TO VACATE PORTION OF GLENN AVENUE. BETWEEN SAID PARCELS (2) IN URBANA, OHIO

(Read and declared a Second Reading)

**RESOLUTION NO. 2324 –**

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PARTICIPATE IN THE OHIO DEPARTMENT OF TRANSPORTATION CONTRACTS UNDER THE COOPERATIVE PURCHASING PROGRAM FOR THE PURCHASE OF MACHINERY, MATERIALS, SUPPLIES, OR OTHER ARTICLES PURSUANT TO OHIO REVISED CODE SECTION 5513.01 (B)

(Read and declared a Second Reading)

Discussion –

Mr. Fields asked whether this Resolution goes ‘hand-in-hand’ with Ordinance No. 4359.

Mr. Crabill replied:

“No—this is to be able to participate in ODOT’s Purchasing Program. ODOT goes out and competitively bids goods and services, and (by us having this Resolution in place) we’re able to work with some of those vendors directly using their competitive bid process. It’s similar to the way the State Bid Process works, except that the State bids through the Department of Administrative Services...so this would be through ODOT, and taking advantage of their bidding. The main emphasis on this was for snowplows, dump trucks...to be able to look at that bid that the State has for this piece of equipment, but there may be other opportunities.”

Council President Hess asked, “Do most other cities use this?”

“I don’t know how common it is, but it’s...it’s not just cities, it’s other units of government, universities can use it...I don’t know how many use it...” said Mr. Crabill.

Mr. Bean asked, “Would there be any reason not to do it?”

Mr. Crabill answered, “There’s no cost to it, so if anything it’s just a way to look at the pricing and the information (depending upon what we want to buy), and deciding if it’s a route we want to go down (or not)...so no—there’s no, no cost, or...beyond passing this, and sending a letter.”

Mr. Bean added, “I think it’s a good idea—as Larry would say, ‘It’s another tool in the toolbox.’”

Mr. Fields asked whether Council should pass this Resolution at this Meeting.

Mr. Crabill indicated the Resolution could go to the next reading.

“The main emphasis is to look at snowplows and dump trucks—when this passes, we’ll send it up to ODOT and get their approval...and start researching the options,” said Mr. Crabill.

“...and this is all new equipment?” asked Council President Hess.

“Yeah--it’s all new equipment,” Mr. Crabill verified.

**First Reading –**

**RESOLUTION NO. 2326 –**

A RESOLUTION AUTHORIZING THE SUBMITTAL OF A FY2011 COMMUNITY HOUSING IMPROVEMENT PROGRAM GRANT APPLICATION AND AUTHORIZATION TO CONTRACT FOR CONSULTING SERVICES UPON GRANT APPROVAL

(Read and declared a First Reading)

Discussion –

Mr. Fields requested a brief overview of this Resolution.

Mr. Crabill explained:

“This is the Resolution that has to be part of the CHIP application that needs to be submitted by April 1<sup>st</sup>. We will have a 2<sup>nd</sup> Public Hearing specific to the CHIP Program

(we had our 1<sup>st</sup> last month), will be March 22<sup>nd</sup> at 6:45PM, prior to the next Regular Session. That will be a chance for any citizens to voice any concerns, or questions they may have in regard to the application...but this Resolution just essentially is authorizing legislation to be able to submit an application by April 1<sup>st</sup>. The consulting services part, we already did a competitive process to procure a consultant...and the consultant that was selected through that process is our current consultant (which is CDC of Ohio), so...and the ways this works is...if the application goes to the State, and it's denied there's no cost to the City, and then if the application is accepted then the consultant has a fee for the application process...so we're not really on the hook for any money until the grant is approved...Amy Schocken of CDC will be here to do that Public Hearing next time, and answer any questions about the application.”

“We'll probably need to pass it that night (March 22<sup>nd</sup>)?” asked Mr. Fields.

“Yeah, we'll want to pass the Resolution that night,” said Mr. Crabill.

**RESOLUTION NO. 2327 –**

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION LOAN FUND AGREEMENT ON BEHALF OF THE CITY OF URBANA, OHIO FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF WASTEWATER FACILITIES, POWELL AVE. SANITARY EXTENSION, AND PHASE I WATER SEWER REPLACEMENT PROJECT, AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN

(Read and declared a First Reading)

Discussion –

Mr. Chad Hall provided an explanation:

“I handed out an aerial map that would cover the Powell Ave. Sanitary Extension...there is no time frame for that particular project, but we wanted to include it into this Resolution...those 3 projects would be 3 individual applications to the State...the first one is the full Waste Water Facility upgrade (that's something that we've been talking about here for the last 6-8 months), and the Phase I Water/Sewer Replacement Project (if you recall, Bob spoke about the water replacement on E. Court, Church, and Ward St....we kind of felt that if we're going to be tearing those 3 streets up to put a water main, we need to have a good idea of what our intentions are with replacing the sewer side...so we wanted to include that in this possible funding source also). As far as a schedule goes for the Waste Water Facility—we spoke before...something like 2014, 2015.....the Phase I Water/Sewer Replacement, I believe is scheduled for 2013, as far as the Water Project—it's scheduled through EPA. This application...Resolution for the application (to be signed by the Director) means there is no guarantees after the application is filled out (if the State says 'yes,' we'll fund it), one of those particular 3 projects—individually. The City still holds the right to deny, or not accept the funding to go forward with the project.”

Mr. Fields requested Mr. Hall repeat the 3 projects again.

Mr. Hall defined the projects as: The Waste Water Plant Upgrade, The Water Line (Phase I) E. Court, Church, and Ward Sts., and Powell Avenue Sanitary Extension.

“The Powell Ave. Sanitary Extension would relieve the sanitary flow off of Amherst Dr. that takes all of the eastern residential starting at La Palma ...CT Communications—that would send it all down 54, down Powell Ave.” said Mr. Hall.

“We shouldn’t have any problems then?” asked Mr. Fields.

“No—it’s designed big enough,” said Mr. Hall. “...and also to include future growth, if we so desire to go further out.”

Mr. Robert Thorpe asked, “How big is the interceptor?”

“The that runs through the Fairgrounds (I believe) is 27—it’s either 24 or 27,” Mr. Hall replied.

Mr. Lokai referred to those who live on streets ‘that have the holes punched in them,’ and said, “If we don’t do something now (start planning now)—if you think you’ve got a lot of holes in your street (or digs), I’ve got news for you...it’s going to get even worse.” He estimated the system as 60 years old, and Mr. Hall said, “There are some areas even older than that.”

“If we do not start...being proactive now, we’re going to have to be reactive like we are right now...” stated Mr. Lokai.

Mr. Hall noted that something must be done with the Sanitary to allow for growth to the east.

“What’s your total costs?” asked Council President Hess.

“I knew you were going to ask that—these 3 projects are going to be an estimated \$17mil-\$18mil,” said Mr. Hall.

“Do you have it broken down?” asked Council President Hess.

“We’re probably looking at around \$12mil for the Treatment Plant...anywhere from \$2-\$3mil on each individual project from there out,” stated Mr. Hall. “I’ll be bringing back (sometime hopefully here, late March or early April), a television cost to film Court, Church, and Ward...to do inspection...we’ve got a couple different options what to do.” Mr. Hall described a process to line pipes which will alleviate digging down to put all new plastic in.

“I think what Columbia Gas is doing right now...is the water lines, right?” asked Mr. Fields.

“Columbia Gas is only doing gas lines,” answered Mr. Hall.

“No—but I thought they were running...well Bob said they were running cameras,” said Mr. Fields.

“Well, there’s camera in the sewer mains to locate where the laterals are,” Mr. Hall said.

### **Miscellaneous Business**

Mr. Brugger - Asked if the Compost Facility is open  
Mr. Bruce Evilsizor said, “Should be next Monday if I understand it right, March 14<sup>th</sup>.”

Moved to excuse Mr. Al Evans from this Meeting; Mr. Steve Shaw seconded. Motion carried without objection.

Mr. Shaw - Said, “With all the rain we’ve had, I noticed we didn’t have the flooding this time down at Settlers Ridge (that we experienced last year), so we’ve definitely made some improvements in that are... but we still have a long way to go...Main St. was closed for a long time, but it always is.”

Mr. Lokai - Expressed appreciation to the Street Department for the clean up of the majority of twigs and branches

Mr. Thorpe - Nothing at this time

Mr. Bean - Requested an Income Tax update from Mr. Lee Williams

Mr. Williams said, “As of this morning, we had \$190,000 in for the month of March...estimate for the month is three-twenty, so we’re off to another good start...and this would be 6 out of the last 7 months. Good income tax numbers!”

Mr. Bean questioned whether there will be any upcoming use of The DuraPatcher

Mr. Evilsizor noted The DuraPatcher would be in use this Spring before the mowing begins in mid-April

Mr. Bean said, “Saturday (with that rain), I was called that Julia St. flooded, and I went out to look at it...and it looked like that culvert there just got jammed up with a lot of wood coming down... is there any plan...or what is our plan for that culvert?”

Mr. Crabill said, “Fall of this year...as far as we know, we will have a grant agreement this Summer for that project...the culvert on Julia and the culvert on W. Ward are 1 project...so...it’s not sized the same as the 2 that were just put in, because it’s been there for 50 years so it will be a larger size culvert to handle the...upstream basically, so that should help solve that issue.”

Mr. Bean added, “The one there at Bloomfield was working real well, but it just seemed like it got a lot of logs...and...”

“Well, since to having to do the project in phases (you know)... hopefully that will get taken care of this Fall, and we’ll move on to the next area that needs attention,” said Mr. Crabill. “There was a question whether or not that funding was going to come through from the State, but supposedly today there was a substitute bill introduced...and that funding appears to be okay so...but we won’t know until we officially get a grant agreement...but it should be Fall.”

Mr. Fields - Referred to a bottleneck on Edgewood (regarding the recent storm)  
He asked about a clean out in that area  
“Yes—the project that’s out for bid now will clean from Edgewood to Mad River,” said Mr. Crabill. “We actually opened bids for that this week.”

Mr. Crabill - Nothing at this time

Mr. Hall - Nothing at this time

Mr. Bodenmiller - Nothing at this time

Police Chief Wagner – Nothing at this time

Mr. Williams - Nothing at this time

Mr. Evilsizor - Requested an Executive Session for “Economic Development”

Mayor Ruth Zerkle - Nothing at this time

Council President Hess

- Said he has received compliments on the Vactor  
Discussed Streets; Asked Mr. Williams about expenditures on streets this year  
“\$120,000 was the budgeted amount, I think,” said Mr. Crabill.  
“Have you decided what streets yet?” asked Council President

Hess.  
“That will be on your Agenda for the next Regular Session,” said Mr. Crabill.  
Council President Hess quipped that The DuraPatcher probably doesn’t have enough life in it for all of the streets  
Discussed the ambulance and the State Bid Process  
Council President Hess noted questions received regarding Executive Sessions  
Asked for the number of projects currently on hold (waiting for money); Requested a list for the Work Session  
Mr. Crabill noted the CDBG and the OPWC  
Council President Hess requested that Council forward Work Session topics to the City Council Clerk by Thursday morning

**EXECUTIVE SESSION**

At approximately 7:35PM, Mr. Lokai moved that Council go into Executive Session to discuss “Economic Development”; Mr. Thorpe seconded.  
Roll call vote to approve: Mr. Thorpe, yes; Mr. Bean, yes; Mr. Fields, yes; Mr. Brugger, yes; Mr. Shaw, yes; Mr. Lokai, yes (6-0)

**ADJOURNMENT**

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

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Council Clerk

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Council President