

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

The Urbana City Council Regular Session Meeting of Tuesday, October 25, 2011, was called to order by **Council President Marty Hess**, at 7:00PM, 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. Doug Crabill, Assistant to the Director of Administration; Mr. Mike Heintz; Fire Chief Mark Keller; Police Chief Matt Lingrell; Mr. Robert Munch; Mr. Colin Stein

**Roll Call and Pledge of Allegiance**

**Approval of Minutes**

Mr. Larry Lokai moved to approve: the UCC Public Hearing Minutes, October 11, 2011; the UCC Regular Session Minutes, October 11, 2011; and the UCC Work Session Minutes, October 18, 2011; Mr. Eugene Fields seconded. Motion carried without objection.

**Communications**

Mr. Lokai moved to place the LUC Regional Planning Commission Executive Committee Meeting Minutes on file; Mr. Steve Shaw seconded. Motion carried without objection.

**Administrative Reports – Board of Control**

**1.**

Mr. Kerry Brugger moved to authorize a purchase order to Neptune Equipment in the amount of \$15,000 for additional water meters and accessories for Water Division, for the remainder of 2011. (This will be charged to Water Division, and is not in the 2011 Budget); Mr. Fields seconded. Motion carried without objection.

Discussion –

Mr. Robert Munch said:

“As a correction—actually it is in the Budget, the only reason it’s not in the Budget is because other stuff wasn’t in the Budget...we still have money...that we will move money from the Capital Improvement Fund to the Operation Fund. This is a blanket order for the rest of the year...it depends on what we use it for...it’s not necessarily for meters...it can be for meters, but it’s also for other stuff like bottom plates. I’m going to estimate that roughly 1/3 to 1/2 of it is actually a recoup customer (that we charge for this sort of thing)...it’s also for outside readers, wire...Siemens is possibly going to replace their meter, and pay for it...”

Mr. Munch cited monetary figures and added, “So it’s not actually a set number of meters...it depends on the size of the meter...”

Mr. Lokai noted Mr. Munch provides good explanations.

Mr. Fields asked, “Didn’t we buy handheld water readers—is that going to affect any of that?”

“No,” replied Mr. Munch, noted the City is staying with the same company.

Council President Hess asked, “You said you took this from Operating to put into Capital?”

“No—it’s the other way around,” said Mr. Munch.

“Capital to Operating...is this...kosher?” asked Council President Hess.

Mr. Lee Williams responded, “He did that—he has still not overspent his budget in total.” “I thought it was percentage—it was pretty much locked in what you could do,” said Council President Hess.

Mr. Munch and Mr. Williams explained.

**2.**

Mr. Fields moved to authorize the Director of Administration to enter into a lump sum contract with J&J Schaegele, Inc. for the NSP Building Demolition Project #3 in the amount of \$25,138. (This was funded by the Neighborhood Stabilization Program/This was the lowest of 4 quotations received); Mr. Brugger seconded. Motion carried without objection.

Discussion –

Mr. Doug Crabill stated:

“In 2010 we did 2 demolition projects—1 project had houses that has asbestos, the other project had houses that didn’t have asbestos—if you remember with the NSP money we’re part of a region with Bellefontaine, Marysville, Kenton, and then us...and then each of the 4 counties of the county seats...and basically, the region still has some money to spend...and we also (I believe) still have a little bit of our money left to spend that was allocated for the city, so Brad’s been working through the process to get these properties to be able to be demolished by this program...so that’s what this is. We did not do a formal bid process...we did do a quotation process that had a quotation packet that went with it...instead of doing a bid, because our estimate was under \$25,000...so we did receive (I believe) 4 quotations, and this was the lowest of 4 received. It is a little bit, but we’re actually within 10% of the estimate...so we can accept the lowest.”

Mr. Bean asked, “On the 343 Washington Ave. property...who owns that property?”

Mr. Crabill answered vaguely regarding ownership.

“Was there a mortgage on that property?” asked Mr. Bill Bean.

“I don’t know any of the details on it,” Mr. Crabill replied.

“I just wondered if there was any insurance on the property...and if it was foreclosed on by the bank...if they had an ongoing mortgage, I was just kind of curious about that,” said Mr. Bean.

“Brad handled all that stuff so...I just know he’s followed the process we needed to follow to be able to demolish it...so...and I believe he’s worked with the property owner as well...we followed our process...”

stated Mr. Crabill.

“I’ll talk to Brad,” Mr. Bean said.

Mr. Brugger expressed appreciation for Mr. Brad Bodenmiller’s ‘diligence in staying with this.’

“There was 1 in the 700 block of So. Main—is that not getting resolved?” asked Mr. Brugger.

Mr. Crabill replied, “That one is going to resurface in front of Council soon. The State came back and said we have to go through an environmental review process...the State came back and said we have to go through more process in order to be able to demolish it...so the first part in that process, we’re going to have a Public Hearing coming up in November (about the potential demolition of that property).”

“Is there funding left in that NSP program, or is that kind of year-to-year?” asked Mr. Brugger.

“As far as what was in the original allocation (this project) is definitely funded...and I think doing the additional unit on So. Main (if that works out in the future)...that the program has enough money left in it to cover that...but beyond that, I’m not sure how many dollars are left within the region,” said Mr. Crabill.

“Thank you,” Mr. Brugger said.

### **Citizen Comments**

There were no Citizen Comments at this Meeting.

### **Ordinances and Resolutions**

#### **Third Reading –**

#### **ORDINANCE NO. 4367 – (Revised/Amended)**

AN ORDINANCE AMENDING CHAPTER 145 OF THE CODIFIED ORDINANCES OF THE CITY OF URBANA, OHIO, TO BE TITLED BOARD OF CONTROL

Mr. Lokai moved to place Ordinance No. 4367 on the business floor for discussion and passage; Mr. Robert Thorpe seconded.

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

Discussion –

Mr. Brugger questioned whether Section B (7 calendar days) ties the hands of Administration at all.

“Not really, it’s more of getting into the routine of doing that...but it’s been in there (I guess) from a previous ordinance, and I don’t know that the City’s ever done that on a regular basis,” said Mr. Bruce Evilsizor.

“I know it’s been in there—I just...we’re okay if...I’m just curious, if that gets in the way in there sometimes...if you are in between meetings to a point where...7 days doesn’t get the packet out...” said Mr. Brugger.

“We could probably get that out by email (when we do that)...” Mr. Evilsizor said.

Mr. Lokai indicated he would ‘like to get \$10,000, but there would not be support for that...so I’m going to have to go with the majority of what the people want to do.’ He added he would like \$7,500 for both (and noted he does not see what the difference is).

#### **Second Reading –**

#### **ORDINANCE NO. 4365 –**

AN ORDINANCE TO AMEND AND REVISE THE OFFICIAL ZONING MAP IN THE CITY OF URBANA, OHIO

(\*Read and declared a Second Reading)

#### **ORDINANCE NO. 4374 –**

AN ORDINANCE ESTABLISHING THE SALARY AND BENEFITS FOR THE FIRE CHIEF OF THE CITY OF URBANA

(\*Read and declared a Second Reading)

Discussion –

Mr. Lokai stated:

“I did receive some calls in reference to this...I think it should be noted that if you take a look at what the new Fire Chief is making for his salary now (and what he received a year ago)...that salary is basically \$7,889. lower (that’s what our Finance Director had on a read out). I think if you take a look at the responsibility and no overtime on that position, that that is a fair and equitable salary...and I think if people are concerned about the Fire Chief making a lot of money, let’s take a look at some other facts that that individual did

take a major pay cut from the previous year..."

Mr. Bean agreed with Mr. Lokai, and said, "Our chiefs are well deserving, but it is less money so...I think what we've got here is something we can work with."

"Just for the general public—Lee—would you explain the difference? Maybe there's a misrepresentation out there—we're going from what to what?" asked Council President Hess.

Mr. Lee Williams replied, "The difference basically is—the position for Fire Chief is an exempt position...the position that the incumbent held prior to that was subject to overtime...and I think if you take that into consideration then Mr. Lokai's numbers close the gap there between two pay scales...the pay scale for the Chief (I think) is currently \$80,000, and I believe the former salary was around \$88,000. The primary difference is the overtime."

"Well (let's go this way) the base for the Fire Chief right now is...this will bring it to what? Can you do that?" asked Council President Hess. "The base for the Fire Chief right now (before this is passed) is?"

"I don't have the base scale with me," Mr. Williams responded.

"Yeah—I don't have that," Mr. Evilsizor said.

"Okay—well—I guess we can bring it the next time," said Council President Hess. "I just think people want to know what it was, and what it's going to be...so..."

#### **ORDINANCE NO. 4375 –**

#### **AN ORDINANCE ESTABLISHING THE SALARY AND BENEFITS FOR THE POLICE CHIEF OF THE CITY OF URBANA**

(\*Read and declared a Second Reading)

Discussion –

Mr. Lokai said:

"Just so we're on the same financial page...last year (as a Lieutenant), that position made \$79,066...this coming year, that salary will be about \$82,000...that is approximately slightly less than \$3,000. I think what you have to take into consideration the amount of responsibility for that position, and that is a non-overtime paid position also...so when you're talking about responsibility for positions (the individual has to do), I think you need to take a strong look at keeping quality people in position...and making sure that the taxpayers are getting a good bang for their buck. I would encourage Council Members to look strongly at this."

Mr. Robert Thorpe agreed with Mr. Lokai.

Mr. Al Evans said, "Mr. Hess—just a point of clarification—I think you and Mr. Lokai were talking about 2 different things."

"I do too," Council President Hess said.

"Larry—you're presenting a picture that this is what Mr. Lingrell made last year, and this is what he's going to make this year...Marty's talking about the pay range for the Fire Chief—the low end, and the high end, correct?" asked Mr. Evans.

"Right--Correct," replied Council President Hess.

"I don't think Marty's arguing about how much the pay is—he wants to know what the pay range is," stated Mr. Evans.

"I don't want to know—I want everybody out there to know," Council President Hess clarified.

Mr. Evans pointed to numbers he felt fell into the salary range, with the upper end at \$82,000.

“Probably higher than that,” Mr. Williams corrected. “Probably \$90,000.”

“But that’s what we saw—the Council sets the pay range,” said Mr. Evans.

“...and the Administration sets the pay,” added Council President Hess.

“Entry level—and there’s a limit,” said Mr. Evans. “You’re talking about what Mr. Lingrell made, or Mr. Keller made, last year including the overtime...and this is what they’re going to make as Chief...and there’s no overtime...okay...”

Mr. Lokai stated:

“Since you brought that up—let’s do bring up one other thing—as you do, recall in a 3-2 vote of 2 years ago we did not give the Fire Chief (and we did not give the Police Chief) a raise, so they plateaued out, and everybody else got a slight raise...and I think that’s something that that...I’m not saying we’re playing catch up, but the bottom line is...what do the taxpayers have to pay?...and what are they getting for their services? I think...as I said before...we did not give a raise to the Fire Chief, or the Police Chief...I know what you’re saying!”

“I just wanted to make sure that everybody understood that you guys are talking about 2 different things...it’s getting kind of blurred together...at least in my mind,” said Mr. Evans.

“I’m just talking about the money that goes out the door, from the taxpayers’ budget to the individual...that’s what I’m talking about,” said Mr. Lokai.

“Okay,” Mr. Evans replied.

“...and I asked for the base of both, so that’s why I asked for it,” said Council President. “I’ll have it at the next meeting.”

**ORDINANCE NO. 4376 –**

AN ORDINANCE AMENDING CHAPTER 1505 OF THE CODIFIED ORDINANCES OF THE CITY OF URBANA, OHIO, TO BE TITLED FIRE PREVENTION BUREAU (\*Read and declared a Second Reading)

Discussion –

Several Councilmen noted the Ordinance was explained well at the previous Meeting.

“It was explained well, but just to reiterate 1 key point...we had 4 people that were able to get overtime...with the new position we only have 3 that get overtime...” said Mr. Lokai, also noting ‘this is a straight salaried position.’ “So we’re really (in essence), saving the tax payers dollars.”

**First Reading –**

**RESOLUTION NO. 2347 –**

A RESOLUTION TO AUTHORIZE THE DIRECTOR OF ADMINISTRATION OF THE CITY OF URBANA TO ENTER INTO CONTRACTS WITH THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION FOR PID#90253 (A PROJECT TO PROVIDE ELIGIBLE BRIDGE INSPECTION SERVICES AS REQUESTED BY THE CITY AND AGREED TO BY THE STATE)

Mr. Lokai moved to place RESOLUTION NO. 2347 on the business floor for discussion and passage; Mr. Fields seconded. Motion carried without objection.

Discussion –

“For all of you out there, this is a service that the State will provide to come and inspect our 9 bridges free of charge (so we’re getting something free from the State),” said Council President Hess.

**ORDINANCE NO. 4377 –**

AN ORDINANCE ESTABLISHING THE SALARY AND BENEFITS FOR THE ASSISTANT FIRE CHIEF OF THE CITY OF URBANA

(\*Read and declared a First Reading)

Discussion –

Council President Hess (to Mr. Williams) asked, “What is the base of this? Do you have a range in your back pocket?”

“We do--\$68,040. to \$82,765.,” answered Mr. Williams.

**ORDINANCE NO. 4378 –**

AN ORDINANCE ESTABLISHING THE SALARY AND BENEFITS FOR THE POLICE LIEUTENANT OF THE CITY OF URBANA

(\*Read and declared a First Reading)

Discussion –

“Again—Lee--?” asked Council President Hess.

“It is—the same as the Assistant Fire Chief--\$68,040. to \$82,765.” Mr. Williams replied.

**Miscellaneous Business**

Mr. Mike Heintz - Nothing at this time

Mr. Robert Munch - Nothing at this time

Mr. Colin Stein - Announced leaf pickup as October 31-December 1, 2011

Mr. Doug Crabill - Discussed preventive maintenance on the building heating and cooling system—2 units are requiring replacement of heat exchangers

He cited figures of 47% of the (1) heat exchanger, and 62% of the other heat exchanger; Elaborated on the R22 (refrigerant), and its upcoming limited availability

Mr. Crabill suggested replacing the units, because of the refrigerant issue

Mr. Thorpe questioned the cost of a new unit; Mr. Crabill estimated ‘just over \$9,000. installed.’

Mr. Steve Shaw sought answers regarding the new coolant

“What’s the cost of the other one?” asked Mr. Fields.

“The other one would be—that 62% of the cost is just the heat exchanger—it’s about \$6,500.” said Mr. Crabill.

Mr. Shaw questioned whether there would be a better price for doing both at the same time, and Mr. Crabill described a discount.

“How long are these quotes good for?” asked Mr. Evans.

“The 30 days—they say on there—I was just trying to get some feedback,” said Mr. Crabill. “We should probably look at replacing the whole unit itself.”

“Do you have the money, Lee?” asked Mr. Evans.

“I do have the money—yes—in Capital,” replied Mr. Williams.

Fire Chief Mark Keller –

Reported that Fire Prevention Programs have reached 1,300 children. Chief Keller recognized the work of Firefighter Chris

Massie, and complimented his efforts.

He noted the use of the Safety House, and the remote controlled 'Sparky' as well

- Mr. Lee Williams - Noted a First Reading on the Appropriation Budget (at the November 8<sup>th</sup> UCC Meeting)  
Reported Champaign County's rank in Ohio County Unemployment Rates (\*refer to Mr. Williams' handout)  
He noted an 8.8% unemployment figure for this county, also citing the county as 49<sup>th</sup> in the State (out of 88)  
Mr. Williams told Council the rate was 9+ for the Summer

Police Chief Matt Lingrell –

Nothing at this time

- Mr. Bruce Evilsizor - Provided an update on the NW Neighborhood Groundwater situation; He noted correspondence with a hydrologist with the U.S. Geological Service, and said there would be more discussion next week about the possibility of the USGS doing a 'study on the area down there.'

"I guess we want to learn more about what they can do, and how they can do it...and see if that's a viable option...having a consultant to perform that service," stated Mr. Evilsizor. "So hopefully that works out...I guess (being a government agency) they said that would take them a little while to get that done, but it sounds like that's a possibility."

- Mayor Ruth Zerkle - Said she was glad this came forward with this consultant to come and speak to the City  
"It's very detrimental to our 4<sup>th</sup> Ward to find some resolution out there, and what can we do to help," she said.

- Mr. Eugene Fields - "Have we ever considered joining the National League of Cities?" he asked, while noting the mission statement/15% off if you're new  
Mr. Evilsizor acknowledged the organization as a good resource, and said, "It might be worth exploring that—if people are going to use it as a resource

- Mr. Al Evans - (Regarding the NW Storm Sewer Project) asked Mr. Heintz, "Have you been down there this week?"

Mr. Heintz replied, "Every day."

Mr. Heintz responded:

"Can you explain why the construction company/trucking company stacked those pipes right across from Twain Ave., so they're sticking out into the traffic...rather than stacking them along side the curb (like they did the rest of them)?" asked Mr. Evans.

"Only that when they unload from the truck they come off lengthwise—and so the semi pulled lengthwise—what the construction company did with the others, was then go down and turn them...and roll them against the curb, so they weren't sticking out as far...they just haven't got down there and turned those, is what it amounts to."

"Well—it's not safe—because they're sticking out into the northbound lane...and if you're in anything bigger than a Honda Civic...you have to go over into the southbound lane to get past them...so...can you ask them to straighten them out?" asked Mr. Evans.

“Yeah—I will definitely do that,” said Mr. Heintz.

“Thank you—I will say--they’re really getting after it over there,” Mr. Evans added.

Mr. Heintz provided a progress update, and the push to head north.

Mr. Kerry Brugger - Requested a 30 second update on the Ash Tree Removal from Mr. Crabill; Noted the removal as rapid

Mr. Crabill said, “Their goal was to be done by the end of this week. They still have—anywhere where those chips are above ground level--they were supposed to come back and remove those...the removal’s going very well...they’re trying to grind right behind the removal, and we’re also trying to get rid of some additional stumps.”

Mr. Steve Shaw - Nothing at this time

Mr. Larry Lokai - Encouraged everyone to get out and vote

Mr. Robert Thorpe - Asked that children (waiting for school buses, etc.) and others walking on/near area streets, wear reflective tape on their clothing for safety in the darkness

Mr. Bill Bean - Nothing at this time

Council President Marty Hess –

Reminded everyone about the upcoming ‘Rocktoberfest’ at Melvin Miller Park this weekend

Discussed the Recycling Contract, and noted some residents would like to sign up for recycling, (but couldn’t)

Mr. Evilsizor noted the contract expires in June 2012, and suggested Council add the topic to an Work Session in January or February

Council President Hess questioned why residents would not get their money’s worth (\$3.62 a month) to put their bins out and recycle items; He encouraged using the bins

Discussed the Sustainability Program briefly (encouraged the next Administration to seriously look at becoming a ‘Green City’)

Mr. Bill Kelley (DP&L) –

Nothing to report at this Meeting

### **Adjournment**

Mr. Thorpe moved to adjourn the Regular Session at approximately 7:45PM; Mr. Lokai seconded. All were in favor of adjournment.

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Council Clerk

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Council President