

URBANA CITY COUNCIL
REGULAR SESSION MINUTES – NOVEMBER 8, 2011

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

Attendance: All Councilmen were present with the exception of Mr. Eugene Fields.
City Staff in Attendance: Mayor Ruth Zerkle; Mr. Lee Williams, Finance Director; Mr. Doug Crabill, Assistant to the Director of Administration; Mr. Brad Bodenmiller, Urbana Police Officer Josh Jacobs; Fire Chief Mark Keller; Police Chief Matt Lingrell; Mr. Chris Stokes

Roll Call and Pledge of Allegiance

Proclamation

Mayor Ruth Zerkle opened, and introduced Ms. Marcia Bailey (Economic Development Coordinator/City of Urbana), who in turn introduced ORBIS Staff Members: Mr. Joe Hibdon/Urbana Plant Manager, and Ms. Karen Yowler/HR Manager. Ms. Bailey noted that ORBIS employs approximately 300 people. She commended the recycling efforts of the company.

Mr. Hibdon expressed appreciation to all for having the opportunity to be at this Council Meeting, and to accept the Proclamation from the City.

Mr. Hibdon stated:

“This truly is a team effort for what we do, and (as Marcia said), we’re about 300 strong...so we are very supportive, and want to be more part of the community going forward...we do open our doors/extend our doors open, and we look forward to working in the community even more...from a recycling effort we do a lot from an internal standpoint, but from an external point as well...we process about 5mil lbs. of plastic through that plant each month...”

(From Council Handout):

The Urbana ORBIS facility minimizes their waste by collecting their internal scrap materials and reintroducing them back into the material supply, this is done through in-house shredding and grinding. A certain percentage of regrind in the product is standard. ORBIS also offers a customer buy back program. This program allows for ORBIS to regrind and allots the customer with new product replacement. This also helps to reduce the amount of older, damaged or worn out product going to the landfills. ORBIS has recently purchased their first pelletizer.

Mr. Hibdon described the origin of the company, and defined ORBIS as a 7th generation business.

He introduced other ORBIS employees: George Fletcher/Urbana Production Mgr., Dan Szklaney/Urbana Technical Mgr., Mike McKay (Wisconsin Headqtrs./VP Operations), Sharon Cook/Urbana Quality Mgr., Dennis Rooney (Wisconsin Headqtrs./VP of HR).

Mayor Zerkle read the Proclamation (*See Council Files for complete copy), and it was presented to Mr. Hibdon.

Brief Presentation

Urbana Police Officer Josh Jacobs (President F.O.P. Lodge # 93) addressed Council regarding ‘The 2011 Giving Christmas Tree Project.’

Officer Jacobs noted that beginning November 9th, forms will be available in the Main Lobby/City Building to gather basic information regarding children in need. On

November 28th, the Christmas Tree will be in the Lobby with gift tickets. Gifts will be due to Police Division by December 19th, and gifts will be delivered to children by December 22nd/23rd. Officer Jacobs invited all to participate in the giving. He said in 2009 gifts were delivered to 91 children, and in 2010 gifts were delivered to 136 children. Council President Hess pointed to Council's willingness to help in whatever capacity.

Approval of Minutes

Mr. Larry Lokai moved to approve the UCC Regular Session Minutes, October 25, 2011; Mr. Al Evans seconded. Motion carried without objection.

Communications

Mr. Bill Bean moved to place the correspondence of October 28, 2011, from the Ohio Department of Liquor Control regarding license renewal for James A. Freyhof DBA Pappy's, 832 Miami 1st Fl. only, Urbana, Ohio, on file; Mr. Lokai seconded. Motion carried without objection.

Mr. Steve Shaw moved to place the Urbana Board of Zoning Appeals Minutes, September 19, 2011, on file; Mr. Kerry Brugger seconded. Motion carried without objection.

Mr. Lokai moved to place the Urbana Planning Commission Minutes, September 26, 2011, on file; Mr. Bean seconded. Motion carried without objection.

Mr. Lokai moved to place the Urbana Design Review Board Minutes, September 26, 2011, on file; Mr. Shaw seconded. Motion carried without objection.

Administrative Reports – Board of Control

(*This item was brought before Council just prior to the Council Meeting).

Mr. Al Evans moved to authorize a purchase order to Reliant Mechanical, Inc. in the amount of \$9,747. for the replacement of RTU #1 (This rooftop unit provides heating and cooling to parts of the Police Division, and is currently out of service due to the poor condition of the heat exchanger. This is not in the 2011 Budget. This will be charged to the Capital Improvement Fund.); Mr. Brugger seconded. Motion carried without objection.

Discussion –

Mr. Doug Crabill stated:

“You would've had this on your Agenda—I did not realize that this unit had not been serviced—when they did the preventative maintenance they had actually shut the gas off to the unit, because of the heat exchanger problem...and I didn't realize that until Friday...I knew there was a problem with the heat exchanger, but I didn't realize that they had shut it off, so it couldn't be used to heat...so that's why I brought it tonight instead of waiting until the next meeting (and that's why it wasn't on your Agenda prior to that). If you remember...it may have been the last meeting (I think), I mentioned that there were 2 units that essentially we could look at replacing...this one's the worst of the two, this is the one that has the holes in the heat exchanger...and the heat exchanger, the cost of replacing it is 47% of the cost of buying a new unit...and these units go back to 1996, so the logic was to go ahead and just replace the whole unit...”

Mr. Brugger commented, ‘the unit is out-of-service,’ and noted the need to move forward.

Mr. Shaw said, “If this one's broke, you've got to fix it...but are we going to lose the ability to buy 2, and save more money when buying in quantity?”

“Yeah—we decided to only introduce one tonight—the other is still in operation (it did not have holes in the exchanger...but the exchanger is deteriorating)...so just because we...we did have a budget line for HVAC units, we’ve already spent that through the year for the upgrade we made to the Fire Department (replacement of that equipment)...so we just decided to go with one for now,” said Mr. Crabill.

“How long will this other one last?” asked Mr. Shaw.

“Hopefully—until the first of the year, and then we’ll probably be bringing the other one to you,” Mr. Crabill replied.

Mr. Lokai agreed with Mr. Brugger’s comment.

Citizen Comments

There were no Citizen Comments at this Meeting.

Ordinances and Resolutions

Third Reading –

ORDINANCE NO. 4365 –

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

Mr. Lokai moved to place Ordinance No. 4365 on the business floor for discussion and passage; Mr. Robert Thorpe seconded.

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

Discussion –

Mr. Brad Bodenmiller defined the area again for Council.

ORDINANCE NO. 4374 –

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

Mr. Evans moved to place Ordinance No. 4374 on the business floor for discussion and passage; Mr. Lokai seconded.

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

Discussion –

Council President Hess said, “This is the salary...moving it up to the top of...what’s the top now, Lee?”

Mr. Lee Williams responded, “It begins at \$70,594...it runs to \$91,959.”

Mr. Lokai briefly touched on the experience of the Chief, and suggested moving forward to passage.

Mr. Bean agreed with Mr. Lokai’s remarks.

ORDINANCE NO. 4375 –

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

Mr. Lokai moved to place Ordinance No. 4375 on the business floor for discussion and passage; Mr. Shaw seconded.

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

Discussion –

Council President Hess inquired about salary, and Mr. Williams recited the same numbers as the previous Ordinance.

Mr. Lokai again reflected upon the experience of the Chief, and suggested moving forward.

“What we did for one, we’ll do for the other,” said Mr. Shaw.

Mr. Evans said, “The Administration did a good job of giving us all the numbers, facts, and figures—I think we need to move forward.”

ORDINANCE NO. 4376 –

AN ORDINANCE AMENDING CHAPTER 1505 OF THE CODIFIED ORDINANCES OF THE CITY OF URBANA, OHIO, TO BE TITLED FIRE PREVENTION BUREAU

Mr. Lokai moved to place Ordinance No. 4376 on the business floor for discussion and passage; Mr. Brugger seconded.

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

Discussion –

Council President Hess cited this Ordinance as one to create the new position of Assistant Fire Chief

Mr. Lokai defined this position as the ‘go to person, second in command.’

Second Reading –

ORDINANCE NO. 4377 –

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

(*Read and declared a Second Reading)

Discussion –

Council President Hess requested the salary range from Mr. Williams.

Mr. Williams said, “Well—we read those last week, and I don’t think I brought them this week.”

“It was a test,” said Council President Hess.

Mr. Williams read the figure range as \$68,000 to \$82,000.

ORDINANCE NO. 4378 –

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

(*Read and declared a Second Reading)

Discussion –

Mr. Brugger said:

“Just a brief comment (and it’s nothing other than a little housekeeping, if you don’t mind)—in the packet (last meeting) 4278, the title on the Appendix I reads as the Police Chief’s salary range...and I believe this is the Police Lieutenant. I don’t think the number changed, it was just the header...it should’ve been the...”

“We’ll note that in the header on the salary range on last week’s...”said Council President Hess.

“Maybe it was just my packet,” said Mr. Brugger.

“See, you should’ve brought that during the Minutes—that’s what it’s for!” stated Council President Hess.

Mr. Williams announced the exact range on both jobs (Ord. 4377 & Ord. 4378) as \$68,040 to \$82,765.

First Reading –

RESOLUTION NO. 2348 –

A RESOLUTION TO APPROPRIATE MONEY FOR THE SEVERAL OBJECTS AND PURPOSES WHICH THE CITY OF URBANA, OHIO MUST PROVIDE FOR THE FISCAL YEAR ENDING DECEMBER 31, 2012

(*Read and declared a First Reading)

Discussion –

Council President Hess referred to Council Members meetings with Department Heads. He asked, “Has anybody not had their meeting with the Department Heads and the Finance Director?”

Mr. Shaw indicated he had not had a meeting.

“Yeah—you got a call from me,” said Mr. Williams (to Mr. Shaw).

“Oh—you’re the one that called—it didn’t go all the way through,” said Mr. Shaw. “I didn’t know you...”

“...and you were...replaced,” said Mr. Williams.

“Great,” said Mr. Shaw.

“...and Mr. Bean and I stood in your position for you, and did the Court Budget with the Judge,” Mr. Williams said.

“Thank you very much,” said Mr. Shaw.

Mr. Evans asked, “Are we going to go through this at the Work Session?”

“We are—and we can go through it in as much detail as you want to at the Work Session,” stated Mr. Williams. “I have complete packets if anybody would like one for the Work Session.”

Mr. Evans asked if Mr. Williams would send the packets via email, and Mr. Williams agreed to.

Mr. Bean reported he had met with Chief Keller and Chief Lingrell, and had a ‘good discussion’ about the Budget. He spoke about their ideas about trying to save some money, and noted he was looking forward to seeing what they can do next year.

Mr. Thorpe reported meeting with Mr. Robert Munch and Mr. Chad Hall, and stated, “Everything seems to be in order.”

Mr. Lokai reported positively regarding his meeting about the Airport Budget. He commented that he would prefer receiving the Budget copy via his home email address versus the City email address.

Mr. Shaw requested the Budget be sent to his home email as well.

Mr. Brugger expressed appreciation to Mr. Williams for his reports, and having the opportunity to sit down with him. He noted that everyone is doing a ‘good job of staying tight’ on the budget. Mr. Brugger also said he would prefer the Budget info be sent to his regular email address.

Mr. Evans reported that Mr. Chris Stokes took him on a tour of the Park. He encouraged Council to arrange to take the same tour. Mr. Evans made reference to some problems that need to be seriously addressed. He complimented Mr. Stokes on the good job that he does. Both had met with Mr. Williams to share ideas, and Mr. Evans said he looks forward to getting ‘some of those things accomplished next year.’

“Are we flat this year also?” asked Council President Hess.

“We are flat, but we’re also conservative...there are three business expansions, and one start up next year...because of the timing of those three expansions and start up, we didn’t put those funds in...” said Mr. Williams. “Overall, I would think that we’ve got a real opportunity for some up-side on the revenue...like no cost increases for any of the

labor groups...no cost increases for any of the Central Staff, and no cost increases for insurance...and I think we're at risk. We've already had a preliminary review with the Anthem folks, and I think we might have some pressure to do something with our plan next year (or possibility to have to take a slight increase)—which we held off last year. We're kind of running out of options..."

Council President Hess and Mr. Evans requested to have the Budget sent to their City email address. Mr. Evans noted that he likes the format of the new email.

Miscellaneous Business

Mr. Bodenmiller - Nothing at this time

Fire Chief Keller - Nothing at this time

Mr. Stokes - Nothing at this time

Mr. Crabill - Noted the City email addresses are user-friendly; encouraged Council to use those addresses, and to particularly check to see if constituents are trying to get in contact with Council
Noted Ash Tree Removals as completed; Work is beginning on replacement trees
Commented that the holiday décor was installed earlier per request of the downtown merchants; Credited the Water and Sewer Depts. for assisting

Announced a Public Hearing on November 22, 2011 (6:30PM) prior to the Regular Council Meeting regarding the NSP proposed demolition of a house on So. Main

Mr. Evans - Asked Mr. Crabill about wood from the Ash Trees (What is being done with that wood? Is there any that could be donated to needy families?)

Mr. Crabill noted the wood is the property of the contractor, but most of the wood had been through the chipper

Mr. Williams - Nothing at this time

Mayor Zerkle - Nothing at this time

Ms. Marcia Bailey - Nothing at this time

Police Chief Lingrell - Reported an armed robbery on October 16th at the UDF on Miami St., and a home invasion/assault on October 25th

Chief Lingrell put out a plea for public help with either of these cases (#652-4350).

He noted that early on tips were received, but Police Division is hopeful to receive more information.

Mr. Lokai commented about the numerous people in town trying to sell windows, and others who solicit to cut trees. He stressed homeowners should check out these people to determine whether they have a legitimate business.

Chief Lingrell cautioned the elderly in the community not to give out information to strangers, and emphasize that they have family support/assistance. He encouraged everyone to check credentials of people that come to the door, and to call the Police Department with questions. He said Urbana is a safe community, and downplayed any cause for extreme alarm.

Council President Hess noted seeing old 'Neighborhood Watch Signs,' and advised everyone to 'watch out for your neighbor's house, etc.'

Chief Lingrell stated that a handful of officers will be attending training to work with residents regarding the neighborhood watch.

Mr. Evans - Noted the spirit of 'The Climber Nation' as they recently lined Scioto St. to 29 & 187 E. of Mechanicsburg...to encourage the high school players attending tournament; He said that even though the game was unsuccessful, the signs/support meant a great deal

Mr. Brugger - Asked Mr. Crabill for an update on the Storm Sewer (No. Main)

Mr. Crabill - Said: "I think we're doing well...I know (as of last Friday, Mike said they got just before the drive thru (where you turn into the drive thru on Dairy Queen)...then Monday morning they were going to go across that...they figured that was the best time to do that...and I looked today, and it looks like they may be all the way up to...is it Evans? Right there by Dairy Queen...then I noticed also tonight they've cleaned all the trenches on Taft..."

He projected the completion date as 'around mid-December,' and mentioned there haven't been too many surprises (other than old, unexpected utilities).

Mr. Lokai - Discussed the Council position opening, and encouraged those who are interested in applying to give information to Council Members/ or the Council President; Noted the selection process as late January/early February; Noted the pay as \$500. per month or \$80. per week take home

Council President Hess noted he has had 4 applicants thus far

Mr. Bean - Talked football, and encouraged everyone to attend the upcoming Urbana University/Lincoln University game next Saturday

Council President Hess -

Noted leaf pick up is until December 1st

Discussed the proper patching of the street on No. Main

Discussed the house on Washington Ave. (noted people asking why the City is tearing it down, instead of the owners)

Mr. Crabill & Mr. Bodenmiller explained the process

Council President Hess asked if there is currently an Ordinance in place that 'says after so many days it has to be taken down...and the insurance company is responsible for it.'

Mr. Bodenmiller replied, "We don't actually have that Ordinance in place..."

"Ruth—didn't we have something way back when that said, if a house is burned/totaled it has to be taken down after so many days?" asked Council President Hess.

"I thought we did through the Fire Department, but it might have changed,

Marty...with..." said Mayor Zerkle.

Mr. Bodenmiller referred to the Non-Conforming Chapter of the Zoning Code.

Mr. Bean said, "Since it was a fire, and there was an insurance policy on the property...there should have been coverage for the demolition of that property under the insurance policy...now I understand, that the insurance policy paid just the mortgage—is that correct?"

"I believe so—I'm not entirely sure," replied Mr. Bodenmiller.

"...and he didn't make any money off of that...and I would've thought that under that insurance policy that there would've been money there for the demolition and the property," stated Mr. Bean.

“The problem is that...my understanding is that there’s some sort of arson incident...so that played into the insurance company not having to pay for the demolition,” said Mr. Bodenmiller.

“Do you know that for a fact? Have you talked with the adjuster, or...checked into it?” asked Mr. Bean.

“Yes—I could put something together tomorrow—a memo,” said Mr. Bodenmiller.

“Yeah—I’d like to see it,” Mr. Bean said. “I’d like to know what company it was, and I’d like to check into it...because there should be coverage for taking it down.”

“There was a contract signed for those two houses today,” said Mr. Crabill.

Council President Hess asked, “Before you go back, Doug—you mentioned that you may still have trees available for this Fall planting?”

“Yeah—I don’t know the exact number, but with the grant that we got from ODNR to buy replacement trees for all of the Ash Trees that were removed...there were a lot of folks that I didn’t hear back from as to whether or not they wanted a tree...so essentially we do have some trees available, but it’s a first-come, first-serve...” Mr. Crabill replied. He said trees need to be determined as appropriate for a specific location, and added that he can be contacted at #652-4305, or by email to doug.crabill@ci.urbana.oh.us

Mr. Evans moved to excuse Mr. Fields from this Meeting; Mr. Lokai seconded. All were in favor of excusing Mr. Fields.

ADJOURNMENT

Mr. Thorpe moved to adjourn the Regular Session at approximately 7:57PM; Mr. Lokai seconded. All were in favor of adjournment.

Council Clerk

Council President