

**URBANA CITY COUNCIL
REGULAR SESSION MINUTES – NOVEMBER 22, 2011**

Council President Marty Hess called the Urbana City Council Regular Session Meeting of Tuesday, November 22, 2011, to order at 7:11PM in Court Chambers/The Municipal Building. (*Meeting delay due to cameras/audio not ready)

Attendance: All Councilmen were present

City Staff in Attendance: Mr. Bruce Evilsizor, Director of Administration; Mr. Lee Williams, Finance Director; Mr. Mike Heintz; Fire Chief Mark Keller; Police Chief Matt Lingrell (Mayor Ruth Zerkle and Mr. Doug Crabill were absent)

Roll Call and Pledge of Allegiance

Approval of Minutes

Mr. Larry Lokai moved to approve the UCC Regular Session Minutes (November 8, 2011), and UCC Work Session Minutes (November 15, 2011); Mr. Eugene Fields seconded. Motion carried without objection.

Communications

Mr. Robert Thorpe moved to place the correspondence to Council (via email) from Mr. Ken Stammen, Communications and Community Relations Manager/Central & Southern Ohio Regions, Columbia Gas of Ohio 2011-12 Winter Heating Season Updates, on file; Mr. Fields seconded. Motion carried without objection.

Council President Hess briefly defined the content of the email.

Administrative Reports – Board of Control

The Clerk announced that the original BOC item had been deleted, and a new BOC item was being introduced. (*Given to Council via email November 21, 2011)

Mr. Al Evans moved to authorize a purchase order to Rick Wilkins Heating & AC in the amount of \$9,454., for the replacement of the HVAC Roof Top Unit for the Caring Kitchen (This will be charged to the CDBG Program Income Fund; This is not in the 2011 Budget); Mr. Fields seconded. Motion carried without objection.

Discussion –

Mr. Evans (to Mr. Bruce Evilsizor) said, “Now Bruce—you said something about this a few weeks ago, and I was over there...and they had no heat there...”

“That’s correct—yes—it went down on Friday,” Mr. Evilsizor interjected.

“...and I know that this is a...I know this building is actually owned by the County?” Mr. Evans sought to verify.

“Yes,” Mr. Evilsizor answered.

“...and they don’t have the money to put the unit on there?” asked Mr. Evans.

“Yes, they asked if we would be able to help them with this activity,” said Mr. Evilsizor.

“...and the staff there pointed out that although that is a county-wide agency, most of the people that they serve are from Urbana city,” stated Mr. Evans. “...so I would encourage our Council to go ahead, and pass this.”

“It’s just the thing to do,” Mr. Steve Shaw agreed.

“You all got this information that was sent to you yesterday—it came to us all, and you all had time to discuss it...and think about it,” stated Council President Hess, also noting the Caring Kitchen ‘as one of the better things we have in the County.’

Announcement

Fire Chief Mark Keller introduced new Firefighter, Mr. Ryan Williams (one of the new firefighters hired under the SAFER Grant).

Firefighter Williams noted he has part of the Urbana Fire Department for two weeks. He said he is originally from Dayton, and resides/commutes from Fairborn.

“Thank you everyone so, so much for giving me the opportunity to work for this fine, fine department—hopefully I will be able to uphold the standards that the City has become accustomed to,” stated Firefighter Williams. “...I couldn’t ask for a better group of guys to work with. Chief Keller is great...all the staff at the Department, and at the hospital...so thank you all very much!”

All of Council offered a warm welcome to Firefighter Williams.

“I just wondered how much Chief Keller paid you to say all of that?” Mr. Thorpe quipped.

Firefighter Williams (laughing) said, “Very reasonable.”

“Thank you, Chief, and good luck with your new Firefighter,” said Council President Hess.

Citizen Comments

Mr. Bill Kelley (Marysville/DP&L) distributed a hand out to Council, ‘Renewable Energy Update, City of Urbana,’ and explained each page to Council.

The following information was covered: Renewable Energy Technologies, DP&L Compliance Plan, DP&L Investment in Renewables, Project Overview of the Mound Solar Facility (Miamisburg) and Project Overview of the Yankee Solar Facility (9975 Yankee St./Washington Twnshp), and Energy Efficiency vs. Solar Cost Comparison. He said:

“When you look at this—the fact is efficiency...getting more efficient (and reducing usage) is much more cost efficient than building renewable energy...so just wanted to get that in front of you...think about if you have any other energy efficiency projects that you could (or might want to look at). As I said—a number of municipalities are looking at solar, and trying to figure ways to go ahead with that...and we’re not trying to discourage that...I’m just presenting some facts and information to you about how that works. Also wanted to mention to you that the PUCO did approve the acquisition of AES Corp. (purchasing DP&L)...that will probably happen maybe next week. Hopefully, if you’re going to see any type of changes, or any kind of changes...the cost of the acquisition is not allowed to be passed on to rate payers...”

Mr. Lokai said, “That’s a major investment there for 150 homes a year—that would take quite awhile to pay for that.”

“It would,” said Mr. Kelley. “A lot will tell you that the State Government recently cut back on the grants that are available to build solar, and a lot of projects kind of slowed down...when you look at the...projecting the payback without the subsidies, it becomes problematic.”

Mr. Evans asked, “On that \$5mil investment (at Yankee Solar)—how much of that was subsidized by the government?”

“That’s a good question—I don’t know,” Mr. Kelley replied. “I don’t if any of it was in this circumstance—I honestly don’t know—I can try to find out for you.”

“But this is part of the...that investment will a...DP&L will have a tough time getting a return on that investment!” stated Mr. Evans. “Is this part of the mandated a...?” asked Mr. Evans.

Mr. Kelley (chuckling) said, “We’re mandated to have renewable energy to make up twelve and a half percent of our...so we’re finding ways to try to do that...and we have

until 2025 to do it, so...a lot of companies are kind of looking at...kind of watching how things evolve...what happens (whether renewable becomes more efficient), but we did to move ahead and do some things (and this was one of them)..."

"I understand that—but being a DP&L customer...and understanding that higher costs means higher rates, I would encourage you to look for another way to get renewable energy," stated Mr. Evans. "This is not cost effective!"

"Okay—I will pass that comment on," said Mr. Kelley.

"I'm not a business tycoon, but..." Mr. Evans said.

"I don't think you have to be," said Mr. Kelley. "But I will pass on these comments—thank you."

Council President Hess asked, "You said you used 7 acres for this Yankee Solar?"

"Yes," Mr. Kelley replied.

"How many acres would you have to obtain to make anything worthwhile?" asked Council President Hess.

"I don't know—someone could probably put a pencil to that..." answered Mr. Kelley, also noting 'there are some promising things in biomass.'

Ms. Erika Polsey, 703 So. Main St., distributed a (2 pge) handout to Council regarding property (705 So. Main St.) to address concerns. The handout showed photographs of the property, and the second page listed 7 points defining the current state of the property. She said the neighbors are plagued by the property, and although they recognize the historical issue involved—she said the property is not salvageable.

"Historical (or not) it needs to go!" Ms. Polsey stated, and also noted she has spent \$700. this year on flea treatments for her yard, house, and her animals. "The foundation is crumbling, the porch roof is falling off, the gutters are falling off, there's no back doors—there's kids breaking into it (for some reason—from Mechanicsburg—they're wearing their leather jackets...so I don't know how smart you have to be...) Hundreds of kids walk by this place every single day from school...it's been sitting empty for 27 years...I know the guy that owns it...there's no way, it's never going to get there! It's a nightmare—it really needs to go!"

Council President Hess said, "I do know that that property is now on hold, and they're investigating further what we can, and can't do with it—so we are looking at it..."

"I appreciate that, but I encourage you to push forward—for us," said Ms. Polsey.

Mr. David Sullenberger, 705 So. Main St., had signed the sheet to speak to Council about the same problem, but changed his mind.

Ordinances and Resolutions

Third Reading –

ORDINANCE NO. 4377 –

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

Mr. Lokai moved to place Ordinance No. 4377 on the business floor for discussion and passage; Mr. Bill Bean seconded.

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

Discussion –

Council President Hess asked Mr. Williams to (again) verify the salary range.
Mr. Lee Williams announced the range as \$68,040., to \$82,765.

ORDINANCE NO. 4378 –

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

Mr. Lokai moved to place Ordinance No. 4378 on the business floor for discussion and passage; Mr. Bean seconded.

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

Discussion –

Council President Hess (again) requested the salary range from Mr. Williams.

Mr. Williams said, “\$68,040 to \$82,765.”

Second 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 Second Reading)

Discussion –

Mr. Evans held up a copy of the Budget, and said, “There it is—all printed out—still working on it!”

Mr. Kerry Brugger noted the Budget had been covered pretty well at the Work Session. He said, “I think Al will concur—that (like the paper) it’s a little flat. There’s not a lot of fat in there to pick at...so I think Lee’s done a nice job—the rest of the departments have put together a nice—flat—reasonable Budget. We should move forward with it.”

Mr. Lokai stated “One of the concerns (I know last week, and other times) was that our EMS billing has a lot of write-offs...we’re not collecting a lot of money...what I did was, take the liberty to call some other cities.”

Mr. Lokai recited percentage collection figures (*See Council Files) from the following cities: Piqua, Bellefontaine, Fairborn, Sidney, and Vandalia.

“The bottom line is—we are as well off (or better off) than most of the cities that I’ve checked with,” said Mr. Lokai. “The problem that we run into (and some of the other cities do) is that we’re an aging population...when you have more people on Medicaid and Medicare runs versus your working force to collect from...that becomes a concern.”

Mr. Lokai also discussed cities that are currently doing soft billing as opposed to hard billing, inclusive of some utilizing agencies.

Mr. Lokai requested percentage numbers for Urbana, from Mr. Williams.

Mr. Williams noted 2009 was 46%, 2010 was 47%, and 2011 is at 43%.

“It has fallen off a little bit this year as a percent of our total, but again that’s because we’ve had a shift in some of our mix of more Medicaid/Medicare runs...” said Mr. Williams.

“We are ahead of most of the other cities in this are...we are doing a good job,” Mr. Lokai concluded.

Mr. Bean said, “I just think that the budget’s about as good as we can get, with the amount of money we’ve got coming in.”

“You can’t spend it, until you get it,” commented Council President Hess.

“That’s right,” Mr. Bean agreed.

Mr. Williams said, “I’d just like to add—Mr. Bean went through roughly 64% of the Budget—Council (in total) ran through about 87% of the Budget...so I think we’ve all had a good eye opening experience as to what’s in (and what’s not in) for next year...and as I indicated there is some risk, but overall I think we’ve got something that’s manageable in place for next year.”

Council President Hess noted he did not receive the same Budget copy (via email) as what Mr. Evans has.

Mr. Williams said he would make sure Council President Hess receives a copy.

First Reading – There were no First Readings

Miscellaneous Business

Mr. Bean - “Happy Thanksgiving!”

Mr. Thorpe - “Happy Thanksgiving!”

Mr. Lokai - Announced Dec. 1st as the last day for leaf collection; Reminded residents to rake up their leaves

Announced the McCauley Center Parade – Dec. 6th

Discussed historical structures vs. junk structures; Noted that progress is not being made on The Sowles and The Douglas

Referred to the house (705 So. Main) as non-historical

“It will not add to the tax valuation of the city!” said Mr. Lokai.

Council President Hess said, “I don’t think we get any taxes off that anyway, so...”

“The Douglas and Sowles are the places we could get taxes,” said Mr. Lokai.

Mr. Shaw - “Happy Thanksgiving!”

Mr. Brugger - Commended Mr. Brad Bodenmiller

“He spends a lot of time working on these—it’s not easy beating your head against the wall numerous times—you feel like you’re making progress, and then you have to keep backing up,” Mr. Brugger said. “But I would like to ask if we could put this on the agenda for the Work Session—if nothing else, just to kind of update us where we’re at...and maybe talk in a little more detail around some specifics.”

Mr. Brugger also noted the close of the leaf collections, and asked

Mr. Evilsizor about the closure of the Compost Facility

Mr. Evilsizor said, “Tomorrow’s going to be the last day for the Compost Facility.”

Mr. Brugger (to Mr. Mike Heintz) requested an update on the Sewer Project, No. Main

Mr. Heintz said:

“I can give you an update on all 3 projects—No. Main, we finished the storm and the last catch basins yesterday...so the flooding on No. Main should be gone...unless we...you can always get a storm that we can’t anticipate, but that should eliminate the flooding on No. Main. As far as the asphalt—the final prep will be tomorrow—we’ll be paving Friday and Saturday. We’ve still got some curb and gutter (final things to finish up). Final completion date is Dec. 15th.

The Box Culvert Project (Dugan Ditch Phase II)—Schaeigel was the low bidder on that—he’s planning on starting Julia Box Culvert next week. The other box culvert I think he’s going to wait and do in the Spring...because I don’t know if he’s going to follow it right up with the other one...he’s not sure yet...it depends on what other work he gets done. The completion date on that is May 15th, and also the So. Main Water Project—Jeremy LeVan was the low bidder—the last I talked with him, he said he was also going to start that the first or second week of December. I haven’t talked to him in the last—I’d say 2 weeks, so...I don’t know if that’s still scheduled (or not).”

Mr. Evans (to Mr. Heintz) said, “Mike, I was over by the Heritage this morning (and it was raining pretty good)...there’s an awful lot of water that comes off of that property across Logan, and into that fellow’s yard...is there a problem there (that that water’s not going where it supposed to be)? Is it supposed to be running across that road like that, and into that guy’s property?”

“It always has (since I’ve been here),” said Mr. Heintz. “I don’t think there’s any storm sewer along Logan St. at all to pick any of it up.”

“Then right there between Speedway and the ditch—there’s an area there that just floods every time,” said Mr. Evans.

Mr. Heintz replied, “I talked to Colin about that—we were going to try to get a...actually that’s Port Authority’s property. We had talked with them at one point about getting a catch basin in there, and outletting...we’ve got that ditch very close. It wouldn’t be that hard to do. We talked with them, but nothing has happened. I’ll say something to Colin again...I’ll see if I can’t get something done.”

Mr. Evans (to Mr. Evilsizor) discussed the light pole situation, and said, “I appreciated Miami Valley Lighting getting out there, and getting that done.”

Mr. Evans commented about the house that was scheduled for tear down:

“I spoke with Brad this morning about it, and he related to me that there’s another avenue that we’re going to take to try to get that property torn down...so...can we get that information at the Work Session (what the plan is)?”

“With that—we’re going to go ahead, and proceed with the NSP Program (tearing the house down) and then uh...it’s been referred over to Skipp to see if Skipp is able to do anything from the legal end to recoup any money,” said Mr. Evilsizor. “I guess we got an answer from the insurance company that...”

“I’m talking about the one on So. Main,” said Mr. Evans. “There’s another way that we might go...and we’re going to handle that through the nuisance process?”

Mr. Evilsizor replied, “Yeah—we’re looking at two things.”

He mentioned the nuisance process, and also someone with ‘experience in fixing up properties like that.’

“Kind of makes you wonder whether it’s do-able or not, but he’s had a couple of people that have expressed interest in that,” said Mr. Evilsizor.

“Well in 27 years—I think we ought to expedite the nuisance process!” stated Mr. Evans. “...and if you would get right on that tomorrow morning, I would appreciate it! Thank you—that’s all I have.”

Mr. Fields - Nothing at this time

Police Chief Lingrell- Nothing at this time

Fire Chief Keller - Nothing at this time

Mr. Williams - Nothing at this time

Mr. Evilsizor - Said, "Just on 703 So. Main—is there anybody that feels any differently than what Al was talking about?"
No one spoke.
"We need to expedite the nuisance process—that's the only way we're going to take it down!" said Mr. Evans.
"We need to eliminate the problem from the site," Mr. Lokai agreed.
"Please!" said Mr. Evans.
"Yeah," Mr. Evilsizor.
"...and I understand about the one on Boyce," said Mr. Evans.
"Okay," Mr. Evilsizor said.

Council President Hess –
Expressed appreciation to Mr. Doug Crabill and the Street Crew for the recent tree planting(s)
He noted the difference in the appearance of the city when the other trees were taken down
Thanked the Downtown Association for the work on the Christmas lights; Discussed his wife's remarks of happiness to see the lights
"Even though we're financially strapped—I think it's a great thing!" he said.

ADJOURNMENT

Mr. Thorpe moved to adjourn the UCC Regular Session Meeting at 7:50PM; Mr. Lokai Seconded. All were in favor of adjournment.

Council Clerk

Council President