

URBANA CITY COUNCIL
REGULAR SESSION MINUTES – DECEMBER 13, 2011

The Urbana City Council Regular Session Meeting of Tuesday, December 13, 2011, was called to order at 7:00PM, in Court Chambers/ The Municipal Building, by **Council President Marty Hess**.

Attendance : All Councilmen were present with the exception of Mr. Bill Bean.

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. Chad Hall; Fire Chief Mark Keller; Police Chief Matt Lingrell, Mr. Robert Munch

Roll Call and Pledge of Allegiance

(* Note – Council President Hess in particular asked Boy Scout Pack 66 in attendance, to help lead the Pledge of Allegiance)

Approval of Minutes

Mr. Larry Lokai moved to approve the UCC Regular Session Minutes (November 22, 2011); Mr. Eugene Fields seconded. Motion carried without objection.

Communications

Mr. Lokai moved to place the LUC Regional Planning Commission Executive Committee Minutes (November 10, 2011) on file; Mr. Robert Thorpe seconded. Motion carried without objection.

Mr. Fields moved to place the Certificate of Official Results for Municipal Office (City Office), General Election November 8, 2011, from the Champaign County Board of Elections dated November 22, 2011, on file; Mr. Lokai seconded. Motion carried without objection.

Mr. Thorpe moved to place the correspondence (November 30, 2011) from Columbia Gas of Ohio regarding Infrastructure Replacement Programs update, on file; Mr. Lokai seconded. Motion carried without objection.

Mr. Lokai moved to place the correspondence (November 29, 2011) to Council, and others, from The Rev. Ronald Irick, Rep. of Boy Scout Troop 182, Bellefontaine, regarding recognition of Historical Event/200th Anniversary – Invitation for Urbana’s participation in area events, on file; Mr. Thorpe seconded. Motion carried without objection.

Discussion –

Mr. Al Evans (to Mr. Bruce Evilsizor) asked, “Bruce—did you have an opportunity to read that?”

Mr. Evilsizor replied, “Um—I’m doing that now.”

“Pardon Me?” asked Mr. Evans.

“I’m doing that now,” said Mr. Evilsizor.

Mr. Evans stated, “Basically—what they’re asking—is for us to participate in their program, and for us to perhaps provide maybe a rest area, and some bathroom facilities, as they move through...is that something that we can...maybe appoint a committee to work on, or help those folks out on this program? It seems like a pretty worthwhile program.”

“Um yes—definitely,” said Mr. Evilsizor. “Yeah, the staff can help (you know) coordinate that, and just do as much as we can to accommodate them.”

Mr. Evans suggested the City Park as a possible area for the group to camp out.

“There’s restroom facilities out there...Okay—so you’re going to look into it?” asked Mr. Evans.

“Yes—we can help out with that,” answered Mr. Evilsizor.

Administrative Reports - Board of Control

Mr. Evans moved to authorize a purchase order to the Treasurer, State of Ohio, in the amount of \$7,727.64 for the license fee required to operate a public water system per ORC 6109.21 (Last year’s cost was \$7,642.44 / This will be charged to the Water Dept., and is in the 2011 Budget); Mr. Fields seconded. Motion carried without objection.

Discussion –

Mr. Robert Munch stated, “In accordance with Ohio Revised Code 6109.21, public water systems in Ohio must obtain a license to operate from the Director of the Ohio Environmental Protection Agency...failure to do so...if we do not comply with Ohio’s drinking water laws, it may result in denial of the license.”

Mr. Lokai commended Mr. Munch on his work in this area.

Council President Hess asked, “Based on population?”

“No—it’s actually based on the number of service taps—There’s 60 more this year than last year (same price, it’s just there’s 60),” said Mr. Munch. “A service tap shall mean anything that’s either active (or inactive)...no matter how many buildings come and go, the tap remains.”

Citizen Comments

Council President Hess recognized the Boy Scouts in attendance, and asked for the leader(s) to identify themselves.

Mr. Dave Shiffer (Leader – Cub Scout Pack 66/Urbana) introduced himself, and noted attendance of Boy Scouts from Troop 11 as well.

“Seven Cub Scouts, and a few Boy Scouts in attendance,” said Mr. Shiffer. “Thanks for having us.”

Council President Hess asked the boys to come up and introduce themselves.

The following boys attended: Isaac Riblet, Jacob Lattimer, Daniel McKenzie, Ben Shiffer, Logan Pence, Jaxon Wright, Nick Shiffer, Andrew Shiffer, Neal Pence, Kullen Lockwood, Jon Heaberlin, Mark Lattimer

“Gentleman—thank you for coming tonight,” said Council President Hess. “I hope you learned something, and get excited about politics!”

Ordinances and Resolutions

Third 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

Mr. Lokai moved to place Resolution No. 2348 on the business floor for discussion and passage; Mr. Thorpe seconded.

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

Second Reading –

There were no Second Readings at this Meeting.

First Reading –

ORDINANCE NO. 4379 –

INDIGENT DEFENSE AGREEMENT WITH THE CHAMPAIGN COUNTY
COMMISSIONERS TO ALLOW THE CITY AND COUNTY TO RECEIVE PARTIAL
REIMBURSEMENT FROM THE OHIO PUBLIC DEFENDER COMMISSION FOR
THE INDIGENT DEFENSE EXPENSES IN THE CHAMPAIGN COUNTY
MUNICIPAL COURT

(*Read and declared a First Reading)

RESOLUTION NO. 2349 –

A RESOLUTION AMENDING RESOLUTION NO. 2314 TO MODIFY OR
INCREASE APPROPRIATIONS WITHIN THE VARIOUS FUNDS OF THE CITY OF
URBANA, OHIO

(Following the reading, the Council Clerk indicated that Mr. Williams had corrections to
announce regarding this Resolution)

Mr. Williams provided two corrections to the Resolution (*See copy in Council Files –
Under 100-102, change \$71,500 to \$63,000; Under 275-108, change -\$69,000 to
-\$20,000).

He stated:

“Earlier today I passed out a sheet narrating each one of these line items—there are two
that are anomalies this year—on the second page there is a Perpetual Investment Fund,
was due to Economic Development and requires special mention...as well as the 401
Capital Improvement Fund (that’s the Clean Ohio Trail Fund), that’s nothing more than a
grant...and that grant is 100% funded by the participant, which is Simon Kenton
Pathfinders, and the State of Ohio (so that fund isn’t 100% fundable—so that’s—
considered what we call a ‘pass through.’) ‘Pass through’ meaning that those funds come
in and out of our treasury...we don’t fund any part of that...so pulling those two amounts
out in the narrative I sent you earlier today, puts us at a value of \$462,000 for our
supplemental amount for 2011...and just as a comparison point, last year was \$547,000.
What this results in is all of those times when we come to you and we say, ‘This is not in
the Budget’ (under the Board of Control items)...this is a culmination of all those items
from January through the last meeting we had, which describes those items when we
come to you and say they’re not in the Budget...these are those items that are not in the
Budget. We do this once a year for simplicity purposes.”

Mr. Lokai noted a request for suspension of the rules, and moved to suspend the rules on
three readings; Mr. Steve Shaw seconded.

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

Mr. Lokai moved to place Resolution No. 2349 on the business floor for discussion and
passage; Mr. Shaw seconded.

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

Discussion –

Mr. Thorpe asked, “What you’re doing is moving money around?”

Mr. Williams replied, “Basically—what we’re doing here, Mr. Thorpe—is we’re
resetting the Budget to the exact amounts that we need to finish the year...and (like I
indicated earlier) all those items we said are not in the Budget for this year...they’re
coming to the surface now, and they will be in this Budget...this is reappropriating, and

putting them into the Budget...this is nothing more than a Budget adjustment document. It's not how we actually pay bills...this is the Budget side."

Mr. Lokai said, "The difference there is approximately \$85,000 less than last year, and I think anybody that's worked with any public entities know that...when you set a budget way in advance (project what it might be), different things happen in the course of the year...this is housekeeping, or resetting the budget so end up the year with a balanced budget. I urge Council to give strong consideration to pass this."

Mr. Shaw said, "Good job, Lee!"

"Thank you," Mr. Williams answered.

"Again--I appreciate the detail, and as we look through and identify those big hitters...take out the ones that were pretty obvious...some of the retirements, some of the Capital Improvements, things that just had to happen...think we did a pretty good job throughout the year to keep things tight...a lot of effort from all of the departments to try to keep the costs under control, so...I appreciate the detail...it does help to bring clarity..." stated Mr. Kerry Brugger.

"Thank you, Lee, for keeping us informed throughout the year on...what we're collecting, and what we're spending...I know that you get a lot of questions, but I think you answered them thoroughly...at least (for me) I appreciate that," Mr. Evans said.

"Thank you," said Mr. Williams.

Mr. Eugene Fields said, "Again thanks, Lee—for always having the 'Open Door Policy' to always answer questions—you always answer them. I appreciate that."

RESOLUTION NO. 2350 –

A RESOLUTION AUTHORIZING A CASH ADVANCE FROM THE GENERAL FUND TO THE MAUSOLEUM TRUST FUND OF THE CITY OF URBANA, OHIO
Discussion –

"This was the—yearly advance, I guess?" asked Council President Hess.

Mr. Williams replied, "This is the amount that's needed to fund the payment. If you remember last year—we refinanced the Mausoleum—we turned a BAN (which is a Bond Anticipation Note) into a bond issue (refinanced it)...Last year, when we came to you we asked for \$105,000 to make that payment...Under the refinanced requirements of this year, we came within \$25,000 of making the payment...so that's the so-called subsidy (if you will) to make that payment this year. What that means is—we came up about \$20,000 short in sales, so we're making it up with a reappropriation to make the payment."

"Does this need to be passed tonight?" asked Mr. Fields.

Mr. Williams said, "If not tonight—next Tuesday night. It's due by the end of the year."

Mr. Evans asked, "So basically—last year we had a \$105,000 payment?"

Mr. Williams verified, "We did—and we funded it from...because we had no sales, we funded 100% from the General Fund."

"So basically—it's \$20,000 short of breaking even," said Mr. Evans.

"Correct," said Mr. Williams.

"Which is quite a better position than we were in last year," stated Mr. Evans.

"Absolutely," Mr. Williams confirmed.

"Whoever pulled that off—good job!" said Mr. Evans.

"A small thank you," Mr. Williams said.

"Yeah," said Mr. Evans.

Mr. Brugger stated, “I think (to Al’s point)—this shows again that we are taking the effort to focus on some of the key areas...and this is just one of them, so...”

Mr. Brugger expressed appreciation for the work that is being done.

Mr. Shaw said, “It’s much better than last year.”

“Thank you,” Mr. Williams replied.

Mr. Lokai said, “As previous Council stated—the budget process is working...we’re working better at marketing...and that’s what sells these different items, so I think continuing with the marketing...hopefully next year we can come back with a...no request.”

“Correct—that would be the goal,” said Mr. Williams.

Mr. Thorpe moved to suspend the rules on three readings for Resolution No. 2350; Mr. Shaw seconded.

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

Mr. Thorpe moved to place Resolution No. 2350 on the business floor for discussion and passage; Mr. Lokai seconded.

With no further discussion, a roll call vote was called to approve: Mr. Thorpe, yes; Mr. Fields, yes; Mr. Evans, yes; Mr. Brugger, yes; Mr. Shaw, yes; Mr. Lokai, yes (6-0)

Miscellaneous Business

Mr. Thorpe - Reminded residents out walking in darkness to wear reflective clothing to be seen, particularly at 6:30AM on Eastview Drive (walking in the street)

Mr. Lokai - Discussed the Council vacancy seat, and asked about names that have come in

Council President Hess noted (6) names have come in about the At-Large position

“Do you have the names?” asked Mr. Lokai.

“I gave them to Gail,” said Council President Hess.

“Gail—will be able to provide them to us?” asked Mr. Lokai.

“Sure,” the Clerk answered.

Mr. Evans asked the Clerk to forward the names to Council via email; The Clerk agreed to forward the information

Mr. Shaw - Thanked the Street Dept. for cleaning up Taft Ave. after the construction

Mr. Brugger - Expressed appreciation to the Street Dept. efforts in the leaf collection; Complimented the work

Asked the deadline for names to be submitted for the Council seat Council President Hess indicated the seat is not available until Jan. 2, and mentioned that Council will interview interested persons

Mr. Lokai noted appointment should be by Feb. 14

Mr. Evans - Said, “Mr. Heintz isn’t here, but—I’m pleased to report that the No. Main Sewer Project is completed. Those folks from Schaeffel did a great job...and I’m also pleased to report that it was 85% done when we got the tremendous amount of rain (that we had last week)...and I can tell you that there was no flooding there...so it worked! Like I said, they did an excellent job—we watched the whole thing from the front

of the store, so to those folks...kudos to the Engineering Dept...another worthwhile project completed!"

Mr. Fields - Nothing at this time

Police Chief Lingrell -

Nothing at this time

Mr. Robert Munch -

Nothing at this time

Fire Chief Keller -

Reported on the Salem, Urbana, Union Township Fire/EMS Contracts
Fire Chief Keller said:

"This past year (2011) we had 1 year contracts with Salem, Urbana, and Union Townships...we were at risk of losing Salem Township...they have agreed to sign a 1 year contract with us to extend our services for the next year. We'll be basically to the same area that we cover at this point...so we are looking at (possible) future expansion to the north with them.

Urbana Township has agreed to a 4 year contract, and basically (again) we cover the same area that we're covering at this point. They have agreed to the steps that we came up with as far as the cost increases at this point.

Union Township—a little bit of a change to Union Township, if you look at your map...you can see what we currently serve as far as the first map that you have...we are actually in agreement with sending our services to the township line of Union Township and Goshen Township...and we would cover State Route 29 east (both sides north and south) up to Wayne Township...which is really a small area that we're going to increase, but there are quite a few homes out there.

Just so you are aware...we estimate basically an increase of 6 Fire Runs, and 16 EMS Runs out to that area...so...do you have any questions?"

"The southern boundaries?" asked Mr. Evans.

"The southern? We would maintain what we have as far as the western part of Union Township, but 29 will be the breaking point," Fire Chief Keller answered.

Mr. Lokai asked, "What does the initials 'CFD' stand for?"

"Catawba Fire Department, but it's Pleasant Township—is the actual name of the Fire Department," said Chief Keller.

Mr. Evans asked, "We had lost Salem right?"

"Yes—we were going to lose Salem—they elected to...agreed to go back with us for another year," Chief Keller replied. "Like I said, they are actually looking at possible expansion to the north...that's why they went ahead, and signed the 1 year...to continue our services at this point, so we can work on that next year."

"Would this be a good Work Session topic, gentlemen?" asked Council President Hess.

Chief Keller said, "They have not voted...we have not voted, as far as accepting."

"We can put this on the Work Session," Council President Hess said.

"Yeah—we'd like to get a vote next week," state Chief Keller.

Mr. Crabill - Said, "I've been helping report our street light outages to DP&L, and there's a new change with DP&L...it's called Miami Valley Lighting. They've recently set up a website where street light outages can be reported directly to Miami Valley Lighting...it's lightingsimplified.com...essentially you just have to have your

address and a pole number (which if it's a MV Lighting pole, it should have a 5 digit number, with the letters MVL above the 5 digits...it also (when the repair's been made) you'll get an email. It eliminates about 3 layers of process in order to get a street light fixed. I encourage citizens to report those directly...Council Members to report those directly...you can still report them to the Administration Office (or the Street Dept.)...also 'Contact Us on the City's website, there's a link to lightingsimplified on there as well... Please use the site."

Mr. Chad Hall - Mentioned the Wilbur Smith Water/Sewer Rate Study, and noted the study as complete
He requested this as a topic of the Work Session, along with the WWTP expansion
He told Council about the Phone Conference Calls that are conducted every Monday (2:30PM), and invited Council to take part in the calls

Mr. Williams - Nothing at this time

Mr. Evilsizor -Nothing at this time

Mayor Ruth Zerkle -Nothing at this time

Council President Hess -

Asked Council about combining the Work Session next week and the Regular Session (which would have been on December 27)

Mr. Lokai moved to combine the two meetings on December 20 (beginning at 7:00PM, in Court Chambers); Mr. Evans seconded. Motion carried without objection.

Council President Hess noted Work Session topics as: NSP Projects, the Fire Department (Township Contracts), the Sewer Department (Expansion), and Miscellaneous.

He briefly mentioned the Airport Capital Improvement Program spreadsheet (email), and noted the extension of the runway is 'on hold.'

Council President Hess (to Mr. Williams) asked, "Lee—how much carryover do we have next year?"

Mr. Williams said, "Are you talking about General Fund carryover? \$350,000."

"So I think we can compliment all of the department heads, and all of the Council Members...it's not a lot to start a year with, but it's better than what we had a couple years ago...at least we had something left this year...there's been years it's been a lot tighter than that," said Council President Hess. "It didn't happen with one person—it's everybody working together to make it happen...so I congratulate you on that."

Mr. Evans moved to excuse Mr. Bill Bean from this session; Mr. Shaw seconded. Motion carried without objection.

EXECUTIVE SESSION

Mr. Thorpe moved to adjourn to Executive Session (7:50PM) to discuss "Property"; Mr. Fields seconded.

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

ADJOURNMENT

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

Council Clerk

Council President