

**URBANA CITY COUNCIL**  
**REGULAR SESSION MINUTES – DECEMBER 20, 2011**

**Council President Marty Hess** called the UCC Regular Session Meeting of Tuesday, December 20, 2011, to order at 7:50PM, 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. Bruce Evilsizor, Director of Administration; Mr. Lee Williams, Finance Director; Mr. Doug Crabill, Assistant to the Director of Administration; Mr. Brad Bodenmiller; Mr. Chad Hall; Fire Chief Mark Keller; Police Chief Matt Lingrell

**Roll Call and Pledge of Allegiance**

**Request for Executive Session**

Mr. Robert Thorpe moved to adjourn to Executive Session to discuss “Personnel”; Mr. Al Evans 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)

**Return to Regular Session**

Mr. Larry Lokai moved to reconvene to the Regular Session Meeting; Mr. Kerry Brugger seconded. All were in favor of reconvening.

**Approval of Minutes**

Mr. Evans moved to approve the UCC Public Hearing Minutes (December 13, 2011), and the UCC Regular Session Minutes (December 13, 2011); Mr. Thorpe seconded. Motion carried without objection.

**Special Presentation by Mayor Ruth Zerkle and Ms. Jan Ebert**

Mayor Ruth Zerkle presented a plaque to Mr. Steve Shaw to recognize his 6 years of public service and dedication to the citizens of Urbana. It was noted that the plaques given at this meeting were provided by friends of the community.

Mayor Zerkle also recognized Mr. Bruce Evilsizor with a plaque to honor his outstanding service (2006-2011). Mayor Zerkle praised Mr. Evilsizor for his excellence.

Ms. Jan Ebert expressed gratitude to the outgoing Council Members for their dedication and service to the community. Ms. Ebert presented a plaque to Mayor Zerkle to recognize her outstanding service (18 years). Grace, efficiency, kindness, understanding, were among the qualities Ms. Ebert used to describe the outgoing Mayor.

Mayor Zerkle said, “Thank you, everybody.”

Council President Hess said, “Thank you all.”

**Communications**

1.

Mr. Lokai moved to place the (December 9, 2011) letter to Council from Mr. Jack Partridge regarding a filing Columbia Gas will make with the PUCO seeking authority to extend the company’s IRP, and to create new programs to stimulate economic development in Ohio, on file; Mr. Shaw seconded. Motion carried without objection.

2.

Mr. Brugger moved to place the letter of resignation as Chair of the City of Urbana Local Access Channel Committee effective December 31, 2011, from Mr. Larry Lokai (December 16, 2011), on file; Mr. Thorpe seconded. Motion carried without objection.

Discussion –

Mr. Evans stated, "I would like this take the opportunity to thank Mr. Lokai for serving the citizens on this committee."

"It's not an easy job (these committees that we have), and I appreciate all you guys that have been on them...and the time you've put in on them," said Council President Hess.

3.

Mr. Thorpe moved to place the holiday greeting from the Champaign County Engineer's Office (Mr. Fereidoun Shokouhi, and Staff), on file; Mr. Lokai seconded. Motion carried without objection.

4.

Mr. Lokai moved to place the City of Urbana Shade Tree Commission Minutes (August 2011 - #98), on file; Mr. Thorpe seconded. Motion carried without objection.

5.

Mr. Shaw moved to place the letter to Council (December 12, 2011) from The Caring Kitchen, Inc./Ms. Cindy Gilbert, Executive Director, expressing gratitude for the purchase and installation of the HVAC unit for The Caring Kitchen, on file; Mr. Thorpe seconded. Motion carried without objection.

Discussion –

"Glad we were able to do it," said Council President Hess.

### **Administrative Reports – Board of Control**

1.

Mr. Lokai moved to authorize a purchase order to Alloway in the amount of \$12,798.50 for the testing of ground water at the former Landfill (This will be charged to Non-Departmental Capital, and exceeds the 2011 Budget); Mr. Thorpe seconded. Motion carried without objection.

Discussion –

Mr. Chad Hall stated, "We had a carryover from the 2010...second half annual sampling event that was not invoiced until January '011...this is the balance just to get back square."

"How much longer is this going to carry on?" asked Mr. Thorpe.

"Good guess...we was able to eliminate 3 wells this year...in '010 we did Appendix I and Appendix II...that means Appendix I, 66 perimeters...Appendix II is 133 perimeters..." Mr. Hall explained, noting with now Appendix I (only) it is about a \$3,000 a year savings.

Mr. Lokai thanked Mr. Hall for his efforts.

2.

Mr. Evans moved to authorize the Director of Administration to enter into service agreements (up to 4 yrs) with Salem, Union, and Urbana Township to provide Fire/EMS services (2012 to 2015); Mr. Lokai seconded. Motion carried without objection.

Discussion –

Mr. Lokai stated, "If I could just reiterate one thing that was said in the Work Session earlier, and that is...that I'm well aware these rates are not necessarily as high as they have been (with the prices previously), however...we have to look at encompassing as many organizations...counties and townships, as we can (in our plans)...and if we make it somewhat economically feasible for those people to take part in our contracts, then they'll be a part...otherwise, they may be negotiated and gone out to another entity...so I

do appreciate what Capt. Keller, and the Administration, has done in getting these in line...so I would urge Council to support passing this.”

Mr. Shaw said, “I’d just like to thank the Chief for his efforts—I think this is as good an agreement as we can come up with at this time with our economic situations in the county...if he’s happy with it, I’m happy with it.”

“I know...even though the grid stops on 2015, I’m confident this is one of those ‘works in progress’ that’s going to continue...will be a moving...continuum,” Mr. Brugger commented.

“Thank you, Chief...Thank you, Bruce...Thank you, Lee...I promise to keep an open mind,” said Mr. Evans.

“That’s all we can do,” Council President Hess added.

### **3.**

Mr. Thorpe moved to authorize the Director of Administration to enter into a 3 year contract with Mark W. Dowden to farm 284 tillable acres on the Airport and Sewer property (North of the Airport) for \$264.43 per tillable acre; Mr. Bill Bean seconded. Motion carried without objection.

Discussion –

Mr. Hall said, “We went out to bid...the previous contract expired the middle of November...about 9 bidders came in (this is the highest response we’ve had).”

Mr. Hall provided a breakdown to refresh Council Members’ memory of the percentage share owned at the Moore’s Gravel Pit, and then the totals of gain in the yearly income (making reference to the handout, *Farm Ground Rent (2012-2014) Bid Tabulation*).

“Chad—you did a good job!” Mr. Bean stated.

“Chad—fair and balanced,” added Mr. Thorpe.

Mr. Lokai said, “Congratulations on getting a good rental price.”

“Thanks,” Mr. Shaw said.

Mr. Brugger said, “Just a compliment to you (again)—the process—I like the detail that allows us to understand what the bidders’ position was...in terms of complete, incomplete, responsive, unresponsive...these are critical pieces, so that just helps us stay in shape with what we’re doing for the last year...really digging in, trying to get things up front...so everybody’s on the same page.”

Mr. Hall replied, “I think Doug and I had probably received a bunch of calls...the agricultural world is not used to our bidding process.”

“We removed a couple of forms to make it a little simpler—those that we thought we could remove, we did...so...” added Mr. Doug Crabill.

“What was it last year?” asked Mr. Evans.

“Last year it was \$165. an acre,” said Mr. Hall.

### **Citizen Comments**

Youth and Boy Scout (Life Scout Troop 258) Sam Molton, 112 Orange St., addressed Council regarding his ‘Safety Town’ Project at Melvin Miller Park. He provided an 11 pge. pictorial handout to assist in describing the process to execute the project.

Mr. Molton’s project involves building a child-size permanent town inclusive of buildings, street markings, and traffic signs that will eventually be utilized by the Urbana Police Division to teach traffic safety to pre-school age children. Once completed, Mr. Molton will receive the rank of Eagle Scout.

He noted Taylor Maintenance resurfaced the blacktop at no cost, and he defined each photograph (progress completed). Mr. Molton also gave accolades to the Street Dept. for assistance provided.

Council President Hess thanked Mr. Molton for his involvement in this project.

Mr. Evans asked, "Is this your Eagle project?"

"Yes," answered Mr. Molton.

"...and when will you be...?" Mr. Evans asked regarding completion.

"Probably sometime late Spring of next year," replied Mr. Molton.

"Congratulations—you've done a fine job—appreciate it," said Mr. Evans. "You're a fine young man."

Mayor Zerkle added, "Great job—congratulations...and I'd like to say something else about Troop 258...these young men are all workers!"

She spoke of all the work that was done with cleanup of the trail.

"I don't really know you, but I can tell you that...you typify what teachers look forward to seeing (what) your students...and former students do...and you're a very good example of what we want our youth to do...congratulations!" stated Mr. Lokai.

"Congratulations son—it's looking pretty nice—one question (I guess) was did Father help you as a worker, or as a supervisor?" asked Mr. Thorpe.

"He did some supervising," Mr. Molton replied.

Mr. Bean said, "I just want to congratulate you on moving toward your Eagle Scout...I hope you're a great success on doing this, so congratulations! Thank you!"

"Thank you, Sam—keep us posted on your progress," said Council President Hess.

### **Ordinances and Resolutions**

#### **Third Reading –**

There were no Third Readings at this Meeting.

#### **Second Reading –**

##### **ORDINANCE NO. 4379**

(\*Read and declared a Second Reading)

#### **First Reading –**

##### **ORDINANCE NO. 4380 –**

AN ORDINANCE AMENDING THE DEVELOPMENTS STANDARDS ESTABLISHED BY CHAPTER 1127 OF THE CODIFIED ORDINANCES OF THE CITY OF URBANA OHIO TITLED URBANA CORRIDOR OVERLAY DISTRICT

(\*Read and declared a First Reading)

Discussion –

Mr. Brad Bodenmiller briefly explained the Ordinance, and read portions of the Ordinance to Council.

Mr. Evans asked if the Ordinance comes to Council with the recommendation from The Planning Commission.

Mr. Bodenmiller replied affirmatively, and added, "With the recommendation to adopt, or pass."

Mr. Brugger thanked Mr. Bodenmiller for bringing this Ordinance to Council, and asked him to expound on the 'only two tenants' portion.

"If it's three separate buildings on a large lot—it doesn't apply?" asked Mr. Brugger.

Mr. Bodenmiller said, "It would only apply where there are two tenants on a single lot."

“I think when this thing was passed (about 4 years ago)—one of the problems was that it kind of restricted business owners a little bit with some of their signage...I think this is a modification that does allow businesses to advertise and promote,” said Mr. Lokai, also indicating this Ordinance is ‘a step in the right direction.’

Mr. Thorpe agreed with Mr. Lokai stating, “This is a good change.”

“I like the fact that...with The Overlay District there’s been problems, and like Kerry said...we can get ahead of the problem...take care of it, and take care of the Ordinance,” stated Mr. Bean. “...and I think this particular Ordinance I think will work with just two businesses in a building, but I agree with it. Thanks for the work you’ve done!”

Mr. Bodenmiller invited questions via telephone or email.

**RESOLUTION NO. 2351 –**

**A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION OF THE CITY OF URBANA TO SUBMIT AN APPLICATION TO THE OHIO DEPARTMENT OF NATURAL RESOURCES UNDER THE NATUREWORKS PROGRAM FOR PARK IMPROVEMENTS**

(\*Read and declared a First Reading)

Discussion –

“The next two we wouldn’t plan on passing tonight—the applications are due February 1<sup>st</sup>,” stated Mr. Crabill. “Natureworks is a program that we’ve used before (ODNR)—it’s a state funded program...so much money is available in each county, each year. The most recent project we’ve completed with this money was the playground at Melvin Miller Park, and we’ve actually submitted for reimbursement for some of the work we’ve done...”

He continued:

“Anyway, we’ve used this money before...this particular grant, the application would be geared toward improvements at the City Pool (actually the next two)...the Resolution after this is also for potential improvements at the Pool. From what I understand—2351, would be geared towards making the Pool more conducive to holding swim meets. Right now there’s really nothing there that allows a competition to be held. This application would be to enhance the Pool for use as a competitive swim facility. We did already go ahead and budget the matching dollars for next year.”

“Is our Pool big enough to have swim meets?” asked Mr. Bean.

“The Pool’s big enough—we need lines, starting blocks, and there’s some other items (I don’t remember for sure)...maybe the things that separate the lanes...it is large enough though,” Mr. Crabill answered.

“I’m assuming you’re talking about going north and south,” said Mr. Bean.

“It might be longer east/west—I’m not sure,” Mr. Crabill replied. “Cheryl Wade’s looked into all that—the goal is to have meets there even in this next year, so this would be a funding source to make all that happen.”

Mr. Brugger asked, “According to their website—they mentioned that this could be used for acquisition, development, rehabilitation of recreational areas—can that be used for the infrastructure (in terms of like...the pumps?) Some of the plumbing issues that we’ve had in the last year?”

Mr. Crabill answered, “It could be—and we could speak to that a little bit with the next application...”

Mr. Evans said, “Well, one of the reasons that participation at the Pool was up this year...memberships were up this year, is because we’ve got a swim team...a swim team program...so this would enhance a program that’s already up and running.”

**RESOLUTION NO. 2352 –**

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION OF THE CITY OF URBANA TO SUBMIT AN APPLICATION TO THE OHIO DEPARTMENT OF NATURAL RESOURCES UNDER THE FEDRALLY FUNDED LAND AND WATER CONSERVATION FUND GRANT PROGRAM

(\*Read and declared a First Reading)

Discussion –

Mr. Crabill stated:

“This is the second program through ODNR—it’s actually Federal money, and in this we were talking about looking at some of the more infrastructure type items for the Pool...the heater for the water, some of the plumbing...there’s really kind of a whole list of things we came up with. I’ll present more detail to you on the Second Reading...we’re still kind of working through that. I honestly need to read through all of these applications to see what all is required, but Cheryl was going to take the lead on this...and work on it. I’ll know more in January.”

**RESOLUTION NO. 2353 –**

A RESOLUTION OF THE URBANA CITY COUNCIL AUTHORIZING THE DIRECTORS OF ADMINISTRATION AND FINANCE, UPON LEGAL REVIEW OF AND APPROVAL OF THE DIRECTOR OF LAW, TO EXECUTE A COMPETITIVE ECONOMIC DEVELOPMENT AGREEMENT WITH THE WEIDMANN ELECTRICAL TECHNOLOGY INC TO RELOCATE AND EXPAND THEIR COMPANY AT 1 WEIDMANN WAY, URBANA, OHIO

Mr. Lokai moved to place this item on the business floor; Mr. Thorpe seconded.

Council President Hess asked Mr. Evilsizor to provide an explanation of the Resolution.

Mr. Evilsizor stated:

“This is a follow up to an Ordinance that we did back in November of 2009...as a general Ordinance that provided a economic development incentive package to an unnamed company for the ‘Papermill Redevelopment Project’...so this Ordinance will kind of get down to the details, and finalize the agreement with Weidmann...now that they’re uh...they started one operation...one product line, and they’ve got two more to get started up...so as they finish these up, then we need to finish up our agreement with them. We’re using the uh...as far (you know) as the income tax credit...the 80, 60, 40, 20, 10% credit that we’ve taken a liking to...in helping out companies. This will help get this wrapped up, then we’ll get the agreement signed before the end of the year.”

Mr. Evilsizor requested a suspension on three readings, to allow for completion of the agreement.

Mr. Evans moved to suspend the rules on three readings; Mr. Brugger seconded.

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

Mr. Evans moved to place Resolution No. 2353 on the business floor for discussion and passage; Mr. Brugger seconded.

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

Discussion –

Mr. Evans asked, “Now this is just kind of like the last detail stuff we’re tidying up from what started a couple years ago?”

“Yes—yes,” Mr. Evilsizor answered.

“I do know that this has been a work in progress, and I would be remiss if I didn’t congratulate the Administration on a job well done...to bring that company to Urbana,” stated Mr. Evans. “I do know for a fact that they’re doing some production over there with what looks like some cardboard type of paper...so there are people working over there, and the folks that I know (that previously worked over at The Paper Mill) some of those folks got jobs over there...so things are looking pretty good. I commend you (the Administration) for your work on this.”

“Thank you,” Mr. Evilsizor said.

Mr. Brugger also commended all of the players involved and their efforts, adding, “This is a plus—I believe—that lays the foundation for future opportunity!”

Mr. Shaw said, “This is another example of how the Administration has worked to make things better in Urbana...I really appreciate it...thanks a lot!”

“Pretty much what the other 3 have said (has been said), but I think the footprint has been set down by this project...we need to kind of follow through with that particular format, and many other companies are interested in coming...we’re open to you coming to Urbana, and we’ll take your tax dollars,” said Mr. Lokai (as others chuckled).

“Come one, come all—that’s all I can tell you,” Mr. Thorpe added.

Mr. Bean said, “I have to agree with Larry—it is a job well done—I appreciate it.”

#### **Miscellaneous Business**

Mr. Bean - Extended wishes for a ‘Merry Christmas & Happy New Year’

Mr. Thorpe - Echoed Mr. Bean’s sentiments, adding caution of safe travel

Mr. Lokai - Noted he likes getting the Work Session & Regular Session done in less than 2 hour

Mr. Shaw - Said he has enjoyed serving on Council for the past 6 years, and has enjoyed meeting so many people; Said everyone should take the opportunity to serve in City or County Government, and learn the workings

Mr. Brugger –Noted 2011 has been a very productive year, and said a lot of in-roads have been made that will pay dividends down the road  
He wished everyone a ‘Merry Christmas & Happy New Year’  
Moved to excuse Councilman Eugene Fields from this Session; Mr. Shaw seconded. Motion carried without objection.

Mr. Evans - (to Mr. Bruce Evilsizor) said, “Bruce—I’d like to personally thank you for your service both as a police officer for a number of years, and then as a City Administrator. You know we didn’t always agree, but I think we were usually able to come to some kind of meeting of the minds. I do appreciate you, and the job that you’ve done.”

Mr. Evilsizor replied, “Thank you.”

Mr. Evans said, “Mrs. Zerkle—thank you very much for your service to the city. I believe you were an excellent Mayor, and I would invite you to continue to be an ambassador for our city...because you do a wonderful job!”

Mr. Evilsizor –

Said: “I’d like to thank Mayor Ruth Zerkle for the opportunity to serve in

this position for the last 5 ½ years or so...it's been a real pleasure, and (yeah) I'm real fortunate to be able to do this in my hometown. Thank you (to Mayor Zerkle). I'd kind go along with what Al said—I'd like to thank City Council for putting up with me—I know it wasn't always easy, but I think (yeah) we somehow in our own Urbana way...we got through things (and got things done)...we made some progress...still have a ways to go, but uh...it's been a good time...a lot of trials and tribulations, but overall it's been a good time. If I can just mention about the staff and all the employees...one of the neat things about the position is to be able to see all the good work that gets done (by the staff)...just people stepping up when we have challenges that need to be figured out, or dealt with... just people working together, and getting the job done. Very little grumbling...a lot of good teamwork, and a lot of good effort. It's been a real blessing to be able to see that, and to be apart of that. Thank you.” Council President Hess replied, “Thank you, Bruce...thank you for all your years.”

Mayor Ruth Zerkle –

Said : “Kudos to what my administrator said about the teamwork...that's the number 1 factor (working together)...you've done that quite nicely, even though it was tug and pull (and that's what it's about)...put it down on the table, and let's weigh it out to make the best decisions.”

Wished everyone in the community ‘Merry Christmas & Happy New Year’

She said, “Much success in the upcoming year—Bill, please stay on top of things, and I know you'll do a good job...so much success in the coming year for 2012, and forward. Thank you.”

“Thank you, Mayor,” Mr. Bean replied.

Council President Hess –

Said: “I would also like to thank the Mayor, and Bruce, and Steve Shaw... It seems like I've known you guys more than half my life (and I'm pretty old), so...I thank you for all you've done for the city. Like the Mayor said it's not an easy job...there are 7 people on Council with different ideas... ..all the administrators have what they want...and it's not easy for all the hundred people in the City to get together, but as Kerry said it was a tough year...but we made it through it...we've done a good job of learning how to live with...not much, and I'm sure it will get better.”

Reminded everyone about the current Council opening; noted there are 6 applicants as of this Session; invited anyone in the city to apply for the At-Large position by contacting him; noted Council will do interviews to fill the position

Reminded everyone about the Swearing-In Ceremonies scheduled for December 30 and January 1

## **ADJOURNMENT**

Mr. Thorpe moved to adjourn the Regular Session at 8:46PM; Mr. Lokai seconded. All were in favor of adjournment.

---

Council Clerk

---

Council President

December 20, 2011 Minutes.doc

Urbana City Council

Page 8 of 8