

APPROVED

**URBANA CITY COUNCIL
REGULAR SESSION MEETING
TUESDAY, FEBRUARY 7, 2023**

President Hess recalled the City of Urbana Regular Session Meeting to order at 6:00 pm.

City Staff attending: Mayor Bill Bean, Director of Finance Chris Boettcher, Director of Law Mark Feinstein, Director of Administration Kerry Brugger, Zoning Enforcement Officer Preston Carter, Community Development Manager Doug Crabill, City Engineer Tyler Bumbalough, Superintendent of Public Works Chad Hall, Police Chief Matt Lingrell and Fire Chief Dean Ortlieb.

President Called Roll: Ms. Jumper, present; Mr. Scott, present; Mr. Paul, present; Ms. Truelove, present; Mr. Thackery, present; Mrs. Collier, present; and Mrs. Bean, present.

Minutes

Mr. Thackery moved to put the minutes of January 17, 2023 and the work session minutes of January 31, 2023 on the floor for discussion and possible approval. Mrs. Bean seconded.

Mr. Thackery noted two minor typographical errors on the work session minutes.

Voice vote on approval of the minutes: all ayes; nays, none.

Motion passed 7-0

Communications:

1. 2022 Champaign County Municipal Court Annual Report
2. Ohio Ethics Commission Filing Reminder
3. Columbia Gas of Ohio Letter dated January 13, 2023
4. Oak Dale Cemetery Board Meeting Minutes dated November 18, 2022
5. Melvin Miller Park Board Meeting Minutes dated November 21, 2022
6. 2022 City of Urbana Annual Report

Mr. Thackery moved to put the communications on the floor for discussion. Mrs. Bean seconded.

Mr. Thackery asked Ms. Boettcher if the City gets involved with the Court's financial figures. Ms. Boettcher answered that the Court handles all of that information directly.

Voice vote for acceptance of the communication. All ayes, nays none.

Administrative Reports – Board of Control

1. The Board of Control and Health Insurance Committee recommends Council authorize the purchase of Anthem group health insurance and related life, vision (EyeMed), and

dental (Delta Dental) insurances for \$1,943,181.00. The insurance expense is in the 2023 budget at \$1,867,532.00 (see attached). **VOTE: 3-0**

Ms. Truelove moved to put this request on the floor for discussion and possible approval. Mr. Thackery seconded.

Ms. Boettcher indicated this was the annual health insurance for City employees, specifically the City's share. This is a straight renewal. The plan has two offerings: a traditional plan or a high deductible plan with deposits into health savings accounts. It is six percent higher due to higher deductibles with the health savings plan.

Mr. Paul asked if the 6% increase was standard. Ms. Boettcher stated 6% was the no-shop offer. If the City went to market, it would have been higher. Other cities are looking at 10-15% increases.

Mrs. Bean thought the low increase was nice, especially coming out of the pandemic.

President Hess asked how many people the City insures. Ms. Boettcher stated 24 employees were on the traditional plan and 60 were on the health savings plan. She did not have the number of dependents.

Voice vote on approval: all ayes, nays none.

2. The Board of Control recommends Council authorize a purchase order to Terran Corporation for 2023 landfill groundwater monitoring services (including residential wells) in the amount of \$55,080.00. This expense will be charged to the General Fund – Miscellaneous Non-Departmental and is in the 2023 budget (see attached). **VOTE: 3-0**

Mr. Thackery moved to put this request on the floor for discussion and possible approval. Mrs. Collier seconded.

Mr. Hall indicated that this covered two scopes of service: the physical landfill itself and also homeowner wells (off-site residential wells). Terran has done the monitoring since 2019 and has done a fabulous job. The landfill closed in 1989 and was subject to a thirty-year post-closure plan. Now the City is under a maintenance plan. The City's corrective actions have been very effective and we are in the stage of sampling our way out.

Mr. Paul asked if as an ongoing expenditure, had it always been listed as a miscellaneous non-departmental expense. Ms. Boettcher stated it used to be in the capital improvement, but as it is more of an operating expense, she moved it to the current fund.

Mr. Thackery asked what was a realistic timeframe to go to zero. Mr. Hall stated that the City will always have some variance but hopefully it will continue to drop more wells.

Voice vote on approval: all ayes, nays none.

3. The Board of Control recommends Council authorize a purchase order to DL Smith Concrete LLC in the amount of \$56,798.00 for the local share of the PY2021 CBDG Curb Ramp Improvements (1st and 2nd Curb Ramps). DL Smith Concrete LLC submitted the lowest of four bids for this project (see attached bid tabulation). The engineer's estimate for this project was \$169,000.00, and this project will replace 73 curb ramps along the south end of Urbana. The Champaign County Commissioners will contract DL Smith Concrete LLC for this project as the county has been awarded \$118,400.00 in CBDG grant dollars to put toward this project. This expense will be charged to the Capital Improvement Fund and is budgeted at \$42,000.00 in the 2023 budget. **VOTE: 3-0**

Mr. Thackery moved to put this request on the floor for discussion and possible approval. Mr. Scott seconded.

Mr. Bumbalough stated that the City has a grant and the design is done in-house. DL Smith also completed the Main Street curb project last year. Pricing was above estimate by about 3.5%. This project will replace 73 curb ramps in the first and second ward. Any time the City does a paving project, it is also supposed to upgrade ADA facilities, which amounts to handicap ramps at intersections. South High Street is not in this as it will have a separate ODOT project later this year. He added that the County is also charging the City for the costs of the advertising.

Mr. Paul asked when the \$42,000 was estimated. Mr. Bumbalough answered last November.

Mr. Scott was happy with the contractor. He believed the amount necessary from the City is fairly reasonable for what is getting done.

Voice vote on approval: all ayes, nays none.

Citizen Comments: None

ORDINANCES AND RESOLUTIONS

Third Reading:

Ordinance 4586-23: An ordinance to adopt the Planning Commission recommendation denying the application to amend the City of Urbana's official zoning map by rezoning parcel K48-25-11-02-27-001-04 currently designated BR-1 Business Residential to B-2 General Business. (Three readings required, Public hearing required)

Mr. Thackery moved to put this ordinance on the floor for discussion and possible passage. Mrs. Collier seconded.

Mr. Carter stated this was the 0.6 acre outlot on US 29 south of Kroger. The denial to move to B-2 was due to the historical thought of maintaining a buffer area. There was no specific development mentioned, only for better potential marketing.

Ms. Truelove stated she didn't really have any issues with rezoning.

Mr. Thackery asked for clarification that a no vote is allowing the rezoning. Mr. Feinstein clarified that the Planning Commission voted to deny the rezoning, so therefore a yes vote is also denying the rezoning.

Mrs. Bean stated she did believe there was a historical decision for the buffer zone. According to her research, Council voted in December 1995 to uphold as BR-1. She stated it can still be developed with a few more hoops. She recommended voting yes to uphold the recommendation.

Roll call on passage: Mr. Scott, no; Mr. Paul, no; Ms. Truelove, no; Mr. Thackery, no; and Mrs. Collier, yes; Mrs. Bean, yes; and Ms. Jumper, yes.

Ordinance sits 3 yes, 4 no. Mr. Feinstein stated this was a Law Director's nightmare. There is not currently enough votes to pass the legislation, but the ordinances require a supermajority (5 no votes) to rule against the Planning Commission's recommendations.

Mr. Paul asked the yes votes to convince him to vote yes. Ms. Jumper stated to think about the homeowners across the street. Mr. Thackery stated that any development would still have to follow the zoning laws and can still allow for a buffer.

Mrs. Collier stated that we have a Planning Commission to make these decisions. She asked why Council should question their recommendations. Mr. Thackery stated because Council has the authority to do so.

Ms. Jumper stated there would be a hard traffic flow with added construction. Mr. Thackery stated this issue could be addressed in a development plan.

Mr. Scott added that there were no other buffer zones the entire length of US 29.

Mr. Paul moved to revote on the ordinance. Mr. Thackery seconded.

Roll call on passage: Mr. Paul, no; Ms. Truelove, no; Mr. Thackery, yes; and Mrs. Collier, yes; Mrs. Bean, yes; Ms. Jumper, yes; and Mr. Scott, no.

Ordinance passes 4-3.

Ordinance 4587-23: An ordinance to adopt the Planning Commission recommendation denying the application to amend the City of Urbana's official zoning map by rezoning parcels K48-25-00-01-35-001-00, K48-25-00-01-35-002-00, K48-25-00-01-35-003-00, K48-25-00-01-004-00, and K48-25-00-01-35-005-00 currently designated R-2 Medium Density Residential to M-1 Manufacturing. (Three readings required, Public hearing required)

Mrs. Bean moved to put this ordinance on the floor for discussion and possible passage. Ms. Jumper seconded.

Mr. Carter stated these were the five parcels on South Edgewood. Two currently have single family residences. The application was to rezone to M-1 for general marketing. The Planning Commission recommended denial due to contiguity and non-conformity.

Mrs. Collier stated that the original application stated automotive repair. Mr. Carter stated the application went from food processing to storage of a food truck to potentially an auto shop. He added the very first idea was a gas station. Mrs. Collier asked if the two occupants would have to move. Mr. Carter stated they would be grandfathered in as non-conforming structures.

Mr. Scott suggested Casey's would like to look at the area.

Mr. Paul state the area around the properties appeared to be M-1. Mr. Carter stated across the street is the state garage and the area South is all M-1. The immediate area is all township.

Ms. Truelove stated she did not have any issues with it.

Mr. Thackery stated he would feel better if there was a plan in place.

Mr. Brugger stated that both he and Mayor Bean are on Planning Commission. He stated the owner had mentioned he was doing remodeling on the residences but then also asked to move to M-1. The two northern parcels are fronting US 36.

Mayor Bean added that the owner could not articulate what he wanted to do.

Mr. Paul asked if would have made sense to only zone the three non-residential properties. Mr. Carter stated then it would be non-contiguous. He advised that part of applying for re-zoning is to show a plan for what the landowner is going to do with the property.

Roll call on passage: Ms. Truelove, yes; Mr. Thackery, yes; Mrs. Collier, yes; Mrs. Bean, yes; Ms. Jumper, yes; Mr. Scott, yes; and Mr. Paul, yes.

Ordinance passes 7-0.

Second Reading: None

First Reading:

Resolution 2653-23: A resolution to dedicate the sanitary sewer force main and dual pump lift station only, that was installed by the project developer, Scott Michael, as part of the 1997 construction of the Clearwater Lake subdivision on Old Troy Pike, Urbana Township, Champaign County, Ohio, to the City of Urbana, Ohio. (One reading required)

Mr. Scott moved to put this resolution on the floor for discussion and possible passage. Mr. Thackery seconded.

Mr. Hall stated that this was originally a twenty-year project. There is currently not a lot of developing left to do. Mr. Hall stated it is within an easement for both utilities and the station is in very good working condition. He added that not a lot is going to change except for the assumption of ownership. They will still be paying the 200% sewer rate. Mr. Hall informed Council the survey had just been completed in September.

Mr. Thackery asked what the condition of the station was. Mr. Hall stated it was in good condition.

Mrs. Collier asked if the City makes money from this. Mr. Hall answered yes, that while it was not a big money maker, it was enough to be sustainable.

Mr. Paul asked if the City was already supplying water. Mr. Hall confirmed the City was already supplying water.

Roll call on passage: Mr. Thackery, yes; Mrs. Collier, yes; Mrs. Bean, yes; Ms. Jumper, yes; Mr. Scott, yes; Mr. Paul, yes; and Ms. Truelove, yes.

Resolution passes 7-0.

Resolution 2654-23: A resolution declaring the necessity of improving Miami Street and Bloomfield Avenue in the City of Urbana, County of Champaign, Ohio by constructing or repairing curbs, gutters, driveway approaches and appurtenances thereto on a section of Miami Street between Walnut Street and Edgewood Avenue and on a section of Bloomfield Avenue between North Main Street and the railroad crossing, and declaring an emergency. (One reading required)

Mr. Thackery moved to put this resolution on the floor for discussion and possible passage. Ms. Jumper seconded.

Mr. Bumbalough stated that by now Council should be familiar with resolutions for necessity. This is the third one in recent history for the City, following Scioto Street and Main Street. This skips the area of curb repairs from the Depot project. He hopes the estimate is on the high side, as the previous projects have come in lower. He will release the bid within the next couple of weeks. Mr. Bumbalough informed Council that per statute, this resolution requires a three-quarter majority. The construction would be in either May or June of this year. The second set of plans includes the radius improvement at Edgewood and Miami. He hopes to get better estimates for this project by placing it for bid with the curbs and gutters.

Mr. Scott asked about the estimated costs of the Miami Street and Edgewood Avenue project. Mr. Bumbalough stated the grant from ODOT would offset any costs.

Mr. Paul asked about the \$720,000 figure. Mr. Bumbalough stated it included the piecemeal program of about \$100,000. Mr. Paul then asked about notifications. Mr. Bumbalough stated that back in August during the piecemeal project, the homeowners were notified that this project was coming.

Roll call on passage: Mrs. Collier, yes; Mrs. Bean, yes; Ms. Jumper, yes; Mr. Scott, yes; Mr. Paul, yes; Ms. Truelove, yes; and Mr. Thackery, yes.

Resolution passes 7-0.

Resolution 2575-23: A resolution authorizing the Director of Finance of the City of Urbana to sign the grant agreement (FDID #11011) with the State of Ohio, Department of Commerce Division of State Fire Marshall, for the 2023 MARCS Grant for the Urbana Fire Division. (One reading required)

Mr. Thackery moved to put this resolution on the floor for discussion and possible passage. Mrs. Collier seconded.

No comments/questions from Council

Roll call on passage: Mrs. Bean, yes; Ms. Jumper, yes; Mr. Scott, yes; Mr. Paul, yes; Ms. Truelove, yes; Mr. Thackery, yes; and Mrs. Collier, yes.

Resolution passes 7-0.

Department Liaison Reports:

Mr. Thackery stated he spoke with Mr. Crabill earlier today regarding future projects.

Miscellaneous Business:

Ms. Truelove indicated she was holding out on a project she will eventually try to pursue.

Mrs. Collier stated she received a call on Friday about a manhole cover that would rattle pictures on walls when semis would drive over it. She called Mr. Muirhead at the City garage and it was fixed by Monday. She appreciated their work.

Mrs. Bean appreciated the time and energy all the departments put into the annual 2022 report. She thanked them for all their efforts. She believes it shows how much pride everyone has in the City.

Mr. Paul indicated that in regards to the Ethics filings, if those running for office for this year have already filed a report, they do not need to file another one.

Mr. Crabill indicated the Division of Liquor Control did approve the DORA plan. He stated that it will be rolled out this spring weather permitting. He also added that at the next Council meeting, there should be legislation reactivating the housing council and also potentially legislation to start the TIF for Dugan Place.

Mr. Hall stated the City had the street sweeper out over the past couple of days. Also, the new tanker truck was picked up last Monday and is already in use.

Ms. Boettcher indicated the finance department has finished classroom instructions for the new software. The next couple of weeks will be the internship phase with the plans to go live in late May. Also, the auditors will be in next week.

Mr. Brugger stated he hopes everyone gets a chance to look at the annual summary. There is a lot of information. He also requested a work session for 2/28 to go over infrastructure projects, similar to last year. Mr. Thackery moved to hold a work session on Tuesday, February 28th. Mrs. Collier seconded. Voice vote on holding a work session: all ayes, nays none.

Mayor Bean read a letter from Legacy Place stating they appreciate the acts of service of the fire division. The letter also thanked Councilwoman Jumper for her service as well.

Chief Ortlieb stated the fire division has a certified list with four applicants for two openings. Currently, they are undergoing the background process with interviews scheduled for February 22.

Chief Lingrell stated the police division is currently in its application phase, which ends March 9. UPD has three vacancies needing filled.

Ms. Jumper moved to adjourn. Ms. Truelove seconded. Voice vote on approval: all ayes, nays none. Motion passes 7-0.

ADJOURNED AT 7:20 p.m.

NEXT SCHEDULED MEETING
February 21, 2023 at 6:00 p.m.





Council Clerk



Council President