



**URBANA CITY COUNCIL
REGULAR SESSION MEETING
TUESDAY, APRIL 4, 2023**

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

City Staff attending: Director of Administration Kerry Brugger, Director of Finance Chris Boettcher, Mayor Bill Bean, City Engineer Tyler Bumbalough, 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 March 21, 2023 on the floor for discussion and possible approval. Mrs. Bean seconded.

No comments/questions from Council.

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

Motion passed 7-0

Communications:

1. Oak Dale Cemetery Board Meeting Minutes from January 20, 2023 (See Attached)
2. Safety Committee Minutes from March 16, 2023 (See Attached)
3. Champaign County Farm Bureau – Letter Dated March 8, 2023 (See Attached)
4. Board of Control – Water Rate Increase Letter Dated March, 15, 2023 (See Attached)

Mr. Scott moved to put the communication on the floor for discussion. Ms. Truelove seconded.

Mr. Thackery asked if the Water Rate increase should have been a Board of Control issue. Ms. Boettcher stated it could have been a communication of a Board of Control footnote. She stated it was a communication because that was how it had been done in the past.

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

Administrative Reports – Board of Control:

1. Subject to passage of the ordinance to proceed with the Miami Street Curb and Gutter Improvements, the Board of Control recommends Council authorize the Director of Administration to enter in a contract with SiteWorx Unlimited, LLC in the amount of \$725,203.00. This bid was the lowest and best bid of three bids received (see attached). The engineer's estimate for this project was \$775,583.00. **VOTE 3-0**

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

Mr. Bumbalough stated the City received three bids, with this being the best. SiteWorx has been vetted and the subcontractor is the same one the City saw on the Main Street project. He clarified that this would be contingent upon Ordinance 4589-23 passing later tonight.

Mr. Thackery asked how long the prices remained good. Mr. Bumbalough answered sixty days.

Mr. Paul asked roughly how long of a stretch this project entailed. Mr. Bumbalough stated that it included curbs, gutters, and sidewalks. He added there were more sidewalks because the City introduced the piecemeal project. He estimated the curbs and gutters would be around 8,100 feet.

Mr. Scott stated it was a shame the City couldn't use some of the other bids on individual items.

Mr. Paul asked for a point of order clarifying that the passage was contingent upon passage of Ordinance 4589-23. Mrs. Bean moved to amend her motion to reflect the contingency.

Ms. Truelove asked if there was any resolution with residents concerned with the pricing. Mr. Bumbalough stated he didn't know if he put them at ease, but there have been e-mail exchanges.

Voice vote on approval: five ayes, nays two (Truelove, Jumper).

2. The Board of Control recommends Council authorize the Director of Administration to enter into a five-year service contract with Veolia North America for the clearwell located at the State Route 29 Water Plant. The total cost of the contract is \$50,803.00 and will be paid in annual installments from the Water Fund. The first-year installment of \$14,803.00 is not in the 2023 budget (see attached). **VOTE: 3-0**

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

Ms. Boettcher stated the pictures show the concrete tank, which is original to the build of the water plant in the early to mid-2000s. She stated nothing has been done since then besides power-washing. She has been talking with Veolia, which states power-washing may not be best for the situation. This would be a five-year plan with renovations, inspections, and washing out the interior. Veolia also has other tanks with similar maintenance programs.

Mrs. Collier asked if a photograph showed what the project will look like. Ms. Boettcher stated it should look pretty brand new.

Mr. Thackery stated he liked getting ahead of treatment.

Ms. Truelove asked if this was the only company from which the City took bids. Ms. Boettcher confirmed, saying the City currently has contracts with them for other tanks.

Mr. Paul stated he believed the City had done inspections. Ms. Boettcher confirmed. Mr. Brugger added that the City hadn't been able to do anything inside because of the water in the tank.

Voice vote on approval: all ayes, nays none.

Citizen Comments:

Teresa Combs – She's the owner of Serendipity. She doesn't believe the claims have merit. The current laws already address tripping hazards. She added that snow removal already is the owner's responsibility. This leaves the issue of aesthetics. Business owners try to attract customers with outdoor displays. She wants Urbana to look as nice after hours as during business hours. She stated this was a public solution to a personal problem.

Bob Combs – He stated he is semi-retired so he is at his wife's shop quite a bit. He stated what has happened in Fairborn should be a cautionary tale. Mr. Combs believes it is due to overly-restrictive zoning issues. He stated aesthetic standards have good intentions with unintended consequences and urged the City not to start down this road. The City would also have to be prepared for enforcements. He concluded by stating that picking and choosing violations sets a dangerous precedent.

Kate Johnson – She stated she has moved 22 times in 30 years and chose to settle in Urbana. She was shocked to learn she was responsible for curbs, gutters, and sidewalks and their cost was \$15,000. Thanks to Mr. Scott, she learned the City previously failed to maintain concrete. She doesn't think requiring the homeowners to pay those costs is right or fair. Ms. Johnson asked for postponement due to no local bids. She added it would be no additional cost for ODOT to do the repaving and then do curbs later.

Jay Johnson – He would like council to look at alternative approaches going forward. He claimed other western Ohio cities only assess sidewalks. He also would like the City to look at the income tax currently at 1.4%, when the average is around 2.0%. He concluded by stating this was a state road shared by many but the tab would be picked up by only a few.

Barbara Cooper – She stated the small amount of three feet is very important to shop owners. By making this ordinance retail only, she believes it is targeting any item that could be classified as trip hazard.

Steve Brune – He agreed with the intent on trying to clean up some of the stores. He claimed a few retailers are abusing this. Mr. Brune stated the front of the endowment building is cleaned up today. He stated the problem with City Council making regulations is that they are difficult to enforce. He claimed vehicles parked on grass are not being enforced. He added there was no one to enforce three-hour parking. Mr. Brune stated he lives on Scioto Street and everyone said the same thing about curbs and gutters, but they still had to write the check. He ended by stating this was something that should have been done a long time ago.

ORDINANCES AND RESOLUTIONS

Third Reading:

Ordinance 4589-23: An ordinance determining to proceed with the improvement of 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. (Three readings required)

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

Mr. Bumbalough stated that everyone knew the details of this ordinance. This is the final reading to go forward with the project. He added that the improvements at Edgewood and Miami include a \$41,000 grant to widen the radius.

Mr. Thackery asked what the next time in the future the City would need to look at the project to avoid getting behind. Mr. Bumbalough stated ODOT would come back through for paving in 10-12 years and the City would mark white x's for possible replacements. Mr. Thackery then asked if the City would move deeper into some of the neighborhoods. Mr. Bumbalough stated once the City moved past the state routes (North Main Street), the plan is to go into the collector roads. Mr. Thackery asked if those roads would be more expensive because they were not state routes. Mr. Bumbalough confirmed that paving would have to be paid for by the City.

Mr. Paul stated he has a love/hate relationship with these kinds of projects. While the City needs to complete the projects, he hates the impact it has on citizens. He doesn't foresee it getting cheaper in the future. He added that the City has tried the tax increase three times in the recent past and it took thirty years to get new schools. Citizens do not like increased taxes. He concluded by saying the City doesn't have much of a choice because the infrastructure is so worn out.

Mr. Scott suggested potentially splitting the City into voting precincts so everyone would be prepared for the future. He believed the City could be cleaned up quite a lot over an eight-year period.

Mrs. Collier stated it was unfortunate but part of keeping infrastructure sound. She added that allow an exception for one would require exceptions being allowed for all.

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

Ordinance passes 5-2.

Ordinance 4591-23: An ordinance to add Section 521.13 "Retail Display Prohibited Before or After Business Hours" and to amend Section 521.04 to include retail displays. (Three readings required, public hearing required)

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

Ms. Jumper stated she had talked to retail owners after the last meeting. She stated she believed the ordinance is needed, but potentially with language of what items should be allowed, such as sandwich boards and chairs. She stated that unfortunately it all needed to be addressed as a group. Ms. Jumper stated it was not her intent to target anyone or use her seat for gain and she stands by her position that this legislation is good for the City. She believes it would establish consistency in downtown. She clarified that she did not write the specific language. She stated the law director did, who stated everyone needed to be put in the same group.

Mr. Thackery stated he believed the issued needed to be addressed a different way.

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

Ordinance fails 1-6.

Second Reading: None

First Reading: None

Department Liaison Reports:

Ms. Truelove stated she met with Mr. Feinstein and will have some topics in the near future.

Mrs. Collier stated that Safety Committee will now meet monthly, on the Second Thursday of each month.

Miscellaneous Business:

Mr. Scott stated he saw the advertisement for the house on Market Street. Ms. Boettcher stated it is a county CHIP project.

Mr. Paul readdressed Ordinance 4591-23. He stated he was not opposed to the topic, just that the current proposal was a little too broad. He stated that enforcement always seems to be an issue. Mr. Paul added that Council needs to decide what path to go down, whether just having things on the books or to actually invest in enforcement.

Ms. Truelove expressed in interest in the water rate. She asked Ms. Boettcher if the increase had to be 10%. Ms. Boettcher answered that the figure was based on the difference between revenue and expenses. The City had a \$250,000 deficit. This increase would not boost reserves, only offset the costs.

Mr. Thackery expressed his excitement of Jamon Sellman's building last week. Ms. Collier added that she is excited about ALDI's after seeing its progress.

Mrs. Bean echoed the thoughts on the loft, believing Mr. Sellman has already rented two units.

Mr. Brugger stated the compost facility is open. He added the streets department is canvassing the area for wind damage. Finally, he stated the finance department has been busy as tax season is ending.

Fire Chief Ortlieb stated that the Safety Committee would look at a situation report from a weather event from the past weekend. An Arkansas city was leveled. The Safety Committee is going to examine that incident to be prepared if something similar were to happen in Urbana.

Mr. Bumbalough thanked Council for the passage of the ordinance and the board of control item. He stated it takes a lot of time each year. He added that three bids are out for the crack seal, asphalt, and South High Street. A lot of grant funding is tied up to those projects.

Police Chief Lingrell stated UPD would be involved with a Drug Take Back program at Kroger on April 22. Citizens can drive up and deposit old prescriptions from 9 am to 12 pm. He also stated the Easter egg hunt would take place on April 8 at noon. UPD partners with the UHS DECA program and hides approximately 3,500 eggs.

Mayor Bean stated he also attended the open house for the lofts. He commented the whole discussion seemed to be how well Urbana is doing. He stated downtown looks great and a lot is going on. He stressed the importance in keeping moving and making the infrastructure work for us. He thanked Council, staff, and the citizens for making Urbana one of the greatest communities to live in.

President Hess asked about the house on the corner of High Street and Water Street for the upcoming project as it sits right on the corner. Mr. Bumbalough stated the City does not need to take the house, instead creating a temporary right-of-way around the back of the house.

Ms. Jumper asked about each of the corners where the phone poles were located on High Street. She asked if the curb will bump out. Mr. Bumbalough stated he was unsure of the specific locations but would be happy to look at the plans with her.

Ms. Jumper also added that some things in the City needed help with enforcement, such as parking.

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

ADJOURNED AT 7:06 p.m.

NEXT SCHEDULED MEETING

April 18, 2023 at 6:00 p.m.





Council Clerk



Council President