

**URBANA CITY COUNCIL
REGULAR SESSION MEETING
TUESDAY, DECEMBER 17, 2019**

President Hess called the City of Urbana Regular Session Meeting to order at 6:00 p.m. City staff attending: Director of Administration Kerry Brugger, Director of Finance Chris Boettcher, Director of Law Mark Feinstein, Community Development Director Doug Crabill, and Water Reclamation Supervisor Chad Hall.

PRESIDENT CALLED ROLL: Mr. Fields, absent; Mr. Hoffman, present; Mr. Scott, present; Mr. Thackery, present; Mr. McKee, present; and Mr. Piper, absent.

MINUTES of the Regular Session Meeting Minutes of December 3, 2019 were presented for approval. Mr. Thackery moved for the approval of said minutes and Mr. Paul seconded. Voice vote on approval: all ayes, nays, none.

Motion passed 5-0.

COMMUNICATIONS

1. Board of Zoning Appeals Meeting Minutes of August 12, September 9, October 14, and November 11, 2019.
2. Planning Commission Meeting Minutes of August 26, 2019.
3. Letter from Columbia Gas regarding increase
4. Letter from the Ohio Environment Protection Agency regarding National Pollutant Discharge Elimination System (NPDES) permits or modifications.

Mr. Paul mentioned the City Sidewalk Ordinance and stated that this topic needed to be discussed and mentioned that Council should do so the beginning of next year. President Hess commented that at the next Council Meeting, a committee for the same could be formed.

Mr. Paul moved to put all communications on the floor for discussion and possible passage. Mr. Scott seconded. Voice vote on approval: all ayes; nays, none.

Motion passed 5-0.

ADMINISTRATIVE REPORTS – BOARD OF CONTROL

President Hess asked if there were any questions with regard to the Purchase Orders for the month of November.

Mr. Scott inquired about a boat, engine, propeller, a John Deere Gator, a trailer, etc. coming out of the Capital Improvement Fund. Mr. Brugger stated that the Fire Department was looking to create a Response Trailer that could be pulley by the Utility Truck to respond to incidents that happen in the water, due to the fact the Fire Department does not have any equipment to respond to emergency situations that happen in water.

Mr. Scott also inquired as to Franklin Equipment, LLC in the amount of \$23,855.00 coming out of the Sewer Maintenance Fund. Mr. Hall explained that in January, 2019, Council approved the purchase of the manhole saw but the City could not take delivery of this equipment from Southeaster Equipment. He stated this was basically just a change of vendor.

Mr. Paul asked about EJP West Carrollton, in the amount of \$5,775.00, for a saw, coming out of the Water Fund. He asked Mr. Hall if this was an attachment for the truck. Mr. Hall advised, yes.

President Hess asked about the concrete Tee Pads and what they were for. Ms. Boettcher stated that they were used for the Disc Golf Course.

CITIZEN COMMENTS

Joe Buckwalter – 1109 Riverside Rd. – said that being a property owner in the City, he wanted to discuss some of his concerns. He mentioned that citizens should look back in time to see where Urbana was, is now and where it could go. He stated in the 1970's, there was basically a stick in the ground, which was Cedar Bog. He further explained that it would have been great if SR 68 was available back then, to which he was sure, would have brought a lot of more business to the City. He further stated that we really need to redirect our thoughts to where we are going in the future. He stated that we should talk so much about the negative. Further, he stated that it seemed like Council has a tendency to bring up an idea, and Council will say that it's a good idea but there never seems to be any discussion about it, and where is the money going to be coming from. He stated the idea just gets stamped and then approved. He said that he also sees that Council has made purchases in violation of the City's own ordinances. There never seems to be any discussion on where the money would be coming from for the purchase, but the City will just reappropriate the money, and again, another rubber stamp. He further stated that Council seems to think it's ok to go ahead and make the purchase, but is there anyone accounting for those dollars? He also stated that Council attempted to raise the income tax twice, and he asked how that worked out for Council. He added that allowing discretionary spending can cause a lack of oversight can lead to corruption. Mr. Hoffman asked Mr. Buckwalter if he thought there was some corruption with this Council, and that he took offense to this statement. Mr. Buckwalter stated that he said that it could lead to corruption. He stated that things should be made a little brighter for the upcoming New Year. He said that now since he had said what he

felt the problem is, now we need to work on the fix. He asked if all of the grants were being looked into. He also stated there should be a grant writer position and they should be given an incentive along with a salary. Further, he stated that Walmart has a community involvement project and there were two areas where the City could really use it: Urbana University and the Airport. He added that the Airport is a money source and using government monies could get a new terminal along with a new restaurant.

Dorothy Landis – 221 N. Locust – requested information on the sidewalk projects. She also advised that on October 15, 2019, she sent photos to all of City Council, regarding the sidewalks in the right of way in disrepair. She also has expressed this issue as an immediate urgent matter of public safety.

Ordinances and Resolutions

First Reading.

Ordinance No. 4103-20

An Ordinance amending Administrative Code 149.10 of the Codified Ordinances of the City of Urbana, Repeating Examination.

Mr. Brugger stated that Civil Service exams for police and fire are in low numbers for testing. It is a rule that should you fail the test, you cannot reapply for 6 months. Mr. Brugger mentioned they should be able to reapply, and there shouldn't be any reason they shouldn't, other than a failed background check. He also advised that the effort of trying to get qualified applicants is at a critical point. Mr. Feinstein added that the last time this issue was addressed was in 1984, when Chief Lingrell applied, and he was one of 180 applicants. Mr. McKee asked how often a test was presented and Mr. Brugger advised, whenever there was an opening.

President Hess declared this ordinance to have its first reading.

Ordinance No. 4159-20

An Ordinance amending Chapter 905, of the Codified Ordinances of the City of Urbana, Ohio.

Mr. Scott stated that they were moving forward with addressing some concerns and everything seems to be pretty solid.

Mr. Brugger said the Tree Ordinance was outdated, for the last one passed was in 1992. He further stated that Councilman Scott has agreed to sponsor the new ordinance. Mr. Brugger further stated that 1 item was removed, 905.08, when, and where they would be planted. Also, 905.09 was redundant and was combined with 905.05. Further, 905.01, Definitions, which several new definitions were added. Also, 905.02, establishing a Tree Commission, putting together administrative regulations. Further, 905.03(b) eliminated the allowance for small trees

in the tree line. He added the Tree Commission would work on exceptions. Also, 905.04 involves the current right of way permit. 905.05, Pruning, and now the language is consistent with the nuisance code. 905.06 is amended, 905.07, no change and 905.99, Penalty, now is a minor misdemeanor rather than a misdemeanor of the third degree.

Mr. Thackery stated that this is very important information for the public. He stated that once this ordinance is in place, it must be communicated to the citizens.

Mr. Crabill stated the original ordinance was written in 2002.

President Hess declared this ordinance to have its first reading.

Ordinance No. 4388-20

An Ordinance authorizing the 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 expenses in the Champaign County Municipal Court.

Mr. Feinstein said that if you are indigent and have a charge with a jail able offense, you are allowed public defense. Also, the County Commissioners is the entity that pays for indigent defense and the City pays a very small percentage back to the County. Further he stated that the County is reimbursed from the Ohio Public Defender, but the City does not. He also stated that he would be working on finding to see if the City could be reimbursed.

President Hess declared this ordinance to have its first reading.

Ordinance No. 4437-19

An Ordinance to amend Resolution 2433-18 to modify or increase appropriations within various funds of the City of Urbana, Ohio for current expenses during the fiscal year ending December 31, 2019.

Ms. Boettcher stated that this was the annual cleanup of the books. There would be an increase of the General Fund in the amount of \$143,575, to make everything balance out.

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

President Hess called for a roll call to suspend the three reading rule: Mr. Hoffman, yes; Mr. Paul, yes; Mr. Scott, yes; Mr. Thackery, yes; and Mr. McKee, yes.

Suspension of the rules passed 5-0.

Mr. Thackery moved to pass this ordinance. Mr. Paul seconded.

President Hess called for a roll call for passage: Mr. Paul, yes; Mr. Scott, yes; Mr. Thackery, yes; Mr. McKee, yes; and Mr. Hoffman.

Ordinance passed 5-0.

Ordinance No. 4517-20

An Ordinance to amend the City of Urbana's Official Zoning Map by rezoning 121 Elbert St. (Parcel IDs: #K48-25-00-04-02-091-00 & K48-25-00-04-02-092-00) which is currently zoned R-2 Medium Density Residential District to M-1 Manufacturing District.

Mr. Crabill said that Mr. Packer, of the Carriage House, owns the adjacent parcel and that both parcels are zoned R-2 and used as light manufacturing. He further stated that the Planning Commission reviewed and approved the rezoning and that there would be an upcoming public hearing.

President Hess declared this Ordinance to have its first reading.

Second Reading –

Ordinance No. 4516-19

An Ordinance repealing and replacing Chapter 935 of the City of Urbana Codified Ordinances, Industrial Pretreatment, to comply with the requirements of the Ohio EPA, and declaring an emergency.

Mr. Hall stated that this was basically just housekeeping.

President Hess declared this ordinance to have its second reading.

Third Reading –

Ordinance No. 4515-19

An Ordinance repealing Section 549.01 and Chapter 761 of the City of Urbana Codified Ordinances, and amending Chapter 301, 375, and 505 and in particular Section 301.12, 375.03(a) and 505.11, of the City of Urbana Codified Ordinances, relating to the ownership, possession, purchase, other acquisition, transport, storage, carrying, sale, other transfer, manufacture, taxation, keeping, and reporting of loss or theft of firearms, their components, and their ammunition, and declaring an emergency.

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

President Hess called for a roll call for passage: Mr. Scott, yes; Mr. Thackery, yes; Mr. McKee, yes; Mr. Hoffman, yes; and Mr. Paul, yes.

Ordinance passes 5-0.

MISCELLANEOUS BUSINESS/WORK SESSION

Mr. Brugger gave an update on recycling and Mr. Crabill stated the upcoming holiday schedule and also stated that the schedule will be on the City's website as well. Mr. Brugger thanked everyone for an extraordinary year. He further stated that a lot of things have happened this year and that he appreciated Council's understanding.

Mr. Hoffman said that the Administration has done a fantastic job. He also asked Mr. Feinstein what the actual time limit was for a citizen to comment and Mr. Feinstein responded 3-5 minutes.

Mr. Paul moved to excuse absent Council Members Gene Fields and Ray Piper. Mr. McKee seconded. Voice vote on approval: 4 ayes, 1 nay, from Mr. Scott.

Motion passed 4-1.

Mr. Paul continued by thanking Ray Piper and Jacob McKee for their service. He continued by stating that he took part in Wreaths across America, and stated this was a really nice event and they put out 540 wreaths on grave sites, but there were approximately 1500 grave sites eligible.

Mr. Scott wished everyone a Merry Christmas.

Mr. Thackery said that Coffee with Council is still going well and that they were still meeting the 2nd Saturday of every month at 9:00 a.m. at the Firehouse. He also gave his thanks to Mary Collier for attending the last session, and was excited that she was already getting involved.

Mr. McKee stated that this was his last Council Meeting and he thanked the Council Members for appointing him and having confidence in him. He also stated that if anyone needs his help for anything, he would be more than willing to help.

President Hess advised that the first meeting in January would be the business meeting for Council. He added that the Charter Committee has been looking into rules for Council. He also added that he is in hope that the City will get the Home Rule started in the beginning of the New Year.

Mr. Thackery moved to adjourn and Mr. Paul seconded. Voice vote on approval: all ayes, nays none.

Motion passes 5-0.

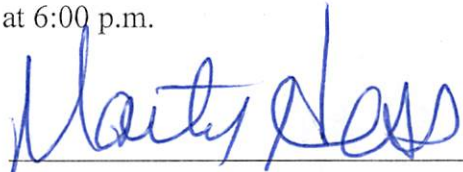
ADJOURN AT 7:32 p.m.

NEXT SCHEDULED MEETING

January 21, 2020, at 6:00 p.m.



Council Clerk



Council President