

**URBANA CITY COUNCIL
REGULAR SESSION MEETING
JANUARY 5, 2021, AT 6:00 P.M.**

(The UCC Regular Session Meeting will be held in Training Room in the Municipal Building)

Please join my meeting from your computer, tablet or smartphone.

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United States: +1 (224) 501-3412

Access Code: 663-886-693

Call to Order

Roll Call

Pledge of Allegiance

Annual Organizational Items

1. Council President Pro Tem Appointment
2. Council Clerk Appointment
3. Committees

Approval of Minutes

Urbana City Council Regular Session Meeting Minutes of December 15, 2020.

Communications

Board of Control

Citizen Comments

Ordinances and Resolutions

First Reading

Resolution No. 2595-21

A Resolution to approve a water tap-in for Frank S. Kendrick aka Franklin S. Kendrick at 250 Dellinger Road (Parcel #I30-09-12-19-00-005-00) as an Extra Territorial Customer, and declaring an emergency. (Suspension of rules requested by utility services applicant)

Resolution No. 2596-21

A Resolution to approve a sanitary sewer tap-in for Frank S. Kendrick aka Franklin S. Kendrick at 250 Dellinger Road (Parcel #I30-09-12-19-00-005-00) as an Extra Territorial Customer, and declaring an emergency. (Suspension of rules requested by utility services applicant)

Resolution No. 2597-21

A Resolution enacted by the City of Urbana, Champaign County, Ohio, to authorize the Director of Administration to make application to the Ohio Department of Transportation under the Ohio Bridge Partnership Program and/or the Ohio Municipal Bridge Program for the replacement of the West Court Street Bride, and declaring an emergency. (May be passed on first reading)

Second Reading

Ordinance No. 4533-20

An Ordinance to vacate all of Beech Street adjoining the south lines of Lots 18, 19, 20, 21, 22, & 23 of Mosgrove, Wiley, Winslow, & Young Addition as recorded in Plat Slide 92, Cabinet 1, of the Champaign County Plat Records; and to vacate all of that part of Beech Street adjoining the south line of Lots 6, 7, & 8 of William Wiley's Addition as recorded in Plat Slide 60, Cabinet 1, of the Champaign County Plat Records; and to vacate the 12' wide alley between Lots 21 and 22 of Mosgrove, Wiley, Winslow & Young Addition as recorded in Plat Slide 92, Cabinet 1, of the Champaign County Plat Records.

Third Reading

Ordinance No. 4532-20

An Ordinance to amend Sections 121.01, 111.03, and 111.04 of the Codified Ordinances as required by the City of Urbana Charter, §4.06(k) (THE NEW SALARY COMMISSION). (Requires three reading)

Miscellaneous Business

Adjourn

**URBANA CITY COUNCIL
REGULAR SESSION MEETING
TUESDAY, DECEMBER 15, 2020**

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

PRESIDENT CALLED ROLL: Mr. Fields, present; Mr. Hoffman, present; Mr. Paul, absent; Mr. Scott, present; Mr. Thackery, absent; Mrs. Collier, present; and Mr. Ebert, present.

MINUTES

Mr. Thackery moved to put the minutes of December 1, 2020, on the floor for discussion and possible passage. Mr. Fields seconded. Voice vote on approval: all ayes; nays, none.

Motion passed 6-0.

COMMUNICATIONS

1. Ultra-Met CRA Application Information
2. Letter from Finance Director regarding proposed Meeting Schedule for 2021.

Mr. Thackery moved to put the 2021 Meeting Scheduled on the floor for discussion and possible passage, as well as adding a Work Session to every 4th Monday of the Month. Mrs. Collier seconded. Voice vote on approval: all ayes, nays, none.

Mr. Thackery moved to put the remaining communication on the floor for further discussion and possible passage. Mrs. Collier seconded. Voice vote on approval: all ayes; nays, none.

Motion passed 6-0.

ADMINISTRATIVE REPORTS - BOARD OF CONTROL

None

CITIZEN COMMENTS

None

Ordinances and Resolutions

Third Reading –

Resolution No. 2433-20

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, 2021.

Mr. Thackery moved to put this Resolution on the floor for discussion. Mr. Ebert seconded.

President Hess called for a roll call for passage: Mr. Hoffman, yes; Mr. Scott, yes; Mr. Thackery, yes; Mr. Ebert, yes; and Mrs. Collier, yes.

Resolution passes 6-0.

Ordinance No. 4388-21

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. Fields moved to put this Ordinance on the floor for discussion and possible passage. Mr. Ebert seconded.

President Hess called for a roll call for passage: Mr. Scott, yes; Mr. Thackery, yes; Mr. Ebert, yes; Mrs. Collier, yes; Mr. Fields, yes; and Mr. Hoffman, yes.

Ordinance passes 6-0.

Ordinance No. 4528-20

An Ordinance to approve and adopt the Urbana South Main Street Corridor Plan as an official planning guide of the City of Urbana, Ohio.

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

President Hess called for a roll call for passage: Mr. Scott, yes; Mr. Thackery, yes; Mr. Ebert, yes; Mrs. Collier, yes; Mr. Fields, yes; and Mr. Hoffman, yes.

Ordinance passes 6-0.

Second Reading –

Ordinance No. 4532-20

An Ordinance to amend Sections 121.01, 111.03, and 111.04 of the Codified Ordinances as required by the City of Urbana Charter, §4.06(k) (THE NEW SALARY COMMISSION)

Mr. Feinstein stated that the commission would be a panel of 5 residents of the community that are recommended by the Mayor and appointed by Council. Mayor Bean asked Council if they could recommend residents for each ward and one at-large for him to consider. Mr. Feinstein also stated that no City employees or family, etc. are allowed to sit on the commission.

President Hess declared this Ordinance to have its second reading.

First Reading –

Ordinance No. 4533-20

An Ordinance to vacate all of Beech Street Adjoining the south lines of Lots 18, 19, 20, 21, 22, & 23 of Mosgrove, Wiley, Winslow & Young addition as recorded in Plat Slide 92, Cabinet 1, of the Champaign County Plat Records; and to vacate all of the part of Beech Street adjoining the south line of Lots 6, 7 & 8, of William Wiley’s Addition as recorded in Plat Slide 60, Cabinet 1, of the Champaign County Plat Records; and to vacate the 12’ wide alley between Lots 21 and 22 of Mosgrove, Wiley, Winslow & Young Addition as recorded in Plat Slide 92, Cabinet 1, of the Champaign County Plat Records. (Requires three readings and Public Hearing)

Mr. Crabill spoke of vacating all of Beech St, the 12 ft. alley, etc. He advised that the Public Hearing would be scheduled on the third reading of this Ordinance, (meeting of January 19, 2021) and that he doesn’t feel that this vacation would be controversial.

President Hess declared this Ordinance to have its first reading.

Ordinance No. 4437-20

An Ordinance to amend Resolution 2433-19 to modify or increase appropriations within various funds of the City of Urbana, Ohio for the current expenses during the fiscal year ending December 31, 2020. (Supplemental Appropriations) (Suspension of the Rules Requested)

Mr. Thackery moved to suspend the three-reading rule. Mr. Fields seconded.

President Hess called for a roll call for the suspension of the three-reading rule: Mr. Thackery, yes; Mr. Eber, yes; Mrs. Collier, yes; Mr. Fields, yes; Mr. Hoffman, yes; and Mr. Scott, yes.

Motion to suspend the three-reading rule passes 6-0.

Mr. Thackery moved to put this Ordinance on the floor for further discussion and possible passage. Mr. Fields seconded.

President Hess call for a roll call for passage: Mr. Ebert, yes; Mrs. Collier, yes; Mr. Fields, yes; Mr. Hoffman, yes; Mr. Scott, yes; and Mr. Thackery, yes.

Ordinance passes 6-0.

Resolution No. 2594-20

Resolution of the City of Urbana Council adopting the Community Reinvestment Area Agreement by and between the City of Urbana as the Municipal Corporation, the Ultra-met Company as the Enterprise. (Suspension of the Rules Requested)

Marcia Bailey of CEP stated that the Urbana City School board passed the agreement. She also advised that she was told that Ohio High Point would be following the Urbana City School Board's decision. This would be the 2nd phase of the project and that the Department of Defense was there to answer any questions should Council have any. She also stated that three additional buildings were purchased by Ultra-met and that this would be a six-year project.

Mr. Thackery moved to suspend the three-reading rule. Mr. Fields seconded.

President Hess called for a roll call for the suspension of the three-reading rule: Mrs. Collier, yes; Mr. Fields, yes; Mr. Hoffman, yes; Mr. Scott, yes; Mr. Thackery, yes; and Mr. Ebert, yes.

Motion to suspend the three-reading rule passes 6-0.

Mr. Thackery moved to put this Ordinance on the floor for further discussion and possible passage. Mr. Fields seconded.

President Hess call for a roll call for passage: Mr. Fields, yes; Mr. Hoffman, yes; Mr. Scott, yes; Mr. Thackery, yes; Mr. Ebert, yes; and Mrs. Collier, yes.

Resolution passes 6-0.

MISCELLANEOUS BUSINESS/WORK SESSION

Mr. Scott asked the status of SR 54. Mr. Brugger advised that it was open since last Thursday and that the project was still on track and would keep moving forward, weather permitting.

Mr. Thackery advised that they were still working on the Solid Waste issue, but hope to have something before Council in the beginning of the new year.

Mr. Brugger stated that this was the last meeting of the year and thanked everyone for their cooperation this past year. He also mentioned that Adam Moore, the City's Zoning Officer, resigned and there was an ad in the paper and on the City's website for the open position. He also stated that the Phase 2 Water Project is still going as well as the Sanitary Sewer Project.

Mayor Bean said that he was still looking for suggestions from Council on citizens to appoint for the Salary Commission. He also advised that on December 19, 2020, Wreaths Across America would be meeting at noon at the Cemetery to place the wreaths on the graves, if anyone was interested in attending. He also stated that the big holiday season is upon us and advised everyone to social distance, be careful, wear a mask to try to save a life.

Mrs. Bailey handed out the newest CEP newsletter. She also said that she got to take a tour of the school building that were being remolded for Senior Citizen housing. She stated that this was just phenomenal seeing this happen. She also stated that the schools are on track and that some of these apartments were very large, approximately 800 – 1,000 sq. ft. Mrs. Collier asked if they were going to get rid of the trailer down at South. Mrs. Bailey affirmed they were and that some of the playground equipment will remain.

President Hess stated this was the last City Council meeting of the year and wished everyone a Merry Christmas and Happy New Year.

Mr. Fields moved to excuse Mr. Paul. Mr. Thackery seconded. Voice vote on approval: all ayes; nays, none.

Motion passed 6-0.

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

Motion passes 6-0.

ADJOURN AT 6:50 p.m.

NEXT SCHEDULED MEETING

January 5, at 6:00 p.m.

Council Clerk

Council President

Resolution No. 2595-21

A RESOLUTION TO APPROVE A WATER TAP-IN FOR FRANK S. KENDRICK AKA FRANKLIN S. KENDRICK AT 250 DELLINGER ROAD (PARCEL #130-09-12-19-00-005-00) AS AN EXTRATERRITORIAL CUSTOMER, AND DECLARING AN EMERGENCY (Suspension of rules requested by utility services applicant).

WHEREAS, the City of Urbana has received an application from Frank S. Kendrick AKA Franklin S. Kendrick to tap-in to City water service to an unincorporated parcel (130-09-12-19-00-005-00) located at 250 Dellinger Road, which is located outside and directly adjacent to the city limits; and

WHEREAS, pursuant to Urbana Codified Ordinance 939.06, no new water main taps shall be permitted beyond City limits nor existing water main taps enlarged without the approval of City Council; and

WHEREAS, pursuant to Urbana Codified Ordinance 927.03, no extension of water shall be made unless a sanitary sewer is extended at the same time nor shall a sanitary sewer be extended without a similar extension of water; and

WHEREAS, pursuant to Urbana Codified Ordinance 931.15(e), all utility users outside the City limits shall pay two hundred percent (200%) of the total service fees for operation, maintenance, and replacement; and

WHEREAS, pursuant to Urbana Codified Ordinance 939.07, upon issuance of a new water connection permit for a property located outside of the City limits, the owner of the property shall file an annexation petition within sixty (60) days of the time that property becomes contiguous to the City of Urbana, and "the failure of any such non-resident water customer to comply with this condition shall be grounds for immediate termination of water service to the property" but this provision may be waived by the Director of Administration only with the concurrence of City Council, upon a finding of the existence of a specific necessity,

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Urbana, Ohio:

Section 1: That Council approves the requested tap-in to City water service as requested by Frank S. Kendrick to the property described as Permanent Parcel No. 130-09-12-19-00-005-00 and located at 250 Dellinger Road.

Section 2: That Council hereby requires a sewer tap-in for this property to occur at the same time that water service is extended to said property since existing sewer mains are currently located within relative proximity to this property.

Section 3: That Council authorizes such extension and tap-in with the understanding that all construction costs related to said water extension and tap-in shall be borne entirely by the applicant.

Section 4: That Council authorizes such extension and tap-in with the applicant being required to pay all applicable fees, including any required water tap-in (connection) fees, water capacity fees, water meter fees, and water tapping fees.

Section 5: That Council authorizes the Director of Administration to issue a termination order for water service upon failure of the property owner to initiate annexation within 60 days of the water tap-in permit being issued.

Section 6: That this resolution shall take effect immediately upon passage in order to promote public health and welfare as this water extension and tap-in will provide improved water service for the applicant at the subject property.

Marty Hess, Council President


Passed: _____

Attest: _____

Amy Deere, Council Clerk

This Resolution approved by me this ____ day of _____, 2021.

Bill Bean, Mayor

Department requesting: Community Development		Personnel: D. Crabill	Director of Law review 
Expenditure? Y (N)	Emergency? (Y) N	Public Hearing? Y (N)	
Readings required: (1) 2 3		If yes, dates advertised:	
First reading date: 1/5/21	Second reading date:	Third/Final reading date:	

Anticipated effective date if approved: 1/5/2021

Resolution No. 2596-21

A RESOLUTION TO APPROVE A SANITARY SEWER TAP-IN FOR FRANK S. KENDRICK AKA FRANKLIN S. KENDRICK AT 250 DELLINGER ROAD (PARCEL #130-09-12-19-00-005-00) AS AN EXTRATERRITORIAL CUSTOMER, AND DECLARING AN EMERGENCY (Suspension of rules requested by utility services applicant).

WHEREAS, the City of Urbana has received an application from Frank S. Kendrick AKA Franklin S. Kendrick to tap-in to City sanitary sewer service to an unincorporated parcel (130-09-12-19-00-005-00) located at 250 Dellinger Road, which is located outside and directly adjacent to the city limits; and

WHEREAS, pursuant to Urbana Codified Ordinance 939.06, no new water main taps shall be permitted beyond City limits nor existing water main taps enlarged without the approval of City Council; and

WHEREAS, pursuant to Urbana Codified Ordinance 927.03, no extension of water shall be made unless a sanitary sewer is extended at the same time nor shall a sanitary sewer be extended without a similar extension of water; and

WHEREAS, pursuant to Urbana Codified Ordinance 931.15(e), all utility users outside the City limits shall pay two hundred percent (200%) of the total service fees for operation, maintenance, and replacement; and

WHEREAS, pursuant to Urbana Codified Ordinance 931.24, upon issuance of a new sewer connection permit for a property located outside of the City limits, the owner of the property shall file an annexation petition within sixty (60) days of the time that property becomes contiguous to the City of Urbana, and "the failure of any such non-resident sanitary sewer customer to comply with this condition shall be grounds for immediate termination of sanitary sewer service to the property" but this provision may be waived by the Director of Administration only with the concurrence of City Council, upon a finding of the existence of a specific necessity,

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Urbana, Ohio:

Section 1: That Council approves the requested tap-in to City sanitary sewer service as requested by Frank S. Kendrick to the property described as Permanent Parcel No. I30-09-12-19-00-005-00 and located at 250 Dellinger Road.

Section 2: That Council hereby requires a water tap-in to occur at the same time that sanitary sewer is extended to said property since existing water mains are currently located within relative proximity to this property.

Section 3: That Council authorizes such extension and tap-in with the understanding that all construction costs related to said sanitary sewer extension and tap-in shall be borne entirely by the applicant.

Section 4: That Council authorizes such extension and tap-in with the applicant being required to pay all applicable fees, including any required sanitary sewer tap-in (connection) fees and sanitary sewer capacity fees.

Section 5: That Council authorizes the Director of Administration to issue a termination order for sanitary sewer service upon failure of the property owner to initiate annexation within 60 days of the sanitary sewer tap-in permit being issued.

Section 6: That this resolution shall take effect immediately upon passage in order to promote public health and welfare as this sanitary sewer extension and tap-in will provide improved sanitary sewer service for the applicant at the subject property.

Marty Hess, Council President


Passed: _____

Attest: _____

Amy Deere, Council Clerk

This Resolution approved by me this ____ day of _____, 2021.

Bill Bean, Mayor

Department requesting: Community Development		Personnel: D. Crabill	Director of Law review 
Expenditure? Y (N)	Emergency? (Y) N	Public Hearing? Y (N)	
Readings required: (1) 2 3		If yes, dates advertised:	
First reading date: 1/5/21	Second reading date:	Third/Final reading date:	

Anticipated effective date if approved: 1/5/2021

Resolution No. 2597-21

A RESOLUTION ENACTED BY THE CITY OF URBANA, CHAMPAIGN COUNTY, OHIO, TO AUTHORIZE THE DIRECTOR OF ADMINISTRATION TO MAKE APPLICATION TO THE OHIO DEPARTMENT OF TRANSPORTATION UNDER THE OHIO BRIDGE PARTNERSHIP PROGRAM AND/OR THE OHIO MUNICIPAL BRIDGE PROGRAM FOR THE REPLACEMENT OF THE WEST COURT STREET BRIDGE, AND DECLARING AN EMERGENCY.

WHEREAS, the City Engineer previously determined that a bridge exists on West Court Street over the Town Branch between North High Street and North Russell Street; and

WHEREAS, historically, this bridge had not been listed on the city's inventory of bridges; and

WHEREAS, at the request of the City Engineer, the Ohio Department of Transportation previously had a third party bridge engineering consultant inspect and load rate this bridge; and

WHEREAS, based on recent inspections and a recent load rating of the bridge, this bridge is in need of replacement and is now posted for 45% of legal load; and

WHEREAS, the City of Urbana desires to replace the West Court Street Bridge as soon as funding is secured; and

WHEREAS, the City of Urbana is an eligible Local Public Agency (LPA) who can apply for federal project funding through the Ohio Department of Transportation's Bridge Partnership Program and Municipal Bridge Program; and

WHEREAS, the West Court Street Bridge meets the criteria to be eligible for funding through the Ohio Department of Transportation's Bridge Partnership Program and the Ohio Department of Transportation's Municipal Bridge Program; and

WHEREAS, the Ohio Department of Transportation's calendar year 2021 application cycle for the Ohio Bridge Partnership Program for projects scheduled to begin in State Fiscal Year 2025 or after can provide up to 100% of eligible construction costs; and

WHEREAS, the Ohio Department of Transportation's calendar year 2021 application cycle for the Municipal Bridge Program for projects scheduled to begin in State Fiscal Year 2024 or State Fiscal Year 2025 can provide up to 95% of eligible construction costs with the remaining 5% being borne by the LPA (subject to 15% Toll Revenue Credit being available); and

WHEREAS, the Ohio Department of Transportation's Municipal Bridge Program can provide grant funding for this project which is estimated to have a construction cost of between \$350,000 and \$400,000.

NOW, THEREFORE, BE IT RESOLVED BY THE URBANA CITY COUNCIL:

SECTION ONE: The Director of Administration is hereby empowered on behalf of the City of Urbana to prepare and execute an application for funding through the Ohio Bridge Partnership Program and/or the Ohio Municipal Bridge Program for the stated project and to submit same to the State of Ohio, Department of Transportation.

SECTION TWO: If the City of Urbana is awarded funds from the Ohio Bridge Partnership Program for this project, the LPA agrees to pay One Hundred Percent (100%) of the construction cost over and above the maximum amount provided by the State of Ohio, Department of Transportation and for all costs associated with engineering and design, environmental studies and documentation, right-of-way

plans, and right-of-way acquisition, and environmental remediation, if necessary. This local portion shall be funded using Permissive Tax Funds or Capital Improvement Funds.

SECTION THREE: If the City of Urbana is awarded funds from the Municipal Bridge Program for this project, the LPA shall commit to pay up to 5% of the estimated construction costs and construction engineering costs. This local portion shall be funded using Permissive Tax Funds or Capital Improvement Funds. The LPA further agrees to pay One Hundred Percent (100%) of the construction cost over and above the maximum amount provided by the State of Ohio, Department of Transportation and for all costs associated with engineering and design, environmental studies and documentation, right-of-way plans, and right-of-way acquisition, and environmental remediation, if necessary and regardless of funding source.

SECTION FOUR: The City of Urbana further commits to budgeting for and appropriating the required local match dollars required for the project.

SECTION FIVE: Upon completion of the described Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal laws, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the described Project; (3) if necessary, maintain the right-of-way, keeping it free of obstructions; and (4) if necessary, hold said right-of-way inviolate for public highway purposes.

SECTION SIX: If the application is approved for funding through either the Ohio Bridge Partnership Program or the Ohio Municipal Bridge Program, the Director of Administration of said LPA is hereby empowered on behalf of the LPA to enter into an agreement with the Director of the Ohio Department of Transportation that is necessary to complete the above described project.


SECTION SEVEN: This resolution is hereby declared to be an emergency measure to take effect and be in force immediately upon passage to protect and promote public safety by promoting the timely submission of an application for the Ohio Bridge Partnership Program by the April 15, 2021 deadline.

Passed: _____ Council President

Attest: _____
Council Clerk

This Resolution approved by me this ____ day of _____, 2021.

Mayor

Department requesting: Community Development		Personnel: D. Crabill	Director of Law review 
Expenditure? Y (N)	Emergency? (Y) N	Public Hearing? Y (N)	
Readings required: (1) 2 3		If yes, dates advertised:	
First reading date: January 5, 2021	Second reading date:	Third/Final reading date:	

Anticipated effective date if approved: January 5, 2021