

CITY COUNCIL MINUTES

MARCH 27, 2014

The meeting was called to order by President Taylor at 7:00 p.m.

MEMBERS PRESENT: Mrs. Richardson, Mr. Taylor, Mrs. Groat, Mr. Berbee

EXCUSED: Mr. Rausch, Mr. Fogt, Mr. Reams

OTHERS PRESENT: Mayor John Gore, Director of Administration Terry Emery, Finance Director Jenny Chavarria, Deputy Chief Bo Spain, Battalion Chief Mark Ropp, Public Service Director Mike Andrako, City Engineer Jeremy Hoyt, Clerk Connie Patterson

REPORTERS PRESENT: Ryan Horns-Journal Tribune, Amy Rogan-ThisWeek

CITIZENS PRESENT: Martin Pratt, Judy Ormeroid, Ben Vollrath, Scott Zwiezinski, Kirk Decker, Donald Boerger

APPROVAL OF MINUTES: There being no additions or corrections, the minutes for the meeting on March 13, 2014 were approved as written.

ADMINISTRATIVE REPORT: Mayor Gore reported the following:

Income Tax Assistance

Finance Department staff is available Monday- Friday, 8 am to 5:00 pm to provide City Income Tax assistance. Special after-hours, dates and times will be provided on

- Saturday, April 12, 2014 (9am-12pm)
- Monday, April 14, 2014 (5pm-7pm)
- Tuesday, April 15, 2014 (5pm-7pm)

Assistance will be offered at the Customer Service Counter located in City Hall.

Division of Police

The security checkpoint at our Police & Municipal Court facility will expand to an all day operation beginning Tuesday, April 1st. The security checkpoint will operate from 7:30 am to 4:00 pm Monday-Friday and will be provided by the same security firm that we currently use.

Public Service Department

The play structure at American Legion Park is being replaced due to age. The City has removed the old structure and is currently working to prepare the site for the installation of the new structure. It is scheduled to be erected on April 14th, weather permitting.

The City has been focusing efforts on patching potholes that have developed after the season's snow and ice clearing efforts. Please call the City Service Dept. 645-7350, option #4 to report potholes that are in need of repair.

Now that Spring is upon us, we want to remind citizens to be mindful of bicycles and pedestrians while driving. State law requires vehicles to yield to pedestrians at crosswalks and share the road with bicycles. Please help us keep our city's streets safe for everyone.

Events & Recreation

Green & Clean Week will be held April 20th-27th. The week includes tree planting, an opportunity to Adopt-a-Park, volunteer litter collection efforts and a stream cleanup along Mill Creek (near Swartzkopf Park). Those interested in participating in the stream cleanup efforts can contact City Engineer Jeremy Hoyt at 645-7358 or email, jhoyt@marysvilleohio.org by April 17th. Additional details regarding Green & Clean Week activities can be found on our city website, or by contacting Amanda Morris at 645-7363 or email amorris@marysvilleohio.org.

Basketball and Volleyball league applications are available on the City's website. Registration deadline is Friday, April 25th.

2014 League nights are:

- Tuesday: 3 on 3 Basketball and Water Volleyball
- Wednesday and Thursday: Sand Volleyball

Pool passes are now available for purchase at City Hall. Online purchases are expected to be available on our website beginning April 14th.

Mayor Gore noted that NBC4 had a spot on the news naming Memorial Hospital of Union County one of the safest hospitals in Ohio.

Mr. Aslaner requested an Executive Session to discuss Imminent Litigation. No action will be taken.

REPORT OF CLERK OF COUNCIL: No report.

REPORT OF PLANNING COMMISSION: Planning Commission Chairman Martin Pratt said most of the discussion at the last Planning Commission meeting involves legislation on tonight's agenda.

Every month Design Review Board is getting more and more businesses coming in for the uptown.

April will be a busy month for Planning Commission. They will be working on multiple code changes regarding applications.

Mr. Pratt asked Council to consider additional compensation for the Planning Commission Chairman. Currently the Chairman receives \$50 per Planning Commission meeting. The Chairman is also required to attend the second Council meeting of the month to give a report, and he would like to see the Chairman compensated for that meeting. Mr. Pratt's year of serving as Chairman is up at the end of the month and he will not be seeking reelection. He thanked Staff and Council for making the last three years pleasant for him and relatively easy.

HEARING OF CITIZENS: Mr. Donald Boerger addressed Council about an uptown parking plan. Below are his comments in their entirety.

“Good evening council and administration,

I come in front of you all today to make suggestions' to the city leadership regarding a parking plan. A parking plan will preserve our historical structures and at the same time promote better access to our businesses. I want to give our historic structures a voice. I respect what the city is going to do to the 222 S. Main street property. I understand we all are here to better our great city and we all want our uptown to succeed. The city has done a great job to invest in our district. As some of you know, I have been a supporter of all the new infrastructure we have accomplished so far. I also understand what the city does will never please everyone.

I am not questioning this parking lot, but I am questioning what's our plan is for the future? Can any community risk its historic integrity and jeopardize the very reason that people visit downtown neighborhoods? We will destroy the fabric of our Uptown by creating dead zones with large surface parking lots.. People come to historic neighborhoods because of their charm and walk ability. Marysville's forefathers have built beautiful structures and we must protect them. As we move forward, I hope the city would consider implementing a parking plan, to consider all possible options to address the parking issues we currently face. For example, some communities have constructed parking structures..Everything should be on the table.

(in the mean time)

I would suggest some improvements as we continue.

- Install parking meters
- Enforce existing 2-hr limits
- Institute Permit Parking for Uptown residents
- Set parking limits in the existing lots (now they're 24-hr)
- Make sure existing lots are well-lit, safe, and pleasing
- Install plenty of wayfinding signage
- Construct pedestrian-friendly connections (parking lots to streets to alleys)

- Slow traffic in the downtown and lengthen crosswalk timing; install crosswalk signage
- Parking education for residents AND businesses
- Create One Way traffic on certain streets to allow parallel parking

How could we cover the cost of these projects?

1. Ticket those who are parking in spots longer than 2hrs.
2. “Implement a Special Improvement District” and put money aside each year to help finance these projects.
3. We could also raise the hotel tax

In the mean time how do we show our residents where to park in our Uptown?

1. We could have a “parking section” on our city website telling residents where to park. I believe most people are visual learners so a map could be great. We also could link a YouTube video explaining the different parking lots the uptown has to offer. I also know the city has been looking into informational signs for the Uptown.
2. We could also ask restaurants to have valet parking

I want to give you a fun fact:

Fun Fact

This Rough estimate is for the entire Uptown (fourth to Seventh; Oak to Court) is 2,033,521SF. For comparison Wal-mart footprint (land, pavement and building) is 1,067,220 SF. Just the 4 block area (Fifth Street from Plum to Court Street; and Main Street from Fourth to Sixth Street is around 556,804 SF. (people will walk around Wal-mart but not around the block) because it’s a destination

I say this because.. in a urban mix use area you need 3 parking spaces per 1000 feet.. In saying this statement the core of our Uptown is 556,804 so you divide that number by 1,000 then multiply by 3.. We need 1,670 spaces.. we currently have 1,200 spaces.

As I close my statement,

I realize mathematically parking is an issue but this is why parking plan is crucial because as Marysville continues to grow, there will be a fine line between rapid growth and mass-chaos, or neighborhood decline due to parking issues. That is why a planning effort should be implemented – study as much about the situation as much as we can, pinpoint exactly what should be done (and where), and officially adopt it so it becomes law.

Mayor Gore said he and Mr. Boerger had a conversation about this last week and the Mayor contacted the Historical Society about the property on 222 S. Main Street to see

if there is any historical designation or anything on this property, and there is not, but it is pretty old. It's been around for a long time and you know we acknowledged that, but it's not always going to be a parking lot. His vision as our community grows is it will be a parking lot today, and sometime in the future you all will probably and hopefully have the need to expand our park and that will be property there you can expand. The proposed 42 parking spaces are important to the uptown for the future of the uptown improvements.

RESOLUTIONS

“RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION ON BEHALF OF THE CITY OF MARYSVILLE TO THE STATE OF OHIO DEPARTMENT OF NATURAL RESOURCES WATERWAYS SAFETY FUND” was presented for second reading, public hearing.

Ms. Judy Ormeroid addressed Council. She feels this is a terrific opportunity for the city and is whole-heartedly in favor of 10 HP or less gas-powered boats being able to be used on the reservoir. “Maybe we can generate another group of people with kids and older people that will enjoy fishing and slow boating.” As far as the issue with drinking water, the water is treated anyway. There is ground runoff no matter where you go. It's not an issue.

Mr. Kirk Decker addressed Council. He is opposed to allowing gas-powered boats on the reservoir. “This is our drinking water; this is not something that, okay a little bit of oil or gas is okay. We treat it yes; however, do we have to treat it more? What's the best level? Has the EPA weighed in? As a resident, if I asked you how much oil and gas is okay for me to dump down the sewer, what would you tell me? I would imagine you would say none. It's more about my family; this is my home. I don't want to jeopardize that. We spent a lot of money on this reservoir. If something happens, there is no way to really go back. Is there a compromise such as electric motors? From the last meeting, it seems that the compromise seems to be one-sided.”

Mr. Taylor said the water drawing point is 20' down. Oil and gas can only travel within the upper 4". With a 10 horse motor, typically you have to be dumping it over the side at the rate of a gallon an hour in a day before it would be something that wouldn't burn in that day. He was just as concerned at first as Mr. Decker, so he did some research, talked to some other communities. He feels we're okay.

Mayor Gore said early on he approached ODNR and said they would like to have the non-motorized watercraft and fishing. We can still have that at the cost of about \$250,000. We would lose out on the funding. Everything that we're trying to do is

saving the taxpayer dollars. We talked to our experts and they assured us that there is no issue; it was decided to pursue the full amount of the funding.

Mrs. Richardson suggested that Mr. Decker talk with our Water Superintendent to get further details. She admitted that she had some specific concerns about polluting water and the cost of treating the water. There has been a lot of research done.

Mayor Gore suggested that the media do a story on this issue, the treatment of the water, the safety of it, etc.

Officer Shields from ODNR addressed Council. He understands why people feel the way they do. There are tough questions to be answered. He's a law enforcement officer, not an expert from the EPA. Their mission is to provide a recreational opportunity for the constituent base, which he believes there is a void that needs to be filled in Union County, and this is an opportunity for the city to cash in on a grant that will allow them to fill that void. Important to note is that the residual effects from the farming industry in our county that run into our streams are much greater than the residual effects of a 10 horsepower motor on a 1.4B gallon reservoir. It's so insignificant that the EPA doesn't require it to be monitored as far as from the drinking water standpoint and the recreational boating standpoint. The EPA has emitted some laws to improve the manufacturing of outdoor motors to decrease the pollution effects and water quality effects of outdoor motors. As far as he knows, the EPA has no systems in place to monitor that.

Officer Shields said it's hard to make a compromise when money is allotted for specific use. He said that the money comes from fuel tax, and the only way that money can be given to a city is by allowing the motors on the reservoir.

Mr. Scott Zwiezinski addressed Council. He had the luxury of growing up near the Lake Erie shores. There was a big harbor three miles to the east of him, a smaller one about 1-1/2 miles to the west of him and a water treatment facility about a mile from that. He is not aware of anyone who grew up with that, getting ill from it. He agrees with the Mayor, getting information out to people so that they fully understand it is important. "Every time you have an opportunity to bring people into the city; they may get gas, snacks, etc. in Marysville and then they come back; that will also be great for the city. Anytime you can build anything that's going to bond a father and a son, or a mother and a daughter or any combination thereof, is absolutely priceless."

The resolution "TO AUTHORIZE THE MAYOR TO ENTER INTO A REAL ESTATE PURCHASE CONTRACT TO PURCHASE THE PARCEL OF REAL ESTATE LOCATED AT 222 S. MAIN STREET, WHICH IS TO BE USED FOR PUBLIC PURPOSE" was presented for second reading, public hearing.

The resolution "AMENDED RESOLUTION OF THE COUNCIL OF THE CITY OF MARYSVILLE, UNION COUNTY, OHIO ESTABLISHING PENSION PICK-UP RATES FOR BARGAINING UNIT EMPLOYEES OF THE CITY OF MARYSVILLE POLICE DIVISION AND DECLARING AN EMERGENCY" was presented for second reading public hearing. The third reading was waived on 3/13/14. Mrs. Richardson moved to pass the legislation and the question put, stood:

Mr. Berbee YES Mrs. Richardson YES Mr. Taylor YES Mrs. Groat YES

Resolution 7-14 passed.

The resolution "AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A LEASE AGREEMENT WITH JPMORGAN CHASE BANK FOR THE PURPOSE OF FINANCING A WATER MASTER TANKER FOR THE FIRE DIVISION AND DECLARING AN EMERGENCY" was presented for first reading, title only. Mr. Emery explained that this was included in the budget process. Administration made the determination to move forward with the tanker in 2014 on a lease agreement. Staff feels this is the most cost effective alternative. Interest rate is 1.72% for five years, which was the best opportunity at this time.

Mr. Taylor asked if the Finance Committee had approved this. Mr. Berbee said they have not, but he had discussions with Ms. Chavarria in order to get an understanding of the legislation.

The emergency clause will be addressed at the next meeting when there are enough Council members in attendance to vote.

ORDINANCES

The ordinance "ACCEPTING DEDICATION OF CERTAIN REAL PROPERTY, PARCEL NO. 17-0012013.1010, ON WHICH THE CITY-OWNED JEROME VILLAGE REGIONAL PUMP STATION IS LOCATED" was presented for third reading, title only. Mrs. Richardson moved to pass the legislation and the question put, stood:

Mrs. Richardson YES Mr. Taylor YES Mrs. Groat YES Mr. Berbee YES

Ordinance 11-14 passed.

The ordinance "TO AMEND CHAPTER 105, PUBLIC MEETINGS, OF THE CODIFIED ORDINANCES OF THE CITY OF MARYSVILLE" was presented for second reading, public hearing.

The ordinance "AUTHORIZING THE ISSUANCE OF NOTES IN THE AMOUNT OF NOT TO EXCEED \$24,530,000 IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF (I) PAYING COSTS ASSOCIATED WITH THE ACQUISITION, CONSTRUCTION, EXPANSION, REHABILITATION, AND IMPROVEMENT OF THE CITY'S MUNICIPAL WASTEWATER COLLECTION AND TREATMENT SYSTEM; AND (II) PAYING COSTS ASSOCIATED WITH THE DESIGNING AND ENGINEERING OF THE SOUTHWEST TRUNK SEWER AND JOB READY SITE LOCATION, WITH RELATED SITE IMPROVEMENTS AND APPURTENANCES THERETO, AND RETIRING NOTES PREVIOUSLY ISSUED FOR SUCH PURPOSE; AND APPROVING RELATED MATTERS" was presented for second reading, public hearing.

The ordinance "TO AMEND SECTION 1141.04, PAVING, OF THE CITY OF MARYSVILLE PLANNING AND ZONING CODE" was presented for second reading, public hearing.

The ordinance "TO AMEND SECTION 1143.03(c), DEFINITIONS, OF THE CITY OF MARYSVILLE PLANNING AND ZONING CODE" was presented for second reading, public hearing. Mrs. Richardson clarified that this additional definition is a little bit broader spectrum than the light pole banners, but it allows future flexibility.

The ordinance "TO ADD SECTION 1143.09(b)(11), EDUCATIONAL/PUBLIC SERVICE LIGHT POLE BANNER, OF THE CITY OF MARYSVILLE PLANNING AND ZONING CODE" was presented for second reading, public hearing. Mr. Martin Pratt said at the last Council meeting this passed 4-3 in the Planning Commission meeting, however, all seven people fully do support what is written. Mrs. Richardson asked if this is only on private property. Response was yes.

The ordinance "TO AMEND SECTION 1143.09(a)(3), TEMPORARY SIGNAGE, OF THE CITY OF MARYSVILLE PLANNING AND ZONING CODE" was presented for second reading, public hearing.

The ordinance "TO ADD SECTION 1143.09(b)(12), GRAND OPENING SIGN, OF THE CITY OF MARYSVILLE PLANNING AND ZONING CODE" was presented for second reading, public hearing.

The ordinance "TO ADD SECTION 1143.09(b)(13), COMING SOON SIGN, OF THE CITY OF MARYSVILLE PLANNING AND ZONING CODE" was presented for second reading, public hearing.

PARKS & RECREATION REPORT: No report.

COMMENTS OF THE MAYOR AND COUNCIL PERSONS AND GENERAL DISCUSSION:

Mayor Gore thanked the residents for coming and sharing their thoughts about what's going on in the city, whether they agreed or not. That's what these meetings are all about.

Mr. Berbee said Finance Committee met and discussed the JEDD.

Mrs. Groat said Public Affairs met and will be bringing back proposed language for a rule change at the next meeting.

Mrs. Groat's Ward 3 meeting will be held on Tuesday, April 1st at the Public Library, Meeting Room B, 6:30-8:00 p.m.

Mrs. Richardson thanked Mr. Boerger for a well thought-out plan. Council does appreciate hearing from local residents.

An event, "Spring into Safety", sponsored by the Mill Valley Neighborhood Watch and the Marysville Police Department will be held on April 8th, 7-8:00 p.m. in the Community Room of the Police Division. Attendees will receive practical safety tips, door prizes and light refreshments and mini tours of the facility.

"Let's Talk Again about Drug and Substance Abuse"

Did you know?

Pain medication is becoming the popular drug of abuse among teens.

Two-thirds of teens who report abuse of prescription medicine are getting them from friends, family and acquaintances and that includes grandparents. Make sure the teens in your life don't have access to your medicine.

Here are three suggestions to prevent abuse:

Monitor Your Prescription Drugs

- Would you know if some of your pills were missing?

- Start by taking note of how many pills are in each of your prescription bottles or pill packets.

- Keep track of your refills.

Secure your prescription drugs.

- Take prescription medicine out of the medicine cabinet and secure them in a place only you know about. If possible, keep all medicines, both prescription and over-the-counter, in a safe place, such as a locked cabinet your teen cannot access.

Dispose of your prescription and over-the-counter Drugs.

- Safely disposing of expired or unused prescription medicine is a critical step in helping to protect your teens.
- A great way to dispose of expired and unused prescription drugs is during our county "Take Back Day." This free and anonymous drop off of unwanted, expired or unused prescription drugs is hosted by the Union County Sheriff's Department in partnership with the Union County Drug Free Coalition, Memorial Hospital and other local agencies. The next scheduled "Take Back Day" is April 26th from 10am to 2pm at the Union County Sheriff's office in the Sally Port. Signs will be posted. Again, this is an anonymous service.
- If you cannot use the take back day, use kitty litter or coffee grounds to mix with medicine and throw into the garbage, unless the directions on the packaging say otherwise, do not flush medicine down the drain or toilet.

Thank you and please keep talking about drug abuse.

Mr. Taylor saw on TV the legislation from Dom Tiberi and the reps from the Senate and the House. He asked that we take it into consideration. Tonight he sat at a traffic light and watched a young lady one way putting on make-up and one across the street talking on the phone and they both sat there through their green light, and as it turned red, they both took off -- DISTRACTED DRIVING !!

Mrs. Groat moved to go into Executive Session at 7:44 p.m. to discuss Imminent Litigation, seconded by Mr. Berbee and the question put, stood:

Mr. Taylor YES Mrs. Groat YES Mr. Berbee YES Mrs. Richardson YES

Motion passed.

Executive Session began at 7:48 p.m.

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Executive Session adjourned at 8:00 p.m.

Regular session reconvened at 8:00 p.m.

ADJOURNMENT: There being no further business to come before Council, the meeting adjourned at 8:00 p.m.