

## CITY COUNCIL MINUTES

May 14, 2015

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

**MEMBERS PRESENT:** J.R. Rausch, Dan Fogt, Tracy Richardson, Nevin Taylor, Deborah Groat, Mark Reams, and Henk Berbee.

**OTHERS PRESENT:** Mayor John Gore, Director of Administration Terry Emery, Finance Director Jenny Chavarria, Police Chief Floyd Golden, Chief Jay Riley, Public Service Director Mike Andrako, Assistant Law Director John Eufinger, City Engineer Jeremy Hoyt, Human Resources Director, Brian Dostanko, Events Coordinator Laura Michalak, and Clerk Kristina Jones

**REPORTERS PRESENT:** Taylor Evans-Journal Tribune,

**CITIZENS PRESENT:** Blake Kaffenberger, Nate Adkins, Tina Knotts, Jason Stanford, Robert Carroll, Steve Stolte, MD Hanlon-Stolte, Barkaer Zen, Issi Jarrell, Halie Shultz, Holden Cruea, Sigundo Camerlengo, Virginia Elliott, Lily Wilson, Taylor Elms, Connor Willowghby

**APPROVAL OF MINUTES:** The minutes for the meeting on April 23, 2015 were approved with modifications.

### **ADMINISTRATIVE REPORT:**

Mayor Gore recognized Cathy Oetker for her service to her community and various boards she served on. He read a commendation for Mrs. Oetker who is moving to Colorado. Tina Knotts also presented Mrs. Oetker with certificate of appreciation for all her volunteer work with the Union County Chamber of Commerce. Ms. Knotts also said that May 15<sup>th</sup> will be Cathy Oetker day in the City of Marysville. Mr. Stanford told Mrs. Oetker that she would be missed and gave her a certificate of appreciation from TeamMarysville.

Mayor Gore reported the following:

### **Division of Police**

The Union County Law Enforcement Memorial will be held Thursday, May 21, 2015 at 7:00 p.m. on the Union County Courthouse Lawn. In the event of inclement weather, the ceremony will be held in the Veteran's Memorial Auditorium, 233 W. 6th Street.

### **Maintenance & Operations**

The Dog Park has been reseeded and straw has been placed in anticipation of a late summer opening. The walking path has been paved and the fence is 80% complete.

Parks crews are touching up the paint and lane markers for the municipal pool. Diving boards have been resurfaced and grounds are being prepared for the yearly health inspection on May 20, 2015.

ORW crews have been a huge help during this busy spring with assistance picking litter up along US-33, placing mulch in parks, cleaning up the Pool grounds and assisting staff at WRF.

### **Engineering**

The asphalt multi-use path for the US 33 Pedestrian Bridge (connecting the north side of the Pedestrian Bridge to Valley Drive) has been completed by the Contractor.

4th / 5th Street Waterline Replacement: The West 5th Street main line portion of the project will be completed by the end of the week. Early next week, the Contractor will be moving their operations to the West 4th Street portion of the project (near the intersection with Grove Street and 5th Street). Mayor Gore told Mr. Hoyt and Mr. Andrako that this construction company is doing a great job.

At this time, the Contractor has installed 1,100 LF of the total 11,000 LF of waterline.

The 2015 Pavement Maintenance Program and the Amrine-Mill Road Culvert Replacement project are both out for bid.

### **Events & Recreation**

Municipal Pool passes are available on the City's website, [www.marysvilleohio.org](http://www.marysvilleohio.org) and at the City Hall customer service counter. Opening day is Saturday, May 23. Two hundred seventy-nine (279) season passes have been sold to date. Last year we sold two hundred fifty (250) season passes in all.

Session I of the Adult Co-Ed Sand Volleyball League starts Wednesday, May 20. Twenty-six (26) teams signed up for this session.

The City's 3 on 3 Basketball League starts June 9. Registrations are due by Tuesday, May 19 and are available on the City's website.

The Partners Park Grand Opening & Friday Nights Uptown event takes place Friday, May 29, 2015 from 2:00 p.m.-10:00 p.m. Mayor Gore also explained that we would have representatives from Yorii, Japan in attendance.

## **Administration**

City Offices will be closed Monday, May 25, 2015 in observance of the Memorial Day holiday.

The Veterans of Foreign Wars (VFW) Memorial Day Parade will be held on Monday, May 25, 2015. A wreath presentation will take place at 8:30 am on the North Main Street Bridge. The parade steps off at 9:00 am at the intersection of East 5<sup>th</sup> and Plum Street, traveling West on 5<sup>th</sup> Street and ending at Oakdale Cemetery where a Memorial Service will be held following the parade. For more information, contact the VFW at 937-644-1080.

The Connie Patterson Beautification Program recognizes residents and businesses in the City who contribute to the beauty of Marysville by taking pride in their homes or business' landscaping and/or exterior renovation improvements.

Anyone can nominate a property. The property must be located within the corporation limits of the City of Marysville. Properties are judged in four categories; 1) property enhancement, 2) beautifully maintained, 3) gateway and 4) storefront-window display/outside facade. Applications are available online at [www.marysvilleohio.org](http://www.marysvilleohio.org) and at City Hall. Applications and documentation are due by Monday, July 13, 2015.

## **Farmers Market**

The Union County Farmers Market opens at 8:00 a.m., Saturday, May 23, 2015 at Partners Park.

Mayor Gore congratulated Chief Riley for obtaining his master's degree from The Ohio State University.

Mayor Gore said Mr. Emery and he met with Mrs. Elliott and feel that she has what they are looking for in a member, and appointed Virginia Elliott to Planning Commission, Council affirmed the appointment.

**REPORT OF CLERK OF COUNCIL:** No report.

**REPORT OF ECONOMIC DEVELOPMENT:** Mr. Stanford said there are six actual store fronts vacant with really good interest rate right now in the downtown. After, the resolution for Historical Preservation month that was passed at the April 23, 2015 meeting, we have started placing historical buildings on the Chambers facebook pages. Ms. Knotts handed out the Union County calendar of events to Council. She said it is three times larger than last year's. Mrs. Richardson asked if the calendar was on the website. Ms. Knotts said the brochure is not on the website but the events are listed on the calendar under "events". She said they will be passing the brochures out whenever they attend an event.

**HEARING OF CITIZENS:** Mr. Taylor asked Mr. Andrako when we will have lights back on where the car tried to parallel park to close too the building. Mr. Andrako said that he is going out after the Council meeting to see which lights actually need fixed. Mr. Taylor asked if we could get them so they could at least be on until the pole is reinstalled. Mr. Andrako said yes, he will look at them and give Mr. Taylor an update.

**RESOLUTIONS:**

A Resolution “TO AMEND RULE 19 OF THE COUNCIL RULES OF PROCEDURE” was presented for second reading, public hearing.

**Citizen Comments:**

**Council Comments:** Mrs. Groat said the amendment to Council Rules of Procedure, Rule 19 being brought to you is a compromise from my original intention to require nine meetings per year of each committee of Council, thus enhancing the public’s guarantee of being able to attend the committees’ meetings. In reducing the number of required meetings to six, but by adding the statement “with no more than two months elapsing between meetings”, my intention is at least partially satisfied. Ideally, I feel every committee should meet every month, but the compromise presented here is acceptable and I appreciate the cooperation with which the Public Affairs committee has addressed this issue. New to Council Rules of Procedure in this amendment (as well as in the original amendment present April 23, 2015) is a guarantee that in every committee meeting a provision is made for “hearing of citizens”. The vote from Public Affairs for the passage of this amendment was 3-0. Thank you.

Mr. Reams asked how many committees met less than nine times a year. Mr. Taylor said there were a couple within the last two years, but we are trying to think ahead. Mrs. Groat said that the reason for this change was a newspaper article stating that citizens will not be able to attend meetings.

Mrs. Groat moved to amend the legislation and the question put, stood:

Mrs. Groat YES;                      Mr. Reams YES;              Mr. Berbee YES;              Mr. Rausch YES;  
Mrs. Richardson YES;              Mr. Taylor YES

Back for 3<sup>rd</sup> reading, title only on May 28<sup>th</sup>.

**ORDINANCES:**

An ordinance “ESTABLISHING COMPENSATION FOR COUNCIL-ELECTED MAYOR” was presented for third reading, title only.

**Council Comments:** Mrs. Groat said the amendment before you tonight is that the compensation for the council-elected mayor be established at \$600.00 per year as opposed to the original ordinance of April 23, 2015 suggestion of \$1,500 per year. I will vote for this amendment as approved to the original compensation ordinance because I feel a \$600.00 yearly compensation is an improvement to a \$1,500.00 per year compensation. The vote for this amendment from Public Affairs was 2-1 with my vote being the negative vote. When the final vote is taken for passage of the compensation, I will vote against the compensation for council-elected mayor whichever form is presented. If the final vote for compensation is failed in either form, it is my understanding that the ordinance will return to either Finance or Public Affairs or both for reconsideration. At that point, I will personally recommend the compensation for the council-elected mayor be set at \$1.00 per year since our Charter will require that Council set some compensation.

I have four points to this issue:

1. My personal belief is that City Council members should not be compensated at all, at any time. Public Service should be just that: service as opposed to employment. However, I realize that that option is never going to prevail. My vote to increase compensation for City Council representatives to \$7,200.00 per year was, for me, a compromise from the beginning.
2. Ward specific City Council representatives will receive an increase in compensation from \$4,800.00 to \$7,200.00 per year beginning in 2016. At-large representatives will receive the same increase in 2018. These increases are justified, if at all, for two reasons: 1) no such increase has occurred in 15 years. This is a shaky argument based on the first point I made. 2) The workload of every representative will increase under the new form of government starting in January 2016. This argument, although it is anecdotally and logically valid, has no quantification in its favor. We have no idea as to the amount of work each representative will be required to expend under the new form of government. Compensation has already increased by 50% from the compensation for each representative in 2015. Further increase must be justified before I will vote to grant it.
3. I have already heard an anecdotal comment, third hand, that now that compensation has been increased in 2016 and 2018 for all representatives, the position of representative has been made more attractive and running for council is an enhanced opportunity for financial reasons. Shame on any citizen who feels that way, and especially shame on any future president who would seek that position because of compensation.

4. Finally, when increased compensation for the council-elected mayor beyond that set for every Council member can be justified, I will be glad to reconsider my position. Right now, we have no guarantee that the future president of Council will deserve such compensation, nor do we even have any basis for judgment of the merits of such compensation.

In conclusion, thanks to the Public Affairs Committee: Mr. Taylor and Mr. Berbee. As always, our discussions have been lively and even in disagreement, we all share a sincere desire to do the very best for this City. My chairing this committee is not employment, it is a privilege, and a joy.

Mr. Taylor said no one knows what it is going to take to replace Mayor Gore, because he goes above and beyond. He hopes whoever we have as president next year will have the same open mindedness. He said it would be hard to support anything more than the \$50.00, although he is open to suggestions. According to the Charter, we have to list an amount.

Mr. Reams said this came before Finance Committee, and we looked at other communities because we are not the first ones to have a council- mayor. He said the original proposal was an average of what the other communities pay, but we do not know how much work the new council president will put into it.

Mayor Gore said the comment about replacing him, Council is not replacing him, the Mayor's position will no longer exist. He said the reason he supported the change in government is because it did not make sense to have a mayor that was part-time, with the full-time responsibilities that this mayor has. He still believes with the growth of our community it is still the right choice to go to the City Manager form of government. Mayor Gore does not forecast a lot of change in duties, other than the public relations portion of the job. He said, like Mr. Reams said, other communities have this form of government and compensate the two leadership positions within Council. He thinks this has been well researched and vetted on both sides. He said it will be like a CEO running a company with a board.

Mrs. Richardson said she agrees with Mrs. Groat, when she first signed up to run for City Council she was unaware that there was compensation. She said she understands where Mrs. Groat is coming from and none of us here work for the City, we serve the City. She said compensation is what we are required to do, but what it comes down to is determining what the position entitles. As a member of the Ad Hoc Committee, they established that there was going to be a change in duties in the new form of government. Mrs. Richardson said she will hold the new council- mayor responsible

for new leadership, more communication, and things she currently does not expect from the current council president. She said in any job we do not hire a person and then decide what they are worth, we decide what the position is worth and we hold that person accountable for that.

**Citizen Comments:**

Mrs. Groat moved to amend the current legislation to \$600.00 annually, the question put, stood:

Mr. Reams NO;	Mr. Berbee YES;	Mr. Rausch YES;
Mr. Fogt YES;	Mrs. Richardson YES;	Mr. Taylor YES;
Mrs. Groat YES		

The legislation went back to second reading, public hearing.

Mr. Fogt moved to waive third reading, the question put, stood:

Mr. Berbee YES;	Mr. Rausch YES;	Mr. Fogt YES;
Mrs. Richardson NO;	Mr. Taylor YES;	Mrs. Groat YES;
Mr. Reams NO		

Mr. Rausch moved to pass the legislation, the question put, stood:

Mr. Rausch YES;	Mr. Fogt YES;	Mrs. Richardson YES;
Mr. Taylor YES;	Mrs. Groat NO;	Mr. Reams YES;
Mr. Berbee YES		

An ordinance “AUTHORIZING ADDITIONAL APPROPRIATION FOR THE 2015 PAVING MAINTENANCE PROGRAM AND MODIFYING THE 2015 ANNUAL BUDGET AND DECLARING AN EMERGENCY” was presented for second reading, public hearing.

**Citizen Comments:**

**Council Comments:**

Mrs. Richardson moved to pass the legislation, the question put, stood:

Mr. Fogt YES;            Mrs. Richardson YES;            Mr. Taylor YES;  
Mrs. Groat YES;        Mr. Reams YES;                Mr. Berbee YES;  
Mr. Rausch YES

An ordinance “TO AMEND ORDINANCE 30-13, RULES AND REGULATIONS OF THE CIVIL SERVICE COMMISSION” was presented for first reading, title only.

**Administration Comments:**

**Council Comments:** Mr. Taylor told council to review the documents Mr. Dostanko provided for them, and if they have any questions, please contact him.

**Back for 2<sup>nd</sup> Reading, Public Hearing on May 28, 2015.**

**PARKS & RECREATION REPORT:** Mr. Rausch said the Committee will meet on Tuesday, May 19<sup>th</sup> and they will be discussing the 5 year plan, and if anyone has any suggestions to add to the plan let him know. Mr. Reams said the MacIvor property that we have owned for the last five years, something needs to be done with this, it was supposed to be a parking lot.

**COMMENTS OF THE MAYOR AND COUNCIL PERSONS AND GENERAL DISCUSSION:**

Mr. Berbee explained the difference between a resolution and ordinance for the students in the audience attending for their government assignment. Finance Committee will meet Thursday, May 21<sup>st</sup> at 4:30.

Mr. Reams said he knows a lot of people are excited for the opening of the dog park, but we need to wait until the grass is ready, whether that be July or September.

Mrs. Groat said there will be no Public Affairs meeting for May because there were no agenda items, and it fell on Memorial Day. She thanked the roads people the action to repair might not get done immediately, but the response to citizens is immediate. Mrs. Groat welcomed the Marysville students that were in attendance finishing their government assignment. She said on May 6<sup>th</sup> the Cemetery Advisory Board took a tour of the cemetery, it looks great, and she encouraged citizens to check it out.

Mrs. Richardson wished Mrs. Oetker best wishes. She said let's talk about the movement to legalize marijuana in Ohio. Holly Zweizig is the head of the drug free coalition. She presented to

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our Public Safety meeting on Monday, May 11, 2015 on this topic the movement to legalize marijuana in Ohio. There are several proposed initiatives to amend Ohio's Constitution to allow for medical use and now recreational use of marijuana. Organizations proposing these changes are gathering signatures for it to be on this November's ballot. She said you may actually see signature gathered here in the next few months. As a movement to legalize marijuana here looms, many states are watching the effect of legalization unfold in Colorado and Washington.

Perceptions of harm of marijuana use may be changing among some adults because of the legalization that we are seeing in other states. Which in turn changes the perceptions of harm among our children and our students. One of the perceptions that youth have in Union County that is marijuana is a cure for cancer, and tobacco cigarettes are much worse because they cause cancer. In other words, they think marijuana is better for you than smoking cigarettes. Another driving force in lowering the harm among youth is a brand new industry selling candy, soda and other items infused with marijuana, in states where marijuana is legal. These products are clearly targeting young audiences with names such as pot-tarts, instead of pop-tarts; ring pot, instead of ring pop; and kef kat instead of kit kat, and that is just to name a few. These manufacturers take what is already familiar and modify the names, so youth are de-sensitized to the harmful effects of their products. Misperceptions of what medicine is or what is medicine can lead to increased marijuana use and accidental overdoses right here in our county. Mrs. Richardson said she believes and predicts that the legalization of marijuana issue is going to expand. It is important that this legislative body continue to be informed and educated on the issues so that we can be prepared for the impact that this movement may have on our community. Please keep talking.

Mrs. Richardson reported the Public Service meeting will be Monday, May 18, 2015 at 5:00pm in Council Chambers. She wished a safe graduation for all the MHS seniors.

Mr. Fogt said following up on our Public Safety meeting, we did talk about ways that we can limit marijuana retail in stores. We can do so by limiting where those stores are located similar to our sexual oriented business legislation. He said we can limit them to 1,000 feet from the outside of a church or school or a library, etc. the City of Hamilton has already passed legislation in preparation. Mr. Fogt suggested that we look at drafting legislation and get ahead of the game. He said that a good template for the legislation would be using the sexually oriented business legislation. Even if marijuana is legalized, there will still be no smoking in parks or city property, certain businesses and restaurants. Mr. Fogt said he hopes people do not drive or go to work while they are high on marijuana.

Mr. Taylor asked the Clerk to get a copy of the legislation from the City of Hamilton, and add the topic to the June agenda for Public Safety and Public Affairs. He said if those two committees do not want to address it we will get an Ad Hoc Committee together to address it.

Mayor Gore said we have already given Mr. Aslaner that assignment. After the meeting Mr. Emery and myself talked to Mr. Aslaner about it and he is already starting on it.

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Mr. Rausch thanked the City of Gahanna for allowing us to watch one of their work sessions. The best part of the evening were the conversations after the meeting. He said that the way we did things this evening might not be the way we handle things with the new change of government. He also thanked the uptown businesses for taking the initiative to seating outside, it really enhances the downtown area.

He said he knows people may not like it because it crowds the sidewalk, but it adds to the vibrant community that we want here in Marysville. As soon as we get grass in Partners Park, it will be used, and the downtown area will start blossoming.

Mr. Taylor thanked Council for making a consensus, but please know that if we cannot show a need for the extra pay he will be the first one to amend it to a \$1.00 salary next year.

Mayor Gore said he would encourage anyone who would like to put seating outside, you need to talk to the Zoning Enforcement and if you serve adult beverages, you need to expand your establishment with the liquor department.

Mayor Gore introduced Mrs. Stolte who is the chairperson of the historical marker committee. She said each year we have a set numbers of markers we need to make. They meet once a month, and most of the members are from the Historical Society. She said this year the historical marker is for the Legion Park, which will be financed by the City of Marysville. They are going to try to dedicate the marker on July 3<sup>rd</sup>. If that date does not work then they will work on a date that works with a patriotic event in the City.

**ADJOURNMENT:** There being no further business to come before Council, the meeting was adjourned at 8:06 p.m.