

## CITY COUNCIL MINUTES

June 11, 2015

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

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

**OTHERS PRESENT:** Mayor John Gore, Director of Administration Terry Emery, Finance Director Jenny Chavarria, Deputy Chief Tony Brooks, Chief Jay Riley, Public Service Director Mike Andrako, Law Director Tim Aslaner, City Engineer Jeremy Hoyt, and Clerk Kristina Jones

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

**CITIZENS PRESENT:** Barbara Taylor, Nancy Daniels, Greg Graham, Mark McGinley, Janell Alexander

**APPROVAL OF MINUTES:** The minutes for the meeting on May 28, 2015 were approved.

### **ADMINISTRATIVE REPORT:**

Mayor Gore reported the following:

#### **Division of Police**

The Police Division is in the process of submitting a grant application letter for a Community Oriented Policing Officer through the U.S. Department of Justice. The Community Oriented Police Officer would serve as the liaison between the police division and the community. The officer would establish solid relationships with the community in order to bring their concerns to the attention of the police division.

The grant, if approved, would fund an entry-level police officer position at the rate of 75% for thirty-six months, with a requirement of a 25% cash match and that the hired officer be retained at least 12 months after the grant period. Entry-level pay with fringe benefits is \$59,070.64. The city's cost per year would be \$14,767.66.

The Division of Police hosted free training for City Officers and the Union County Sheriff's Office, utilizing the Ohio Peace Officer Training Academy's (OPOTA) mobile training simulators. One simulator covers interactive firearms scenarios while the second covers emergency vehicle operations.

The Division of Police will hold a Women's Self Defense class on Thursday, August 6, 2015 from 6:00 p.m. – 8:00 p.m. in the Police & Court Community Room. The class is free and open to any female, 14 years or older. To register, email Officer Findley at [afindley@marysvilleohio.org](mailto:afindley@marysvilleohio.org)

## **Maintenance & Operations**

Work has begun on the construction of the McCarthy Park Shelter. It is expected to be completed and available to rent next month.

The dog park was mowed for the first time this week and the fencing has been completed. The City is currently estimating an opening sometime in August.

Streets crews have begun work to crack seal residential streets throughout the City. Crack seal is a preventative maintenance technique, which is applied to cracks in an effort to seal the street and preserve the asphalt surface.

## **Engineering**

Bids were opened for the 2015 Pavement Maintenance Program. Strawser Paving is the apparent low bidder with a bid of \$1,166,267.93. This is approximately \$100k under the budgeted amount for this improvement.

## **Events & Recreation**

The Music on Main, Summer Series is held every Thursday (excluding the weeks of Friday Nights Uptown) from 6:00-9:00 p.m. at Partners Park. Tonight's entertainment is the Blackberry Bling Band. Concessions by Dan's Deli and Schmidt's Sausage Truck. The full summer schedule is available on the City's website, Facebook page and on the events rack card available at City Hall.

The next Friday Nights Uptown, Wine & Jazz Fest will be held Friday, June 19, 2015 from 6:00 p.m.-10:00 p.m.; Music by Arnett Howard.

Concert in the Park will be held Sunday, June 28, 2015 at American Legion Park starting at 5:00 p.m. Music by Razzamatuzz & Jazz.

## **Administration**

The Connie Patterson Beautification Program 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.

The Marysville Matters radio show recently changed hours. The show will now air every Thursday from 9:30 a.m. - 10:00 a.m.

Mayor Gore explained four years ago a Union County Mayors' group was formed and they meet quarterly. The group includes Sandy Adkins from Plain City, Bill Nibert from Richwood and Chris Winkle from Milford Center. The group talked about different things the cities could work on together. He said they talked about collecting income tax for both Milford Center and Richwood. Mayor Gore said he will be bringing the agreement to Council in the next few months to start collecting income tax for Milford Center. He said Milford Center voted at their meeting on Monday night to not keep their contract with RITA. One advantage of the City doing their income tax is the money will be available to them right away. We will charge them an administrative fee which will cover our costs. That way if Milford Center needs money, they do not have to wait until the end of the month or quarterly. Mayor Gore said Richwood chose not to go this route but Milford Center did. Milford Center had to give their notice to RITA by July 1<sup>st</sup>, but we do not need to do anything right now because we are not starting to collect until January 1<sup>st</sup>.

Mayor Gore said he asked Mr. Aslaner and now he is asking Council. When the City did the smoke free/tobacco free legislation we intentionally left e-cigarettes out because at the time there was not a whole lot of information on it. He said there is enough information now, that e-cigarettes could be bad for your health. Mayor Gore said at our Uptown Friday night, he happened to run into 3-4 people smoking. When he told they were not allowed to smoke here, they pointed at the e-cigarette. He checked the County policy and the County policy does not allow e-cigarettes or vapor cigarettes and Mr. Aslaner has also checked some other ones. Mayor Gore said it seems to be the trend that it gets included with the cigarettes and tobacco. He is asking Council if we get information together could we sent it to a committee to be vetted. He said it should be a simple process of just amending our current legislation to include the e-cigarette, but he would still like input on what Council thinks about the topic.

Mayor Gore presented Mr. Fogt with a commendation for his 15 years of service on City Council, since he will not be in attendance for Mr. Fogt's last meeting.

Mr. Taylor gave praise to Mr. Emery and staff for the clean-up done at Partners Park after the Uptown Friday night event. He said by 12:30am, you could not tell an event had even taken place.

**REPORT OF CLERK OF COUNCIL:** Received a request for a C1 and C2 liquor permit for 695 Colemans Crossing Inc., DBA House of Cigar, 695 Colemans Crossing Blvd. C1 is beer only in original sealed container for carry out only. C2 is wine and mixed beverages in sealed containers for carry out.

And we also received a liquor license transfer from Rohini (Ro-hi-nee) Inc., DBA MVP Food Mart, 17787 SR 31 to 17795 Mill Valley LLC, same address. They are transferring a C1, C2 and D6. C1 is beer only in original sealed container for carry out only. C2 is wine and mixed beverages in sealed containers for carry out. D6 is sale of intoxicating liquor on Sunday between the hours of 10:00 am or 11:00 am and midnight.

Chief Golden had no objections.

Council did not have any objections to the transfer of the liquor license from Rohini Inc. to 17795 Mill Valley LLC.

Mr. Fogt objected to the House of Cigar. He said it was one place Mrs. Richardson said was selling paraphernalia that could be used for drugs. Mr. Taylor asked if we could look into that. Mayor Gore commented that the Drug Free Coalition has visited a number of stores in the community and in those stores you will find rolling papers and things that are advertised as not to be used as drug paraphernalia, but if you get caught with them and the drugs it is considered paraphernalia. He said the Drug Free Coalition that Mrs. Richardson talks about found that there is nothing legally that can be done, but to raise awareness in the community.

Mayor Gore said he would like legal to answer Mr. Fogt's question. He said we do not have final say, we can only comment. Mr. Aslaner thought that because it is paraphernalia that is used to ingest tobacco and in some cases used to ingest marijuana or a version of synthetic marijuana, he does not think that in itself can serve as a basis to properly object to a liquor permit because they are not breaking the law. Mr. Reams suggested we let the board decide. He said he agrees with Mr. Fogt and would like to object and let the board make that decision. Mayor Gore said you have the right to object and you would object back to the State Liquor Department and in that objection you will state your reason and they will make a determination.

Mr. Fogt feels that allowing the sale alcohol and paraphernalia is setting a bad precedent. Mayor Gore encouraged everyone in the community to walk into these smoke shops and look around. Mr. Taylor asked if anyone on the Council is opposed to sending the message that we object because they sell paraphernalia. Mr. Taylor asked Mr. Aslaner to help with the wording. Mr. Rausch said if we are going to say this then we need to be able to object to every liquor license that comes through for a carryout. He said every carryout in town sells the items. He has issue with taking that position because what the carryout is doing it not illegal.

Mr. Taylor asked Mr. Aslaner if the Council could send their concern to the board and ask the board to give them back a ruling that we could understand and follow. He said on one hand is the Drug Coalition trying to do their job and on the other hand is the citizens saying they are allowed to have access to these items. Mr. Aslaner said he is not sure that Council can do that, they either need to pass the license or object to the granting of the license. Mr. Taylor asked if we need to make that decision tonight or can it wait until the next meeting. Mayor Gore asked how long we had to get back with them. Clerk Jones answered we have until June 26<sup>th</sup>. Mayor Gore said if you are going to wait to vote on it on June 25<sup>th</sup> then it will need to be hand deliver it to the board the next day.

Mr. Fogt moved to object to the liquor license for the House of Cigars and the question put, stood:

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

Motion failed.

**REPORT OF ECONOMIC DEVELOPMENT:** Mr. Phillips said Moririoku is celebrating their grand opening on Saturday, and President Taylor will be there to say a few words. He said they are working on a grant application for a mobile lab program. These labs go into K-12 schools as well as go to private companies and promote technical degrees. He said it is like the STEM school on wheels. We have raised almost \$442,500 from the private and public sectors. We are now applying for a grant with Columbus State and Marion Tech and with career techs as partners for another \$400,000 to buy a lab, which will be an enhanced lab that will go to companies. He said the other outcome of this is we will have four mobile labs servicing our community. He said as a result of our program Tolles Tech is in the process of getting one, Tri-Rivers is in the process of buying one and Marysville received one last year. He said we will have three labs servicing Union County and we will have one that will go to private businesses which will enhance training for employees at facilities.

He said we are also working on another grant called Young Entrepreneurs Academy (YEA). Our goal was \$36,000.00 and we have raised \$ 24,000 from the public and private sector to support this first year program and Marysville Early College High school. It will be like the show shark tank but for kids. He said we have two students that have already applied, and we just opened up the application process. It will begin in November and be complete by May of next year.

Mayor Gore said through his public relations budget the City will be sponsoring a scholarship. He thinks it is a great program and would like to see our young people take advantage of the opportunity.

**HEARING OF CITIZENS:**

**RESOLUTIONS:**

**ORDINANCES:**

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

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

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

An ordinance “TO AMEND CHAPTER 135, CIVIL SERVICE COMMISSION, OF THE CODIFIED ORDINANCES OF THE CITY OF MARYSVILLE” was presented for second reading, public hearing.

**Citizen Comments**

**Council Comments:**

**Back for third reading, title only on June 25, 2015.**

An ordinance “TO AMEND SECTION 351.21 OF THE CODIFIED ORDINANCES OF THE CITY OF MARYSVILLE” was presented for first reading, title only.

**Administration Comments:** Mr. Emery said we met with the Public Service Committee on the next two ordinances. He said 351.21 is being amended as you can see in the legislation we have decided on an area between Fifth Street from Court Street to Walnut Street and Main Street from Sixth Street to Third Street for the purposes of street sweeping and snow removal allow for the purposes of keeping the uptown clean prohibit parking from 3:00 a.m. to 5:30 a.m. seven days a week. He said that the next piece of legislation which is being repealed gives a much more extended time frame. He said this new legislation will be more beneficial to the uptown business and still gives us a two and half hour window to keep the uptown clean and clear of snow.

Mayor Gore added that because of parking uptown we have brought crews in in the middle of the night to clean the streets and that cost a lot of money and overtime. Where if they had these two and half hours to clean and sweep the streets it would take no time to get it done and would also eliminate some of the ice forming on the streets.

Mr. Taylor asked if we have enough parking in our lots behind those building for people who live on the second floors can park there. Mr. Emery answered yes.

**Council Comments:**

**Back for second reading, public hearing on June 25, 2015.**

An ordinance “TO REPEAL SECTION 351.14 OF THE CODIFIED ORDINANCES OF THE CITY OF MARYSVILLE” was presented for first reading, title only.

**Administration Comments:**

**Council Comments:** Mr. Taylor said as you heard Mr. Emery say this is just repealing legislation that is no longer needed on our records. Mr. Reams said this legislation said you could not park in the area where we had parking meters. He added when the parking meters were removed the legislation was never changed.

**Back for second reading, public hearing on June 25, 2015.**

An ordinance “AUTHORIZING ADDITIONAL APPROPRIATION FOR THE IMPROVEMENTS TO LEWIS PARK AND MODIFYING THE 2015 ANNUAL BUDGET” was presented for first reading, title only.

**Administration Comments:** Mr. Andrako said during the architectural design for the restrooms that we were doing this spring, we found that there were extensive upgrades needed to the electrical system in the Lewis Park building. He said after reviewing the upgrades it looks like we need an additional \$ 27,100.00 from Parkland Development Fund to fund the total cost of the restrooms and pass all the related inspections. He said we did take this information back to the Parks & Rec Commission and they were supportive of the request.

Mr. Rausch said on top of the restrooms it includes a window which the football league can serve concessions out of. He said the football league uses that building for their storage, so the upgrade on the electric made sense to him. He said even if the football league moves, the tennis courts are being used.

Mayor Gore said there are over 600 kids that participate in the football program on only one field. He said they are trying to find land to build another field but they are still going to stay there.

Mr. Reams said the football league left their sled blocking the track and it has been sitting out for a couple weeks at least. Mayor Gore said he thinks what happened (because they are not practicing right now) is when our crews mowed they moved it and did not put it back. Mr. Andrako will check on getting the sled moved.

**Council Comments:**

**Back for second reading, public hearing on June 25, 2015.**

An ordinance “AUTHORIZING THE ISSUANCE OF NOTES IN THE AMOUNT OF NOT TO EXCEED \$4,400,000 IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF (I) PAYING COSTS ASSOCIATED WITH DESIGNING, CONSTRUCTING, FURNISHING AND EQUIPPING A NEW FIRE STATION, WITH RELATED SITE IMPROVEMENTS AND APPURTENANCE THERETO; AND (II) PAYING COSTS ASSOCIATED WITH DESIGNING, CONSTRUCTING, FURNISHING, AND EQUIPPING A NEW MUNICIPAL FACILITY, WITH RELATED SITE IMPROVEMENTS AND APPURTENANCE THERETO; AND RETIRING NOTES PREVIOUSLY ISSUED FOR SUCH PURPOSE; AND AUTHORIZING THE APPROVING RELATED MATTERS” was presented for first reading, title only.

**Administration Comments:**

**Council Comments:** Mr. Taylor asked Ms. Chavarria if this is what we do every year to pay down said amounts. Ms. Chavarria said yes, we had budgeted \$750,000 in the 2015 budget for pay down on principal. She said Finance Committee recommends an additional \$500,000 be paid down because revenues came in higher than expected last year. She said this will make the total payment on principal this year \$1.25 million.

**Back for second reading, public hearing on June 25, 2015.**

**PARKS & RECREATION REPORT:** Mr. Rausch said the Committee is still working on a five year budget, and should have it finalized at their next meeting which is June 16, 2015. After the budget is finalized, they will bring it to Council.

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

Mr. Berbee said we have improved the quality of life for the citizens this year with Partners Park, the Dog Park and we have come a long way.

Mr. Reams said on Saturdays during the Farmer's Market, we have Sixth Street closed. That creates a problem if you come down the alley to park because it is a one way alley. He suggested we put up some signage so people know Sixth Street is closed.

Mill Creek Park we are leaving some areas more natural and not mowing those. He said there was a softball tournament going on, and the players and families were setting in the parking lot and he asked if they would be sitting in the grassy area if it was mowed. They answered yes. Mayor Gore said we are starting to do more natural habitats around the parks.

He said we had a lot of discussion on the drug paraphernalia. He asked Mr. Aslaner to look into Section 513.121 to see if we could strengthen and asked how we are enforcing Section 513.14.

Mrs. Groat announced that the Ward 3 meeting for July 7<sup>th</sup> would be cancelled and Public Affairs Committee will meet on June 22, 2015 at 6:00pm.

Mr. Fogt said last night in the Marysville Journal Tribune page five the article stated that the group thinks they have the necessary signatures to put the marijuana issue on the ballot next year. He said he has seen paid signatures collectors at UDF in Marysville. He said at our Public Safety meeting last Monday night, we did not think the group was that far along. He said we need to get some zoning in place to address this so they cannot sell drug paraphernalia, etc. near schools, churches and libraries. Mr. Taylor said Mr. Aslaner has already been working on this and will bring it to us when it is ready. Mr. Aslaner said at the Public Safety meeting they agreed to put it on hold and get an update at the August meeting.

Mr. Fogt said the next meeting will be his last Council meeting and then he is moving to Delaware.

Mr. Rausch said not only does the group possibly have the signatures but they have raised over \$33 million. He said we need to start doing the same thing on the anti-marijuana campaigns. Upper Arlington has taken an interesting position this week by raising the smoking age to 21, he said their thought is that it makes it a healthier community, but is also removes the marketing of 18-21 year olds. He said if you are marketing for the 18-21 year olds, then you are hitting the 15-18 year olds as well. They are hoping that raising the age will eliminate that group. Mr. Aslaner added that it also included e-cigarettes.

Mr. Rausch commended Marion Police Department on their recent bust of some heroin dealers. He said that does affect us and we need to be very vigilant around here. Our officers are doing an excellent job, but anytime a department can come away with bust like that it helps us keep the drugs off our streets as well.

Mr. Taylor said we will have an ad in the paper for the opening of Mr. Fogt's position and we will attach it to our facebook page because some people do not pick up the paper. We are asking for resumes to be presented to Clerk Jones by June 26, 2015 at 4:00 p.m. We will hold our interviews after we receive the resume. The new person will not be put into chairing a committee, Mr. Taylor is going to ask Mrs. Richardson to chair two committees.

Mr. Taylor said June 25, 2015 at 6:30 p.m. we will be hold an open house for Mr. Fogt prior to our meeting.

Mayor Gore said he has always told everyone that Mr. Fogt was the hardest working councilmen. Anyone that came to him with an issue, he took the time to listen and research it. Even though we may not have always agreed on things he took the time and people knew they could go to Mr. Fogt if they had a question. Mayor Gore said he is going to miss that, they have a good run for 15 years and he is proud to call Mr. Fogt a friend.

**ADJOURNMENT:** There being no further business to come before Council, the meeting was adjourned at 7:50 p.m.