

## **CITY COUNCIL MINUTES**

**September 10, 2015**

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

**MEMBERS PRESENT:** Alan Seymour Tracy Richardson, Nevin Taylor, Deb Groat, Mark Reams, Henk Berbee and J.R. Rausch was excused.

**OTHERS PRESENT** City Administrator Terry Emery, Finance Director Jenny Chavarria, Chief Golden Chief Jay Riley, Public Service Director Mike Andrako, Law Director Tim Aslaner, City Engineer Jeremy Hoyt, City Planner Chad Flowers and Clerk Kristina Jones

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

**CITIZENS PRESENT:** Ted Howard, Don Patterson, Cal & Donna Shirk, Nancy Daniels, Mark Mandeville, Brandi Berg, Jordin Horon, Stephanie DeMaggio, Ray & Linda Hoetger, Kent Hawkins

Mayor Gore FaceTime in from Japan to lead Council in the pledge of allegiance.

Mr. Taylor held a moment of silence for Harry McMannis.

Mayor Gore thanked Mr. Taylor giving him a couple minutes to speak. He acknowledge the recipients for the Connie Patterson Beautification Program and explained how important it is to the community. Mayor Gore thanked everyone for their participating in help making the community beautiful. He recognized Mr. Patterson, Becky and Rachel and thanked them for their support of this program. Mayor Gore asked for prayers for the people of Japan. They are going through a tough time right now, with what has been labeled as a Typhoon. He explained that they were not able to make it to some of the meetings they had planned because outlying communities were unable to be reached by train. He said there are people who have lost their homes and suggested everyone say a prayer for them.

**APPROVAL OF MINUTES:** The minutes for the meeting on August 27, 2015 were approved.

### **ADMINISTRATIVE REPORT:**

Mr. Taylor thanked the Exterior Property Maintenance Committee and introduced the chair of the Committee, Deb Bingham. He also explained that her term is up and if there is anyone interested in serving from Ward 4, please let him know.

Mr. Emery said it was very important to the Mayor, since he joined us from Japan and made the statements he did. It is also very important to the administration as well.

Mr. Taylor, Ms. Bingham, and Mr. Patterson passed out the awards for the winners of the 2015 Connie Patterson Beautification Program:

Mark & Brandi Berg  
1194 Village Drive  
Property Enhancement- Residential Winner Ward 1

Ted Howard  
864 Kentucky Circle  
Beautifully Maintained- Residential Winner Ward 1

Hawkins DDS  
730 Milford Avenue  
Beautifully Maintained- Business Winner Ward 3

Hinkley's  
318 East Fifth Street  
Property Enhancement- Business Winner Ward 4

Mill Creek Apartments  
Brandee & Berlin Valentine  
749 North Maple Street  
Beautifully Maintained- Business Winner Ward 4

Steven and Linda Smith  
637 West Fifth Street  
Property Enhancement- Residential Winner Ward 4

Beth Delauter  
841 Lone Rise Drive West  
Property Enhancement- Residential Winner Ward 1

Green Pastures Home Owners Association  
Collins Road and Palm Drive  
Gateway Winner

Travis Rodenberger  
1545 Claudia Lane  
Beautifully Maintained- Residential Winner Ward 3

Donald Boerger  
428 East Fifth Street  
Beautifully Maintained- Residential Winner Ward 4

Mr. Taylor and Mr. Emery presented a proclamation to Linda and Ray Hoetger of Canal Winchester declaring September as Prostate Cancer Awareness Month in Marysville. Mr. Hoetger is a survivor of Prostate Cancer. Mr. Hoetger explained that it is his wife's goal to get every city in Ohio to declare a month as Prostate Cancer Awareness.

Mr. Emery reported the following:

### **Maintenance & Operations**

#### **Hatfield Corner Park**

The concrete plaza and adjacent sidewalk installation is complete. Work on the dry riverbed feature has begun. Tuffco Sand & Gravel offered to donate the medium sized stones needed to construct the riverbed. Landscaping in the concrete plaza planting areas and the wrought iron fencing (repurposed from the Cemetery) will be installed in the next few weeks.

#### **Mill Valley South Play Structure**

The site is leveled and prepped for installation of the play structure. Installation work begins tomorrow and the rubber surfacing will be installed next week weather permitting.

#### **Recycling Toter Labels**

In an effort to improve compliance with placing only recyclable materials in the blue recycling toters, the North Central Ohio Solid Waste District along with Union Recyclers and Republic will be purchasing and placing labels onto the lids of the blue recycling toters throughout the City. The labels will indicate what items are and are not recyclable.

### **Engineering:**

#### **4th and 5th Street Waterline**

- The asphalt overlay is complete on West 4<sup>th</sup> between Court and Grove and the portion on West 5<sup>th</sup>.
- The jack and bore (tunneling) underneath the railroad tracks is complete.
- Work will continue on the waterline installation on Delaware Avenue (east of 5 Points).
- Waterline services are being bore under East 5<sup>th</sup> Street (west of 5 Points and east of Walnut).

**2015 Pavement Maintenance Program:**

- The City-wide asphalt planing and milling on the remaining streets is complete.
- The SAMI Seal (tar and gravel) will be placed on the milled roadways starting at the end of this week.
- The asphalt overlay work on the remaining streets will start next week and is anticipated to be complete by the end of September.

**Administration:**

The 9/11 Remembrance Ceremony takes place tomorrow (Friday, September 11) at 9:50 a.m. at Decker Fire Station.

Union County YMCA instructors will offer Yoga and Tai Chi classes in Partners Park on Wednesdays and Fridays through October. The first Yoga class kicks off tomorrow (9/11) at 12:15 pm. Tai Chi starts in October. Classes last 30 minutes and are free. Additional class information is posted in the Memorial Health Pavilion and at [www.unioncountymca.org](http://www.unioncountymca.org)

Trick-or-Treat in Marysville will take place on Halloween, Saturday, October 31 from 6:00- 8:00 p.m.

Mr. Emery mentioned an article in the newspaper that mentioned the transition to Amanda Morris as the Recreation and Event Manager, and he would like to add how much we appreciated the work Laura Michalak did during the past several months to keep the events and programs running.

Mrs. Richardson asked when the labels would be distributed on the toters. Mr. Andrako said there is no date yet. The City was just informed that they would be purchased and installed. He asked that they give him a week prior to installing them and he will make sure to get it announced on facebook.

Mr. Emery announced that Dave Yost the Auditor of the State has completed our financial audit and provided the City of Marysville with the Auditor of State Award with Distinction. He has a copy if any Council members would like to review it.

Mr. Reams asked about all the orange barrels down US36/4, since the project was not to begin. Mr. Hoyt said he was unsure and will do some research tomorrow. Mr. Emery suggested that Mr. Hoyt will forward the information he finds out to all of Council.

**REPORT OF CLERK OF COUNCIL:** We received a liquor license transfer from Myung Hyun Inc DBA Hunan Express located at 160 Emmaus Road to Moarg & Co Inc DBA Jerrys Asian Kitchen & Grill located at 409 Allenby Drive. They are transferring a D1, D2 and D3. D1 is beer only for on premises consumption or in original sealed containers for carry out only until 1:00am. D2 is Wine and mixed beverages for on premises consumption or in original sealed containers for carryout only until 1:00am. D3 is spirituous liquor for on premises consumption only until 1:00am. Chief Golden had no objections, does council? Council had no objections to the transfer on the liquor permit.

**REPORT OF ECONOMIC DEVELOPMENT:** Mr. Phillips and Mr. Stanford provided a written report to Council in their absence.

**HEARING OF CITIZENS:**

**RESOLUTIONS:**

A Resolution Approving the Assignment of Enterprise Zone Agreement #178-13-01 to Realty Income Corporation and to Report such Assignment to the Ohio Development Services Agency, was presented for first reading, title only.

**Administration Comments:** Mr. Phillips or Mr. Stanford provided Council with a memo and will be at the September 24<sup>th</sup> Council meeting to present this legislation to Council. They have provided a memorandum to Council regarding the legislation.

**Council Comments:**

**Back for second reading, public hearing on September 24, 2015.**

**ORDINANCES:**

To Authorize the City to Accept an Amendment to Easement for Ingress and Egress to the City Owned 55.988 acre Conservation Parcel, was presented for second reading, public hearing.

**Council Comments:**

**Citizen Comments:**

**Back for third reading, title only on September 24, 2015.**

To Amend Section 951.02(d) (2) AND 951.01 of the Codified Ordinances of the City of Marysville, Thereby Disallowing Pets (With the Exception of Service Animals) at Partners Park, was presented for first reading, title only.

**Administration Comments:** Mr. Emery said we have discussed this and was placed in committee for discussion and with all the events in Partners Park the first year we have and with the type of amenities we have within the park, the Administration feels pretty strongly about this piece of legislation.

**Council Comments:** Mr. Reams asked what Parks and Rec had to say about the legislation. Mr. Emery said Parks and Rec meeting was canceled in August, so we will check with them at the September meeting.

Mr. Reams questioned why we needed to add a new piece of legislation when the current legislation allows the City to ban dogs from Partners Park by hanging a sign. Mr. Reams also pointed out the penalties section was not included in the current legislation.

**Back for second reading, public hearing on September 24, 2015.**

To Amend Chapter 515, Prohibiting Tobacco Use on City-Owned Property, of the Codified Ordinances of the City of Marysville, Ohio, was presented for first reading, title only.

**Administration Comments:** Mr. Emery stated this piece of legislation is very important to Mayor Gore. Mayor Gore feels that we have had a very good impact on our tobacco free areas in the Park. He also feels that it is important to include the e-cigarettes/vapor in this enforcement.

**Council Comments:**

**Back for second reading, public hearing on September 24, 2015.**

To Add Section 142, Municipal Income Tax, to the Codified Ordinances of the City of Marysville, was presented for first reading, title only.

**Administration Comments:** Mr. Aslaner said as you know HB 5 was recently passed and as a result Chapter 718 of the ORC will be heavily modified. One of the modifications of was that all the cities in Ohio comply with all the changes. Mr. Aslaner said the document you have in front of you tonight comes from a template that was prepared by the Ohio Municipal League. He explained himself, Mr. Emery and Ms. Chavarria would be happy to sit down with any council member to go over the changes in detail.

**Council Comments:** Mr. Berbee went over some of the details in Chapter 142, starting with page number 38. He also explained it was discussed whether to move the filing age from 18 and older to 16 and older, but after reviewing what other cities around Marysville did, they decided to keep it 18 and older are required to file. He also explained that the estimated loss to the City would be around \$250,000 to \$400,000. Mrs. Richardson asked if that was a one-time loss. Ms. Chavarria stated that it would be an annual loss. Mrs. Richardson asked if Ms. Chavarria could explain the breakdown of what the loss would be a year. Ms. Chavarria stated she will try. Mrs. Richardson asked where a majority of the loss would be coming from. Ms. Chavarria answered a majority would be the net operating loss. She added there are some expenses that are going to

occur and those have been included.

**Back for second reading, public hearing on September 24, 2015.**

To Authorize the Sale of a Crane Truck#334, Stump Grinder, Medic Ambulance and 1998 One Ton Dump Truck (Dodge), was presented for first reading, title only.

**Administration Comments:** Mr. Emery explained that Chief Riley or Mr. Andrako would be glad to speak with any Council member about the items being placed up for sale.

**Council Comments:** Mr. Taylor asked if we would be using the online bidding on this or will we be holding a sale? Mr. Andrako said we will be using the online auction and it will be run 14 days. Mrs. Richardson asked if we had the replacements in the Capital Improvement Plan. Mr. Andrako explained the equipment has already been replaced.

Mr. Reams moved to waive 3<sup>rd</sup> reading and the question put, stood:

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

**Back for second reading, public hearing on September 24, 2015.**

**PARKS & RECREATION REPORT:**

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

Mr. Taylor said tomorrow at 9:50am take a few minutes and think about the ones who did not see it coming and the ones who ran in to save them.

Mr. Seymour asked Mr. Hoyt if it is a daily check for new potholes because of the waterline project. Mr. Hoyt answered yes. Mr. Emery asked if Mr. Seymour had a certain location that he was asking about. Mr. Seymour said Court Street and Five points. Mr. Emery said we will take a look at those areas.

Mrs. Richardson thanked the Administration for the two additions to the website. The first was pedestrian safety and second was the new playground at Mill Valley South. She has noticed that more residents are checking the website and it is helpful.

Mrs. Richardson reminded everyone that the Marijuana Town Hall meeting is September 16, 2015 at 7:00pm. If you attend you will become better informed when you go to the polls to vote on the topic of legalizing marijuana. She said there will be some guest speakers. They will address common myths and facts about marijuana and the concerns and impact on our community.

Mrs. Richardson announced the prescription take back on September 26, 2015 from 10:00am to 2:00pm, drop offs are at Union County Sheriff's Office, Richwood Police Department and Pleasant Valley Fire Department.

Mrs. Richardson said with regards to September 11<sup>th</sup>, no one will ever forget where we were when this happened.

Mrs. Groat reported that the Festifair will be this Saturday from 8:30-4pm.  
Public Safety Committee will meet on September 14, 2015 at 5:00pm.  
Public Affairs Committee will meet on September 28, 2015 at 6:00pm.

Mr. Reams stated he finally took his dogs to the Dog Park and they loved it, but were scared of the water fountain.

Mr. Berbee reported Finance Committee will meet September 21, 2015 at 5:00pm, due to a schedule conflict on the Thursday that Finance is usually held. He also thanked Mr. Taylor for the moment of silence for Mr. McMannis, and what a great community role model he was.

**ADJOURNMENT:** There being no further business to come before Council, the meeting was adjourned at 7:54 p.m.