

CITY COUNCIL MINUTES

November 5, 2015

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

MEMBERS PRESENT: Alan Seymour, J.R. Rausch, 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, Chief Golden, Chief Jay Riley, Public Service Director Mike Andrako, Law Director Tim Aslaner, City Engineer Jeremy Hoyt, IT Director Aaron Story, HR Director Brian Dostanko, City Planner Chad Flowers, Zoning Administrator Derek Hutchinson, and Clerk Kristina Jones

REPORTERS PRESENT: Taylor Evans-Journal Tribune, Jennifer Noblit - ThisWeek

CITIZENS PRESENT: Bill Lynch, Melissa Smith, Jonathan Smith, Pete Griffin, Gary Lee, Gary Conklin, David Dobbs, Jacob Holland, Keith Conroy, Ami Cooksey, Jim Wimmers, Tony Eufinger and Bill Jordan

APPROVAL OF MINUTES: The minutes for the meetings on October 22, 2015 and October 29, 2015 were approved.

ADMINISTRATIVE REPORT:

Mayor Gore presented a proclamation to Melissa Smith of 554 Doral Court, Marysville, Ohio, declaring November 13, as World Pancreatic Cancer Day in Marysville, Ohio.

Mrs. Morris gave details of all the upcoming holiday events happening in Marysville and Union County.

Mayor Gore reported the following:

Maintenance & Operations

Leaf Collection: Curbside leaf collection began last month and will continue through the end of the year. Please rake leaves into the tree law and they will be collected on a weekly basis (weather permitting). Do not rake leaves into the street as they can block storm drainage and hinder street sweeping efforts.

Engineering

4th and 5th Street Waterline: The utility trench repair work is complete and all remaining pavement work is anticipated to be completed by the end of this week. The lawn restoration and minor concrete replacement will occur after the pavement work is finished.

Seventh Street Roadway Reconstruction: The concrete curb installation is complete and the asphalt is expected to be complete within the next week. Substantial completion is expected by mid-November.

Administration

The Veterans Day/Voices from the Stone Ceremony takes place, Sunday, November 8, 2015 at 2:00pm on the Union County Courthouse Lawn (at the Veterans monument).

The Hatfield Corner Park Ribbon Cutting will be held Thursday, November 12, 2015 at 4:00pm.

City offices will be closed Wednesday, November 11, 2015 in observance of Veterans Day.

The Fifth Annual Pumpkin Dash 5k takes place on Thanksgiving Day, November 26. Additional information about the 5k is available at www.pumpkindash5k.com

The Annual Uptown Christmas Walk and Tree Lighting Ceremony will be held on Monday, November 30, 2015 from 5:00-8:00pm. Tree lighting will be at 6:30pm at Partners Park.

The Christmas Parade (hosted by the Elks Club) is scheduled for Sunday, December 6 at 2:00pm.

REPORT OF CLERK OF COUNCIL: Clerk Jones asked Mr. Taylor if the second work session will be needed on November 12th. Mr. Taylor explained that he would give her an answer at the end of the meeting.

REPORT OF ECONOMIC DEVELOPMENT: Mr. Phillips did not have a report was available to answer questions from Council.

HEARING OF CITIZENS:

RESOLUTIONS:

A Resolution “APPROVING THE ECONOMIC DEVELOPMENT INCENTIVE POLICY AND AUTHORIZING THE CITY TO ENTER INTO SAID POLICY” was presented for second reading, public hearing.

Council Comments:

Citizen Comments:

Back for third reading, title only on November 19, 2015.

A Resolution “TO APPROVE THE CONTINUANCE OF ENTERPRISE ZONE TAX INCENTIVE AGREEMENTS WITH VARIOUS COMPANIES” was presented for second reading, public hearing.

Council Comments:

Citizen Comments:

Back for third reading, title only on November 19, 2015.

A Resolution “TO AUTHORIZE THE CITY TO ENTER INTO THE LPA FEDERAL LOCAL-LET PROJECT AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION AS PART OF THE WEST FIFTH STREET SIDEWALK REPLACEMENT PROJECT” was presented for first reading, title only.

Administration Comments: Mr. Emery said the purpose of the agreement is to set forth the requirements associated with the Federal funds available for this (safe routes to school) project and to establish the responsibilities for the local administration of this project. He said it was a normal procedure for this project.

Council Comments: Mrs. Richardson verified that no City funds would be used for this project. Mr. Hoyt confirmed that no City funds would be used. Mr. Berbee asked if we knew what the amount would be. Mr. Hoyt said the amount will be \$168,500.

Back for second reading, public hearing on November 19, 2015.

ORDINANCES:

An ordinance “TO AMEND SECTION 400 (PAY POLICIES) AND SECTION 500 (BENEFIT POLICIES) OF THE CITY OF MARYSVILLE POLICIES MANUAL” was presented for third reading, title only.

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

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

An ordinance “TO REZONE PARCELS 290005122000, 2900051210000, 2900051200000, 2900050860000, 2900051190000 AND 2900050791000 LOCATED AT WEST MAPLE STREET FROM BUSINESS RESIDENTIAL (BR) TO SPECIAL DISTRICT ONE (SD1)” was presented for second reading, public hearing.

Council Comments:

Citizen Comments:

Back for third reading, public hearing on November 19, 2015. A scheduled public hearing for Thursday, November 19, 2015 at 7:00pm per section 1131.08 of the Planning and Zoning Code.

An ordinance “AUTHORIZING AND APPROVING A COOPERATIVE DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY AND MILLCREEK TOWNSHIO TO PROVIDE A FRAMEWORK FOR THE ESTABLISHMENT OF ONE OR MORE JOINT ECONOMIC DEVELOPMENT DISTRICTS FOR THE PURPOSE OF CREATING AND PRESERVING JOBS” was presented for second reading, public hearing.

Mr. Phillips gave a presentation regarding the Cooperative Economic Development Agreement. (See attached)

Council Comments: Mrs. Richardson asked what the fees would be. Mr. Hoyt said it would be 20% for sewer and since we paid off the water the fees would be 10% for water. He said once we pay off the waste water plant then it will drop down to 10% as well.

Mr. Berbee asked about public safety services. Mr. Phillips said they have an agreement for a public safety officer through the Union County Sheriff’s Office. Mayor Gore said Chief Riley will report on fire after Commissioner Lee speaks. Mr. Phillip said that Jerome provides fire services through a contract with Mill Creek Township.

Commissioner Lee explained that the Sewer and Water agreement was prepared in 2000. He said he and Mayor Kruse had extensive conversations regarding JEDDS and CEDAS. He thinks it is a win, win for both the City and township. He would hope that Jerome Township would follow closely with a similar agreement.

Chief Riley said our services depend on response times, which is why we built the station on County Home Road. Our goal is to be on scene within seven minutes, 90% of the time. He said the difficulty is going down Industrial Parkway because it is an appendage away from the core of the City. He said from the City Hall station to the Fladt Road Water Tower is 5.6 miles, which is a drive time of 8.5 minutes. The water tower is 7.8 miles from Decker Station, which is just shy of 9 minutes. He said there is no way for them to meet their goals. In order to provide service to the degree our citizen expect, we would need to consider an additional station in the Industrial Parkway/Scottslawn area. Currently, Mill Creek Township contracts with Jerome Township Fire Department to handle runs for them.

Citizen Comments: Mr. Conroy said from the townships prospective we have put a lot of time into this agreement. He feels that it benefits that it would be a great partnership for the township and City and also for developers that are looking at those property in the future. He thinks that it could be problematic if we do nothing right now. If you do not have a JEDD and development happens, the ability to implement a JEDD when businesses are already there is next to impossible. He was available for any questions from Council.

Mr. Gary Conklin spoke in support for the CEDA/JEDD agreement.

Back for third reading, public hearing on November 19, 2015.

An ordinance “ADOPTING A CAPITAL BUDGET FOR 2016” was presented for second reading, public hearing.

Council Comments: Mrs. Richardson thinks the capital improvement plan is a great roadmap for important projects but it is not necessarily set in stone. She would like everyone to keep that in mind as we move forward. She noticed that there is a project to install a new streetlight on Coleman’s Crossing at E. Fifth that is projected for 2017. She asked if we were looking to use the TIF fund (Fund 247) for that project. If we are and we already have the funds, she was just wondering if we could push it up a year. Mr. Andrako said yes, that could be a possible funding source, he would have to see what the balance is for the TIF fund.

Citizen Comments:

Back for third reading, public hearing on November 19, 2015.

An ordinance “ADOPTING AN OPERATING BUDGET FOR 2016” was presented for second reading, public hearing.

Council Comments:

Citizen Comments:

Back for third reading, public hearing on November 19, 2015.

An ordinance “2016 ANNUAL APPROPRIATION ORDINANCE” was presented for second reading, public hearing.

Council Comments:

Citizen Comments:

Back for third reading, public hearing on November 19, 2015.

An ordinance “AMENDING ANNUAL COMPENSATION ORDINANCE FOR ALL CITY EMPLOYEES-2016” was presented for second reading, public hearing.

Council Comments:

Citizen Comments:

Back for third reading, public hearing on November 19, 2015.

An ordinance “DECLARING THE IMPROVEMENT OF CERTAIN REAL PROPERTY LOCATED IN THE CITY OF MARYSVILLE, OHIO TO BE A PUBLIC PURPOSE; DELCARING SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; DESIGNATING PUBLIC IMPROVEMENTS TO BE MADE THAT WILL BENEFIT SUCH PROPERTY; REQRING ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; AGREEMENT WITH THE PROPERTY OWNER; AUTHORIZING COMPENSATION AGREEMENTS WITH THE MARYSVILLE EXEMPTED VILLAGE SCHOOL DISTRICT AN THE OHIO HI-POINT CAREER CENTER; AND ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND” was presented for second reading, public hearing.

Council Comments:

Citizen Comments:

Back for third reading, public hearing on November 19, 2015.

An ordinance “TO AMEND SECTION 1140.08 (B) (7), INSTALLATION AND MAINTENANCE, OF THE CITY OF MARYSVILLE PLANNING AND ZONING CODE” was presented for first reading, title only.

Administration Comments: Mr. Aslaner said this is a zoning recommendation that came from the Planning Commission and their resolution is attached to our ordinance. Mr. Andrako, Mr. Emery and I met with the Public Service Committee, and it is Public Service Committee’s position that they would like to amend the wording that was presented in the recommendation from Planning Commission. Mr. Aslaner said that the Public Service Committee is going to ask for the amendment to the resolution tonight, and it does take six votes to pass the amendment.

Council Comments:

Mrs. Richardson moved to amend the Planning Commission recommendation to add the words or postpone after the word waive in the last sentence, and the question put, stood:

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

Mr. Aslaner explained that Mr. Andrako went to the Planning Commission and explained to them the amendment and they were good with the change.

Back for second reading, public hearing on November 19, 2015.

An ordinance “TO ADD SECTION 1319.08(B) AND (C), EXTERIOR PROPERTY MAINTENANCE CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF MARYSVILLE” was presented for first reading, title only.

Administration Comments: Mr. Aslaner explained that in 2013 we overhauled the Exterior Property Maintenance Code, we left out how the commission was formed. We are also adding that the Commission will be responsible for the Connie Patterson Beautification Program and any other City sponsored beautification programs.

Council Comments:

Back for second reading, public hearing on November 19, 2015.

An ordinance “TO REPEAL SECTIONS 925.02(B); 93001(K); 931.06(G), OF THE CODIFIED ORDINANCES OF THE CITY OF MARYSVILLE” was presented for first reading, title only.

Administration Comments: Mr. Hoyt explained that these Sections deal with the Milford Avenue Sewer District, which was created in 1995 and expired after 20 years. This cleans up the code and removes the mention of the Milford Avenue Sewer District.

Council Comments:

Back for second reading, public hearing on November 19, 2015.

PARKS & RECREATION REPORT: Mr. Rausch said the Committee did not have a meeting in October.

COMMENTS OF THE MAYOR AND COUNCIL PERSONS AND GENERAL DISCUSSION:

Mr. Seymour said Sunday, November 8, 2015 at 2pm will be the Veterans Memorial at Monument Square on the Courthouse Lawn. The Voice of the Stone will honor Master Sargent James Kopenhauer from the Korean War, which is this year is the 70th anniversary of the Korean War. He added 28 pavers will be dedicated for those that have ordered pavers for friends and family. Ester Carmen will be honored as well.

Mr. Rausch congratulated the four incumbents for being re-elected. He said citizens for the most part seem to like the job that we have been doing. He is looking forward to working with all six of the members in the new form of government next year.

Mr. Rausch said in our Ad Hoc Transition committee that we had with the full council in March, we started talking about dates for council retreats and those are going to be coming up here soon. He said we are looking at doing a date in January, which will be a Strategic Planning 101 that Mr. Dostanko will lead an evening during the week. We were thinking sometime early February or March to do a two day off-sight strategic planning. He will get some dates to Mrs. Jones and we will look at getting on the calendar. Mr. Rausch suggested if we are going to have a yearly retreat we should get the date set so people know not to schedule anything during that time.

Mrs. Richardson asked about the Safe Walks to School Grant, is that an annual request, are we going to submit one for 2016. Mr. Hoyt said it is not an annual grant. Mrs. Richardson thanked all the voters in Ward 1 and want you to know that while I ran unopposed, I do not take your vote for granted. I am as determined as ever to work hard in the service of our community. Fellow Councilmembers and City Staff, it is my privilege to serve with you. I look forward to the next 4 years together as we collectively seek to provide the best services and leadership for our residents.

She said all that talking paid off, Issue 3 failed. She breathed a huge sigh of relief on election night. Yes, this week Ohio voter's turned down Issue 3 with a strong NO vote. On the very heels of the election, both Responsible Ohio, the proponents of Issue 3, and state law makers announced plans to consider further efforts to legalize marijuana. Here is a statement from the Drug Free Coalition:

“While ISSUE 3 failed, the use of medical marijuana remains an emotionally charged issue. Many compassionate voters and law makers support the use of medical marijuana for relieving pain or other specific medical problems such as seizure disorders among children.

As an example, Ohio currently has pending legislation HB 33: which would authorize use of cannabis and other cannabis-derived drugs and substances. Otherwise known as the “Charlotte’s Web” it is a strain of cannabis used for medical purposes and processed in to an extract. It does not induce a “high” associated with recreational marijuana and has very low (THC) of less than .3%. The extract can be given in a patch form or orally through an oil. Other cannabis-based drugs are already available in the market. For example Marinol has been available by prescription since 1985. The FDA is also in the late stages of approving Sativex, an oral mouth spray.

As state lawmakers consider options, they should proceed with caution. Legalizing marijuana for medical purposes without clear limitations still opens the door for increase access of marijuana infused products such as gummy-bears, candy-bars, sodas and baked goods that put children at-risk.”

As you just heard, there’s always something to talk about when it comes to keeping our community drug and substance abuse free....please: **KEEP TALKING!**

Mrs. Richardson also thanked all Veterans and wished them all a happy Veteran’s Day. Freedom comes at a cost to those in uniform and their families and so she encourage all to take the time to thank a Vet on November 11. Veteran’s Day Celebration is this Sunday in front of the County Court House.

She also mentioned that the Veterans' status does not pertain to her any more, she is an active member of the US Army Reserves working for the Admissions Office at WestPoint with duty here in Marysville. If there is anyone looking for help in applying to the academy, please contact her.

Mr. Berbee thanked the Administration for sitting down with him to review the budget. He reported Finance Committee will meet on November 12, 2015 at 5pm, we will be reviewing the five year Finance Plan for the City.

Mr. Reams explained that next Tuesday, he will be meeting with Mr. Emery and Mr. Phillips to discuss the CEDA/JEDD.

Mrs. Groat asked for agenda items for the November 23, 2015 Public Affairs meeting.

Mr. Taylor said We are the land of the free because of the brave. He canceled the Work Session for November 12th. On November 11th at 6:00pm, the Elks will feed the veterans and families.

Mayor Gore asked Mrs. Richardson if she would like to uniform up and attend the homecoming for the Ohio Reserve Troop from Marysville at Woodlawn, if she would be able to go. Mrs. Morris will get her the information as well.

Mayor Gore added on November 19, 2015 at 9:00am is the Business Impact Breakfast, there will be a presentation on the transition from present form of government to the new form of government. The presenters will be Mayor Gore, Mr. Rausch, Mr. Taylor and possibly Mr. Dostanko.

ADJOURNMENT: There being no further business to come before Council, the meeting was adjourned at 8:24 p.m.