

CITY COUNCIL MINUTES

November 19, 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 Hutchinson, Chief Golden, Chief Jay Riley, Lt. Keith Watson, Public Service Director Mike Andrako, Law Director Tim Aslaner IT Director Aaron Story, Zoning Administrator Derek Hutchinson, and Clerk Kristina Jones

REPORTERS PRESENT: Taylor Evans-Journal Tribune

CITIZENS PRESENT: Gary Conklin, Tim Schacht, Bill Lynch, Donald Boerger, Ami Cooksey, Tony Eufinger, Keith Conroy, Gary Lee, Mary Ann Conley, Steve Conley

APPROVAL OF MINUTES: The minutes for the meeting on November 5, 2015 were approved.

ADMINISTRATIVE REPORT:

Mayor Gore presented Chief Riley and Lt. Watson with Commendations for their work with Navin Elementary Schools.

Mr. Taylor appointed Jeremy Moore for BZA. He also appointed Mallory Ingram and Cheri Seymour to Exterior Property Maintenance Commission starting January 1, 2016.

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.

Lewis Park Restrooms: The work to install the restrooms at Lewis Park is currently ongoing and is expected to be completed by the end of the year. In addition to the restroom facilities being added to the existing building at the park, a concessions window has been installed in the building to provide an area for the Junior Football Association to sell concessions during their events.

Engineering

4th and 5th Street Waterline: Items from the City's post-construction punch list are being addressed and the Contractor expects to achieve completion (other than a spring time re-seed) from the City prior to Thanksgiving.

Seventh Street Roadway Reconstruction: The majority of the work is complete and Seventh Street is expected to be open to traffic by the end of the week (if not sooner).

Administration

City offices will be closed Thursday, November 26, 2015 and Friday, November 27, 2015 in observance of the Thanksgiving Holiday.

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: We received a liquor license transfer from Local MKT LLC, DBA Local MKT 715 located at 1621 Cobblestone Way to Th Midwest LLC DBA Turkey Hill 715 located at 1621 Cobblestone Way. 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 the sale of intoxicating liquor on Sunday between the hours 10:00am or 11:00am and midnight. Chief Golden had no objection and neither did Council.

REPORT OF PLANNING COMMISSION/DESIGN REVIEW BOARD: Mr. Boerger reported for Planning Commission, he said there was no new business on the agenda. Planning Commission had a presentation from Jason Stanford with the Chamber regarding the master plan of the bike paths. Mr. Boerger congratulated Council members on their re-elections.

Mr. Schacht reported that Design Review Board met and the following items were on the agenda:

1. Exterior Plan/Landscape Plan: An application to construct a new +/- 14,204 sq. ft. Office / Warehouse facility for Dickman Supply on property located on Industrial Parkway in the M-2 (Heavy Manufacturing) zoning district.- Approved
2. Exterior Plan/Landscape Plan: An application to add a new cooler at the rear of an existing building located at 465 N Main Street, with landscaping around the front. – Approved
3. Certificate of Appropriateness in the Historic Design District: An application to construct a new +/- 290 Sq. ft. delivery area addition to an existing structure at 703 E. Fifth Street in the BR (Business Residential) zoning district.- Approved
4. Certificate of Appropriateness in the Historic Design District: An application to demolish the existing structures located at 603 E. Fifth Street, 114, 114 ½ and 120 Vine street.- Denied
5. Certificate of Appropriateness in the Historic Design District: An application to demolish the existing structures located at 611 E. Fifth Street.- Denied
6. Certificate of Appropriateness in the Historic Design District: An application to demolish the existing structures located at 617 E. Fifth Street.- Approved

Mrs. Richardson asked why the Board approved the final item with it being in the historic district. Mr. Schacht explained that the Board felt that the deterioration of the building was more than what was feasible to keep the structure.

HEARING OF CITIZENS:

RESOLUTIONS:

A Resolution “A RESOLUTION APPROVING THE ECONOMIC DEVELOPMENT INCENTIVE POLICY AND AUTHORIZING THE CITY TO ENTER INTO SAID POLICY” was presented for third reading, title only.

Mrs. Richardson explained that there are some references to the Mayor in this policy that we will need to make administrative changes. Mr. Taylor explained he spoke with Mr. Aslaner about this and with the Mayor title be given to the President of Council, the language is ok.

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

A Resolution "TO APPROVE THE CONTINUANCE OF ENTERPRISE ZONE TAX INCENTIVE AGREEMENTS WITH VARIOUS COMPANIES" was presented for third reading, title only.

Mrs. Richardson moved to pass the legislation 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

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 second reading, public hearing.

Council Comments:

Citizen Comments:

Back for third reading, title only on December 3, 2015.

A Resolution "TO AMEND RESOLUTION 21-15 TO REFLECT THAT THE ASSIGNMENT OF ENTERPRISE ZONE AGREEMENT #178-13-01 IS TO BE MADE TO MDC COAST 1, LLC, A DELAWARE LIMITED LIABILITY COMPANY", was presented for one reading only.

Administration Comments: Mr. Aslaner explained we need to make a minor change to resolution 21-15 to change the name of the company taking over the deed. The attorney for Sumitomo would like an emergency clause added to the legislation as they are closing on the property next month.

Mrs. Richardson moved to pass the Emergency Clause and the question put, stood:

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

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

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

ORDINANCES:

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 third reading, public hearing.

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

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

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 third reading, title only.

Mr. Reams gave a presentation regarding the legislation (attached). After his presentation, Mr. Reams suggested he would like to motion to post-pone the legislation indefinitely.

Mr. Rausch said most business men talk about return on investment (ROI), when they look at a project. How long take to recoup the costs, what kind of rate of return. With the CEDA we do not have any upfront costs, so technically our ROI is infinite. As City Council, there are very few times that we can make a decision to benefit the City of Marysville without any upfront costs. He said yes, there is a cost, it is what Mr. Reams referred to, it’s an opportunity cost. We would give up the opportunity to possibly annex that land in the future. We do not know if we would ever want to annex that land in the future, if we did it would come at a significant cost. (Services, infrastructure, fire) He said if we did want to annex this land it would be just a small portion of what we would want to annex. There would be a lot more land in the CEDA than what we would consider annexing. When you look at the pros and cons of this CEDA. We would have a dedicated dollars to infrastructure, we would have a steady revenue stream to the City from large amount of land that we do not have to provide services to.

He said when it was mentioned that commercial and residential does not pay for itself that is assuming we are the ones providing the service to it. We would not be providing the service to that so therefore this revenue would be additional revenue from what we have currently. The CEDA ensures that this land is set aside for industrial development and it puts more in-users on our water and sewer line, which we all know is the only way that everyone in the City of Marysville is going to be able to keep sewer and water rates at where they are now. We do still have some control moving forward because we have the ability to say yes to anyone who would like into the JEDD.

Mr. Rausch said he thinks we gain a lot for a very small opportunity cost, therefore he does support that we pass this legislation tonight. He believes that if we wanted to put this off we should have been telling our negotiators that we weren't ready to go into a CEDA and that we need more time.

Mr. Reams moved to post-pone the legislation indefinitely and the question put, stood:

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

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

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

An ordinance "ADOPTING A CAPITAL BUDGET FOR 2016" was presented for third reading, title only.

Mrs. Richardson 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 "ADOPTING AN OPERATING BUDGET FOR 2016" was presented for third reading, title only.

Mrs. Groat moved to pass the legislation 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

An ordinance "2016 ANNUAL APPROPRIATION ORDINANCE" was presented for third reading, title only.

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

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

An ordinance "AMENDING ANNUAL COMPENSATION ORDINANCE FOR ALL CITY EMPLOYEES-2016" was presented for third reading, title only.

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

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

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; REQUIRING 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 third reading, title only.

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

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

An ordinance "TO AMEND SECTION 1140.08 (B) (7), INSTALLATION AND MAINTENANCE, OF THE CITY OF MARYSVILLE PLANNING AND ZONING CODE" was presented for second reading, public hearing.

Council Comments:

Citizen Comments:

Back for third reading, title only on December 3, 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 second reading, public hearing.

Council Comments:

Citizen Comments:

Back for third reading, title only on December 3, 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 second reading, public hearing.

Council Comments: Mrs. Richardson asked why the Village of Timber Lake has been excluded from this. Mr. Andrako answered that the Village of Timber Lakes have already paid their fees.

Citizen Comments:

Back for third reading, title only on December 3, 2015.

An ordinance "ACCEPTING THE DEDICATION OF THE ADENA POINTE, SECTION 2 SITE DEVELOPMENT IMPROVEMENTS" was presented for first reading, title only.

Administration Comments: Mr. Andrako said we had a punchlist and one year has lapsed, we are at the point where we are proposing to accept the infrastructure for the development.

Council Comments:

Back for second reading, public hearing on December 3, 2015

An ordinance "ACCEPTING DEDICATION OF CERTAIN REAL PROPERTY, PARCEL NO. 290010014000, SITUATED IN THE STATE OF OHIO, COUNTY OF UNION AND CITY OF MARYSVILLE" was presented for first reading, title only.

Administration Comments: Mr. Aslaner explained this and the next piece of legislation are properties that about the Town Run and we are using as the City's match for funding. The deeds have already been signed. We are still working on three more parcels that we are working with PNC Bank to complete.

Council Comments: Mrs. Richardson asked if we expected of any increase of real estate tax. Mr. Aslaner said he did not see any, because these properties are valueless.

Back for second reading, public hearing on December 3, 2015

An ordinance "ACCEPTING DEDICATION OF CERTAIN REAL PROPERTY, PARCEL NO. 290008104000, SITUATED IN THE STATE OF OHIO, COUNTY OF UNION AND CITY OF MARYSVILLE" was presented for first reading, title only.

Administration Comments:

Council Comments:

Back for second reading, public hearing on December 3, 2015

PARKS & RECREATION REPORT: Mr. Rausch said we had a meeting this past week and it is getting winter time and all the parks have been winterized. He said Bob Berbee was the president of Parks & Rec. this past year and his term ended November 30, 2015. We will have a vacancy for Ward 2, Mr. Berbee found someone and I have forwarded that information to Mr. Seymour. Mr. Rausch said his term is coming up and next year when we realign committee structures, we need to decide on who will be on Parks & Rec committee.

Mr. Taylor said tonight Mr. Rockenbaugh said he was approached by a couple of runners asking if during the winter time we could put a temporary restroom in Mill Valley South park because people still run the trail in the winter time.

COMMENTS OF THE MAYOR AND COUNCIL PERSONS AND GENERAL DISCUSSION:

Mayor Gore said the biggest fear he has is when we start talking about annexation because everyone can see how long it has taken us to be able to fund the previous land that we annexed. He cautioned the Council, if they have annexation on their mind in the future to be careful and make sure that you have the revenues and resources to pay for it.

Mrs. Richardson explained that her yes, to allow for more conversation given all the work Mr. Reams had done. She was not necessarily opposed to the current legislation, which is why she voted to approve it.

She reminded everyone that they can shop for their own gas and electric suppliers. She does it annually. She went on PUCO apples to apples sight.

Mrs. Richardson shared three thoughts about steps moving forward with the change in government. 1. Work Sessions- how do we plan to meet in addition to the Council meetings; 2. Discuss and agree to the role of committees in Council; 3. To discuss and define expectations for the role of Mayor and Vice Mayor and put them in writing so we have a clear understanding of what we are looking for.

Mrs. Richardson told the Council about Children's Hospitals new clinical trials for pediatric patients with seizures disorders, using a cannabis based medication (Epidiolex). The medication is made from the extract from the cannabis plant and has low levels of THC which produce the high. The medicine comes as a thick liquid and is given orally. She is sure that ResponsibleOhio will be pushing the topics to pursue legalization of marijuana.

Mrs. Richardson congratulated Mayor Gore on his final budget being approved and wished everyone a blessed Happy Thanksgiving.

Mrs. Groat reported that in December the Council will meet on the 3rd and 17th. Cemetery Advisory board will meet on December 9th at 4pm. Public Affairs has been canceled for November 23, which means we cannot cancel for the December 28th meeting at 6pm.

Mr. Reams said Public Service Committee meet this week and there was a lot of discussion on the parking at the Reservoir. Finance Committee met last week, which Mr. Berbee will report on.

Mr. Berbee thanked everyone who attended the ceremony for Mrs. Patterson and everyone who organized it. He said this was his sixth year with the budget and chairman of the Finance Committee thanked Council for passing the budget. "In the six years, this has been one of the best budgets that we have ever had."

Mayor Gore added that the reason for this budget being so easy is because of the communication and involvement and awareness. He believes that with the Council/City Manager form of government Council will have more input in the budget and that we will continue to have smooth budgets in the future.

Mr. Seymour thanked his mentors and tutors for their help with his first budget.

Mr. Rausch said Mrs. Jones has sent out dates for Strategic Planning 101 and retreat dates, if you have not responded please do. We will see if those dates are going to work for a majority of us. The Saturday after Thanksgiving will be shop local.

Mr. Rausch talked about the Business Impact Breakfast held this morning. The attendance was standing room only. Mr. Taylor, Mayor Gore and Mr. Rausch gave a presentation on the change in government from the beginning to where we are now. He thanked Mr. Dostanko for his work on putting the presentation together for them.

Mr. Rausch said that Mayor Gore, Commissioner Hall and himself had lunch with two dignitaries from the Saitama Prefecture, which would be like the State of Ohio in Japan, last Friday, they were doing precursor work because the Governor in that Prefecture is coming over in September and they were trying to figure out where to take him.

Mr. Taylor said he can remember sitting through four council meetings dealing with the budget and did not know what to do, so they were talking about tabling it until after Christmas. In the last five years, we have not even thought about that and it is because of the Mayor's team.

He added he thought it was ironic that at the Business Impact Breakfast that the Mayors from Milford Center and Richwood were in attendance to see how business would be changing for them. He said we did emphasize in the meeting this morning that Mayor's Customer Service will be a priority.

Mr. Taylor assigned Public Affairs to look at the Rules of Procedure, and if anyone has any suggested changes get them to the committee members before the December 28th meeting.

ADJOURNMENT: There being no further business to come before Council, the meeting was adjourned at 8:08 p.m.