

CITY COUNCIL MINUTES
June 23, 2016

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

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

OTHERS PRESENT: City Manager Terry Emery, Finance Director Jenny Hutchinson, City Law Director Tim Aslaner, Deputy Chief Spain, Chief Riley, Public Service Director Mike Andrako, City Engineer Jeremy Hoyt, HR Director Brian Dostanko, IT Director Aaron Story, City Planner Chad Flowers, Acting Clerk of Council Anna Krutowskis.

REPORTERS PRESENT: Will Channel- Journal Tribune

CITIZENS PRESENT: Bill Maggard, Donald Boerger, Tim Schacht, Frank Cipriano, Andy Brossart, William Blair

APPROVAL OF MINUTES: The minutes for the meetings on June 9, 2016 were approved.

ADMINISTRATIVE REPORT: Council approved the appointment of Kim Kerwin and Mark Herd to serve on the Income Tax Appeals Board. Mr. Emery asked for an executive session to discuss the purchase of property, with no action being taken.

The Administrative team reported the following:

City Manager reported the following:

Events & Recreation

Music on Main

The Ron Skaggs Duo will perform at the next Music on Main event, Wednesday, June 29 from 6:30-8:30 pm at Partners Park.

Fourth of July

City offices are closed Monday, July 4, 2016 in observance of the Independence Day holiday.

The 4th of July Parade steps off from American Legion Park at 10:00 am. The parade route travels East on 5th St. to Plum St., South to 6th Street, turning West and ending at the Union County Courthouse parking lot.

Municipal Pool

We are off to a great season at the Municipal Pool with 340 pool memberships sold to date (last year 215 sold for the season).

Division of Fire

Yesterday, (6/22) representatives from each city department participated in a tabletop exercise in conjunction with the Union County EMA, Union County Sheriff's Office, American Red Cross, and the Union County Health Department. The exercise centered on a simulated train derailment in the Uptown area. The simulation was successfully mitigated and several lessons were learned that will be applied to future exercises and incidents.

Division of Police

Officer Nicol attended 4H camp yesterday (6/22) as a bicycle officer during which he discussed bike safety and completed a 10-mile ride with camp participants.

Mr. Andrako reported the following:

Public Service Department, Maintenance & Operations

Road Closure

Scottslawn Rd will be restricted to local traffic only at the railroad crossing on Wednesday, June 29 beginning at 8 am. This closure is necessary in order for Scotts' contractor to repair the pavement near at the grade crossing on their tracks. Union County has requested that Fladt Rd and SR 736 be utilized as the detour route during the project. This construction is anticipated to be completed by early afternoon on the same day.

Mosquito Spraying

Parks & Grounds staff will be spraying for Mosquitoes tonight (6/23) 8pm to 2am. The following parks are treated: Schwartzkopf, Mill Creek, Mill Valley South, Mill Valley Central, McCarthy, Eljer, Greenwood, Aldersgate and American Legion Park. The Jim Simmons Trail is also included.

Athletic Fields & Trail Closure

The following Athletic Fields are closed until field conditions improve:

Mill Creek Park- Fields A & D

Eljer Park- Fields A & B

Mill Valley Park South

In addition, the Jim Simmons Trail (South of Mill Valley South Park under Route 33) is closed due to flooding.

Mr. Hoyt reported the following:

Engineering Department

The Big Idea meeting regarding the Uptown Revitalization Plan was held yesterday (6/22). Attendance was great (60 attendees) and the feedback was outstanding.

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REPORT OF CLERK OF COUNCIL: We received two requests for liquor license transfers. The first is from Faithful Ventures, LLC , DBA Uptown Steak House, located at 113 W. Fifth Street, 1st Floor, Basement, and Patio to Joe and Georgia Duke, DBA Uptown Steak House, located at 113 W. Fifth Street, 1st Floor, Basement, and Patio. The second request is for Family Pizzeria LLC, DBA Family Pizzeria, located at 707 South Maple Street to Off Shore Alternative LLC, DBA Family Pizzeria, located at 707 South Maple Street. Both requests are transferring a D5. D5 is spirituous liquor for on premises consumption only, beer, wine and mixed beverages for on premises, or off premises in original sealed containers, until 2:30am. Chief Golden had no objections. Council voted to approve the transfer of the permits, which was approved.

REPORT OF PLANNING COMMISSION/DESIGN REVIEW BOARD: Mr. Donald Boerger reported on behalf of Planning Commission the following:

Property Owner: Edward J. Potter II Applicant: Dennis A. Schulze, Schulze Howard & Cox Law Office Location: Watkins Road (Parcel# 2800170331000) Request: Zoning Map amendment to zone parcel 2800170331000 located on Watkins Road to Traffic Oriented Commercial (TOC) (Annexation)- Approved.

2. Property Owner: Chestnut Crossing Developers, LLC Applicant: William Maggard, NexCore Group LLC Location: Southeast corner of Walnut Street and Professional Parkway (extension). Request: To hear a Zoning Map amendment to create and rezone a 6.3 acre parcel from High Density Single Family Housing (R-3) to Hospital Medical District (HMD) on property located at the southeast corner of Walnut Street and Professional Parkway- Approved.

3. Property Owner: Westport Homes Applicant: Shawn Lanning & Jim Watkins, Watcon Engineering Location: Weaver Road (Parcel #2900300521030) Request: Approval of Final Plat for Weaver Ridge, Phase 1- Approved.

4. Property Owner: Adena Point Investments LLC Applicant: Jason Wisniewski, Fischer Development Company Location: Weaver Road (Adena Pointe Subdivision) Request: Approval of Sketch Plan for Adena Pointe Planned Unit Development (PUD) – Denied.

5. Proposed Zoning Code Amendment (Text): Request: A proposed Zoning Code amendment to Chapter 1123 (Definitions) to establish definitions for specialty food and/or beverage facility, artisan studio, and artisan workshop, and proposed Zoning Code amendments to Sections 1137.21(B-R), 1137.22 (B-1), 1137.25 B-3), 1137,26 (TOC), 1137.30 (M-1), and 1137.32 (SD1) to allow the permitted uses- Approved.

Mr. Schact reported on the following for Design Review Board:

1. Certificate of Appropriateness: An application for a new +/- 7452 sq. ft. O'Reilly's Auto Parts Store located at 603, 611 & 617 E 5th Street in the B-R (Business Residential) zoning district- passed.
2. Certificate of Appropriateness: An application for signage at Leon's Garage on property located at 326 E 5TH Street in the B-R (Business Residential) zoning district-passed.
3. Certificate of Appropriateness: An application for signage at the Half Pint on property located at 211 E 5TH Street in the B-1 (Service Business District) zoning district-passed.
4. Certificate of Appropriateness: An application for signage at Boost Mobile on property located at 109 S Main Street in the B-3 (Central Business District) zoning district – tabled.
5. Exterior Plan/Landscape Plan: An application to amend a previously approved site plan at 1000 Main Street in the B-1 (Service Business) zoning district – tabled.
6. Exterior Plan/Landscape Plan: An application for a new +/- 3200 sq. ft. Cold Storage Building located at 14310 Scotts Lawn Road in the M-2 (Heavy Manufacturing) zoning district – passed.

COMMITTEE REPORTS: Public Safety reported that they will be keeping their meetings on the second Monday of the month. Finance Committee reported they will keep their meetings on the third Thursday of the month at 5pm.

PARKS & RECREATION REPORT: Mr. Reams reported that minor changes to the 5 year capital plan were made and they discussed the pickle ball courts as well as basketball courts in Mill Valley Park South. Mr. Reams stated that they would not be putting in the basketball courts near any homes. Mrs. Richardson expressed her concern about the need to expand parking at Mill Valley South and the space to be able to provide the basketball courts and additional parking.

HEARING OF CITIZENS:

Mrs. Groat moved to accept the consent item on the agenda and the question put, stood:

MRS. GROAT YES; MRS. RICHARDSON YES; MR. RAUSCH YES; MR. SEYMOUR YES;
MR. REAMS YES; MR. BERBEE YES; MR. TAYLOR YES

RESOLUTIONS:

1st Reading TO ACCEPT THE COLLECTIVE BARGAINING AGREEMENT WITH INTERNATIONAL
Title Only ASSOCIATION OF FIREFIGHTERS, LOCAL 3032 JULY 1, 2016 THROUGH JUNE 30,
2019 AND DECLARING AN EMERGENCY

Administration Comments:

Council Comments:

Mr. Taylor moved to pass the Emergency Clause and the question put, stood:

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

Mrs. Groat moved to waive third reading and the question put, stood:

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

Mr. Taylor moved to waive second reading and the question put, stood:

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

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

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

ORDINANCES:

1st Reading TO APPROVE A ZONING MAP AMENDMENT TO ZONE PARCEL
Title Only 2800170331000 LOCATED ON WATKINS ROAD TO TRAFFIC ORIENTED
COMMERCIAL (TOC) (ANNEXATION)

Administration Comments:

Council Comments: Mrs. Richardson asked if there were any complaints from residents in the R5?

Back for second reading, public hearing on July 11, 2016. A scheduled public hearing for Monday, July 25, 2016 at 7:00 p.m. per Section 1131.08 of the Planning and Zoning Code

1st Reading
Title Only TO APPROVE A ZONING MAP AMENDMENT TO REZONE 6.3 ACRES (PARCEL # 2900030720000) FROM HIGH DENSITY SINGLE FAMILY RESIDENTIAL (R-3) TO HOSPITAL MEDICAL DISTRICT (HMD) ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF WALNUT STREET AND PROFESSIONAL PARKWAY

Administration Comments: Mr. Flowers and Mr. Maggard gave a presentation to Council.

Council Comments: Mr. Berbee expressed his concern for creating an island in the zoning.

Back for second reading, public hearing on July 11, 2016. A scheduled public hearing for Monday, July 25, 2016 at 7:00 p.m. per Section 1131.08 of the Planning and Zoning Code

1st Reading
Title Only TO AMEND CHAPTER 1123 (DEFINITIONS) TO ESTABLISH DEFINITIONS FOR SPECIALTY FOOD AND/OR BEVERAGE FACILITY, ARTISAN STUDIO, AND ARTISAN WORKSHOP, AND PROPOSED ZONING CODE AMENDMENTS TO SECTIONS 1137.10 AGRICULTURAL RESIDENTIAL DISTRICT (A-R) TO ALLOW AS A CONDITIONAL USE, AND TO SECTIONS 1137.21 BUSINESS RESIDENTIAL DISTRICT (B-R), 1137.22 SERVICE BUSINESS DISTRICT (B-1), 1137.25 CENTRAL BUSINESS DISTRICT (B-3), 1137.26 TRAFFIC ORIENTED COMMERCIAL DISTRICT (TOC), 1137.30 LIGHT MANUFACTURING (M-1), AND 1137.32 SPECIAL DISTRICT ONE (SD1) TO ALLOW AS PERMITTED USES, OF THE CITY OF MARYSVILLE PLANNING AND ZONING CODE

Administration Comments:

Council Comments:

Back for second reading, public hearing on July 11, 2016. A scheduled public hearing for Monday, July 25, 2016 at 7:00 p.m. per Section 1131.08 of the Planning and Zoning Code

COMMENTS FROM THE CITY MANAGER AND COUNCIL PERSONS AND GENERAL DISCUSSION:

Mrs. Groat moved to enter into executive session, seconded by Mr. Taylor and the question put, stood:

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

ADJOURNMENT: There being no further business to come before Council, the meeting was adjourned to Executive Session at 9:00 p.m. Being no further business to come before Council, the executive session was adjourned at 9:18pm. The meeting was adjourned at 9:19pm.