

CITY COUNCIL MINUTES
July 25, 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, Chief Golden, Chief Riley, Public Service Director Mike Andrako, City Engineer Jeremy Hoyt, IT Director Aaron Story, Clerk of Council Kris Jones.

REPORTERS PRESENT: Will Channel- Journal Tribune

CITIZENS PRESENT: Gabbriel Crissinger, Donald Boerger, Dennis Schulze, Devon Ellington, Ben Vollrath, Alex Cunningham, Norm Haresel, Greg Nelson, Frank Ciprano, Bill Maggard, Tim Schacht

APPROVAL OF MINUTES: The approval of the minutes for the meeting on July 11, 2016 was approved. June 23, 2016 minutes will be finalized and approved at the next meeting.

ADMINISTRATIVE REPORT:

The Administrative team reported the following:

City Manager reported the following:

City Manager

The City of Marysville was notified that its 2016 Budget qualifies for the GFOA's Distinguished Budget Presentation Award. This is the second consecutive year that the City submitted its Annual Budget to GFOA for consideration. This award represents a significant achievement and reflects the commitment of the Administration to meeting the highest principles of governmental budgeting.

2017 Budget

The Budget process is underway for the 2017 Fiscal Year. The 2017 Budget Calendar, prepared by the Finance Department and approved by Finance Committee, was emailed to Council this afternoon for review.

Events & Recreation

Municipal Pool/Day in the Park

We had great attendance at the Municipal Pool on Saturday with 829 visitors; 583 (of the 829) attended Day in the Park and received free admission to the pool. Thank you to Culligan of Marysville, Union County Health Department, Union County YMCA, Union County Master Gardeners, Marysville FFA, Marysville Public Library, Costco and City Staff for participating in the event.

Explore a Truck

Friday, July 29 from 10:00 a.m. - 1:00 p.m.
Mill Valley Park Central

Friday Nights Uptown (BBQ & Brew)

Friday, August 5 from 6:00-10:00 p.m.
Live music by Paradise Island
Presented by Coughlin Automotive

Legends at Legion (Kingtinued, Elvis Tribute)

Sunday, August 7 at 6:30 p.m.
American Legion Park

Music on Main (Jim Volk)

Wednesday, August 10, 6:30-8:30 p.m.
Partners Park

Chief Golden reported the following:

Division of Police

Community Support

The Police Division would like to thank our community for their outpouring support in the way of cake and cookie donations, greeting cards and letters. The support is greatly appreciated.

Freeze Pops with the Cops

A Cops and Kids program, "Freeze Pops with the Cops" has been a hit.

Mr. Andrako reported the following:

Public Service Department, Maintenance & Operations

Aldersgate Pond

Crews will begin digging out the low areas of Aldersgate Pond tomorrow (7/26). This will deepen the shallow areas of the pond and keep algae from forming so quickly. Once excavation is complete, stone will be placed around the banks.

Water Main Break

Water Crews responded to a water break on E 6th St between Oak St and Chestnut St on Saturday. The main was temporarily repaired and the road was plated to open the street up to traffic. Letters were handed out today notifying residents of a planned shutdown and repair on the line scheduled for tomorrow (7/26).

Eljer Park

Water Crews performed the tie-in to the water line at Eljer Park for the Water Fountain and Foot Wash to be installed. A concrete pad will be poured this week and the fountain should be installed next week.

Mr. Hoyt reported the following:

Engineering Department

2016 Paving Program

The resurfacing of Industrial Parkway (OPWC portion) is approximately 95% complete. The northern roads (Amrine-Mill, Valley and Taylor) included within this project have been milled. The SAMI Seal will be applied this week and the paving is expected to occur next week.

2016 Utility Improvements

The Walnut Street culvert (included within the 2016 Paving Program) structure will be set later this week. The contractor's work on this phase of the project is anticipated to be completed by mid-August.

Mrs. Groat asked if the pond could have been built different by the contractor who built Green Pastures. Mr. Andrako answered that the pond was pre-existing to the development, and it would be the City's responsibility since we accepted all the infrastructure in the development.

Mr. Berbee thanked the City staff for staying on top of debris pickup. Mr. Emery stated that we will continue to be aggressive with the pickup.

Mrs. Richardson asked if Mrs. Krutowskis or Mrs. Morris could send her a flyer for Explore a truck, she would like to distribute it online.

Mrs. Richardson also asked if we have had more water main breaks then last year. Mr. Andrako said that the breaks have been with the cast iron lines, there are planning on putting the improvements in the budget for next year to replace them.

REPORT OF CLERK OF COUNCIL: Mrs. Jones reported the OMCA held their annual banquet and she was appointed to the Member Services Committee this year.

REPORT OF PLANNING COMMISSION/DESIGN REVIEW BOARD: Mr. Boerger reported that Planning Commission did not hold a meeting this month.

Mr. Schact reported the following from Design Review Board:

1. **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- Approved (site plan)
2. **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- Approved.
3. **Certificate of Appropriateness:** An application for signage at Creative Foundations on property located at 100 S Main Street in the B-3 (Central Business District) zoning district-tabled indefinitely until the applicant can bring sign plans to the board.

COMMITTEE REPORTS: Mrs. Richardson reported that the reservoir should start being worked on late summer and be completed early fall with the embankment phase. There are three phases to the project, embankment, dock, and paving. The paving will be completed in the next years paving program. She also reported they are looking at getting OPWC funds to pave from Suntra to Scottslawn Road on Industrial Parkway and a little area on Scottslawn.

Mrs. Groat reported that Public Affairs is working on code changes, and encouraged everyone to attend the meetings. She said they meet on August 22, 2016 at 6pm; September 26, 2016 at 6pm and October 24, 2016 time depending because of the budget hearing.

Mr. Berbee recapped the Finance meeting, where they discussed procedures for the 2017 Budget Planning process. He discussed the budget calendar with the Council, so they could follow along of what is happening. He also mentioned the City would still be offering free tax filing assistance this year, however, next year, it will only be for the simple tax forms. Businesses will need to hire CPA or tax firm.

PARKS & RECREATION REPORT: Mr. Reams reported that the next Parks & Rec meeting will be August 16, 2016 at 7pm.

HEARING OF CITIZENS: Alex Cunningham spoke to Council regarding the new Pokemon Go app. He felt that the City could get involved with the craze. Making Pokestops at the Parks or at City Hall. It would keep people in and around the parks. Mr. Emery stated this would be something Mrs. Morris would be interested in and Mr. Rausch asked him to please leave his contact information with Mrs. Jones or Mr. Emery.

RESOLUTIONS:

1st Reading TO AUTHORIZE THE CITY MANAGER TO SUBMIT TO THE UNION COUNTY BOARD
Title Only OF COMMISSIONERS A PETITION TO ANNEX PARCEL NUMBER 280007017000,
WHICH IS OWNED BY THE CITY OF MARYSVILLE

Administration Comments:

Council Comments:

Back for second reading, public hearing on August 8, 2016.

ORDINANCES:

2nd Reading AUTHORIZING ADDITIONAL APPROPRIATION FOR THE PARKS & RECREATION
Public Hearing MASTER PLAN AND MODIFYING THE 2016 ANNUAL BUDGET

Administration Comments:

Council Comments:

Citizen Comments:

Mrs. Groat moved to waive 3rd reading and the question put, stood:

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

Mr. Taylor moved to pass the legislation 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

2nd Reading AN ORDINANCE TO APPROVE, ADOPT AND ENACT THE 2016 REPLACEMENT
Public Hearing PAGES TO THE CODIFIED ORDINANCES; TO REPEAL ORDINANCE IN CONFLICT
THEREWITH; TO PUBLISH THE ENACTMENT OF NEW MATTER; AND DECLARING
AN EMERGENCY

Administration Comments:

Council Comments: Mr. Rausch stated we passed the emergency clause on July 11th.

Citizen Comments:

Mr. Taylor moved to waive 3rd reading 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. Richardson moved to pass the legislation 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

2nd Reading AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO
Public Hearing EXCEED \$11,000,000 OF WASTEWATER TREATMENT SYSTEM
REVENUE REFUNDING BONDS, SERIES 2016B, OF THE CITY OF
MARYSVILLE, OHIO, UNDER SECTION 3, ARTICLE XVIII OF THE
CONSTITUTION OF OHIO, FOR THE PURPOSE OF ADVANCE
REFUNDING A PORTION OF ITS \$85,885,000 WASTEWATER
TREATMENT SYSTEM REVENUE BONDS, SERIES 2006, DATED
SEPTEMBER 27, 2006, AUTHORIZING THE EXECUTION OF A FOURTH
SUPPLEMENTAL TRUST INDENTURE TO SECURE SUCH BONDS;
APPROVING RELATED MATTERS IN CONNECTION WITH THE ISSUANCE
OF THE BONDS

Administration Comments:

Council Comments: Mr. Rausch explained we added the emergency clause and passed it on July 11, 2016.

Citizen Comments:

Mr. Berbee moved to waive 3rd 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**

Mr. Taylor 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**

3rd Reading TO APPROVE A ZONING MAP AMENDMENT TO ZONE PARCEL
Public Hearing 2800170331000 LOCATED ON WATKINS ROAD TO TRAFFIC ORIENTED
COMMERCIAL (TOC) (ANNEXATION)

Administration Comments:

Council Comments: Mr. Seymour said that he understood this was third reading but recent information along with information from a report last year is reason to take one last look at a zoning alternative.

A lot of demographic trend shifts are occurring, particularly millennials are delaying home ownership and are tending to rent more and longer which is soon to drive the need for more apartments, both lofts as well as apartment complexes. This trend was brought to our attention several months ago in a report from the chamber and as recent as July 7th when the consulting company OHM reported the community can support 70 loft apartments and numerous apartment buildings.

That said Marysville currently has only a couple very small (if developable) high density R-5 parcels remaining.

I know this development team is geared up to move forward with their project but in the best interests of this parcels use and for Marysville, I think we need to look very hard at how the land can truly best serve Marysville's citizens and future.

In my opinion the location and size of this land is perfectly suited for R-5 apartments, a need that we should prepare ourselves for. The sight is situated across the street from already developed high density complexes and is listed in the comprehensive plan as a suitable use for the area.

I believe the best use of this parcel is not TOC but R-5.

Mrs. Richardson stated after hearing Mr. Seymour's concerns, she would like to discuss the item a little more.

Citizen Comments: Mr. Schulze said he did not feel that it was Council's job to pick out what they felt was the best use for a particular tract of land. There are TOC tracts of land all around, and this would be an appropriate zoning for that area. He feels that it is Council's job to look and see if this particular type of zoning good for the area. He expressed his concern with the zoning of the property, after the owners have already agreed. He also mentioned that he has come before Council trying to get R5 zoning and it was denied and now they are requesting that TOC be changed to R5. He said there is more of an issue with the property with the zoning.

Mr. Seymour stated that this is not a new issue, a study had just came out July 7th, which stated the demographics are changing.

Mr. Taylor stated that no one has given him any excuse why the legislation should not be voted on, however, with the approval of Design Review Board and then the board having second thoughts to the design of the project. He would like to have more time to review the issue, so he can make the best decision for the zoning of the parcel.

Mr. Taylor moved to table the legislation until August 8, 2016 to give Council more time to review the proposed legislation, and the question put, stood:

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

3rd Reading TO APPROVE A ZONING MAP AMENDMENT TO REZONE 6.3 ACRES
Public Hearing (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:

Council Comments:

Citizen Comments: Mr. Maggard thanked City Council for their support and stated that they plan on breaking ground as soon as possible.

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

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

3RD Reading TO AMEND CHAPTER 1123 (DEFINITIONS) TO ESTABLISH DEFINITIONS FOR
Public Hearing 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:

Citizen Comments:

Mrs. Richardson moved to pass the legislation 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**

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

Mrs. Groat reported that Cemetery Advisory Board will meet on September 14, 2016 at 4pm. She also mentioned that the Ward 3 meetings will be August 2, September 6 at 6:30pm in the Marysville Public Library meeting room B. There will be no Ward 3 meeting in October.

Mrs. Richardson complemented the City staff on the movie night in the park, it was a good turnout. Mrs. Richardson encouraged everyone to come to the Mill Valley Neighborhood Night Walk on August 2nd, and show your support to keep our communities safe.

Mrs. Richardson asked did you know vaping is a growing activity within our community. We currently have at least two “vaping businesses” within the City. Here are a few things that she has recently learned about vaping:

* Vaping is the act of inhaling vapor into the lungs.* The electronic cigarette (e-cig) and vape pen are two of the most common vaping devices used among youth. E-cigs and vape pens alike contain a battery-operated heating element that converts a liquid mixture, often called e-liquid or e-juice, into an inhalable, fog-like mist.

*A “Throat Hit” is the sensation one feels when taking a puff on their device which can be weak or strong, depending on what’s in the juice. *What exactly is Juice? It’s hard to say precisely, since e-cig manufacturers are not required to report their ingredients. Typically however, the liquid is a base mixture of propylene glycol or vegetable glycerin, which are (Generally Recognized as Safe) by the (FDA) and (EPA). Most e-juice also contains flavoring, of which there are hundreds to choose from, including cotton candy, bubble gum, candy corn and many more that would entice most young people. *6% to 7% of eighth, tenth and twelfth graders nationally surveyed say they vape marijuana or hash oil, and some youth simply report having no idea what they’re vaping. *What are the hazards/dangers of vaping? They simply are not clearly known. Vaped marijuana and hash oil have their obvious negative effects but the “flavoring” vaping is not well researched.

* Some experts say the heating element in these devices can transform these “safe” solvents, flavoring agents and various vape oil additives into carcinogens and other dangerous toxins that wreak havoc on the lungs. However, the challenge is that there are no conclusive studies proving the dangers. But at the same time, there are no conclusive studies showing vaping of any kind to be safe either. And that’s what makes it dangerous! It is the unknowns. * The most important thing we can convey to our youth is that breathing anything but fresh, clean air into their lungs is a potential hazard to their health both in the present and in the future, and it’s simply not worth the risk.

Mr. Berbee discussed the City is expanding and how we need more apartments for residents to live. He also said the City is in stable condition and can do what we need to do for the citizens.

Mr. Reams reported we are low on the number of apartments we should have for a City our size, however, our rental homes are higher which balance things out. The uptown area could hold another 70 units of housing.

Mr. Seymour mentioned that younger couples are not rushing out to buy homes, they are waiting a while, which means we need more rental properties.

Mr. Taylor announced there will be a memorial tree/plaque for Mr. Pleasant, if you would like more information see him.

Mr. Rausch encouraged everyone go out and support the local fair, and to be cautious of young children around those entrances. He also reported that during the month of August we are going to show our support for our local police department with different activities.

ADJOURNMENT: There being no further business to come before Council, the meeting was adjourned at 8:06 p.m.