

CITY COUNCIL MINUTES

FEBRUARY 13, 2014

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

Senior Patrol Leader Mike Evans led the Pledge of Allegiance.

MEMBERS PRESENT: Mr. Rausch, Mr. Fogt, Mrs. Richardson, Mr. Taylor, Mr. Reams, Mr. Berbee **EXCUSED:** Mrs. Groat

OTHERS PRESENT: Mayor John Gore, Director of Administration Terry Emery, Finance Director Jenny Chavarria, Law Director Tim Aslaner, Fire Chief Jay Riley, Police Chief Floyd Golden, Public Service Director Mike Andrako, City Engineer Jeremy Hoyt, Clerk Connie Patterson

REPORTERS PRESENT: Ryan Horns-Journal Tribune, Amy Rogan-ThisWeek

CITIZENS PRESENT: Chandler Pauk, John Pauk, Caleb Rutan, Molly McPheran, Jack McPheran, Keith Conroy, Donald Boerger, Ryan Honeycutt, Kyle Moulton, TJ Borawski, Kegan Evans

APPROVAL OF MINUTES: There being no additions or corrections, the minutes for the meeting on January 23, 2014 were approved as written.

ADMINISTRATIVE REPORT: Mayor Gore presented certificates to Eagle Scouts Ryan Honeycutt, Kyle Moulton, TJ Borawski and Chris Chuvalas. Chris could not attend so his certificate was accepted by Kegan Evans.

Mayor Gore reported the following:

Mayor Gore commended the staff for keeping our streets cleared. "They are probably tops in central Ohio in keeping our streets cleared."

On Tuesday, February 18th, Sumitomo will be breaking ground for their new facility.

REPORT OF CLERK OF COUNCIL: No report.

REPORT OF ECONOMIC DEVELOPMENT DIRECTOR: Mr. Eric Phillips gave the following PowerPoint presentation on JEDD (Joint Economic Development District). He explained that this is an economic development tool that is being used throughout Ohio to promote growth and development in a certain area of a community. This presentation was previously given to the Finance Committee. Have also met with

Millcreek Township Trustees. Mr. Keith Conroy from Millcreek Township is in attendance this evening.

Potential Joint Economic Development District (JEDD)

City of Marysville and Millcreek Township
February 13, 2014

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JEDD Overview

- A JEDD is a contractual arrangement between a township and a city/village to share the benefits and responsibilities of commercial or industrial development.
- There are dozens of JEDDs across Ohio.
- Since 2001 there have been a number informational meeting on JEDDs with Marysville, Jerome Township, Dublin, and Union County.
- We are now seeking input on a potential JEDD between the City of Marysville and Millcreek Township.

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Mr. Phillips explained that there is a difference between a JEDD and a JEDZ. A JEDD requires basically property-owner consent to be involved in something like this and a JEDZ does not.

Why Approve a JEDD?

- If the City annexes farther from the City core, service provision will become problematic and expensive.
- Development in the JEDD will provide water and sewer customers which will help stabilize rates for city residents.
- Although the NW 33 Innovation Corridor has a number of available properties for future development, most have limited infrastructure.
- With a Community Authority in place at Jerome Village, a JEDD will be a similar tool to help support infrastructure improvements thereby promoting development.
- It promotes a more regional economic development effort similar to the water/sewer area.

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Services in a JEDD

- In its purest form, it allows a regional approach to economic development (or at least one that is different than the "winner take all" approach of annexation).
- The JEDD contract covers issues such as who will provide:
 - utilities;
 - police, fire and EMS;
 - road services;
 - zoning, land use and planning issues (although the property remains in the township for zoning code purposes);
 - Economic development; and
 - tax abatements.

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JEDD Advantages – Millcreek Township

- ❑ Moratorium on Annexation.
- ❑ Ensures Development Pays for itself.
- ❑ Ensures a diversified tax base for the Township.
- ❑ Ensures Millcreek manages its own growth, planning and zoning.
- ❑ Creating a frame work to maximize the value of land, if the owners wishes to sell for development.

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JEDD Advantages - Marysville

- ❑ Minimize lawsuits or disagreements typically associated with annexation.
- ❑ Ensures property that is in the proposed JEDD area is set aside for industrial and commercial development.
- ❑ Ensures development pays for itself.
- ❑ Allows city some tax revenue without providing full services that comes with annexation.
- ❑ Allows city to sell utility services (water, sewer, etc.) in areas it may not otherwise easily do.

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JEDD Advantages – NW 33 Innovation Corridor

- Identifies potential infrastructure improvements that would be supported by JEDD funds.
- Earmarks JEDD funds for infrastructure that will support job and wealth creation.
- Provides a concerted effort for economic development along the NW 33 Innovation Corridor.
- Builds capacity by making more sites development ready.
- Builds a strong foundation for collaboration between and among the City, Township and Union County.

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Property Owner Consent

- The JEDD contract can also identify property that may ultimately be allowed to become the JEDD (JEDD area is NOT part of the JEDD District until the property owner(s) requests).
- For any area to be included in the JEDD District, a land owners or a majority of landowners must sign a petition saying they wish to be included within the JEDD.
- The JEDD ensures the property can be fully served with utilities and services, taking uncertainty out of real estate consideration.

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Approvals to Create a JEDD

- Once there is a signed petition of the requisite landowners, the county commissioners review the JEDD District proposal. Assuming the township and city have provided all the required documents, the commissioners generally must approve the JEDD.
- The statute provides that the JEDD is voted on in the next election by voters in the unincorporated area of the township, unless all three trustees unanimously approve the JEDD.

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JEDD Organizational Structure

- The JEDD is governed by a five-member board, including one representative each from the township and the city, as well as one representative from the JEDD's business owners, and one from the employees of the JEDD's businesses. These four members choose a fifth member, who acts as chairperson.
- The JEDD board may impose an income tax, which is normally the same as the city's income tax.

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Next Steps - JEDD

- Begin formal discussions with between City, Millcreek Township and Union County to create framework for agreement.
 - > Who will provide which services
 - > Term of the agreement
 - > Details regarding taxes, collection, infrastructure
 - > Cost share agreements
- Identify the JEDD area.
- Insure majority of taxes are invested back in JEDD.
- Formalize the JEDD area, but not put land in a JEDD District until a land owner(s) request it.

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Potential Timing to Create JEDD

Item	Date/Deadline
Millcreek Township Overview Meeting	2013
Marysville City Council Overview Meeting	February 13, 2014
JEDD Framework Development	February - April 2014
Agreement Development	April - May 2014
Millcreek/City/County Approvals	June-August 2014

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The city would collect income taxes. There would be an administrative fee for collecting those taxes, typically about 3%. Some money would go back in the General Fund for the city.

Mr. Taylor asked if any of this is forced upon any of the parties involved. No one property owner can say I have to join? Response was no.

Mrs. Richardson asked if the fee is collected up front with income tax collected later. Mr. Phillips said there is going to be zero dollars for a number of years until you get a user or business to go in, then you'll have income tax coming in. That's when you start getting the money in. Mrs. Richardson asked how you generate the infrastructure needed. Mr. Phillips said you have to have the revenue first. This is a long term commitment. You're creating a zone that will basically set an area, so that when a district locates there and they pay the JEDD Board a \$100,000, then you have \$100,000 that you can use for infrastructure.

Mr. Fogt asked if a landowner joins the JEDD, is the farm income taxed on that land until the land is developed. Mr. Phillips said no, it would not. It's when you develop the property into commercial or industrial.

Mr. Rausch commented that there are a couple of House Bills that have been dropped and one would actually be a 90 day moratorium. Mr. Phillips said those would be a JEDZ.

Mr. Keith Conroy said Millcreek has been talking with the city for quite some time and looking at this as an opportunity to work together to develop and set aside property for the future development so they can plan their own growth. They are looking for a partnership. All three trustees have been very supportive of this. There have been two public meetings. A lot of folks came out, had a lot of questions and they are interested.

Mr. Berbee asked about the boundaries of Mill Creek Township, running along Industrial Parkway, Route 42 east to Cole-Smart Road. Mr. Conroy said Millcreek comes down Industrial Parkway and 33 and also has part of Rt. 42. The general area for the JEDD territory has been property that has been identified either currently zoned industrial, commercial or business, or property that has been identified in their land use growth plan of being commercial or industrial. Most of the property is down Industrial Parkway and 33, as well as along US 42.

Mr. Berbee asked about a JEDD vs. a TIFF. Mr. Phillips said the TIFF uses property taxes and you basically create a district. You take those property taxes and use those funds to pay debt service typically on the infrastructure that's constructed, and you pay off the schools either 100% or a different percentage. It's totally different. You are dealing with property taxes. In this case, we're dealing with income taxes. That's the difference between the two.

Mr. Phillips said this is an introduction this evening. If Council's desire is to continue and to begin those negotiations, the Mayor is welcome to invite Council in those discussions.

County Administrator John Cunningham said on behalf of the County, they are interested in this. The Commissioners are very involved in these conversations, not formally, but from a planning perspective in this area, it's key to the development for the county.

Mayor Gore said we propose, we negotiate, we discuss. We can't enter into it without Council's approval.

President Taylor said on behalf of one of the seven Council members, he's for making something happen. "Go for it."

Mrs. Richardson asked as a business, "How am I going to be attracted to land via the JEDD that doesn't already have the infrastructure. If it's income generated and I don't have your organization already constructed, how does that work. The business says I will commit this income tax once my business is created." Mayor Gore said it's not all ours. The agreement is with the City of Marysville.

Mr. Phillips gave an example of someone wanting to come in. Although there is not infrastructure there now, maybe we can find a grant to help us pay and we get that development done, and then we collect that income tax from that business. That income tax goes into the JEDD pot and that gives us money to do more for another property that may need infrastructure.

Mr. Berbee asked if JEDDs can be used for residential development. He noted the new residential development happening along Rt. 33. Mr. Conroy said from both the city and the township, a JEDD helps ensure it's a diversified tax base so that we have more commercial and industrial taxes coming in. JEDDs can only be used for industrial or commercial properties.

Mr. Rausch noted the only negative (inaudible).

Mr. Phillips said the benefits far outweigh the negatives because you're creating a development fund that we currently do not have to build infrastructure and you look at the sites currently in the city; we have limitations.

Mr. Reams asked if a Council member would be a part of these discussions. He noted there are three township trustees. Mr. Emery said there is just one trustee as a part of these discussions. Mr. Phillips said Millcreek does not have a township administrator, so it has to be one trustee as representation for the township. Mayor Gore said if we reestablish Corridor 33, there will be representation from the various entities.

Mr. Phillips invited Administration and Council to the Sumitomo groundbreaking ceremony on Tuesday, February 18th at 11:00 a.m.

HEARING OF CITIZENS: No comments.

ORDINANCES

"ORDINANCE TO REPEAL SECTION 1501.04, FIRE CODE BOARD OF APPEALS, OF THE MARYSVILLE CODIFIED ORDINANCES" was presented for second reading, public hearing.

The ordinance "TO AMEND MARYSVILLE CODIFIED ORDINANCES TO ESTABLISH A SEWER DISTRICT UNDER OHIO REVISED CODE SECTION 727.44 TO BE KNOWN AS THE ADENA POINTE SEWER DISTRICT" was presented for second reading, public hearing.

"AN ORDINANCE TO APPROVE, ADOPT AND ENACT THE 2013 REPLACEMENT PAGES TO THE CODIFIED ORDINANCES; TO REPEAL ORDINANCES IN CONFLICT THEREWITH; TO PUBLISH THE ENACTMENT OF NEW MATTER AND DECLARING AN EMERGENCY" was presented for first reading, title only. This is an annual legislative procedure. It approves, adopts and enacts all the legislation passed in 2013 and incorporates all changes in the Codified Ordinance book. Mr. Rausch moved to pass the emergency and the question put, stood:

Mr. Rausch YES Mr. Fogt YES Mrs. Richardson YES Mr. Taylor YES Mr. Reams YES Mr. Berbee YES

Emergency passed.

The ordinance "TO ADD SECTION 1139.26, SIDEWALKS FOR RESIDENTIAL DWELLING UNITS, OF THE CITY OF MARYSVILLE PLANNING AND ZONING CODE" was presented for first reading, title only. Mr. Fogt asked if bike trails could be put in in lieu of sidewalks in some areas. (Mr. Reams comments were inaudible.) A public hearing was scheduled for Thursday, March 13, 2014 at 7:00 p.m. Since no Planning Commission representative was available to answer questions, questions will be addressed at the next reading.

The ordinance "TO AMEND SECTION 1143.17(E)(6), SIGNS IN AR, BR AND OR ZONING DISTRICTS, OF THE CITY OF MARYSVILLE PLANNING AND ZONING CODE" was presented for first reading, title only. A public hearing was scheduled for Thursday, March 13, 2014 at 7:00 p.m.

The ordinance "TO AMEND SECTION 1143.171(d)(6), SIGNS IN HMD ZONING DISTRICT, OF THE CITY OF MARYSVILLE PLANNING AND ZONING CODE" was presented for first reading, title only. A public hearing was scheduled for Thursday, March 13, 2014 at 7:00 p.m.

The ordinance "TO AMEND SECTION 1144.08, DESIGN REVIEW DISTRICTS ESTABLISHED, OF THE CITY OF MARYSVILLE PLANNING AND ZONING CODE" was presented for first reading, title only. A public hearing was scheduled for Thursday, March 13, 2014 at 7:00 p.m.

PARKS & RECREATION REPORT: No report until after next week's meeting.

COMMENTS OF THE MAYOR AND COUNCIL PERSONS AND GENERAL DISCUSSION:

Mr. Berbee reported on the Finance Committee meeting held earlier today. Credit card charges are being wrapped up. Roll-out of those charges should be mid-March. That will save the city about \$12,000 per month. Council's goals have all been taken into consideration. Debt reduction is high on the list of priorities for both Council and Administration.

Mr. Reams reported on the Utility Rate Group. Complaints continue. The Group will continue to meet and review data throughout the year.

Mr. Reams noted the sidewalk conditions have gotten worse. It's a real safety concern. He noted in his neighborhood there were more unshoveled sidewalks than those that had been cleared. It's not only the law, but the right thing to do to maintain your sidewalks.

Mr. Taylor said maybe next year we can get a committee together, set some guidelines and do more education.

Mayor Gore said we have 104 miles of sidewalks in the city. We are using ORW people to assist in clearing the uptown area. Administration is preparing a letter to send to businesses. People have to take responsibility for their community. Most communities have it in their code, but it is hard to enforce. The city has one code enforcement office for the entire city. Assessing taxes for snow removal has been discussed, as is done with mowing.

Other cities were asked if they assessed taxes. Not very many do, but feel it's a good idea. Other cities were asked if they enforce the code for clearing sidewalks. None of them did, even though the code exists.

Mr. Taylor said we realize this needs to be addressed. We don't have a perfect answer for it right now. He's not in favor of fining anyone, "but when it comes to saying we've got room for improvement, we got room for improvement."

Mrs. Richardson said, "Let's just be good neighbors and do what we can to clear our own sidewalks."

Mr. Fogt noted that Public Service Committee will meet on Tuesday, February 18th at 5:00 p.m. in Council Chambers B.

Mrs. Richardson reported on the Drug Free Coalition meeting. The goal of the Coalition is to create the community conditions that empower youth and families to choose healthy behaviors and to live drug-free lives. The Coalition plans to collaborate within our community to promote healthy, drug-free behaviors, change misperceptions of marijuana, alcohol and prescription drug use and to increase the awareness of the harms of using and abusing marijuana, alcohol and prescription drugs.

On a positive note, Youth 2 Youth group recently conducted a "Lock-in" at the YMCA. It was a fun evening of activities for over 100 kids, including those from Marysville, North Union and Fairbanks. The largest number in attendance were middle school age, which is the target audience right now.

The Coalition is working on a Youth Risk Assessment which is going to be done through the schools, using an anonymous survey for ages 12 to 18. The assessment is looking to measure the Youth use of marijuana, alcohol and prescription drugs in the last 30 days to identify the perception of use of these substances and to determine the perception of peer disapproval for drug and alcohol use.

Mrs. Richardson commended Mr. Andrako and Administration for their prompt response to the complaints and concerns, especially regarding refuse and recycling. It really makes a difference.

Mrs. Richardson invited everyone to visit the Team Marysville Facebook page.

As a message to our residents, Mrs. Richardson said get to know our uptown businesses. Businesses are important to the vitality of our community. They are part of us. Encourage your neighbors to get to know these businesses. It will change the face and the future of our community.

Public Affairs Committee will meeting on Monday, February 24th at 6:00 p.m. in Council Chambers B.

Council photos will be taken prior to the March 13th City Council meeting.

Mayor Gore requested an Executive Session to discuss the hiring, firing or possible promotion of personnel.

Mrs. Richardson moved to go into Executive Session at 8:10 p.m. to discuss the hiring, firing or possible promotion of personnel, seconded by Mr. Fogt and the question put, stood:

Mr. Fogt YES Mrs. Richardson YES Mr. Taylor YES Mr. Reams YES Mr. Berbee YES Mr. Rausch YES

Motion passed.

The Executive Session adjourned at 8:18 p.m.

The regular session reconvened at 8:18 p.m.

ADJOURNMENT: There being no further business to come before Council, the meeting adjourned at 8:18 p.m.