

CITY COUNCIL MINUTES

August 28, 2014

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

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

OTHERS PRESENT:, Director of Administration Terry Emery, Finance Director Jenny Chavarria, Police Chief Floyd Golden, Law Director Tim Aslaner, Public Service Director Mike Andrako, City Engineer Jeremy Hoyt, Clerk Anna Krutowskis

REPORTERS PRESENT: Ryan Horns-Journal Tribune

CITIZENS PRESENT: Tim Schacht, Jeanne Huffman, MJ Richardson, Donald Boerger

APPROVAL OF MINUTES: The minutes for the meeting on August 14, 2014 were approved.

ADMINISTRATIVE REPORT:

Mr. Taylor stated that he is going to ask for an Executive Session to consider the appointment of a public employee with no action being taken. It will take place at the conclusion of the meeting after all the comments from the Council Wards and Mayor. Everyone will leave with the exception of Mr. Emery, Mr. Aslaner and Council.

Mr. Emery gave the following Mayor's report:

Maintenance & Operations:

The Municipal Pool will be open this Saturday (noon-6 pm), Sunday (1 pm-6 pm) and Monday (Labor Day, noon-6pm) before it closes for the season. Dogs- only swim will be Tuesday (5:30pm-7pm), cost will be \$5.00 per dog.

The Parks and Grounds Division will be spraying for mosquitoes in McCarthy, Greenwood, Aldersgate, Trinity and Butterfly Parks on Friday, August 29, 2014. American Legion Park, the Jim Simmons Trail, Schwartzkopf, Mill Creek and Mill Valley Parks were treated last Friday, August 22, 2014.

The 32nd Annual Festifair is next Saturday, September 6th in Uptown Marysville. The event will host a variety of arts and crafts vendors from around the state.

Engineering:

Partners Park updates:

- *Pavilion* - roofing to be complete mid-September
- On site concrete work to be complete this week.
- *Restrooms/Maintenance Building*- substantially complete.
- Coordination with the Library is ongoing for the ADA ramp connection to Partners Park.
- Final completion of the Park is planned for the end of October.

The City's **2014 Pavement Maintenance Program** is nearing completion. The following work remains:

- E. 5th St. Turn Lane will be paved this week and will be striped next week.
- 222 South Main Street Parking lot should be completed by the end of September. City has completed the work involved with demolishing the house and backfilling the lot with stone.

Call City Engineer Jeremy Hoyt at (937) 645-7358 with any questions or concerns.

Administration:

City offices will be closed Monday, September 1st in observance of Labor Day.

The 9/11 Remembrance Ceremony will be held Thursday, September 11th at 9:50 am at Decker Fire Station.

Mr. Reams asked for an update on the burned properties (houses on 5th Street and 8th Street, Producers). Mr. Aslaner said that the houses on 5th Street and 8th Street are going to be coming down within the next week. Ms. Sampsel and Mr. Hutchinson sent letters to the owner of the Producer's property. The owner has requested a meeting with us, and we are working on getting that scheduled.

Mrs. Richardson inquired about the dates for Trick or Treat. Mr. Taylor said that Administration was looking into it for alternative dates and will let council know at the September meeting.

Update on the Dog Park: Mr. Andrako stated that the trash pick for next week will be delayed a day and bulk pick up is going to be on Tuesday. Mr. Andrako said that there have been concerns about Oakdale Cemetery and dogs running loose, we recently put signs in the park.

Mr. Andrako gave a presentation (see attached) updating Council on the dog park plans.

Mr. Taylor asked where we were cost-wise and loves the idea of saving the parking lot expense and putting it into the actual park area. Mr. Andrako said with the donations he is expecting to receive for the benches and additional donations here and there for the fence, we should still be able to get it finished for around the \$85,000.00 that he quoted earlier. Mr. Taylor stated that Jim Dorfman is a dog trainer and is interested in working with you.

Mrs. Richardson said thank you to Mr. Andrako because there has been a lot of effort put in the redesign and research of the park. She asked whether the plans are for a five acre dog park? Mr. Andrako said yes. Mrs. Richardson asked are most of the dog parks this size or are they smaller? Mr. Andrako said that most of the parks are between 2-5 acres, the smallest he saw was an acre and a half.

Mrs. Richardson suggested getting input from the local residents/local dog owners, letting them have a say in what they would like to see in the dog park.

Mr. Andrako stated that polling the public has always been difficult, as far as getting responses across the board as to what people want.

Mr. Emery said part of the reason we engaged Parks and Rec., Finance Committee, and come before of Council,(and the paper will publish an article), we are trying to open up the communication for the public to call in and let us know their comments and concerns.

Mr. Andrako said that he would like to hear comments from people who have been to dog parks before, and see what they like and dislike.

Mr. Fogt asked if there is any way to control dogs with diseases and whether there are penalties for not cleaning up after your dog? Mr. Andrako said that he did take several pictures of signs that list rules, and that would be one of the next steps to see all the rules that other parks have. As far as enforcing it, there was a number to call to report people not complying with the rules. We would have our parks employees frequent the park and look for things. As far as how to control diseases, he could talk to Columbus Metro Parks and see how they handle that issue.

REPORT OF CLERK OF COUNCIL: None

REPORT OF PLANNING COMMISSION/DESIGN REVIEW BOARD: Mr. Failor started with Planning Commission: the meeting held on August 4th, all three items that were discussed on the agenda are on tonight's agenda for second reading, (rezoning of parcel; two small changes to code). Design Review Board had two meetings: the first was to hear a request from the Historical Society to extend the July 9th meeting, so we had a special meeting on July 30th, which was to discuss the Certificate of Appropriateness for Demolition of two buildings located at 702 and 714 E. Fifth Street. It was a 4-0 vote to allow the demolition of both buildings. The regularly scheduled meeting on August 13th, there were three items on the agenda: the first was changes to the exterior of 210 North Plum, which is the Flamingo Bar & Grill to add awnings to the outside of the building which was approved; second, the addition of an ATM machine at 204 E. Fifth Street, which is the PNC Bank, there is already an outlet on the wall under the partially covered area; third was the 125 E. Sixth off-street parking plan which was reviewed and approved.

Mr. Taylor introduced Tim Schacht as the replacement for the open seat on Design Review Board. Mr. Taylor asked that you endorse his nominee for this committee, Tim Schacht, and entertain a motion to approve his appointment. Mr. Rausch seconded the motion. All voted in favor.

HEARING OF CITIZENS: None.

RESOLUTIONS

A resolution "TO AUTHORIZE THE MAYOR TO APPLY FOR AND ENTER INTO AGREEMENTS RELATED TO THE AWARD OF OHIO PUBLIC WORKS COMMISSION FUNDING," was presented for second reading, public hearing. This will be back for third reading title only on September 11, 2014.

ORDINANCES

The ordinance "TO REZONE PARCEL 29002437000 LOCATE AT 980 NORTH MAPLE STREET; FROM OR (OFFICE-RESIDENTIAL) TO B-1 (SERVICE BUSINESS)" was presented for second reading, public hearing.

Comments from Citizen: Ms. Huffman (property owner of 980 North Maple) said she wants to propose a plan to rezone her property. One of the reasons she would like the non manufacturing commercial zone is because she is surrounded by businesses, and trying to sell this as office residential, she has had no success. She would like to change the zoning to B-1 because she has a dentist, church, church school, funeral home, realtors office, an empty school building and fairgrounds surrounding her. She thinks this will be able to help sell the property. She has different zones around her B-1, TOC, she said it would be easy access from 33 and Mill Valley for potential buyers.

Council Comments: Mr. Reams saw this was not a unanimous decision and he would like to hear both sides of the discussion. Mr. Failor stated it was a 3-1 vote, the one member stated that he felt like it was an isolated location and there was discussion among the community whether it was adjacent to B-1.

This will be back for third reading public hearing on September 11, 2014. As per Section 1131.08 of the Planning and Zoning Code, a public hearing is scheduled for Thursday, September 11, 2014 at 7:00 p.m. |

The ordinance "TO AMEND SECTION 1140.07(D) MINIMUM LANDSCAPE STANDARDS OF THE CITY OF MARYSVILLE PLANNING AND ZONING CODE" was presented for second reading, public hearing. This will be back for third reading public hearing on September 11, 2014. As per Section 1131.08 of the Planning and Zoning Code, a public hearing is scheduled for Thursday, September 11, 2014 at 7:00 p.m. |

The ordinance "AUTHORIZING APPROPRIATION TRANSFERS, REDUCTION IN APPROPRIATION, ADDITIONAL APPROPRIATIONS AND MODIFYING THE 2014 ANNUAL BUDGET" was presented for second reading, public hearing.

Council Comments: Mr. Fogt asked if there was an additional fund or does it balance out? Ms. Chavarria stated that for the transfers those balance out. There are a few additional appropriations towards the bottom that would need to come from the fund balance available. The only one that required actual additional appropriation was the Sewer Fund that had an increase in utilities. The others were mainly projects that had closed out, and per guidelines any funds that are left over were because of the general fund. We just transfer them back to the general fund. Mr. Fogt stated that we are \$60,000 over the expected utilities budget and the Farmer's Almanac is predicting a bad winter again this year. If they are close with their prediction we may want to budget more for utilities.

This will be back for third reading title only on September 11, 2014.

The ordinance "TO AMEND SECTION 1135.17 SPECIAL DISTRICT ONE (SD1) OF THE CITY OF MARYSVILLE PLANNING CODE" was presented for second reading, public hearing. This will be back for third reading public hearing on September 11, 2014. As per Section 1131.08 of the Planning and Zoning Code, a public hearing is scheduled for Thursday, September 11, 2014 at 7:00 p.m.

The ordinance "TO AMEND SECTION 931.04(b)(a), CODIFIED ORDINANCES OF THE CITY OF MARYSVILLE MULTIPLE UNIT BILLING AND TO RENUMBER SECTION 931.04(b)" was presented for first reading title only.

Comments from Administration: Mr. Aslaner stated that with multiple unit complexes like mobile home parks and apartment complexes, our tiered water system is based on the number of units that are utilizing the common facility; we need to define what utilizing means, and this Ordinance clarifies that.

This will be back for second reading public hearing on September 11, 2014.

PARKS & RECS: Mr. Rausch reported that they did get to talk with Mr. Andrako regarding the update on the dog park. They suggested the plans go back to Finance and Council because they were changed. Parks & Rec. approved the new plans. Parks & Rec. will be looking at the 2010 Master Plan that was done. We are going to be doing surveys of consumers (football, baseball, soccer). By next year we should have an updated 2015 Master Plan and Capital Improvement Plan.

COMMENTS OF THE MAYOR AND COUNCIL PERSONS AND GENERAL DISCUSSION:

Mr. Berbee informed everyone that the Audit is online. Finance Committee hopes that in one month to six weeks, the City will go online with a credit card program to continue to allow residents to pay their utility bills, but it will no longer be an expense to the City. I went to the Mayor's breakfast today, it amazes me about the achievements the City has made over the last five years. I was most proud that Marysville has the ability to support the other communities, the Mayor from Richwood had a water main break at the first of the year, and Marysville helped out. This coming weekend there will be a car show in Milford Center, we are donating our materials

for that as well.

Mr. Reams said that the Public Safety Committee will be meeting Monday, September 8, 2014.

Mrs. Groat said that the Ward 3 public meeting will be at the Marysville Public Library from 6:30-8pm Meeting Room B, on September 2, 2014. At that time, anyone with particular dog park questions, I will be available during my Ward 3 meeting to answer any questions. Any questions, I cannot answer I will take back to staff to get answers. Special thank you to Mr. Andrako and staff, and Mr. Tracey for handling the storm drain issue that was near my home.

Mr. Rausch said there have been two transition committee meetings, one August 21st and another today prior to tonight's meeting. I would like to thank the people who came to these meetings. Thank you to Dublin Assistant City Manager Michelle Crandall, Westerville City Manager David Collinsworth, Xenia City Manager Brent Merriman, and Sidney Law Director Jeff Amick. We will keep council informed as we continue this process.

Mr. Fogt spent some time over the last two weeks at the Statehouse hearing appeals regarding Common Core. It will affect every child in Ohio. I think everyone should have an informed opinion and I am personally against Common Core. I encourage you to know what we are getting into with Common Core. Ohioans Against Common Core is good website to reference.

Mrs. Richardson asked Mr. Failor if he would consider moving forward with widening the roads in Mill Valley to allow for parking on both sides of the roads and for emergency vehicles to be able to pass through. That is not happening in some of the newer sections and it is problematic.

On August 6th, the Marysville Council of Knights of Columbus passed Randy Ralston to receive the International Community Activity Award at the Supreme Convention in Florida on behalf of Marysville Council 5534. Our local council was chosen for this award out of 16,000 council's world wide. The award recognizes the Marysville Council for the planning and hosting of the Wounded Warrior and Amputee Softball tournament. As a result of the event they were able to donate \$5,000 to the Wounded Warriors Fund and \$10,000 to the Union County Family Military Support Group, which they used to start a scholarship for Post 9/11 veterans and their families of Union County. We are proud of the contribution that the Knights have made to our community.

Let's keep talking about drug and alcohol abuse. The use/abuse of alcohol and drugs have a negative impact across our community; crime increases, and the quality of life decreases. The abuse leads to destruction, many are not aware of the dangers, and others simply choose to ignore the problem which does not help to minimize the consequences of the abuse. Tonight, however, I want to look on the bright side. On behalf of the Drug Free Coalition, I would like to recognize the following local business (see attached), which have complied with the Ohio Law regarding underage alcohol sales and are helping to be part of the solution. I applaud them. The Drug Free Coalition was told that there was a youth risk education survey that was just completed for 2014. That particular survey included 7-11 grade students from North Union, Fairbanks, and Marysville. 1,100 students were surveyed. The results I will share them once I receive them. Please keep talking about these issues with your friends, family and neighbors.

I was very pleased to see Anna had posted pictures on the website after the Public Safety Meeting to get the word out that we do not want people blocking sidewalks with their vehicles. She has had positive feed back. There has been a lot of positive feedback from the paving of the Jim Simmons Trail.

Mr. Taylor said as an Educator, when 9/11 happened I had a room full of Ag Business students and they were learning how to search the web. So when I hear the Alan Jackson song about 9/11, it brings to heart to fast too often, we forget things that affect us in our daily lives. Wherever you are at 9:50 am on 9/11, take the time to thank God you're here and for your loved ones. Folks, that can never happen on our soil again. We have to always be on guard.

Mr. Taylor entertained a motion to go into executive session to consider the appointment of a public employee with no action being taken, Mrs. Richardson moved the motion, Mrs. Groat seconded.

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

ADJOURNMENT: There being no further business to come before Council, the meeting was adjourned at 8:00 p.m. to Executive Session. Council came out of Executive Session and adjourned the regular meeting at 8:30 p.m.