

CITY COUNCIL MINUTES

February 26, 2015

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

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

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

REPORTERS PRESENT: Taylor Evans-Journal Tribune, Sean Lehoist-ThisWeek

CITIZENS PRESENT: Eric Phillips, Linda Fisher, Andrew Brossart, Janell Alexander, Ben Vollrath, Derek Vickers

APPROVAL OF MINUTES: There being no additions or corrections, the minutes for the meeting on February 12, 2014 were approved as written.

ADMINISTRATIVE REPORT:

Mayor Gore advised Council that the Administration would like to request an Executive Session at the end of the meeting to discuss negotiations with another political subdivision with regard to the request for economic development assistance, with no action being taken. Mr. Taylor told Council members that we will vote on this at the close of the meeting.

Mayor Gore reported the following:

Finance Department

Income Tax Assistance: Finance staff are available to provide City Income Tax assistance Monday through Friday, 8:00 am- 5:00 pm. Special after-hours/dates will be available on:

- Saturday, April 11, 2015 (9:00 am -12:00 pm)
- Tuesday, April 14, 2015 (5:00 pm-7:00 pm)
- Wednesday, April 15, 2015 (5:00 pm-7:00 pm)

The City will provide assistance at the Customer Service Counter located in City Hall, 209 South Main Street. For further Income Tax information or assistance, please call the Income Tax Division at (937) 645-7350 or visit our office.

Due to the extremely cold temperatures this month, no utility shut-offs were performed. Phone calls were made to approximately 70 accounts that were eligible for shut off explaining that

although their account was eligible, it would not occur this month. It was also explained that next month they would see the outstanding balance plus the new month's charges.

Division of Police

On the evening of February 14, 2015, the Marysville Division of Police received several reports of vehicle windows damaged by what appeared to have been caused by a BB type projectile. Officers were looking for a gray Honda Civic that may have been involved in an earlier incident in the county. Officer Jacob Smith located the suspect vehicle in the parking lot of a business off Mill Road. Evidence in the vehicle implicated the three juvenile occupants in the criminal damaging incidents. They were detained and released to parents. There were at least 19 vehicle windows damaged that evening as well as a house window and a business window. Officers continued to receive additional reports of damage over the weekend. The investigation has been forwarded to the Union County Prosecutor's Office.

Maintenance & Operations

The City has responded to five snow/ice events since the last Council meeting on 2/12/15 with the event last Saturday (2/21) being our largest effort of the season (18 operators, 287hrs, 139 tons of salt). During these recent snow events, we used 431 tons of salt. For the season, we have used 1,302 tons of salt. At this time last year, we had used 2,704 tons of salt.

The McCarthy Park shelter has been demolished and the site is being prepared for its replacement. We have also removed the timber steps along the hillside and will be letting the hill naturalize. A concrete path will be installed that will connect the parking lot to the shelter.

The City is in the process of updating the Annual Parks & Recreation Activity Guide and plans to have it available by the end of next month.

Engineering

As a follow up to the discussion at Council last week, ODOT has confirmed that they will be installing a southbound left turn lane at US-36/Collins Rd. as part of the US-36 Paving work planned for this year. The plans for the turn lane are currently being designed and will be provided to the City soon.

Administration

The Partners Park Ribbon-Cutting Ceremony will be held on Friday, March 20, 2015 at 11:30 a.m. in the Memorial Health Pavilion. On Friday, May 29, 2015 (first Friday Nights Uptown event of the year), we will have a dedication of the park. This event will kick off at noon with

live entertainment, food vendors and activities going on throughout the day, leading up to the Friday Nights Uptown event at 6 p.m. Mayor Gore said he has invited the class from Edgewood school that asked Mayor Gore to help clean up the park. The school is making arrangements to get them to the park during the middle of the day.

Mr. Taylor had a resident who called regarding the income tax department and spoke with Trish, and was grateful for the help that she received.

Mr. Taylor asked about the ADA accessible in McCarthy Park. Mr. Andrako said that they are going to put ADA accessible in the park, and it will be an improvement from what was originally there.

Mr. Reams asked about that status of the Producer's Livestock property. Mr. Aslaner said the owner has a bid to demolish the property, and has received the estimate for the steel at the property. They promised to have a permit to demolish before the next meeting and to have started work by the following meeting.

REPORT OF CLERK OF COUNCIL: No report.

REPORT OF PLANNING COMMISSION/DESIGN REVIEW BOARD: Mr. DeLong spoke on behalf of Planning Commission and Design Review Board. He said Planning Commission met in February and went through the two agenda items that are on Council's agenda for tonight, the amendments to Section 1123.01(b)(1) and 1135.23(A) and there was also a training session regarding the platting process. Mr. DeLong said for the March meeting there are no agenda items, but Mr. Hoyt will be giving a presentation regarding City projects, which is done annually for the boards. Mr. DeLong will be doing a training session during the March meeting as well regarding zoning map amendments. Mr. DeLong stated Design Review Board has been slow lately, they cancelled the February and March meetings, but there will be a meeting in April.

Mrs. Groat asked when the Planning Commission meeting is. Mr. DeLong said it is March 2, 2015 at 7:00 pm.

HEARING OF CITIZENS: Linda Fisher, is the Executive Director of the Union County Guardianship Services. She explained that they provide guardian services to adults who have been deemed incompetent and cannot handle their own affairs by the Probate Court. She said in most cases there are friends and family that can step in and handle this, but there are some cases where there is no one and that is where Guardian Services helps. In addition to the Guardian Services, they also supply a Guardian Friend program, which is financed through the Senior Services tax levy. The Guardian Friend program sends a certified guardians in every day to visit "at risk" senior, in order to support seniors aging in place. She thanked Mr. Emery for inviting her to come speak about the programs.

RESOLUTIONS:

A resolution “AUTHORIZING THE MAYOR TO COOPERATE AND ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF US-36 FROM CHAMPAIGN COUNTY LINE TO COLLINS ROAD”, was presented for second reading, public hearing.

Citizen Comments: No Comments.

Council Comments: Mrs. Richardson asked where the work ends in the City, which side of Collins? Mr. Hoyt said he has not seen the plans yet, which they should be finalizing within the next month. Mr. Hoyt said the work in the City is right near the producer’s property at Bunsold School. That is the only place that ODOT is asking us to contribute towards.

Mr. Reams said there was a comment earlier about this improving our connectivity. He asked if there was a plan for sidewalks or bike paths? Mr. Hoyt said not to his knowledge, this is part of ODOT’s urban paving program. Mr. Phillips said the Simon Kenton Trail is a bike path along that route which is in discussions with the Greenway Project.

Back for third reading, title only on March 12 2015.

ORDINANCES:

The ordinance “TO AMEND SECTION 1123.01(B)(1), INTERPRETATION AND MEANINGS, OF THE CITY OF MARYSVILLE PLANNING AND ZONING CODE” was presented for second reading, public hearing.

Citizen Comments: No Comments.

Council Comments: No Comments.

Back for third reading, public hearing on March 12, 2015, and in accordance with Section 1131.08 of the Planning and Zoning Code a public hearing is scheduled for March 12, 2015 at 7:00pm.

The ordinance “TO AMEND SECTION 1135.23(A), SPECIAL DISTRICT ONE (SD1), OF THE CITY OF MARYSVILLE PLANNING AND ZONING CODE” was presented for second reading, public hearing.

Citizen Comments: No Comments.

Council Comments: No Comments.

Back for third reading, public hearing on March 12, 2015, and in accordance with Section 1131.08 of the Planning and Zoning Code a public hearing is scheduled for March 12, 2015 at 7:00pm.

The ordinance “TO AUTHORIZE THE SALE OF A 1992 SUTPHEN PUMPER FIRE TRUCK”, was presented for second reading, public hearing.

Citizen Comments: No comments.

Council Comments: Mr. Berbee asked if this is something that we can reject the sale or put a reserve on the sale. Chief Riley said we generally use GovDeals.

Mr. Reams moved to waive 3rd reading and question put, stood:

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

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

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

The ordinance “AUTHORIZING ADDITIONAL APPROPRIATION OF THE PURCHASE OF A FIRE TRUCK AND MODIFYING THE 2015 ANNUAL BUDGET” was presented for second reading, public hearing.

Citizen Comments: No Comments.

Council Comments: No Comments.

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

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

The ordinance “AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$26,000,000 OF BONDS FOR THE PURPOSE OF (I) PAYING COSTS ASSOCIATED WITH THE ACQUISITION, CONSTRUCTION, EXPANSION, REHABILITATION, AND IMPROVEMENT OF THE CITY’S MUNICIPAL WASTEWATER COLLECTION AND TREATMENT SYSTEM; AND (II) PAYING COSTS ASSOCIATED WITH THE DESIGNING AND ENGINEERING OF THE SOUTHWEST TRUNK SEWER AND JOB READY SITE LOCATION, WITH RELATED SITE IMPROVEMENTS AND APPURTENANCES THERETO, AND RETIRING NOTES PREVIOUSLY ISSUED FOR SUCH PURPOSE; APPROVING RELATED MATTERS IN CONNECTION WITH THE ISSUANCE OF THE BONDS; AND DECLARING AN EMERGENCY” was presented for second reading, public hearing.

Citizen Comments: Mr. Brossart from Fifth Third Bank. Mr. Brossart said there are three pieces of legislation in front of you. The goal here was to give the City the most flexibility, not knowing where the market will be. He said the market has been very volatile. We wanted to give the City the opportunity to do notes again, if that makes sense, or to go to G. O. bonds or to take it all into revenue bonds. We are trying to maximize the most flexible options. The goal is to make it into Revenue Bonds for the entire financing, but we have to be careful for the coverage ratio that is required per the trust indenture. He said last time he checked there was a very good mix with 15 million in Revenue Bonds and 10 million on the G.O. Bond side. As of right now, he did not see a reason to touch the G.O. Note side. As long as, there is no catastrophic event that raises rates within the next four weeks. Mr. Brossart thought we might only need to use two of the three options that we are passing tonight. Mr. Brossart said the other opportunity here is for the City to refinance a portion of their debt and that is why one bond ordinance is 106 million. He said that the system is a lot better than it has ever been and the coverage rates are improving.

Council Comments: Mr. Taylor asked Mr. Brossart, if he was the person standing there and Mr. Brossart was sitting there as Council President, this is the best portfolio mix these three pieces of legislation for the benefit of our 22,000 population, correct? Mr. Brossart said yes, this gives us the maximum flexibility.

Mr. Fogt asked to make sure the 1.665 million, is not required to be changed in the first two piece of legislation. Mr. Brossart said no, we do not need to include that in the first piece of legislation. He said the 1.665 million is going to be converted into the Revenue bond issue. Mr. Fogt asked if we were paying any of that down. Ms. Chavarria said we are required to pay down around \$300,000.00. Mr. Fogt requested we pay down as much as we can.

Mr. Berbee asked how long do you anticipate that the bonds will be paid back, 20, 25, 30 years? Mr. Brossart said he thinks 2047 is the maximum maturity that we can do, he said we have to adhere to the useful life of the asset. Mr. Brossart said when we talked with Council about this approximately 6 years ago, they said we want to pay this down as quick

as we can. He added they started to explore shorter call dates like 8 years, and the market has been pushing that back recently and you will start to be penalized.

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

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

The ordinance “AUTHORIZING THE ISSUANCE OF NOTES IN THE AMOUNT OF NOT TO EXCEED \$24,280,000 IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF (I) PAYING COSTS ASSOCIATED WITH THE ACQUISITION, CONSTRUCTION, EXPANSION, REHABILITATION, AND IMPROVEMENT OF THE CITY'S MUNICIPAL WASTEWATER COLLECTION AND TREATMENT SYSTEM; AND (II) PAYING COSTS ASSOCIATED WITH THE DESIGNING AND ENGINEERING OF THE SOUTHWEST TRUNK SEWER AND JOB READY SITE LOCATION, WITH RELATED SITE IMPROVEMENTS AND APPURTENANCES THERETO, AND RETIRING NOTES PREVIOUSLY ISSUED FOR SUCH PURPOSE; APPROVING RELATED MATTERS; AND DECLARING AN EMERGENCY” was presented for second reading, public hearing.

Citizen Comments: See Mr. Brossart’s comments above.

Council Comments: No comments.

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

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

The ordinance “AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$102,500,000 OF WASTEWATER TREATMENT SYSTEM

REVENUE REFUNDING BONDS, SERIES 2015, OF THE CITY OF MARYSVILLE, OHIO, UNDER SECTION 3, ARTICLE XVIII OF THE CONSTITUTION OF OHIO, FOR THE PURPOSE OF (I) ADVANCE REFUNDING A PORTION OF ITS \$85,885,000 WASTEWATER TREATMENT SYSTEM REVENUE BONDS, SERIES 2006, DATED SEPTEMBER 27, 2006, AND (II) CURRENTLY REFUNDING ALL, OR A PORTION OF ITS \$24,280,000 WASTEWATER TREATMENT SYSTEM NOTES, SERIES 2014, DATED MAY 29, 2014; AUTHORIZING THE EXECUTION OF A FIRST SUPPLEMENTAL

TRUST INDENTURE TO SECURE SUCH BONDS, WHICH INDENTURE SHALL PLEDGE THE REVENUES OF SAID SYSTEM; APPROVING RELATED MATTERS IN CONNECTION WITH THE ISSUANCE OF THE BONDS; AND DECLARING AN EMERGENCY” was presented for second reading, public hearing.

Mr. Taylor said we are going to amend this piece of legislation to say, after the word May 29, 2014, “and its 1,665,000 Sewer Acquisition Notes Series 2015, Dated January 15, 2015;”

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

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

Mr. Fogt moved to pass the emergency clause, and the question put, stood:

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

Mr. Reams moved to waive third reading, and the question put, stood:

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

Citizen Comments: No comments.

Council Comments: No comments.

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

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

An ordinance “TO AMEND CHAPTER 110, FACILITY COSTS AND CITY FEES OF THE CODIFIED ORDINANCES OF THE CITY OF MARYSVILLE” was presented for first reading, title only.

Administration Comments: Mayor Gore said he and Mr. Berbee had a conversation at the last Finance Committee meeting related to this. Mayor Gore said our partners came up with

Council Minutes
February 26, 2015
Page 9

\$975,000.00 towards that park but they also contribute to this community every day. He said Ms. Michalak and Mr. Andrako worked on the fee structure. He said that from the beginning we said we do not really know what we have, because it is all new. Mayor Gore said this proposed to you tonight, the cost of the rental fee, the cost of the permitting, and security, is something that we want to look at for about a year. Monitor it through this year and see if it needs to be amended. Mayor Gore said he wants to take full responsibility for waiving the hourly rate for the partners during the term of their agreement, and he asked Mr. Berbee to put it in there.

Council Comments: Mr. Berbee said originally we received this as a consent item for the Finance Committee. He said normally we get a week to review it. Mr. Berbee asked Council when they are voting on the fees to keep an open mind and think about it. Mr. Berbee said he will definitely support this piece of legislation and would encourage other council members to do the same.

Mr. Taylor said Council members, take a look at this, if you have any questions please bring them with you to the next meeting, and he would like Council to keep an open mind.

Mr. Rausch inquired if there was somewhere that a resident could look and see if the pavilion was rented? Mr. Andrako said no, it is going to be on a calendar just like all the shelters. He was not sure if it would be a public calendar, so it might just say call for availability. Mr. Rausch said with regard to renting it, you do not have to rent the pavilion every time you go, but it would be nice if there was somewhere residents could look to see if it is rented. Mayor Gore said the pavilion is for everyone's use every day, the rental is for when you only want to reserve it for your group only.

Mrs. Richardson said it would be nice to see if the pavilion is already rented, in case a family was going to decide to go down to the park, they could see it is rented and decide to go another time. She asked if it is rented, is there going to be some kind of security to make sure people do not show up that were not invited. Mayor Gore said there will be a security guard there if alcohol is being served, otherwise, they will have to monitor it themselves. She also asked if there is an order of when partners will be able to use the pavilion. Mayor Gore said the City has first, library has second because it was their concept, and then the Hospital has third because they were the first partner we brought on, and then it goes down the list with regards to the contributions that they made.

Back for second reading, public hearing on March 12, 2015.

An ordinance "TO AMEND SECTION 529.07(B)(3) OF THE CITY OF MARYSVILLE CODIFIED ORDINANCES" was presented for first reading, title only.

Administration Comments: No comments, see above.

Council Minutes
February 26, 2015
Page 10

Council Comments: No comments.

Back for second reading, public hearing on March 12, 2015.

PARKS & RECREATION REPORT: Mr. Rausch reported that the Parks & Rec Commission will be touring the parks on April 4, 2015 starting at 9:00am. Mr. Taylor asked Mrs. Jones to put this on Council's calendar so they will have plenty of notice.

COMMENTS OF THE MAYOR AND COUNCIL PERSONS AND GENERAL DISCUSSION:

Mr. Rausch: None.

Mr. Fogt: None

Mrs. Richardson said tonight, let's talk about the news report this week, where 12 young adults from Wesleyan University in Connecticut were hospitalized for taking the ecstasy pill known as "Molly". While ecstasy and other club drugs are not coming into Union County, it is a reminder that drugs used for recreational purpose can have very serious consequences. Parents need to stay informed in order to protect their families, and they need to talk openly about the dangers of drug trends.

Mrs. Richardson said on March 17, 2015, the Union County Multi Drug Taskforce and the Union County Drug Free Coalition will be hosting an event called "Operation Street Smart You" it is from 6:30pm to 8:30pm at the County Services Building. She went there last year and it is a great opportunity to educate yourself on drug paraphernalia, there are a lot of things she did not know before she went there. She said when she went there she became a lot more savvy. She said if you have the time, she would highly encourage you to come out. It is a workshop for adults to learn more about trends specific to Union County, and how to identify the paraphernalia that youth and others are actually using, and, by the way, purchasing in our community. For more information, please contact Mrs. Richardson or the Drug Free Coalition or the County Sheriff's Office.

Mrs. Richardson said she promised a quick update regarding the Public Services meeting. There was a meeting with Ms. Brown, which went very well. All in attendance agreed that it wasn't appropriate to change the handicap symbol on our signage at the present time. We all agreed that if the State standard changed that we would certainly revisit the issue. We will not be recommending that we take any action at this time.

Mrs. Richardson said there is one last thing that she would like to talk about. There seems to be some confusion in the public, right now about who built the pedestrian bridge and why it was built. Tonight, she just wants to make sure that the facts are clear. The pedestrian bridge was built with approximately \$400,000 of tax payers' dollars from the City budget. No money was

Council Minutes

February 26, 2015

Page 11

spent by the school district to construct the bridge. A Safe Routes to School grant was not used to fund it. Every public meeting that was held discussing the construction also discussed connectivity. The idea was to connect one part of the City to the other part of the City over interstate 33, including access to the uptown, fairgrounds, and access for runners, cyclists, and even things like football games, and access to Marysville High School. Some citizens even believe that it was made for the sole purpose of transporting students to the high school. We know that is the furthest thing from the truth. If it were true, she believes this body would have encouraged the school district to share in the cost of constructing the bridge. Her concern that this bridge was enthusiastically created to connect our City is now seen as an object of disappointment because of the school district's decision to eliminate high school busing in Mill Valley.

Mr. Taylor said to Council members, do not forget you have a meeting Tuesday night from 5:00-9:00pm in here. Please make sure that you are here on time, it may not run until 9:00pm.

Mr. Rausch said you have a packet on your desk that goes over the Ad Hoc transition committee report. It also has some attachments that Mr. Dostanko has given everyone, then it has the 2006 Marysville Planning Project that was done at Sawmill Creek. There is information in the back about strategic planning. Please review this packet because this is what we will be going over Tuesday.

Mr. Berbee said we had Finance Committee last week, we anticipate a visit from the Historical Society at one of our next meetings. He said good job to the Streets Department for all the hard work that they do to keep the streets clean.

Mr. Reams: None

Mrs. Groat said there will be no Ward 3 meeting this Tuesday, March 3, 2015, because of the retreat scheduled that day. Mrs. Groat said on March 4, 2015 at 4:30pm, there will be a Cemetery Advisory Board meeting. She encouraged people to attend.

Mr. Taylor reminded the Council that we will be voting on the Executive Session at the end of Mayor Gore's comments.

Mayor Gore said he had a resident call stating that Council had said the bridge was built for connectivity to the high school. Mayor Gore told the resident that the community connectivity is what he has said from the beginning and that the bonus is the high school is on that route. Mayor Gore stated when his kids went to school, if you lived within two miles of the school you had to

walk. The bridge just limits the students from walking or traveling across 33 to get to school. Mayor Gore stated that he did a fact sheet for the bridge that details information on the bridge.

Council Minutes
February 26, 2015
Page 12

Mr. Rausch made a motion to enter into Executive Session to discuss negotiations with another political subdivision with regard to the request for economic development assistance, with no action being taken. Mrs. Richardson seconded the motion, question put, stood:

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

ADJOURNMENT: There being no further business to come before Council, the meeting was adjourned at 8:10 p.m. to Executive Session. Council came out of Executive Session at 8:55pm and adjourned the regular meeting at 8:55 p.m.