

**CITY COUNCIL MINUTES**  
**March 10, 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, Law Director Tim Aslaner, Chief Golden, Chief Riley, Public Service Director Michael Andrako, City Engineer Jeremy Hoyt, Clerk of Council Kris Jones.

**REPORTERS PRESENT:** Taylor Evans-Journal Tribune, Jennifer Noblit- ThisWeek

**CITIZENS PRESENT:** Ben Vollrath, William Darling, John Connolly, Greg Nelson, Dennis Schulze

**APPROVAL OF MINUTES:** The minutes for the meetings on February 25, 2016 were approved.

**ADMINISTRATIVE REPORT:** The Administrative team reported the following:

**Mr. Emery reported the following:**

**City Manager**

He commended our Fire Department for the efforts in a rescue conducted yesterday in a large grain bin. Mr. Emery asked Chief Riley to explain the circumstances because the firefighters need commended for the work that they did there.

Chief Riley explained that they were called to a large grain bin on State Route 4 just outside of Richwood. A farmer was inside the grain bin and when the auger was running inside it sucked him down into the corn, he was trapped just about up to his chest. He said they were able to take a device that Heritage Cooperative had given them and put it around him and create a dam so the rest of the corn would not collapse around him and suffocate him. Within an hour we were able to dig him out and he did not even have to be transported to the hospital.

Mr. Emery said that is another example of our expertise of our Fire Department and the fire fighters and the training that they go through.

The City's 2016 Parks & Recreation Activities Guide is now available on our website. Printed guides are also available at City Hall. In addition, event rack cards will be distributed to local businesses and available at City Hall by the end of next week.

2016 season pool passes are available for purchase online and at City Hall. We are offering a 15% discount on passes purchased by April 29. The pool opens on May 28.

Be sure to set your clocks forward this Sunday, March 13 by 1 hour for Daylight Savings. This is also a great time to replace smoke detector batteries.

City offices are closed Friday, March 25, in observance of Good Friday.

**Mr. Andrako reported the following:**

**Public Service Department, Maintenance & Operations**

The Cemetery Advisory Board supported DP&L's request to replace the poles along W 5th St. and relocate 4 of them to the Cemetery's side of the street. The poles will be placed west of the creek along the north side of the road.

Streets crews are working to excavate, grade and place stone for an additional parking area at Lewis Park, just north of the existing park building. The parking area will accommodate 20+ vehicles and help address the need for overflow parking during football games.

The water level in the reservoir is currently being drawn down to allow for the upcoming construction to perform ramp modifications and install docks for boating/fishing.

Marsh Madness Hike takes place on Saturday, March 19 at 5:30pm beginning at Schwartzkopf Park. Participants will go on a 1.8-mile educational hike to explore the sights and sounds of the magical world of vernal pools. The smartweed vernal pool at the oxbow along the Jim Simmons Trail will be alive with the sounds of frogs. Discussions will focus on these unique creatures and the importance of habitat and water quality.

**Mr. Hoyt reported the following:**

**Engineering Department**

Bids for the 2016 Paving Program opened on Monday, March 7 and came in well under budget. We are currently working to determine the additional roadway projects that can now be funded.

The 2016 Utility Improvements project will be available for contractor bids on Monday, March 14. This project will include the Walnut Street Culvert Replacement, Main Street Siphon Replacement and West 5th Street Storm Improvements. The bids will open on April 4.

The ODNR funded Marysville Upground Reservoir New Boat Ramp and Parking Facility project is anticipated to be advertised for bid by the end of the month. It is currently anticipated that the contractor will begin construction in May.

The State Route 31 Bridge over US 33, we received an update today. They are going to do a complete deck replacement. They are going to model the State Route 31 Bridge after the State Route 4 Bridge. He said there will be fall construction for half of the bridge and then spring construction for the other half of the bridge. He said we will be dealing with the maintenance of traffic a little bit longer. He said the barrels when they are plowing in the winter, we will have to keep in contact with ODOT to make sure they are placed in the right places. Mrs. Richardson said the good news is there will be a sidewalk. Mr. Emery said a sidewalk on one side. Mr. Hoyt explained that they have not seen any plans on it yet, but they should be getting those on Monday. He said our goal is to make it pedestrian friendly, so hopefully they already have those in the plans.

Mr. Rausch to ask for executive session to discuss the promotion of an employee; to discuss the possible purchase of real estate; and to consider confidential business information of an applicant for economic development assistance with no action being taken on any of the items.

**REPORT OF CLERK OF COUNCIL:**

**REPORT OF ECONOMIC DEVELOPMENT:** Mr. Phillips was available to answer any questions that Council may have had.

**HEARING OF CITIZENS:**

**RESOLUTIONS**

2<sup>nd</sup> Reading TO AUTHORIZE THE CITY MANAGER TO APPLY FOR THE OHIO NATUREWORKS  
Public Hearing GRANT PROGRAM

Mr. Emery explained that he did not attend the last council meeting because he was on vacation. He said he saw and heard some of the comments of concern made with the ideal of the second splash pad. He asked that the Council continue with the legislation and they are re-evaluating potential uses for the grant in the meantime.

**Council Comments:**

**Citizens Comments:**

**Back for third reading, title only on March 23, 2016**

2<sup>nd</sup> Reading     AUTHORIZING THE CITY MANAGER TO COOPERATE AND ENTER INTO AN  
Public Hearing     AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION TO REPAIR  
                                 THE STATE ROUTE 31 BRIDGE OVER US 33 AND DECLARING AN EMERGENCY

**Council Comments:**

**Citizen Comments:**

Mr. Taylor moved to pass the legislation and the question put, stood:  
Mrs. Groat YES;     Mr. Reams YES;     Mr. Berbee YES;     Mr. Rausch YES;  
Mr. Seymour YES;     Mrs. Richardson YES;     Mr. Taylor YES

One Reading     TO AMEND RULE 2 OF THE COUNCIL RULES OF PROCEDURE  
Only

**Council Comments:** Mrs. Groat read the following proposed amendments to Rule 2 from the last Public Affairs Committee meeting.

- We removed the words (report of the meeting or what was discussed during the meeting) in E(5).
- 2(H) We renumbered the legislation in numerical order.
- 2(H)(2) Should read now as follows: On Second Reading and Public Hearing- Legislation may be read in full and comments from the public, Council and Administration are heard.
- 2 (H)(3) We added the following sentence after Legislation shall be voted on for passage by Council "Council and Administration comments are heard"
- 2(H)(3) second asterisk statement we removed the following sentence: Council members, without prior consent and at the discretion of the presiding officer, may respond to the comments made by citizens and/or Council members.

**Citizen Comments:**

Mrs. Richardson moved to pass the amendments to Rule 2, and the question put stood:  
Mr. Reams YES;     Mr. Berbee YES;     Mr. Rausch YES;  
Mr. Seymour YES;     Mrs. Richardson YES;     Mr. Taylor YES;  
Mrs. Groat YES

Mrs. Groat moved to pass the legislation and the question put, stood:  
Mr. Berbee YES;            Mr. Rausch YES;            Mr. Seymour YES;  
Mrs. Richardson YES;    Mr. Taylor YES;            Mrs. Groat YES;  
Mr. Reams YES

One Reading    TO AMEND RULE 19 OF THE COUNCIL RULES OF PROCEDURE  
Only

**Council Comments:** Mrs. Groat read the following proposed amendments to Rule 2 from the last Public Affairs Committee meeting.

- In the first paragraph we added the following sentence at the end: “No committee shall be comprised of solely at-large Council members or ward Council members during their respective election years”.
- We decided to stay with the four council committees of Finance Committee, Public Safety, Public Service and Public Affairs.
- In the second to last paragraph, we removed the sentence “Committee assignments will remain effective until the new committee assignments are made the following year”.

**Citizen Comments:**

Mr. Seymour moved to pass the amendments to the legislation and the question put stood:

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

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

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

One Reading Only AUTHORIZING THE EXECUTION OF THE HOUSING REVOLVING LOAN FUND ADMINISTRATION AGREEMENT WITH THE STATE OF OHIO, DEVELOPMENT SERVICES AGENCY AND DECLARING AN EMERGENCY

**Administration Comments:** Mr. Emery said this is an agreement that is required to be signed every three years. He said we currently participate in the CDGB and home investment partnership programs and they serve a very positive impact.

**Council Comments:**

**Citizen Comments:**

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

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

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

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

**ORDINANCES**

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

Mr. Aslaner explained that this property is in the process of being annexed. He explained it is on for third reading and codified required public hearing. He said however, it is still in the process of being annexed. The annexation was granted by the Union County Commissioners on February 23, 2016 but it still needs to come back to Council, but there is a sixty day wait period before it comes back to Council to accept or deny the annexation. He met with Mr. Schulze today and they are both on the same page regarding the annexation. Mr. Aslaner requested that Council vote to fail this pieces of legislation due to timing.

**Council Comments:**

**Citizen Comments:**

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

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

3<sup>rd</sup> Reading TO REZONE PARCELS 2900044110020 AND 2900044110070 LOCATED ON  
Public Hearing COLEMAN'S CROSSING BOULEVARD FROM TRAFFIC ORIENTED COMMERCIAL  
(TOC) TO HOSPITAL MEDICAL DISTRICT (HMD)

**Council Comments:**

**Citizen Comments:** Mr. Connolly thanked the Administration, they have been very helpful. He has three things to address with the Council this evening. He brought Mari Warburton with him tonight. She works with the interested operator and she has been involved in the neighborhood meetings. She can address any concerns with the project. Second is during the second reading, there were questions regarding spot zoning versus conditional zoning. He passed out a document that shares their thoughts on the zoning.

Mr. Taylor asked if she has talked with any of the neighbors bordering the property if they had any problems with the project; and if any neighbors are here they are more than welcome to speak.

Ms. Warburton said she has been involved with the neighborhood meetings and there does not seem to be anyone in protest of the project. Mr. Connolly said he has showed the plan that is in front of you now, you should not notice any change once the building goes up, except windows and doors might be slightly moved.

Mrs. Richardson said she wants to make sure they are aware that there is no HMD around and that you might have neighbors that do not reflect the same kind of lifestyle that you are producing. We just do not want to see down the line a disappointed resident because of the zoning around the change.

Mr. Rausch asked if we did not change the zoning to when the other two medical users went in to HMD. Mr. Connolly said the only time you have to use HMD is when you introduce overnight stays; and Mr. Flowers agreed with him.

Mr. Flowers spoke regarding the community input and there were no one that showed up. Staff recommends that Council moves forward. He said he plans on coming back to the April 25<sup>th</sup> Public Affairs meeting. Mr. Taylor asked if he owned one of the lots and the change of zoning, knowing what Mr. Flowers knows would it be his opinion that this is the best use? Mr. Flowers answered if he owned one of the lots, he would rather choose this than a commercial strip center. They are providing adequate buffering.

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

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

2<sup>nd</sup> Reading ACCEPTING THE DEDICATION OF THE WALKER VILLAS CONDOMINIUM PUBLIC  
Public Hearing UTILITY INFRASTRUCTURE

**Council Comments:** Mrs. Richardson explained that this came before the Public Service Committee and the Committee recommended it move forward to Council.

**Citizens Comments:**

**Back for third reading, title only on March 23, 2016**

**Parks & Recreation Report:** Mr. Reams reported they will be meeting March 15<sup>th</sup> at 7pm to discuss the five year Capital Plan.

**Comments of the City Manager and Council Persons and General Discussion:**

Mrs. Groat reported that there will be no Public Affairs meeting this month, they will meet on April 25, 2016. She thanked Mr. Vollrath for attending the Cemetery Advisory Board meeting to help answer questions regarding the request to relocate poles. The next Cemetery Advisory Board meeting will be May 18, 2016 at 4pm to tour the Cemetery. There will be accommodations for anyone that has issues walking.

Mrs. Richardson said she will bring to Council the Drug-Free Coalition's brain storming recommendations regarding medical marijuana. She gave a shout out to Chief Golden and our new Community Oriented Policing Sgt. McGlenn, who came to our neighborhood watch meeting and really enlightened us and talked to residents on how to keep neighborhoods safe. She hopes throughout the City we can really grow our neighborhood watches.

Mrs. Richardson also shared with everyone that eighth grade students now have the opportunity to take High School courses. She also reminded everyone to vote this coming week.

Mr. Taylor spoke about watching the State wrestling tournament and Jake Marsh, a student from Marysville did very well. He said that is one sport where you rely on yourself. He also mentioned he is happy that we are revitalizing the uptown but there have been complaints about one business that recently opened and the parking situation. He asked Mr. Emery to address it when he is meeting with the owner for lunch. He reminded everyone to please be good neighbors.

Mr. Seymour reminded citizens to vote on Tuesday, March 15<sup>th</sup>; about daylight savings time on Sunday, not to set your clocks forward and to be careful on St. Patrick's Day.

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Mr. Berbee reported that Finance Committee will meet March 17<sup>th</sup> at 5pm. He asked that Finance Committee members think about rescheduling the April 21<sup>st</sup> Finance meeting since it is the same time as the Chamber Dinner. He asked Council if it was ok for him to represent City Council at the FFA dinner that they were invited to attend. Mr. Rausch gave his permission.

Mr. Rausch reminded everyone that the next Council meeting will be March 23, 2016 at 7:00pm. He explained Chief Riley will have the new fire truck at City Hall at 6:30pm, if Council would want to look at it. He reported that Mr. Seymour and he attended the OML training last Saturday for new elected Council members and mayors. He also mentioned that he and Mr. Emery attended Dublin's State of the City address.

Mr. Rausch mentioned that at the end of April he will be going to Carriage Court to meet a resident who will be celebrating her 107<sup>th</sup> birthday.

Mr. Taylor moved to enter into executive session to discuss the promotion of an employee; to discuss the possible purchase of real estate; and to consider confidential business information of an applicant for economic development assistance with no action being taken on any of the items and Mrs. Richardson seconded and the question put, stood:

Mr. Berbee YES;      Mr. Rausch YES;      Mr. Seymour 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 to Executive Session at 8:01p.m. Being no further business to come before Council, the executive session was adjourned at 9:02pm. The meeting was adjourned at 9:02pm.