

CITY COUNCIL MINUTES
December 20, 2016

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

MEMBERS PRESENT: Nevin Taylor, Deb Groat, Tracy Richardson, JR Rausch, Alan Seymour, Mark Reams. Henk Berbee.

OTHERS PRESENT: City Manager Terry Emery, Finance Director Justin Navhi, City Law Director Tim Aslaner, Chief Golden, Chief Riley, Public Service Director Mike Andrako, City Engineer Jeremy Hoyt, IT Director Aaron Story, Zoning Administrator Ron Todd, Clerk of Council Kris Jones.

REPORTERS PRESENT: Will Channel- Journal Tribune

CITIZENS PRESENT: Eric Phillips, Tony Eufinger, Donald Boerger, Carrie Weigand, Tim Schacht, Lesli Current, Charles Dyas

APPROVAL OF MINUTES: The approval of the minutes for the meeting on December 12, 2016 were postponed.

ADMINISTRATIVE REPORT: Mayor Rausch to appoint Amy Royhans to Parks & Recreation with approval of Council.

The Administrative team reported the following:

Mr. Emery reported the following:

City offices will be closed Monday, December 26 in observance of the Christmas holiday and also on Monday, January 2, in observance of New Year's Day.

Mr. Andrako reported the following:

**Public Service Department, Maintenance & Operations
Snow/Ice Event**

City crews responded to a snow event on Saturday (12/17) and Sunday (12/18) with 159 operator hours and 139 tons of salt. This brings the season totals to 373 operator hours and 262 tons of salt.

Chief Riley reported the following:

Division of Fire

Chief Riley explained that they have spent over \$300,000 in overtime this year. He would like to cut the over-time spending by add to full-time positions. This would eliminate some of the over-time spending and mandatory over-time. Chief Riley handed out a statement showing the difference in leaving the positions as they are and changing to two full time positions and reducing overtime. This would not change the budget for 2017.

Mr. Nahvi stated that Chief Riley's plan is budget neutral, because it will not affected the approved 2017 budget.

Council agreed to move forward with Chief Riley's plan.

REPORT OF CLERK OF COUNCIL:

REPORT OF PLANNING COMMISSION/DESIGN REVIEW:

Mr. Boerger reported the following for Planning Commission:

Proposed Zoning Code Amendment (Text) to Chapter 1100 Subdivision and Zoning Fees.
Request: To hear a proposed Zoning Code amendment to add section 1100.04 Street Tree Maintenance fee, this was approved and is in front of Council this evening.

Mr. Schacht reported the following for Design Review Board:

Exterior Plan/Landscape Plan: An application for a new +/- 14,400 sq. ft. medical office building on property located at 1550 London Avenue in the B-1 (Service Business) zoning district, this was approved.

COMMITTEE REPORTS: Mr. Berbee mentioned that Finance Committee met on December 15th, they had a presentation by Redtree Investment Group, discussed the Health Insurance cost, the tax code-Lessors duty to disclose tenants, monthly financial statements, and changes to the estimate payments due to HB5.

Mrs. Groat stated that Public Affairs met on December 19th, there was a lot of good discussion on the mobile food vendors. They reviewed language Mr. Aslaner provided in regards to Resident Permit Parking and parking on sidewalks. Mr. Hoyt reported that they are getting ready to bid out the farm lease for Innovation Park, and they touched a little bit on the Council Rules of Procedures.

PARKS & RECREATION REPORT: Mr. Reams reported there was no meeting in December.

HEARING OF CITIZENS: Presentation by OHM on the Uptown Revitalization Plan (attached)

Presentation by Mr. Andrako on the Survey results for the Parks & Recreation Master Plan (attached) Mrs. Groat questioned how many surveys were sent out, she knows they received around 600 responses. Mr. Andrako answered he did not know how many were sent out, that they would keep sending them out until they reached 375 responses. Mrs. Richardson stated that early in the report she noticed there was a large percentage of people who did not know, do you remember what that was, it stated they did not know what their response should be. Mr. Andrako answered there is a lot of that, he is not sure if they did not understand the question, or maybe they just do not visit our parks enough to know what is or is not a need. He was not sure why that was so high in many places. There is a benchmarking section that compares our results to other cities.

RESOLUTIONS:

One Reading TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A RESIDENTIAL LEASE
Only AGREEMENT ON BEHALF OF THE CITY OF MARYSVILLE

Administration Comments: Mr. Aslaner reported this lease was advertised in the newspaper for five consecutive weeks, there were no bidders. It was the suggestion to put a sign in front of the residence. There were a couple phone calls about renting the home. Mr. Aslaner has met with the new possible tenants, who have signed the lease. This just needs to be approved by Council.

Council Comments:

Citizen Comments:

Mrs. Richardson moved to pass the legislation 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

ORDINANCES:

1st Reading TO AUTHORIZE THE CITY TO ENTER INTO AN AGREEMENT TO ABANDON
Title Only AND REPLACE EASEMENTS AND DEED OF CONVEYANCE THEREOF

Administration Comments: Mr. Hoyt explained that this is a piece of property that was part of an easement. Connolly construction is planning on building apartments on the property, and the easement is holding them up. Mr. Hoyt has reviewed the area and is not sure why the easement was created. He proposed that we abandon the original easement and accept the replacement easement.

Council Comments: Mrs. Groat asked if that was Aldersgate Apartments. Mr. Hoyt answered yes, that is the area we are talking about. Mrs. Groat asked if that has been before planning and is it zoned correctly? Mr. Hoyt said this was the last part in the development process. Mrs. Richardson said what she is hearing is there is no compelling reason why the City should need that space. Mr. Hoyt responded correct, there is no reason why that it is there. He thinks there might have been a plan for it in the past, but he is not sure what.

Mrs. Richardson moved to waive the third reading 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

1st Reading TO AMEND CHAPTER 1100 SUBDIVISION AND ZONING FEES (1100.01 STREET
Title Only TREE MAINTENANCE FEE), OF THE CITY OF MARYSVILLE PLANNING AND ZONING
CODE

Administration Comments: Mr. Andrako explained that we would be charging \$7.00 per lineal foot of frontage to repair and upkeep the street trees. These costs would go into a special fund to help fund the position of an urban forester in the future. He said it captures commercial and residential development. Mr. Andrako stated Mr. Seymour brought it to his attention that it does not necessarily state new buildings. If you look at the last sentence, it states this fee does not apply to residential accessory buildings. He can modify this to state or modifications to existing buildings or structures that would make it very clear that this was for new building constructions.

Council Comments: Mrs. Richardson asked if this was a one-time fee, it is not an annual fee. Mr. Andrako stated it is a one-time fee that the developer pays or the housing construction company pays it. When the zoning permit is pulled it requires that to be paid. He said we will continue to develop and it will make the reserve to fund the Urban Forester position. Mrs. Richardson asked if the owner still plants the tree. Mr. Andrako stated that yes, the owner will still plant the tree, we will just be maintaining it. Mr. Rausch stated we will vote on the amendment at the next meeting, if you can provide the amendment.

1st Reading AN ORDINANCE ESTABLISHING A SPECIAL REVENUE FUND ENTITLED CITY STREET
Title Only TREE FUND

Administration Comments: Mr. Nahvi explained this is the fund that Mr. Andrako was speaking of to help fund the urban forester position.

Council Comments:

2nd Reading ESTABLISHING COMPENSATION FOR COUNCIL-ELECTED MAYOR
Public Hearing

Administration Comments: Mr. Aslaner explained that Council does need to act on the legislation because at the beginning of the year, the Mayor will not be receiving any compensation. The Ordinance that was passed last year was only compensation for 2016. Mr. Nahvi has stated that we can just play catch up once the ordinance passes.

Council Comments: Mr. Reams commented but the audio was unable to hear. Mr. Reams moved to reconsider waiving third reading. Mr. Taylor said in dealing with what Mr. Aslaner and Mr. Reams said the best way to deal with it would be to table it until after the retreat. The pay will be retroactive to the first of the year. It should move to discuss with all seven council members. Mr. Taylor made the motion to table the issue until the second meeting in February.

Citizen Comments:

Mr. Reams moved to table the ordinance until February 20th and the question put, stood:

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

2nd Reading AN ORDINANCE AUTHORIZING A TEMPORARY AMNESTY PROGRAM FOR
Public Hearing MUNICIPAL TAXPAYERS, AND DECLARING AN EMERGENCY

Administration Comments:

Council Comments:

Mr. Berbee 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 AMEND CHAPTER 1137.13 (b) MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL
Public Hearing DISTRICT (R2) TO ADD COMMERCIAL RECREATION AS A CONDITIONAL USE

Administration Comments:

Council Comments:

Citizen Comments:

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

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

3rd Reading TO APPROVE A ZONING MAP AMENDMENT TO REZONE 19.428 ACRES (PARCEL #
Public Hearing 2900191220000) FROM HIGH DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT (R-
5), MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT (R-2), AND LOW
DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT (R-1) TO A PLANNED UNIT
DEVELOPMENT (PUD) ON PROPERTY LOCATED SOUTH OF LORA LEE DRIVE AND
ADJACENT TO THE EXISTING MILFORD CROSSING APARTMENT DEVELOPMENT

Administration Comments:

Council Comments:

Citizen Comments:

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

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

Mr. Emery expressed gratitude to City Council from himself and all of the Executive staff for the year that we have had. The areas that we have been able to address and make progress in. He thinks that the first year in the transfer of the form of government and we would like to make it better as we move forward here in the future. He thanked City Council, it has been a real pleasure working for you. He also thanked the Executive Staff for making this year as productive and efficient as we have.

Mrs. Richardson wished everyone a Merry Christmas and looks forward to a very prosperous 2017.

Mr. Berbee is happy with the 84%. He stated so often people say you must receive a lot of phone calls. He said he hardly ever gets a phone call from anyone. He said this was a year of transition. Mr. Berbee stated we have the Charter Review coming up this year, and he is already has a topic to discuss. As we were discussing the roles of Mayor, he noticed several communities the Mayor serves a two year term. He will be making that suggestion to the Charter Review.

Mr. Seymour stated since starting with Council, he has been impressed with the accomplishments and responsiveness of the City staff and Administration. He thanked Justin with OHM on the work that he has done with the Uptown Plan.

Mr. Rausch stated the Charter Review is coming up and we need to start thinking of positions on who we want on it. There needs to be a person from each ward and five more members for a total of nine members. He asked them to think of names, because we need to select those people on January 10th. He mentioned the survey. When he first got on Council, he talked about the surveying the citizens, and was told it was a bad idea. He was not sure why, because this would tell us if people are not happy with the way things are going or if they are. And based on the results from this survey, they are doing something right.

Mr. Rausch thanked everyone for electing him as Mayor this year. He would agree with Mr. Berbee about the two year terms.

City Council
December 20, 2016
Page 8

Mr. Taylor suggested Mr. Mike Rose for the Charter Review Committee, and reminded everyone that there is a real reason for the season and it is not shopping.

ADJOURNMENT: There being no further business to come before Council, the meeting was adjourned at 8:37pm.