

CITY COUNCIL
AGENDA FOR MEETING OF JANUARY 14, 2019
7:00 P.M. – COUNCIL CHAMBERS – 209 S. MAIN STREET

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

INVOCATION:

ROLL CALL:

REORGANIZATION:

1. Elect Mayor / President of Council
2. Elect Vice Mayor / Vice President of Council
3. Appoint Clerk of Council

APPROVAL OF MINUTES: December 17, 2018 minutes and January 7, 2019 Work Session minutes

ADMINISTRATIVE REPORT:

REPORT OF CLERK OF COUNCIL:

REPORT OF ECONOMIC DEVELOPMENT DIRECTOR:

HEARING OF CITIZENS:

RESOLUTIONS:

ORDINANCES:

1st Reading AUTHORIZING THE ISSUANCE OF NOTES IN THE AMOUNT OF NOT TO EXCEED \$1,800,000 IN
Title Only ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF ACQUIRING, DESIGNING,
 IMPROVING AND CONSTRUCTING VARIOUS PUBLIC SERVICE RELATED PROJECTS; AND RETIRING
 NOTES PREVIOUSLY ISSUED FOR SUCH PURPOSE; AUTHORIZING AND APPROVING RELATED
 MATTERS; AND DECLARING AN EMERGENCY

1st Reading TO ACCEPT LIMITED WARRANTY DEEDS TO SERVE AS RIGHT-OF-WAY ALONG BERMUDA WAY
Title Only

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

Motion to adjourn to Executive Session to discuss the appointment of a public official.

ADJOURN:

**CITY COUNCIL MINUTES
DECEMBER 17, 2018**

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

The pledge of allegiance was led by Councilwoman Richardson.

The invocation was given by Mayor Rausch.

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

OTHERS PRESENT: *City Manager Terry Emery, Finance Director Justin Nahvi, Law Director Tim Aslaner, Police Chief Floyd Golden, Fire Chief Jay Riley, Public Service Director Mike Andrako, City Engineer Jeremy Hoyt, IT Director Aaron Story, Economic Development Director Eric Phillips, Clerk of Council Rebecca Dible, Matt Stiffler, Chris Richardson, MJ Richardson, Chris Schmenk, Nancy Beals, Scott Zwiezinski, Shawn Hough, Stefanie Hough, Michael Page, Edward Page, Donita Page, Holly Zweizig, Scott Brock Josh Bochkor, Lauren Bochkor, Emily Clark, Adam Clark, Cheri Seymour, Lesley Bimonte, Anthony Will, Jim Vandre, Nieca Nowels, Will Channell, Andy Morano, Donald Boerger, Tim Schacht*

APPROVAL OF MINUTES: The minutes from the December 10, 2018 were approved as presented.

LIGHTS, SIGHTS, AND HOLIDAY NIGHTS AWARDS:

Mayor Rausch presented the following awards:

Winners:

Joshua & Lauren Bockor - 1931 Creekview Drive – Ward 1, Holiday Décor Winner
Michael Page – 1242 Montclair Court – Ward 1, Deck the Halls Winner
Jason Rupcich – 1378 Park Meadow Drive – Ward 2, Holiday Décor Winner
John Kosich Jr. – 683 Corbel Drive – Ward 2, Deck the Halls Winner – Synced with 96.9 radio station
Memorial Hospital Entrances – Ward 2 Business, Holiday Décor Winner
Shaun Hough – 891 Wedgewood Drive – Ward 3, Holiday Décor Winner
Howard & Theresa Hall – 1647 Millington Way – Ward 3, Deck the Halls Winner
One Stop Shop Bridal – 118 N Main Street – Ward 4 Business, Holiday Décor Winner

Runner-Ups:

Shannon Zitter – 1884 Creekview Drive
Gray & Kristine Thomas – 1903 Chiprock Drive
Brian Pitzer – 342 Moss Court
Adam & Emily Clark – 1688 Adena Point Drive
Jason & Jacquelyn Schultz – 1619 Adena Point Drive
Eric & Nicole Kazmierczak – 684 Corbel Drive
Kevin Palumbo & Jamie Sybrant – 553 Corbel Drive
Eagle Strategies LLC – 804 W 5th Street
Worth Repeating – 138 E 5th Street
Plumm Home – 116 E 5th Street
Union Station – 109 E 5th Street
Debbie & Greg Stinemetz – 13700 Shortees Rd. *(Special Mention as they were not eligible due to living outside of the City limits, however they were nominated multiple times for their beautiful display.)*

BOARD & COMMISSION APPOINTMENTS:

Jason Walters – Planning Commission – New Appointment
Matt Stiffler – Design Review Board – New Appointment
Barbara Taylor and Jason Moore – Board of Zoning Appeals - Reappointed
Andrea Weaver – Board of Income Tax Appeal - Reappointed
Kevin Gregory – Utility Claims Board of Appeals - Reappointed
William Sallee – Civil Service Commission - Reappointed

ADMINISTRATIVE REPORT:

Mr. Emery reported the following:

Merry on Main – Ice Skating

Merry on Main Ice Skating received great reviews and attendance for opening weekend. We had 220 skaters on Saturday and 240 on Sunday.

Operating Hours (December 15 – January 1)**Regular Hours**

Weekdays 5:00 to 8:00 PM

Weekends 2:00 to 8:00 PM

Extended Holiday Hours

Christmas Eve: 2:00 - 8:00 PM

December 26 - 28: 2:00 - 8:00 PM

New Year's Eve: 2:00 - 10:00 PM

New Year's Day: 2:00 - 8:00 PM

Closed Christmas Day*City Offices Closed**

City offices will be closed Tuesday, December 25 in observance of Christmas Day and also on Tuesday, January 1 in observance of New Year's Day.

Mr. Andrako reported the following:

Leaf Collection

Sanitation crews have caught up on leaf collection citywide.

Trail Construction

Street crews are working on the first section of the trail that will extend from American Legion Park to the Jim Simmons Trail. Mr. Berbee asked where this trail would connect, as Mill Creek ran between the two. Mr. Andrako explained that they would put in a connection trail where SR 33 crosses Mill Creek. They discussed ODOT regulations and past practice at length. Mr. Berbee stated he was pleased to see this plan being a part of connecting Marysville, as children in Mill Valley would now be able to walk to the Municipal Pool. Mr. Emery spoke to the talent level of City Staff in regard to the projects they were able to accomplish during the winter months, specifically mentioning McCarthy Park and McIvor Woods as examples.

Mr. Hoyt reported the following:

Coleman's Crossing Traffic Signal

The "10-day" signal burn for the Coleman's Crossing traffic signal is anticipated to start on Wednesday.

West 5th Street Sewer

The testing for the West 5th Street Sewer is ongoing. Reconnecting the existing properties to the new sewer will start towards the end of the week.

REPORT OF CLERK OF COUNCIL: None

PARKS AND RECREATIONS REPORT: None

FINANCE COMMITTEE REPORT:

Chairman Berbee reported the following:

At the December meeting the only item of business was to review and accept November financials. He stated that 2017 had been an exceptionally good year and that as of the end of November 2018, the City was only \$1,200 ahead of where they were last year, although they were still on budget. Mr. Berbee also stated that the City and County combined had increased by about 300 dwellings and this economic growth had a positive impact on the Utilities Funds. He stated the next big focus should be for economic growth that brings funds to the City of Marysville. He then wrapped up stating the City was on budget for income and slightly under budget for expenses.

PUBLIC SAFETY/SERVICE COMMITTEE REPORT:

Chairman Richardson reported the following:

The December meeting was held to go over updates, as there had been no agenda items, however most of the updates had already been brought before Council in the Administrative Report that evening.

HEARING OF CITIZENS:

Leslie Bimonte introduced herself to Council and informed them that she had recently turned in her letter of interest for the Ward 1 Council seat which will be vacant upon Mrs. Richardson's resignation.

Holly Zweizig with the Mental Health and Recovery Board of Union County thanked Mrs. Richardson for the invitation to give City Council another update on Medical Marijuana Program. She introduced Nancy Beals who is the new Director for the Union County Drug-Free Coalition to City Council. Ms. Zweizig then informed Council of the following:

Key Points:

- Ohio Medical Marijuana Program planned to open September 2018 [Delayed 2019]
- In-State Seed to Sale Operation
- Medical marijuana available through dispensaries to approved patients
- 21 recognized conditions
- Cannot smoke, but can vape
- Other forms include pills, oil, tincture, patches and edibles
- Patients can have up to a 90 day supply

Update December 2018

Patients

- Patients are now able to apply for a medical marijuana card once they have been recommended medical marijuana from a licensed physician.
- The medical marijuana card is \$50 per patient
- Over 3,400 patients have applied for the card in Ohio to date
- Of those, 2,100 have activated their registration card
- Patients can use cards at any dispensary in Ohio, but not out of state

Physicians

- Approximately 320 doctors in Ohio are registered through the Medical Board to recommend medical marijuana
- Many recommending physicians are associated with pain clinics. Two have been authorized in Union County to date.

Dispensaries

- There are currently 56 dispensaries who have been licensed and approved in Ohio that will be licensed to provide medical marijuana. The first of those received a certificate of operation last week (12/10)
- Dispensaries will not be able to sell medical marijuana until their products are tested at state-certified testing labs

Testing Labs

- None of the five labs that have provisional medical marijuana licenses in the state have been approved to start testing. Hocking College is expected to begin testing soon. Ms. Zweizig stated that patients are now able to go to walk-in centers to see physicians with whom they do not have an ongoing relationship, to receive a recommendation for medical marijuana. Mayor Rausch asked who allowed this change. Ms. Zweizig stated that the ruling had been allowed by the Medical Marijuana Advisory Committee, which was set to remain intact for one year, then disbanded. Mr. Berbee asked for an example of a type of condition that would allow a person to be medically treated with medical marijuana. Ms. Zweizig stated that Alzheimer's, epilepsy, and chronic pain were examples. He then asked if this would impose a change in hiring at the City, to which was responded that Human Resources had already made sure was properly addressed, per policy. The topic of medical marijuana was discussed at length and Council thanked Ms. Zweizig for the update, as the House 2 Bill was ever-evolving.

RESOLUTIONS: None

ORDINANCES:

2nd Reading TO AMEND THE GEOGRAPHICAL BOUNDARY OF THE DESIGNATED OUTDOOR
Public Hearing REFRESHMENT AREA

ADMINISTRATION COMMENTS: Mr. Aslaner stated that in order to give proper notification to citizens, if the map of the DORA attached to the legislation was to be amended that evening, the Third Reading would need to be tabled until the Council Meeting on January 28th, 2019.

COUNCIL COMMENTS:

CITIZEN COMMENTS:

Mrs. Richardson moved to amend the legislation by changing Exhibit B, 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.

Mrs. Richardson moved to table third reading, title only to date certain, January 28th, 2019, and the question put, stood:

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

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

Mr. Emery thanked all of City Council for a wonderful 2018 and gave a special thank you and well wishes to Councilwoman Richardson from Administration & Staff. He wished everyone a Merry Christmas and happy holidays.

Mrs. Groat announced the Ward 3 meeting would be on January 8th, 2019 at 6:30 at the Marysville Public Library in meeting room B. She also expressed her gratitude to Councilwoman Richardson for her years of service on City Council and wished everyone a Merry Christmas and a Happy New Year.

Mr. Seymour echoed Mrs. Groat's sentiments, stating it had been delightful working with Mrs. Richardson while serving on City Council. He then wished everyone safe holidays.

Mr. Reams told Mrs. Richardson that it had been great working with her over the last nine years and wished her luck.

Mr. Berbee stated that he and Mrs. Richardson had been Council “newbies” when they began serving nine years ago. He stated that he was all that had been accomplished over those nine years and stated that those who reside in Marysville truly have a reason to be proud. Mr. Berbee then wished everyone safe holidays.

Mr. Taylor thanked those on the Exterior Property Maintenance Commission for their efforts in regards to the Lights, Sights & Holiday Nights Program, as it was nice to appreciate those who make the effort to beautify the City. He also stated that as there were openings on a few Boards & Commissions, it was possible that some of those applying for the upcoming Council Ward 1 vacancy, could also be a good fit for the other open Board & Commission positions. Mr. Taylor told Mrs. Richardson to “break a leg” in her “next dance.” Finally, he encouraged everyone to shop locally for the holidays, to have a peaceful time with their family and friends, and to remember the real Reason for the season.

Mayor Rausch addressed Mrs. Richardson, stating it had been a pleasure and honor serving with her on City Council. He stated that being on “Team Marysville” was truly a team sport, as they were able to disagree at times and move on. He told Mrs. Richardson that her professionalism while debating would serve well at the State level. Mayor Rausch wished her well and said she would be missed.

Mrs. Richardson gave the following speech:

“Did you know...my last day as a City Councilwoman is December 31st? I am sad to be leaving and yet also excited about new opportunities to serve us from the Statehouse. When we come to the end of a terrific and meaningful experience, we tend to reflect upon how it began. I’d like to share a few thoughts and memories with you that began 9 years ago. I chose to run for City Council after much prayer and the encouragement of my husband who said, “The City needs you, you should run”. Knowing very little about the Council and what they did, I began attending meetings. This is how I met the President, Mr. John Gore...no John, you aren’t here but I’m pretty sure you would be very happy to know you are being remembered...LOL. I chose to submit my resume and threw my name into the hat to be selected to fill the unexpired term of John Marshall. At that interview, I remember meeting our dear Connie Patterson for the first time and answering many questions. The Council went into executive session 4 times before selecting another candidate...oh well...I figured it wasn’t God’s timing for me to serve, and wished the newly selected individual all the best. I didn’t know then that we weren’t over, we were just beginning. Deb, believe it or not, it was something you said at the end of my interview that had me thinking I needed to look for a way to serve in another capacity even though I wasn’t selected. Fast forward from the interview a few months later and I decided to collect signatures and run for Councilwoman. I chose to run because I hoped to be able to make a difference for our community! One of my first responsibilities as a Councilwoman was to meet with the Council President and to tour the city facilities. Henk and I started together and thus began my relationship with a very special Councilman and friend. We looked at the age of the water treatment facility and both of us marveled at how it was still purifying our water after so many years. I knew back then that the community had elected a hardworking, successful and caring gentleman in Henk to lead us. I think we will all agree that hasn’t changed. During the tour Henk and I also saw our new sewer treatment facility and knowing who we are, you won’t

be surprised that our conversation focused on the enormity and COST of that state of the art facility. We marveled too at how it cleans the water so well that we could actually drink former sewer water! I was particularly interested because the single greatest concern I heard from residents while I was going door to door was the frustration with the cost of water and sewer. Thus began my passion for doing what I could to keep those costs from climbing and to educating myself and the public about why the costs were so high. I'm happy to say that many of you in this room have done a great deal of work over the years to be attentive to this concern. Because of your work, we have allowed only minimal and essential increases in the last 9 years and I know you will continue to make sure you do everything possible to keep us from having to raise the rates again.....thank you, thank you! I can assure you that our public thanks you too!

I couldn't talk to you about my time as a Councilwoman without discussing the reintroduction of our invocation. Some of you may remember the 3-4 month deliberation on this topic. The question was whether we should or should not have this added to our Council Meeting Agenda. I sited examples of how others had done this in their chambers...including our Federal and State legislative bodies while others voiced concerns about who's God we would be invoking and whether there should be a separation of church and state. I remember this experience well because it taught me many things...the most significant was the need to be well thought and thoroughly researched when introducing a subject. Also important was the value of being part of a civil, professional and comprehensively vetted topic, which after much deliberation, was voted upon. We had executed democracy at its best and I'm grateful to have learned a tremendous amount in the process. As for the invocation itself, I believe we have seen its fruits in the success of our City over the last 8 years. When I began on Council, we were looking at significant debt, economic growth was almost at a standstill and we were projected to be eliminating staff members and cutting costs. In fact, we had made changes to the staff to address funding challenges but were looking at even more significant reductions. Today we are looking at upwards of 6 million in reserve funds and we have actually grown our staff significantly! In addition, our community is benefitting from beautiful newer facilities including the General Decker Fire Station, the Police and Municipal Court...complete with a firing range for onsite training...right Chief Golden; this City Hall and Partners Park. Oh the many meetings, the planning and the conversations we had back then about all of these projects...and oh, how great they turned out to be! Our local events have grown too and are creating a strong sense of community spirit that is spectacular.

Another topic we have all worked on is the subject of addressing and preventing drug and substance abuse in our community. Our collective decision to zone out Medical Marijuana dispensaries was important and will need to be monitored in the years to come. You've patiently listened to me time and time again talk about concerns for keeping our community safe and I implore you all to please "Keep Talking" even after I leave. On the topic of Safety, I've always been grateful for the support of the entire staff when it comes to our Annual Neighborhood Safety walk in Mill Valley!! You have come out with enthusiasm and that has made an impact for sure! I'll never forget one of the first events I attended as a Councilwoman...at the end of the walk, we gathered for a group photo and in an attempt to get us all into the photo, I blurted, come on everyone, make your buddy smile. Someone responded, now we know she is Army...because that is a phrase commonly used in the military. I realized at that moment that I really did feel a kindred connection to our fire

fighters and law enforcement and once again...thank you guys and gals for all you do to keep us protected and safe!

There are so very many people I would like to thank for allowing me this privilege to serve our great City and for being devoted public servants. The list is too long for what should be brief comments but I would be remiss if I didn't talk about all of you in this room and the many other members of the City Staff that tireless work on behalf of our community. You are all fantastic! Terry, you are leading and developing a professional, extremely competent and dedicated group of individuals. You give them direction and they run with things... that is teamwork! I've watched our seamless transition to the new form of government and can attribute a large part of the success to you. I've also appreciated your candor and willingness to always listen. I know our City is in the best of hands under your management and in large part that has helped me to take a leap into a new position and leave this Council that I've been fortunate to be a part of.

Mike and Jeremy, I want to single you out in particular because my responsibility as Public Services Committee Chairperson has offered me the insight of knowing how much you do... public service is the largest department and I can say with confidence that you keeping our City humming. The improvements to parks, roads and bridges are countless and you ensure quality of life for our residents. Keep up the hard work and many thanks!!

As I close, I'm reminded of the Army tradition that says, "No person should be indispensable" and that is for a good reason. A soldier in combat is never safe and therefore someone must always be able to step up and lead as a replacement. I know I am truly dispensable and that this City is in very competent hands under all of your leadership. JR, Nevin, Henk, Mark, Deb, and Alan, I could roast each of you for the individual experiences and perspectives you bring to this Council but for now, I'll single out just two. Mark you are the most independent minded of us all. I'm glad I wasn't the only one who could see things differently and also that I didn't always agree with you...but mainly I'm glad you brought great ideas and years of historical reference and experience to Council each meeting. J.R., you are always amenable and approachable on any subject and I've genuinely enjoyed brainstorming issues and working with you!! I'm grateful you've been working so hard for all of us! Nevin, Deb, Alan, of course Henk, I've grown to respect and appreciate each of you... I sincerely wish you all the very best in keeping our extremely successful momentum moving forward. I also hope selecting my replacement will go smoothly. You have wonderful candidates to choose from. My advice to the next person who will sit in this chair is to look for the best qualities and talents of each member in this room and to always remember who you work on behalf...the wonderful residents of Marysville. Be passionate about the pursuit of doing positive things for our community and enjoy your experience...the years will fly by! I've been extremely honored and blessed to be a part of a legacy of leaders who have done their best to make and keep Marysville a truly special place to live, work and to raise a family... please continue to pursue that vision and know I will be doing my part for all of us from the Ohio Statehouse! While I am actually leaving this seat, I look to my new responsibilities at the Statehouse as an extension of this chair. I'll be serving us from a different location and with a different team of leaders but the goal will be as always, to make a difference for our community. Mr. President, for the last time, 'that's all I've got'...thank you!"

Mayor Rausch presented Councilwoman Richardson with the following Commendation:

In Honor and Appreciation of Tracy Richardson, December 17, 2018

WHEREAS: Tracy Richardson, is a resident of Marysville, Ohio who cares deeply for our community; and

WHEREAS: Tracy has served in the best interest of the citizens of the City of Marysville, Ohio with untiring dedication as a City Councilwoman since 2010; and

WHEREAS: Her community involvement includes, but not limited to, the Union County Drug Free Coalition, Team Marysville, & Mill Valley Neighborhood Watch Safety Team. Tracy actively supports her local schools, is a dedicated member of Our Lady of Lourdes Church, and serves in the U.S. Army Reserves.

NOW, THEREFORE, I, J.R. Rausch, Mayor of the City of Marysville, on behalf of a grateful community, want to take this opportunity to commend Tracy Richardson for her dedication and integrity demonstrated as City Councilwoman and her devotion to the citizens of Marysville. It has been a pleasure working with Tracy over the past nine years.

Please join me in thanking Tracy for the services she has provided to our community and wishing her well in her future endeavors.

ADJOURN: There being no further business to come before Council, the meeting was adjourned at 8:04 p.m.

CITY COUNCIL WORK SESSION MINUTES
January 7, 2019

The meeting was called to order by Mayor Rausch at 6:00 p.m.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Mayor Rausch.

INVOCATION: The Invocation was given by Mayor Rausch.

MEMBERS PRESENT: Nevin Taylor, Deb Groat, J.R. Rausch, Alan Seymour, Mark Reams, Henk Berbee.

OTHERS PRESENT: *City Manager Terry Emery, Finance Director Justin Nahvi, Law Director Tim Aslaner, Human Resources Director Brian Dostanko, Clerk of Council Rebecca Dible, Scott Zwieszinski, Lesley Bimonte, Anthony Will, Joshua Bochkor, Aaron Carpenter.*

REPORTERS PRESENT: *Journal Tribune Will Channel*

AGENDA ITEMS:

1) Discussion on the refunding of \$1.9 million in short term debt maturing in March 2019

Mr. Nahvi presented Council a handout (Attachment A) and referenced the upcoming deadline (March 2019) to refinance a portion of the 2017 Various Purpose BAN. He stated that he planned to present legislation at the January 14th Council Meeting in reference to this topic. Mayor Rausch asked Mr. Nahvi if it was possible to advance the refunding of debt that would mature in August 2019 to reduce interest expense in the event that the Federal Reserve would raise interest rates. Mr. Nahvi stated he would reach out to Andy Brossart to see if this was a possibility. After more discussion, both Mrs. Groat and Mr. Taylor stated they would sponsor the proposed legislation.

Mr. Reams moved to adjourn to Executive Session to discuss the appointment of a public official, was seconded by Mr. Taylor, and the question put, stood:

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

The meeting adjourned to executive session at 6:05 p.m.

Following discussion, the executive session was adjourned to open session at 8:54 p.m.

COUNCIL COMMENTS & GENERAL DISCUSSION:

Mayor Rausch stated that the seven applicants who met with City Council regarding the vacant Ward 1 Council Position were highly qualified. He stated it spoke well of the City that there were so many qualified candidates willing to serve. He explained that he also had interviewed for open Council positions in the past and although he was not selected, when he ran for Council he was selected by the

constituents. The Mayor also cited examples stating that just because Council selects a candidate to fill a vacancy, it did not mean they were a “sure-in” when it was time for re-election. He asked all candidates to give serious consideration to running in the upcoming election which would allow the ward citizens to select the representative of their choosing. Mr. Rausch stated that each candidate would work well, however Council had been given the difficult task of selecting the candidate they believed would work best at this time.

Mr. Reams moved to bring back Scott Zwiezinski and Scott Brock for second interviews in an executive session, at the end of the January 14th, 2019 City Council Meeting, and the question put, stood:

Mr. Rausch YES; Mr. Seymour YES; Mr. Reams YES; Mr. Berbee YES;
Mr. Taylor YES; Deb Groat Yes

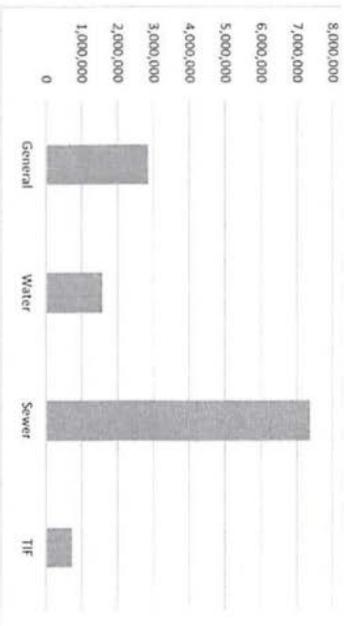
Mr. Taylor expressed his expectation that many candidates would come back with an interest to serve on Boards and Commissions as seats became available. He stated he would be proud to serve on Council with each candidate. Mr. Taylor expressed his sincere appreciation for each candidate applying and all of Council concurred.

ADJOURNMENT: There being no further business to come before Council, the meeting was adjourned at 9:00 p.m.

ATTACHMENT A

CITY OF MARYSVILLE DEBT SCHEDULE 2019 BUDGET

Description of Debt	Fund	2019 Beg Bal	2019			2019 Ending Bal
			Principal Payments	Interest Payments	YTD Payments	
SHORT TERM DEBT						
Fire Station BAN	General	900,000	500,000	22,500	522,500	400,000
2016 VARIOUS PURPOSE BAN	General	2,135,000	100,000	53,375	153,375	2,035,000
2017 VARIOUS PURPOSE BAN	General	1,900,000	100,000	47,500	147,500	1,800,000
Total Short Term Debt		4,935,000	700,000	123,375	823,375	4,235,000
LONG TERM DEBT						
Various Purpose GO	General	1,485,000	725,000	74,250	799,250	760,000
Various Purpose Facility GO	General	10,595,000	635,000	434,888	1,069,888	9,960,000
PP Loan*	General	790,000	120,000	30,324	150,324	670,000
Water Revenue Reservoir	Water	18,175,000	875,000	670,050	1,545,050	17,300,000
OPWC Loan	Water	369,602	29,568	0	29,568	340,034
Wastewater GO Bonds	Sewer	9,655,000	210,000	334,900	544,900	9,445,000
Wastewater Revenue Bonds	Sewer	117,965,000	2,115,000	4,698,544	6,813,544	115,850,000
Non-Tax Rev Bonds (TIF)	TIF	9,100,000	440,000	291,888	731,888	8,660,000
Total Long Term Debt		168,134,602	5,149,568	6,534,843	11,684,411	162,985,034
TOTAL DEBT		173,069,602	5,849,568	6,658,218	12,507,786	167,220,034





ORDINANCE _____

AUTHORIZING THE ISSUANCE OF NOTES IN THE AMOUNT OF NOT TO EXCEED \$1,800,000 IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF ACQUIRING, DESIGNING, IMPROVING AND CONSTRUCTING VARIOUS PUBLIC SERVICE RELATED PROJECTS; AND RETIRING NOTES PREVIOUSLY ISSUED FOR SUCH PURPOSE; AUTHORIZING AND APPROVING RELATED MATTERS; AND DECLARING AN EMERGENCY

WHEREAS, the City Council (the "Council") of the City of Marysville, Ohio (the "City") has issued notes dated March 28, 2018 in the aggregate principal amount of \$1,900,000, which will mature March 27, 2019 (the "Outstanding Notes"), in anticipation of the issuance of bonds described herein; and

WHEREAS, it appears advisable in lieu of issuing bonds at this time to issue new notes in anticipation of the issuance of bonds, and to retire a portion of the Outstanding Notes; and

WHEREAS, the Director of Finance of the City (the "Director of Finance") has certified to this Council that the estimated life of the improvements described in the title of this Ordinance (the "Project") which are to be financed with the proceeds of bonds and notes herein described exceeds five years, the maximum maturity of bonds being 21 years and notes being 18 years, now; therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. The Issuance of Bonds. It is hereby declared necessary to issue bonds (the "Bonds") of the City in the principal sum of not to exceed \$1,800,000, for the purpose of paying the cost of the Project.

SECTION II. Terms of the Bonds. The Bonds shall be dated prior to the maturity date of the Notes (as defined hereinbelow), shall bear interest at the maximum average annual interest rate presently estimated to be 5.00% per annum, payable semiannually until the principal sum is paid, and shall mature in no more than 21 annual installments.

SECTION III. Issuance of Bond Anticipation Notes. It is necessary to issue, and this Council hereby determines that there shall be issued, notes (the "Notes") in anticipation of the issuance of the Bonds.

SECTION IV. Terms of the Notes; Certificate of Fiscal Officer Relating to Terms of Notes. The Notes shall be in the amount of not to exceed \$1,800,000, or such lesser amount as shall be determined by the Director of Finance and certified to this Council, which sum does not exceed the amount of the Bonds. The Notes shall be dated the date established by the Director of Finance and certified to this Council and shall mature on such date as shall be determined by the Director of Finance and certified to this Council, provided that such date shall not be later than one year after the date of issuance of the Notes. The Notes shall be issued as fully registered

notes in book-entry form, in such denominations as shall be determined by the Director of Finance, but not exceeding the principal amount of the Notes maturing on any one date, until the principal sum is paid or provision has been duly made therefor, and shall be numbered as determined by the Director of Finance and set forth in the Certificate of Fiscal Officer provided for herein. The Notes shall be sold in a transaction exempt from the requirements of Rule 15c2-12 of the United States Securities and Exchange Commission.

The Director of Finance is hereby authorized and directed to execute a Certificate of Fiscal Officer Relating to Terms of Notes (the "Certificate of Fiscal Officer"), setting forth the final terms of the Notes, consistent with the requirements of this Ordinance, and to present the same to Council after closing.

SECTION V. General Obligation Pledge. The Notes shall be the full general obligation of the City, and the full faith, credit and revenue of the City are hereby pledged for the prompt payment of the same. The par value to be received from the sale of the Bonds and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used only for the retirement of the Notes at maturity and are hereby pledged for such purpose.

SECTION VI. Debt Service Levy. There shall be and is hereby levied annually on all the taxable property in the City, in addition to all other taxes and inside the City's charter millage limitation, a direct tax (the "Debt Service Levy") for each year during which any of the Notes are outstanding, in an amount not less than that which would have been levied if the Bonds had been issued without the prior issuance of the Notes, for the purpose of providing, and in an amount which is sufficient to provide, funds to pay interest upon the Notes as and when the same falls due and to provide a fund for the repayment of the principal of the Notes at maturity or upon redemption. The Debt Service Levy shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Ohio Constitution.

The Debt Service Levy shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of such years are certified, extended and collected. The Debt Service Levy shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the Debt Service Levy shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of premium, if any, and interest on and principal of the Notes and Bonds when and as the same falls due. Notwithstanding the foregoing, if the City determines that funds will be available from other sources for the payment of the Notes and Bonds in any year, the amount of the Debt Service Levy for such year shall be reduced by the amount of funds which will be so available, and the City shall appropriate such funds to the payment of the Notes and Bonds in accordance with law.

SECTION VII. Income Tax Pledge. The City hereby covenants, pursuant to Ohio Revised Code Section 133.05(B)(7) to appropriate annually from lawfully available municipal income taxes, and to continue to levy and collect municipal income taxes adequate to produce, amounts necessary to meet the debt charges on the Notes and the Bonds in each year until full payment is made.

SECTION VIII. Sale of Notes. The Notes shall bear interest, based on a 360-day year of twelve 30-day months, payable at maturity, at such rate per annum as shall be determined by the Director of Finance and certified to this Council, provided that such rate shall not exceed 5.00% per annum. The Notes shall be, and hereby are, awarded and sold to such purchaser or purchasers (the "Original Purchaser") set forth in the Certificate of Fiscal Officer. The Director

of Finance shall certify the final terms of the Notes to this Council, which terms shall be subject to the provisions of this Ordinance.

The Director of Finance is hereby authorized and directed to deliver the Notes, when executed, to the Original Purchaser upon payment of the purchase price and accrued interest, if any, to the date of delivery. The proceeds of such sale, except any accrued interest or premium thereon, shall be deposited in the Treasury of the City and used for the purpose aforesaid and for no other purpose. Any accrued interest received from the sale of the Notes shall be transferred to the City's Bond Retirement Fund to be applied to the payment of the principal of and interest on the Notes or other obligations of the City, as permitted by law. Any premium received from the sale of the Notes may be used to pay the financing costs of the Notes within the meaning of Ohio Revised Code Section 133.01(K) or be deposited into the bond retirement fund in the manner provided by law.

SECTION IX. Form and Execution of Notes; Payment of Notes. The Notes shall be executed by the Director of Finance and the City Manager of the City (the "City Manager"), in their official capacities, provided that either or both of their signatures may be a facsimile, shall be designated "City of Marysville, Ohio Various Purpose Notes, Series 2019A," or as otherwise determined by the Director of Finance. The Notes shall express upon their faces the purpose for which they are issued and that they are issued pursuant to this Ordinance.

The Notes shall be payable as to principal and interest at the office of the Note Registrar (as defined hereinbelow) in lawful money of the United States of America without deduction for the services of the Note Registrar. No Note shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this Ordinance unless and until a certificate of authentication, as printed on the Note, is signed by the Note Registrar as authenticating agent. Authentication by the Note Registrar shall be conclusive evidence that the Notes so authenticated have been duly issued and delivered under this Ordinance and are entitled to the security and benefit of this Ordinance. The certificate of authentication may be signed by any officer or officers of the Note Registrar or by such other person acting as an agent of the Note Registrar as shall be approved by the Director of Finance on behalf of the City. It shall not be necessary that the same authorized person sign the certificate of authentication on all of the Notes.

SECTION X. Appointment of Note Registrar. The Director of Finance is hereby authorized and directed to execute on behalf of the City a Note Registrar Agreement with such bank or other appropriate financial institution as shall be acceptable to the Director of Finance and the Original Purchaser, pursuant to which such bank or financial institution shall agree to serve as authenticating agent, note registrar, transfer agent, and paying agent (the "Note Registrar") for the Notes. Interest shall be payable at maturity by check or draft mailed to the Registered Owner hereof, as shown on the registration books of the City maintained by the Note Registrar. If at any time the Note Registrar shall be unable or unwilling to serve as such, or the Director of Finance in such officer's discretion shall determine that it would be in the best interest of the City for such functions to be performed by another party, the Director of Finance may, and is hereby authorized and directed to, enter into an agreement with a national banking association or other appropriate institution experienced in providing such services, to perform the services required of the Note Registrar hereunder. Each such successor Note Registrar shall promptly advise all noteholders of the change in identity and new address of the Note Registrar. So long as any of the Notes remain outstanding, the City shall cause to be maintained and kept by the Note Registrar, at the office of the Note Registrar, all books and records necessary for the registration, exchange and transfer of Notes as provided in this Section (the "Note Register").

Subject to the provisions of this Ordinance, the person in whose name any Note shall be registered on the Note Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and interest on any Note shall be made only to or upon the order of that person. Neither the City nor the Note Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Notes, including the interest thereon, to the extent of the amount or amounts so paid.

Any Note, upon presentation and surrender at the office of the Note Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Note Registrar, may be exchanged for Notes of the same form and of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Notes surrendered, and bearing interest at the same rate and maturing on the same date.

A Note may be transferred only on the Note Register upon presentation and surrender thereof at the office of the Note Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Note Registrar. Upon that transfer, the Note Registrar shall complete, authenticate and deliver a new Note or Notes of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Notes surrendered, and bearing interest at the same rate and maturing on the same date.

The City and the Note Registrar shall not be required to transfer or exchange (i) any Note during a period beginning at the opening of business 15 days before the day of mailing of a notice of redemption of Notes, and ending at the close of business on the day of such mailing, or (ii) any Notes selected for redemption, in whole or in part, following the date of such mailing.

In all cases in which Notes are exchanged or transferred hereunder, the City shall cause to be executed, and the Note Registrar shall authenticate and deliver, the Notes in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the owner; except that the Council and Note Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Council or the Note Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Notes. All Notes issued upon any transfer or exchange shall be the valid obligations of the City, evidencing the same debt, and entitled to the same benefits under this Ordinance, as the Notes surrendered upon that transfer or exchange.

SECTION XI. Book-Entry System. For purposes of this Ordinance, the following terms shall have the following meanings:

"Book-entry form" or "book-entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest on the Notes may be transferred only through a book-entry and (ii) physical Notes in fully registered form are issued only to a Depository or its nominee as registered owner, with the Notes "immobilized" to the custody of the Depository, and the book-entry is the record that identifies the owners of beneficial interests in those Notes.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its participants, a book-entry system to record

beneficial ownership of Notes, and to effect transfers of securities, in book-entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York.

The Notes may be initially issued to a Depository for use in a book-entry system, and the provisions of this Section shall apply, notwithstanding any other provision of this Ordinance: (i) there shall be a single Note of each maturity; (ii) those Notes shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners in book-entry form shall have no right to receive Notes in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Notes in book-entry form shall be shown by book-entry on the system maintained and operated by the Depository, and transfers of the ownership of beneficial interests shall be made only by the Depository and by book-entry; and (v) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Council. Debt service charges on Notes in book-entry form registered in the name of a Depository or its nominee shall be payable in same day funds delivered to the Depository or its authorized representative (i) in the case of interest, on each Interest Payment Date, and (ii) in all other cases, upon presentation and surrender of Notes as provided in this Ordinance.

The Note Registrar may, with the approval of this Council, enter into an agreement with the beneficial owner or registered owner of any Note in the custody of a Depository providing for making all payments to that owner of principal and interest on that Note or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided above in this Ordinance, without prior presentation or surrender of the Note, upon any conditions which shall be satisfactory to the Note Registrar and this Council. That payment in any event shall be made to the person who is the registered owner of that Note on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Note Registrar shall furnish a copy of each of those agreements, certified to be correct by the Note Registrar, to other paying agents for Notes and to the City. Any payment of principal or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Ordinance.

If requested, the Director of Finance and City Manager, Clerk of Council or any other officer of this Council, including the Mayor, as Council President, is authorized and directed to execute, acknowledge and deliver, in the name of and on behalf of the City, an agreement among the City, the Note Registrar and a Depository to be delivered in connection with the issuance of the Notes to such Depository for use in a book-entry system.

The City may decide to discontinue use of the book-entry system through the Depository. In that event, Note certificates will be printed and delivered to the Depository.

If any Depository determines not to continue to act as the Depository for the Notes for use in a book-entry system, the City and the Note Registrar may attempt to establish a securities depository/book-entry relationship with another qualified Depository under this Ordinance. If the City and the Note Registrar do not or are unable to do so, the City and the Note Registrar, after the Note Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Notes from the Depository and authenticate and deliver note certificates in fully registered form to the assigns of the Depository or its nominee, all

at the cost and expense (including costs of printing and delivering definitive Notes), if the event is not the result of action or inaction by the City or the Note Registrar, of those persons requesting such issuance.

SECTION XII. Federal Tax Law Compliance. The City hereby covenants that it will comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Notes is and will continue to be excluded from gross income for federal income tax purposes, including without limitation restrictions on the use of the property financed with the proceeds of the Notes so that the Notes will not constitute "private activity bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"). The City further covenants that it will restrict the use of the proceeds of the Notes in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (the "Regulations").

The Director of Finance, or any other officer of the City, is hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the City with respect to the Notes as permitted or required to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating those amounts or payments, as determined by the Director of Finance, which action shall be in writing and signed by the Director of Finance, or any other officer of the City, on behalf of the City; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes; and (c) to give an appropriate certificate on behalf of the City, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the City pertaining to Section 148 and the Regulations, and the representations, warranties and covenants of the City regarding compliance by the City with Sections 141 through 150 of the Code and the Regulations.

The Director of Finance shall keep and maintain adequate records pertaining to the use and investment of all proceeds of the Notes sufficient to permit, to the maximum extent possible and presently foreseeable, the City to comply with any federal law or regulation now or hereafter having applicability to the Notes which limits the amount of Note proceeds which may be invested on an unrestricted yield or requires the City to rebate arbitrage profits to the United States Department of the Treasury. The Director of Finance is hereby authorized and directed to file such reports with, and rebate arbitrage profits to, the United States Department of the Treasury, to the extent that any federal law or regulation having applicability to the Notes requires any such reports or rebates.

SECTION XIII. Appointment of Municipal Advisor. The appointment of Bradley Payne Advisors, LLC, to serve as municipal advisor to the City in connection with the issuance of the Notes is hereby approved. The fees to be paid to such firm shall be subject to review and approval of the Director of Finance, shall not exceed the fees customarily charged for such services, and shall be paid upon closing of the financing from proceeds of the Notes.

SECTION XIV. Appointment of Bond Counsel. The appointment of the law firm of Bricker & Eckler LLP to serve as Bond Counsel with respect to the issuance of the Notes is hereby approved. The fees to be paid to such firm shall be subject to review and approval by the Director of Finance, shall not exceed the fees customarily charged for such services, and shall be paid upon closing of the financing from proceeds of the Notes.

SECTION XV. Transcript of Proceedings; Execution of Additional Documents. The officer having charge of the minutes of the Council and any other officers of the Council, or any of them individually, are hereby authorized and directed to prepare and certify a true transcript of proceedings pertaining to the Notes and to furnish a copy of such transcript to the Original Purchaser. Such transcript shall include certified copies of all proceedings and records of the Council relating to the power and authority of the City to issue the Notes and certificates as to matters within their knowledge or as shown by the books and records under their custody and control, including but not limited to a general certificate of the Clerk of Council and a no-litigation certificate of the City Manager and Director of Finance, and such certified copies and certificates shall be deemed representations of the City as to the facts stated therein.

The City Manager and Director of Finance, or other appropriate officers of the City, are hereby authorized and directed to take such action and to execute and deliver, on behalf of this Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

SECTION XVI. Satisfaction of Conditions for Issuance. It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Notes in order to make them legal, valid and binding obligations of the City have happened, been done and been performed in regular and due form as required by law; that the full faith, credit and revenue of the City are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Notes.

SECTION XVII. Compliance with Open Meeting Requirements. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Ohio Revised Code Section 121.22.

SECTION XVIII. Filing of Note Ordinance. The Clerk of this Council is hereby directed to forward a certified copy of this Ordinance to the Auditor of Union County, Ohio.

SECTION XIX. Effective Date. This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the City and its inhabitants for the reason that notes heretofore issued are about to mature and it is necessary to make immediate provision for their repayment in order to preserve the credit of the City; wherefore this Ordinance shall take effect and be in force from and immediately after its adoption.

1st Reading _____

MAYOR/PRESIDENT OF COUNCIL

2nd Reading _____

3rd Reading _____

ATTEST:

Passed: _____

APPROVED AS TO FORM:

CLERK OF COUNCIL

Law Director Date _____

CERTIFICATE

The undersigned Clerk of Council hereby certifies that the foregoing is a true copy of Ordinance No. ____ duly adopted by the City Council of the City of Marysville, Ohio on February 11, 2019, and that a true copy thereof was certified to the County Auditor of Union County, Ohio.

Clerk of Council
City of Marysville, Ohio

CERTIFICATE OF ESTIMATED LIFE AND MAXIMUM MATURITY

To: The City Council of the
City of Marysville, Ohio

The undersigned Director of Finance of the City of Marysville, Ohio as the fiscal officer of said City, hereby certifies as follows:

1. The estimated life of the improvements described as follows (the "Improvements") exceeds five years:

ACQUIRING, DESIGNING, IMPROVING AND CONSTRUCTING VARIOUS
PUBLIC SERVICE RELATED PROJECTS

2. The maximum maturity of the bonds proposed to be issued to pay the cost of the Improvements, calculated in accordance with Section 133.20, Ohio Revised Code, is 21 years, provided that if notes are issued in anticipation of the issuance of such bonds, the maximum maturity of such notes is 18 years.

Dated: January 14, 2019

Director of Finance
City of Marysville, Ohio

RECEIPT OF COUNTY AUDITOR FOR
LEGISLATION PROVIDING
FOR THE ISSUANCE OF
GENERAL OBLIGATION NOTES

I, Andrea L. Weaver, the duly elected, qualified, and acting County Auditor in and for Union County, Ohio hereby certify that a certified copy of the ordinance duly adopted by the City Council of the City of Marysville, Ohio on February 11, 2019 and providing for the issuance of general obligation notes designated "City of Marysville, Ohio Various Purpose Notes, Series 2019A," or as otherwise determined by the Director of Finance of said City, in the amount of not to exceed \$1,800,000 was filed in this office on _____, 2019.

WITNESS my hand and official seal at Marysville, Ohio on _____, 2019.

[SEAL]

County Auditor
Union County, Ohio



ORDINANCE _____

TO ACCEPT LIMITED WARRANTY DEEDS TO SERVE AS RIGHT-OF-WAY ALONG BERMUDA WAY

WHEREAS, the existing private Inns Way (to be renamed Bermuda Way), which is the driveway to access Brookdale Maryville, needs to be converted to public right-of-way as part of the Ewing Meadows project and said conversion was presented to and approved by the Public Safety/Service Committee in September 2018; and

WHEREAS, this roadway was originally “private” due to the intent of the original Halcyon zoning showing this adjacent area as multi-family, and this right-of-way conversion will allow the City to maintain this roadway similar to all public roadways within single-family developments within the City; and

WHEREAS, before agreeing to accept this roadway, the Developer performed tests on the existing pavement to confirm that the thickness of the pavement meets City standards, and this roadway will be resurfaced upon completion of the first phase of the development, now; therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. The acceptance of the Limited Warranty Deeds totaling 0.62 acres, pursuant to the terms contained therein, as set forth by both Exhibit A and Exhibit B, is hereby approved.

SECTION II. The Clerk of Council will ensure the Ordinance accepting the Limited Warranty Deeds is properly recorded at the Union County Recorder’s Office.

1st Reading _____

MAYOR/PRESIDENT OF COUNCIL

2nd Reading _____

3rd Reading _____

ATTEST:

Passed: _____

APPROVED AS TO FORM:

CLERK OF COUNCIL

Law Director Date _____

EXHIBIT A


201811290009434 11/29/2018
 Pages: 5 F: \$52.00 10:40 AM
 Teresa Markham T20180006668
 Union County Recorder DOC:DEED

TRANSFERRED
ANDREAL L. WEAVER, UNION COUNTY AUDITOR

NOV 26 2018

This conveyance has been examined and the Grantor
 complied with Section 319.202 of the Revised Code.

FEE \$ _____ EXEMPT 50%


LIMITED WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that EWING MEADOWS PROJECT I, LLC, an Ohio limited liability company ("Grantor"), for valuable consideration paid, grants with limited warranty covenants, to the CITY OF MARYSVILLE ("Grantee"), for public roadway purposes, the following real property (the "Property"):

See Exhibit A, attached hereto

The Property is conveyed subject to, and there are hereby excepted from the limited warranty covenants of grantor, all legal highways; all easements, rights-of-way, covenants, restrictions, reservations and conditions of record; all zoning and building laws, ordinances, resolutions and regulations; and all real estate taxes and assessments not yet due and payable.

PRIOR INSTRUMENT REFERENCE: Instrument 201806080004510
~~Book _____, Page _____~~ of the Official
 Records of Union County, Ohio

Parent Map #111-00-00-003.011; Parent Parcel #29-0019048.

IN WITNESS WHEREOF, this Limited Warranty Deed is executed this 27th day of November, 2018. ⁰⁰³⁰

GRANTOR:

EWING MEADOWS PROJECT I, LLC,
 an Ohio limited liability company

By: Eubel Brady & Suttman Asset Management,
 Inc., a Delaware corporation, its Manager

By: 
~~Ronald Eubel~~ or Mark E. Brady
 Co-Chief Investment Officer

STATE OF OHIO)
) SS:
COUNTY OF MONTGOMERY)

The foregoing instrument was acknowledged before me this 8 day of Nw, 2018,
by ~~Ronald Eubel~~ Mark E. Brady, Co-Chief Investment Officer of Eubel Brady & Suttman
Asset Management, Inc., a Delaware corporation, Manager of EWING MEADOWS
PROJECT I, LLC, an Ohio limited liability company, on behalf of the company.



NOTARY PUBLIC
S DAWN WARRICK, Notary Public
In and for the State of Ohio
My Commission Expires Sept. 15, 2021


This instrument prepared by:
Robert M. Curry, Esq.
Thompson Hine LLP
10050 Innovation Drive, Suite 400
Dayton, Ohio 45432

4830-8544-3175.1

EXHIBIT A
LEGAL DESCRIPTION

DESCRIPTION ACCEPTABLE
0.557 ACRE TRACT(S)
PLANNING COMMISSION APPROVAL
NOT REQUIRED
DATE 11-26-18
JEFF STAUCH
UNION COUNTY ENGINEER



0.557 ACRES

Situated in the State of Ohio, County of Union, Townships of Paris and the City of Marysville, Virginia Military Survey Number 4069, and being all out of a 20.964 acre tract as conveyed to Marysville Development Co. LLC, of record in Instrument Number 2900190480030, all deed references refer to the Recorder's office Union County Ohio and described as follows:

BEGINNING, at monument box with a 1" Iron pin found at the intersection of State Route 38 (London Avenue) with State Route 736;

Thence, South 16°17'52" West with the centerline of State Route 38 (London Avenue) to the northeasterly corner of said 20.964 acre tract a distance of 349.71 feet to the **TRUE POINT OF BEGINNING**;

Thence, South 16°17'52" West with said centerline a distance of 52.92 feet to a point;

Thence through said 20.964 acre tract the following courses:

North 73°42'08" West a distance of 450.00 feet to a point;

North 16°17'52" East a distance of 60.00 feet to a point;

South 73°42'08" East a distance of 62.43 feet to a point on a common line of said 20.964 acre tract and a 9.529 acre tract of land conveyed to NHI-REIT of Ohio LLC, of record in OR 1037 Pg. 490;

Thence with said common line the following course:

South 16°17'52" West a distance of 7.08 feet;

South 73°42'08" East a distance of 387.57 feet to the **TRUE POINT OF BEGINNING**, and containing 0.557 acre of land more or less.

Subject to all covenants, conditions, restrictions, reservations and easements contained in any Instrument of record pertaining to the above described tract of land.

Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD83(NSRS 2007) based on a bearing of North 16°17'52" East for the centerline of State Route 38 (London Avenue) and based on GPS observations performed in July 2017. Based on field survey performed in July 2017



CESO, Inc.

6-13-18

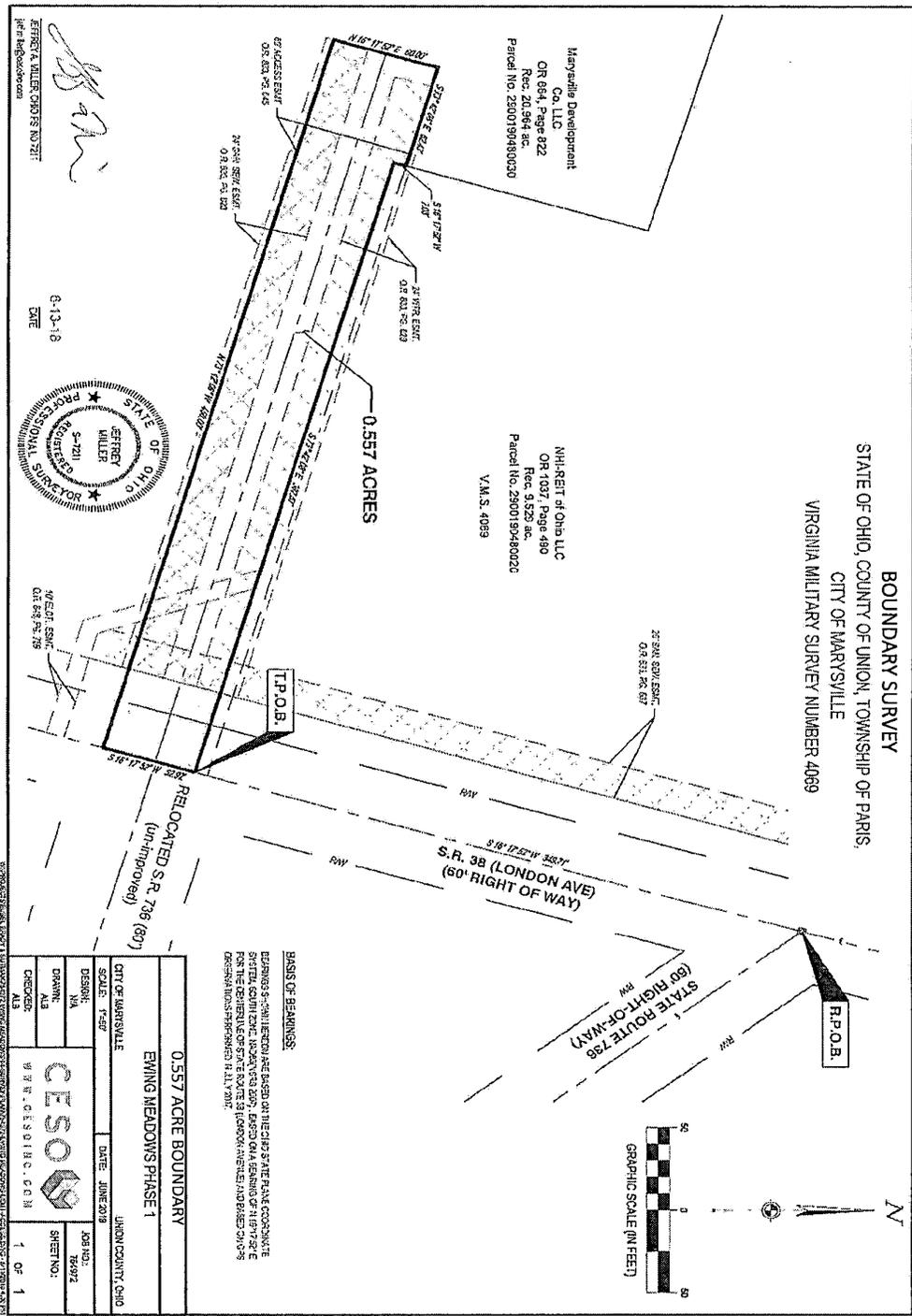
Jeffrey A. Miller, PS
Registered Surveyor No. 7211

Date

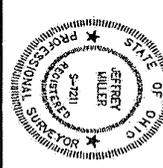
BOUNDARY SURVEY
 STATE OF OHIO, COUNTY OF UNION, TOWNSHIP OF PARIS,
 CITY OF MARYSVILLE
 VIRGINIA MILITARY SURVEY NUMBER 4089

Marysville Development
 Co. LLC
 OR 684, Page 822
 Rec. 20,964 ac.
 Parcel No. 250019H480030

NHLSSET of Ohio LLC
 OR 1031, Page 498
 Rec. 3,528 ac.
 Parcel No. 250019D480020
 V.M.S. 4089



JEFFREY A. MILLER, CHOS #05721
 P.E. # 68366
 6-13-18
 DATE



0.557 ACRE BOUNDARY		EWMING MEADOWS PHASE 1	
CITY OF MARYSVILLE		LONDON COUNTY, OHIO	
SCALE: 1"=50'	DATE: JUNE 2018	K28 NO.:	16692
DESIGN: N/A		SHEET NO.:	1 OF 1
DRAWN: AJS			
CHECKED: AJS			
CESO		W. W. CESSIDG. C. E. M.	

BASIS OF BEARINGS:
 BEARINGS & DISTANCES WERE OBTAINED FROM THE CHAIN STATE PLAT RECORDS OF THE COUNTY OF OHIO, COUNTY OF UNION, TOWNSHIP OF PARIS, CITY OF MARYSVILLE FOR THE ORIGINAL SURVEY OF STATE ROUTE 38 (LONDON AVENUE) AND RELOCATED STATE ROUTE 736 (UN-IMPROVED) IN 2018.

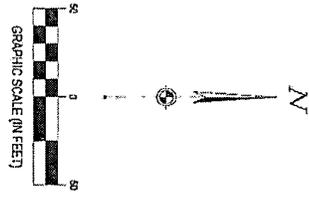


EXHIBIT B

201811290009433 11/29/2018
Pages:5 F:\$52.00 10:40 AM
Teresa Markham T20180006668
Union County Recorder DOC:DEED

TRANSFERRED
ANDREA L. WEAVER, UNION COUNTY AUDITOR

NOV 26 2018

This conveyance has been examined and the Grantor
complied with Section 318.202 of the Revised Code.

FEE \$ _____ EXEMPT 500

HC

LIMITED WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that NHI-REIT OF OHIO, LLC, an Delaware limited liability company ("Grantor"), for valuable consideration paid, grants with limited warranty covenants, to the CITY OF MARYSVILLE ("Grantee"), for public roadway purposes, the following real property (the "Property"):

See Exhibit A, attached hereto

The Property is conveyed subject to, and there are hereby excepted from the limited warranty covenants of grantor, all legal highways; all easements, rights-of-way, covenants, restrictions, reservations and conditions of record; all zoning and building laws, ordinances, resolutions and regulations; and all real estate taxes and assessments not yet due and payable.

PRIOR INSTRUMENT REFERENCE: Book 1037, Page 490 of the Official
Records of Union County, Ohio

Parent Map #101-15-06-014.000; Parent Parcel #29-0019048.0020

IN WITNESS WHEREOF, this Limited Warranty Deed is executed this 2 day of
November, 2018.

GRANTOR:

NHI-REIT OF OHIO, LLC,
a Delaware limited liability company

By: Kristin S. Gaines
Name: Kristin S. Gaines
Title: Secretary

STATE OF TENNESSEE)
) SS:
COUNTY OF RUTHERFORD)

The foregoing instrument was acknowledged before me this 2 day of November, 2018, by Kristin S. Gaines, Secretary of NHI-REIT OF OHIO, LLC, a Delaware limited liability company, on behalf of the company.



Brittany Spicer
NOTARY PUBLIC

This instrument prepared by:
Robert M. Curry, Esq.
Thompson Hine LLP
10050 Innovation Drive, Suite 400
Dayton, Ohio 45432

4815-9048-0744.1

EXHIBIT A

LEGAL DESCRIPTION



0.063 ACRES

Situated in the State of Ohio, County of Union, Townships of Paris and the City of Marysville, Virginia Military Survey Number 4069, and being all out of a 9.529 acre tract as conveyed to NHI-REIT of Ohio LLC of record in Official Record 1037 Page 490, all deed references refer to the Recorder's office Union County Ohio and described as follows:

BEGINNING, at monument box with a 1" iron pin found at the intersection of State Route 38 (London Avenue) with State Route 736;

Thence, South 16°17'52" West with the centerline of State Route 38 (London Avenue) a distance of 342.64 feet to a mag nail set at the **TRUE POINT OF BEGINNING**;

Thence, South 16°17'52" West with said centerline a distance of 7.08 feet to a mag nail set at the southwesterly corner of said 9.529 acre tract;

Thence, North 73°42'08" West with the southerly line of said 9.529 acre tract, passing a 3/4" iron pipe found with a cap inscribed "EMHT INC" at a distance of 30.06 feet, a total distance of 387.57 feet to an iron pin set at a corner of that 20.964 acre tract of land as conveyed to Marysville Development Co. LLC of record in Official Record 884 Page 822;

Thence, North 16°17'52" East with the easterly line of said 20.964 acre tract a distance of 7.08 feet to an iron pin set;

Thence, South 73°42'08" East with a new division line across said 9.529 acre tract a distance of 387.57 feet to the **TRUE POINT OF BEGINNING**, and containing 0.063 acre of land more or less.

Subject to all covenants, conditions, restrictions, reservations and easements contained in any instrument of record pertaining to the above described tract of land.

All iron pins called as set are 5/8" X 30" rebar with yellow identification cap stamped "CESO".

Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD83(NSRS 2007) based on a bearing of North 16°17'52" East for the centerline of State Route 38 (London Avenue) and based on GPS observations performed in July 2017. Based on field survey performed in July 2017



CESO, Inc.

Jeffrey A. Miller 5-7-18
Date
Jeffrey A. Miller, PS
Registered Surveyor No. 7211

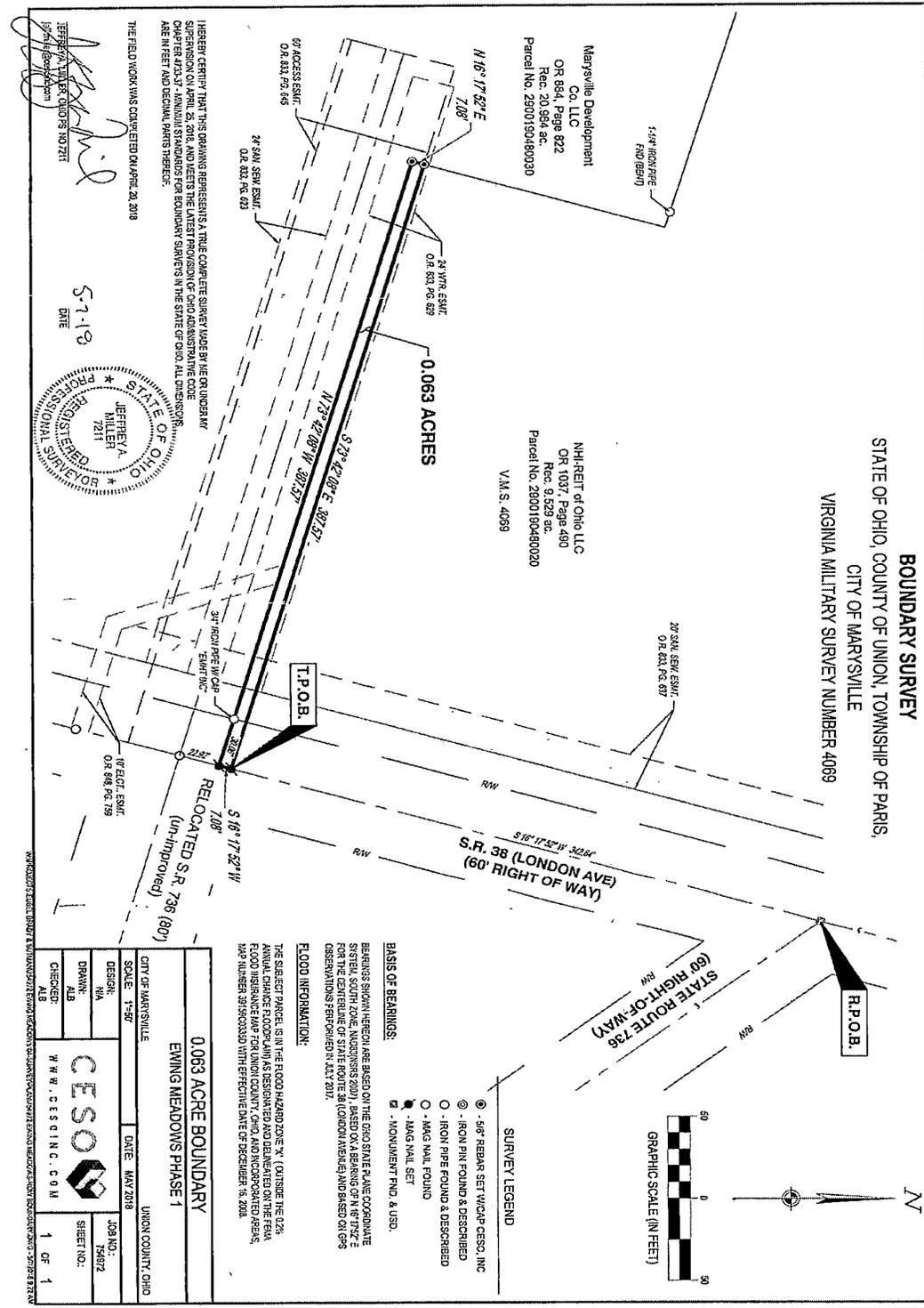
Date Prepared: 05/07/18
File Name 7549720.063ac

DESCRIPTION ACCEPTABLE
0.063 ACRE TRACT(S)
PLANNING COMMISSION APPROVAL
NOT REQUIRED
DATE 11-26-18 *JS*
JEFF STAUCH
UNION COUNTY ENGINEER

BOUNDARY SURVEY
 STATE OF OHIO, COUNTY OF UNION, TOWNSHIP OF PARIS,
 CITY OF MARYSVILLE
 VIRGINIA MILITARY SURVEY NUMBER 4089

Marysville Development
 Co. LLC
 OR 884, Page 822
 Rec. 20 984 ac.
 Parcel No. 2900130460030

NH-REIT of Ohio LLC
 OR 1037, Page 480
 Rec. 9 529 ac.
 Parcel No. 2900130460020
 V.M.S. 4089



HEREBY CERTIFY THAT THIS DRAWING REPRESENTS A TRUE COMPLETE SURVEY MADE BY ME OR UNDER MY SUPERVISION ON APRIL 23, 2018, AND MEETS THE LATEST PROVISIONS OF OHIO ADMINISTRATIVE CODE CHAPTER 3123.07 - MINIMUM STANDARDS FOR BOUNDARY SURVEYS IN THE STATE OF OHIO. ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF.

THE FIELD WORK WAS COMPLETED ON APRIL 20, 2018



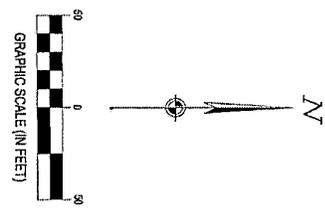
0.063 ACRE BOUNDARY		EMING MEADOWS PHASE 1	
CITY OF MARYSVILLE	SCALE: 1"=50'	DATE: MAY 2018	UNION COUNTY, OHIO
DESIGN: VIA	JOB NO.: 176872		
DRAWN: ALB	SHEET NO.: 1		
CHECKED: ALB	1 OF 1		
CESO W. W. R. DESIGN, C.O.H.			

FLOOD INFORMATION:
 THE SUBJECT PARCEL IS IN THE FLOOD HAZARD ZONE "V" (OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AS DESIGNATED AND DEPICTED ON THE FEMA FLOOD INSURANCE MAP FOR UNION COUNTY, OHIO, AND INCORPORATED AREA'S MAP NUMBER 39360303D) WITH EFFECTIVE DATE OF DECEMBER 18, 2018.

BASIS OF BEARINGS:
 BEARINGS SHOWN HEREON ARE BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD83 (2011), BASED ON A BEARING OF N 67° 12' E FROM THE CENTERLINE OF STATE ROUTE 38 (LONDON AVENUE) AND BASED ON OBSERVATIONS PERFORMED IN JULY 2017.

SURVEY LEGEND

- ⊙ - 5/8" REBAR SETWICK/CEISO, INC
- ⊙ - IRON PIN FOUND & DESCRIBED
- - IRON PIPE FOUND & DESCRIBED
- - MAG NAIL FOUND
- - MAG NAIL SET
- ⊠ - MONUMENT FND. & LUSTO.



5-1-18
 DATE