

CITY COUNCIL MINUTES

JUNE 10, 2010

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

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

OTHERS PRESENT: Mayor Schmenk, Director of Administration Froment, Law Director Aslaner, Acting Clerk Moder

REPORTERS PRESENT: Ryan Horns – Journal Tribune, Lin Rice - ThisWeek

CITIZENS PRESENT: Paul Hoffman, Carol Scheiderer, Bill Kelley, Marianne Berbee

APPROVAL OF MINUTES: Correction to the minutes was noted to change Mr. Richardson to Mrs. Richardson under Ordinance 16-10. Minutes for the May 27th Council meeting were approved as amended.

ADMINISTRATIVE REPORT: Mayor Schmenk apologized for missing the last several meetings. She has been out of town. She extended the city's sympathies to victims of the tornado that hit Sunday morning, especially Mr. & Mrs. Don Edwards who lives on London Ave. and lost their roof. There were many others affected. We're very lucky that there were not injuries to bodies or persons. "The city is here to help them if they need that help." She spoke to Mrs. Edwards today and they're doing fine. The Mayor expressed thanks to all those that helped with the clean up. "It has been really gratifying to hear citizens being grateful to city workers who I think were out there as early as 7:00 a.m. on Sunday morning already cleaning up, so our thanks to our Streets Department, our Police Department, particularly, and to all those others who were able to help that morning."

Mayor Schmenk extended the city's thanks to Mr. Don Bergwall, a Planning Commission member. He resigned from Planning Commission at his last meeting on June 7th. "He's been a very, very well-respected, loyal attendee and contributor to Planning Commission." He and his wife are moving south to be closer to family. "On behalf of the city, I'd like to say a public thanks to Mr. Bergwall."

Mr. Berbee said if you look at the calamity on Sunday morning as a teachable moment, he asked the Mayor if the city was up to the task. He said some people mentioned to him about the first 911 and also about the alarm. Mayor Schmenk said she doesn't know why some people did not receive a Code Red call. She did not receive a Code Red phone call either. She has that question in to the Emergency Management Association. She'll find out. She said, "My gut tells me it happened so quickly, it may not have even given them time to react, but that's a question we are definitely looking into."

REPORT OF CLERK OF COUNCIL: No report.

REPORT OF ECONOMIC DEVELOPMENT DIRECTOR: Mr. Phillips reported the following:

- Bike Fest, July 22-24. He handed out a flyer for this event.
- Ohio Chautauqua, July 27-31. He handed out a newspaper for this event. He encouraged the community to support both of these events.
- Christy Clark, CVB Director, resigned. Her last day is next Wednesday. A hiring process has begun for her replacement. Both the Mayor and Ms. Froment are participating in that process. Goal is to have someone in place by September. Appropriate staff will be assigned to make certain that each of these events is covered. Will keep Council informed as they go through the hiring process.

Mr. Fogt asked with the economy these days, if there is anyone currently on staff that could assume her responsibilities along with their present job. Mr. Phillips said they are looking at the Chamber organization to make certain that they have the right staff in the right location to make certain that their organization functions well. He said it would be difficult to do what Mr. Fogt is suggesting, but it is something they will look into and consider. Mr. Phillips said an Executive Committee meeting is scheduled for next Tuesday and this will be discussed. Also calling a meeting of past presidents of the Chamber to get their input. Will also be working with the CVB Board to see what the best options are. They're trying to get as many people involved in this decision to see if or what we can do as an organization.

Mr. Reams asked for an update on the Third Friday's Uptown events? Mr. Phillips said one is scheduled for June 25th. It's a BBQ Fest. The Bike Fest

will be held in place of the Friday Uptown event in July, then there will be one more Friday Uptown event later on.

Mrs. Richardson asked where the Ohio Chautauqua event was going to be held. Ms. Froment said the event will be held in Mill Valley South. Parking will be available at Schwartzkopf Park so people can park and walk under. There will be a tent area at 33 and the path, on the other side of the wooded area. Food vendors will also be around that area. The parking lot at Mill Valley South will be primarily for bus pick-up and drop-off and for those who have permit parking. Also looking for parking at the schools. She noted the fair is in the same time period. City is trying to keep the traffic flows going in different directions. Mrs. Richardson said the key is going to be signage to parking areas. People from Neighborhood Watch have offered to help with crowd control and getting people going in the right direction. Mrs. Richardson asked if the residents along Creekview know what's happening. Ms. Froment said there will be information dropped at all neighboring areas. There will be some areas posted as "no parking." Once final arrangements have been made, individuals will be notified.

HEARING OF CITIZENS: Mr. Paul Hoffman addressed Council. He attended a Council meeting about a year ago and spoke about a little softer water in the City of Marysville and was told that, give it a year, the reservoir would get filled up and something might come good of it. Well, it hasn't happened yet. "I'm not here to ask for a favor; I'm here asking you if you believe that Marysville should have water quality as good or better than Columbus. Water that doesn't leave a residue on your faucets, white spots when you wash your car or on your house windows. I ask, knowing you don't earn money but rather raise it by tax money, as you've already taken from the residents, I'm asking for some of it to be returned, especially since the water rate has increased and the income tax went through and the newspaper said you are contemplating an increase in sewer rates. I would ask this be done within a year from now, June 10, 2010, that softer water equal to Columbus be available to all residents of Marysville.

Mr. Reams said the water hardness has improved. We've gotten the numbers and reviewed that in our committee meetings and there's a plan in place to continue to improve that during this year. We're preparing for a new water treatment plant and this is part of that activity. You should see an improvement. Mr. Reams is not sure what numbers that Mr. Hoffman has measuring water hardness. Mr. Hoffman said the last time he was here, he gave

all the measurements from what Columbus had to what Marysville had to hardness. He said a man was out the other day checking for chloroform and other things and all those passed. That's not really his problem. Everything spots, his car and faucets. Also, the hard water has increased the soap powder usage. He feels as a Marysville resident, he deserves it. He said the water is so bad, he won't drink it and most everyone he talks to says the same thing. "It's a thing that is real true out here folks. Everybody knows it; everybody talks about it, but up to this point, nothing has really been done that we as residents can see that's taken place, and I'm just asking as an individual and the people who live with me in this city, can we have something more done and bring it up to at least Columbus?"

Mr. Reams said we need to communicate what's been done.

Mr. Gore said he was asked the other night if the city had switched to the reservoir yet. Mr. Gore's response was yes. The other gentleman said, "I thought something happened because the water is better than it used to be."

Mr. Gore was uncertain as to when we began using the reservoir. Ms. Froment said it was late March.

Mr. Hoffman said he has talked to Scott Sheppard on several occasions, and Mr. Sheppard had brought it to Council on how much more it would cost to soften the water and it was like \$75,000 for the year. Mr. Hoffman said, "I know that's a lot of money when we have a budget like we have, but again, if we are raising the water rates and we're raising the sewer rates and we've gotten the income tax through, could we take a little part of that and get us up to where we need to be."

Mr. Gore said it is the city's intent to improve the water quality or we wouldn't have put the reservoir in or we wouldn't be planning on a new water facility, etc.

Mr. Hoffman asked what the water hardness is at this point.

Mr. Gore said it's the city's intent and goal to provide better water and we've taken those steps.

Ms. Froment said the city has taken the steps. We did the switch to the reservoir and we'll be able to do that for a while until it starts to come down

because of the dry season over the summer, and then we'll go back up over the winter. The other major thing though is that we're looking at the new water treatment plant and we are about eight months into the planning process that is 2-1/2 years long. The process is 2-1/2 years because we actually have to take a mini-form of the water treatment process and run a 12-month pilot on that process to make sure that the process we selected works the best for our community and the water source.

Mr. Hoffman asked rather than wait 2-1/2 more years, isn't there something we can do to increase the softness a little bit more than what we have, because I honestly haven't noticed it. I haven't taken a water sample. I have little things to take the sample and probably should have done that before I came in tonight."

Ms. Froment said, "We'll be happy to take a sample again to back the numbers, but they have been taking steps to make it softer. That's one of the things we have talked about routinely for the last three months is the improved water quality and the reduced cost because of the way that we're doing it."

Mr. Hoffman said he didn't mean to insult anybody, "but isn't it just flipping a little switch and adding some more salt. That would soften that water a little bit." Ms. Froment said it's not the simple.

Mr. Gore asked if Mr. Hoffman would like to talk to Scott Sheppard about the problem. Mr. Hoffman said he has talked with him several times, and he's been so easy to work with, a wonderful individual to deal with. He's tried everything he can think of; he's sent people out; we've checked the water; we've done everything, so I know he's doing everything he can do.

Mayor Schmenk said she would follow up with Mr. Sheppard to see if there is anything more that can be done. That's the major reason why we're building the new plant, because I think we got to the point where we couldn't improve it much more and we couldn't serve the residents with the current plant. We will check with Mr. Sheppard and find out if there's something feasible that doesn't cost the taxpayers an unreasonable amount of money and we'll get back to Mr. Hoffman. "Just know that we thank you for coming tonight. We apologize that you had to do that and we appreciate the input."

Mr. Hoffman commented that he's had very good luck with Council on some things they've worked on before.

Mr. Gore addressed the sewer rate increase. There is not to be an increase in 2011, and we're going to do everything we can do avoid it in 2012. That's been recommended by our advisors because of the bonds on the issue, but we're still trying to avoid those raises, and hopefully we won't have those increases. Will revisit before 2012 and 2013 and if the economy does improve and we pick up more customers, then we'll be able to hopefully avoid that.

Mr. Hoffman noted that senior citizens aren't getting any increase at all, but yet everything is going up for them.

Mr. Gore said they understand that and it is the intent of this Council to try to continue to make Marysville very affordable and "even though there are those that won't agree with us on that, we are trying very hard, believe me."

Mr. Hoffman said, "I understand you have certain obligations you have to meet and those obligations, if we're going to be a viable city, have to be taken care. Thank you very much for your consideration and your time."

RESOLUTIONS

"RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION ON BEHALF OF THE CITY OF MARYSVILLE TO THE STATE OF OHIO COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SMALL CITIES PROGRAM FOR \$67,000 OF FY2010 FORMULA GRANT FUNDS" was presented for third reading, title only. Mr. Taylor moved to pass the legislation and the question put, stood:

Mr. Berbee YES Mr. Taylor YES Mrs. Richardson YES Mr. Fogt YES Mr. Gore YES Mrs. Groat YES Mr. Reams YES

Resolution 9-10 passed.

The resolution "EXPRESSING INTEREST IN IMPLEMENTING A BIO-PREFERRED PURCHASING POLICY" was presented for first reading, title only. Mayor Schmenk gave some background on this legislation. This resolution is being proposed to municipalities in Ohio by members of the Bio-Industry and by Bio-based industry. This means non-toxic, renewable products made from things grown typically in agriculture, such as soybeans, corn or other agricultural type materials. This particular resolution came to the city from the Ohio Soybean

Association. They had conducted a survey that showed that about 88% of Ohioans support that their local governments try to replace petroleum or chemical-based products with bio-based alternatives in their daily operations. In addition to the Ohio Soybean Association, we were asked to consider this resolution by a local company, Algae Venture, which is affiliated with Univenture. They are doing very innovative work in the algae industry, so they also were in favor of this. Mayor Schmenk feels it's a good step in helping to make our city a greener city. This asks the city to give reasonable consideration to bio-based products as the city is sourcing materials. We would not be required to use them if they were unreasonably higher priced or if we were unable to get them within the time needed. It asks us to give reasonable consideration in trying to use bio-based products on a preferential basis. It also asks us to update Council on a regular basis as to the progress we make on this.

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

Mr. Taylor YES Mrs. Richardson YES Mr. Fogt YES Mr. Gore YES Mrs. Groat YES Mr. Reams YES Mr. Berbee YES

Resolution 10-10 passed.

ORDINANCES

The ordinance "TO AMEND CHAPTER 141, INCOME TAX, SECTION 141.03(h)(20)" was presented for second reading, public hearing. Mrs. Groat moved to waive the reading in full; affirmative voice vote was unanimous. Mr. Gore explained this legislation changes the language in the existing code from: Mentally Retarded Developmentally Disabled to Developmental Disabilities. Ms. Carol Scheiderer of Union County Board of Developmental Disabilities addressed Council. She said that Mr. Miller apologizes for not being able to attend this meeting due to Harold Lewis Pre-school graduation. Mr. Gore read a letter sent to City Council, by Mr. Kim Miller, Superintendent of Union County Board of Developmental Disabilities.

"Dear Marysville City Council Members:

It is my understanding that currently, the Marysville City Council is considering an amendment to the codified ordinance to reflect more "people friendly language", most notably the removal of the phrase mental retardation.

For more than 40 years, the phrase “mental retardation” was in the legal name of this agency. Unfortunately, over time this phrase became a very derogatory and dehumanizing term that to this day, permeates our society. In 2007, we chose to “do business as” the Union County Board of Developmental Disabilities and in 2009 Ohio Senate Bill 79 was introduced to officially eliminate the words from all county boards of DD, and we became the Union County Board of Developmental Disabilities.

As a side note, I am proud to say that my 14-year old son, Nick, who received services as an infant at the Harold Lewis Center and who will be a freshman at Marysville High School this fall testified to the House Local Government and Public Administration Committee in support of this legislation.

As the superintendent of the Union County Board of Developmental Disabilities, I wanted to express my sincere appreciation to the members of the Marysville City Council for its move to amend the city’s codified ordinance to reflect this change.

We look to our leaders to set standards for the rest of society. By removing the term “mental retardation,” you are making a stance against a term that is hurtful to some members of our society. On behalf of the staff, board members, leadership team, but most importantly the over 400 individuals and their families who receive services from the Union County Board of Developmental Disabilities, please accept my heartfelt appreciation for your efforts.

Respectfully Submitted,

Kim Miller
Superintendent”

The ordinance “TO INCREASE THE CITY INCOME TAX FROM A RATE OF ONE PERCENT (1.00%) TO A RATE OF ONE AND ONE-HALF PERCENT (1.50%) EFFECTIVE JULY 1, 2010, AND TO AMEND SECTION 141.03, CODIFIED ORDINANCES AND DECLARING AN EMERGENCY” was presented for second reading, public hearing. Mr. Taylor moved to waive the reading in full; affirmative voice vote was unanimous.

COMMENTS OF THE MAYOR AND COUNCIL PERSONS AND GENERAL DISCUSSION:

Mr. Berbee said since we are planning to go green, he would like to see the final version of the Jerome Village Agreement be put on line instead of a paper copy.

Ms. Froment said the City/County Amendment has been signed by all parties and she has received that copy. She has not yet received the three-party Jerome Village Community Authority County/City Agreement. It is at the Community Authority for signature. Once she receives that, she'll make sure Council gets the entire packet. Ms. Froment will send an electronic copy of the finished packet.

Mr. Reams said he was getting ready to go running at 5:30 a.m. on Sunday and never got a Code Red call warning of a tornado in the area. He said sirens weren't sounded. He asked if there was ever a warning issued? Mayor Schmenk said she didn't think so, by the National Weather Service or locally. Mayor Schmenk will find out exactly what happened.

Regarding Ohio Chautauqua, Mr. Reams encouraged the City/Chamber to find a bus route or some sort of transportation plan because to have to park 1 mile away from the event is going to be a big issue. He doesn't feel that is realistic.

Referring to the Jerome Village Agreement, Mr. Taylor encouraged Ms. Froment to give Council the document on a disc or on-line. Avoid all the paper.

Mr. Taylor asked residents that with it being summer, people are having picnics, late night evening gatherings, to be considerate of their neighbors as far as volume of music and consideration of where you park. Don't park in neighbors' yards and don't park in the front yard. Be a good neighbor.

Mr. Fogt commented on the storm on Sunday. He's thankful no damage was major. He and Mrs. Groat's houses were very close to the house that was damaged. Neighbors pitched in and cleaned up. It's good to see neighbors helping neighbors. People from out of town came in to help.

1. Parks & Recreation Representative - Parks & Rec will meet on June 15th, 7:00 p.m. in Council Chambers. The pool opened on June 4th.

Mrs. Richardson encouraged people to continue to look at nominating folks for the Beautification Program.

Mrs. Richardson said the parks are supposed to close at dusk. Signs are posted accordingly. She encouraged citizens to honor that law. She knows right now there are citizens and students utilizing the parks after dark and it's not safe.

ADJOURNMENT: There being no further business to come before Council, the meeting adjourned at 7:39 p.m.