

CITY COUNCIL MINUTES

JULY 22, 2010

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

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

OTHERS PRESENT: Mayor Schmenk, Director of Administration Froment, Finance Director Chavarria, City Engineer Klingman, City Law Director Aslaner, Clerk Patterson

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

CITIZENS PRESENT: Ken Kraus, Marianne Berbee, Lloyd Baker, Crista Miller

APPROVAL OF MINUTES: There being no additions or corrections, the minutes for the Special City Council Meeting on July 8, 2010 were approved as written.

There being no additions or corrections, the minutes for the City Council Meeting on July 8, 2010 were approved as written.

ADMINISTRATIVE REPORT: Mayor Schmenk reminded everyone of the activities going on in town, the Bike Fest, Union County Fair and Ohio Chautauqua.

Ms. Froment announced a Cemetery Open House will be held on Thursday, July 29th from 3:00 to 7:00 p.m. The purpose of the open house is to garner public input. The Cemetery Advisory Board, as well as Ms. Froment and John Mitchell, Public Service Director will be at this Open House. This is part of the city's public outreach to get input from stakeholders on their concerns and thoughts about the future of the cemetery. She encouraged people to attend. If you can't attend, she asked residents to please consider filling out the online survey. If you don't have access to a computer, please contact the Public Service Center at 642-0116.

Ms. Froment reported that Administration met with Plain City officials about potentially providing water and sanitary sewer service. Opening discussions were held to see what they were thinking about. They have concerns about trying to bring their sanitary sewer under the Darby. There are a lot of restrictions going on

with the Darby Watershed. Discussion centered around what has to occur, what type of rates are charged by the city, who would be responsible for putting in the infrastructure and how that could be paid for and what annexation items are out there. The Jerome Village Service Agreement was discussed in order to give them an idea of what we're looking at. Plain City's next step is to think about the area they're envisioning for service, what the density is, what kind of ERU's they're talking about. Once they have that information, Administration will run some numbers and see if it's economically viable for either party and go from there. The next meeting is scheduled for October.

Ms. Froment said that the City's website is down at the moment, but staff is working on getting it back up and running.

Mr. Gore noted an article in last week's Journal Tribune about the dam and the water. He's been approached by various people about this issue and asked for a more detailed explanation. Ms. Froment explained when the city originally worked on the reservoir and inflatable dam, part of the overall solution was an agreement with the EPA that when the city used the inflatable dam, we would eliminate two low-head dams. One has already been taken down to water level and needs to be completely eliminated. You can't see it anymore, but it's still there. The dam in question is still fully erected and elimination needed to begin. A contractor will be taking out the dam, but the city needed to punch a hole in it so we wouldn't have flash flooding when they start taking it out.

The newspaper article was a little misleading. The City has actually had this planned for several years. She said the good news is that this is very fertile land, and next year at this time you won't see any of that mud; it'll all start growing back in. The purpose of taking down the dam is to increase the flow and improve the clarity of the water.

Mayor Schmenk added that this isn't just our people out there with a bulldozer, knocking things down. This is pursuant to a plan that had to be approved by the Ohio EPA.

Mr. Gore said he interpreted the article to say it was a requirement by the EPA, and he didn't believe the city was in agreement with the EPA expectation. Ms. Froment said that wasn't it at all. It was part of a joint agreement with the City and EPA.

Mayor Schmenk added that our city is not alone in being required to remove a dam. It's happened in many cities in recent years. It's just a change in technology. The city was not opposed to removing the dam.

REPORT OF CLERK OF COUNCIL: No report.

REPORT OF PLANNING COMMISSION: Mr. Ken Kraus, Planning Commission Chairman, addressed Council. There was no Planning Commission meeting in July. After Council's last meeting and the concerns and questions about the signs, Mr. Kraus noted that "zero" emails had been received on input on the sign ordinance through today.

Mr. Kraus reported on the July Design Review Board Meeting. Discussed the Red Cross awning sign on E. 5th Street, which was tabled to the next meeting at the request of the applicant.

The Board approved the design and Certificate of Appropriateness for a gazebo at the Lakeside Apartments, located behind McAuliffe's Ace Hardware off Damascus Rd.

The Board approved an expansion and extension of both the building and parking lot at the Humane Society on County Home Road.

The plan for Villas at Halcyon was presented. Very nice. They did an outstanding job of putting together their application with color, color schemes and how it was all going to work, as well as the landscaping alternatives.

Mr. Gore noted Council had tabled the sign ordinances to a date specific, August 26th. If Planning Commission is not prepared to bring it back to Council at that time, feel free to take the time necessary for reviewing the ordinances. It will be brought back on the August 26th agenda, but can be tabled again at that time if more time is needed.

Mayor Schmenk made a commitment on behalf of Administration to call business owners to make sure they know where and when this Planning Commission meeting will be held.

Mr. Kraus said the Planning Commission is going to be particularly interested in what's before Council, and that's temporary signage. They want to hear other

concerns for future reference, but there won't be a whole lot of discussion on those other items.

Mr. Gore said some of the complaints that he's heard are issues that people reacted as if it was new and in fact, it was there already. He asked Mr. Kraus to point that out at the meeting. Mr. Kraus said they're trying to "legalize" things that are currently illegal.

Ms. Froment said a PowerPoint presentation will be given at the meeting, which will go over what has changed and what has not.

HEARING OF CITIZENS: No comments.

RESOLUTIONS

"A RESOLUTION TO ADOPT THE SOLID WASTE MANAGEMENT PLAN 2010-2024 UPDATE FOR THE ALLEN-CHAMPAIGN-HARDIN-MADISON-SHELBY-UNION JOINT SOLID WASTE MANAGEMENT DISTRICT" was presented for second reading, public hearing. Mr. Berbee moved to waive the reading in full; affirmative voice vote was unanimous.

ORDINANCES

The ordinance "TO AMEND SEWER RATES FOR THE PUBLIC UTILITY DIVISION OF THE CITY OF MARYSVILLE" was presented for third reading, title only. Mrs. Groat moved to pass the legislation and the question put, stood:

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

Ordinance 23-10 passed.

The ordinance "AUTHORIZING THE ISSUANCE OF TAX INCREMENT FINANCING REVENUE NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS IN THE AMOUNT OF NOT TO EXCEED \$7,005,000 FOR THE PURPOSE OF FINANCING CERTAIN PUBLIC IMPROVEMENTS, AUTHORIZING THE EXECUTION OF A NOTE PURCHASE AGREEMENT IN CONNECTION WITH THE SALE OF SAID NOTES; APPROVING THE USE OF AN OFFICIAL STATEMENT RELATING TO THE NOTES; RETIRING NOTES PREVIOUSLY ISSUED FOR SUCH PURPOSE; AND

DECLARING AN EMERGENCY” was presented for first reading, title only. Ms. Chavarria commented on this ordinance and the next ordinance. The \$7,005,000 TIF note relates to Coleman’s Crossing and the \$4,975,000 TIF note relates to City Gate. These are renewals of the TIF notes which mature in September. She is requesting to issue another short term note instead of long term at this time because of the favorable market. They are working with Fifth/Third, and specifically Andy Brossart, in preparing the necessary information. Mr. Gore added that this was discussed at the Finance Committee meeting held last Thursday.

Mr. Fogt asked for confirmation that this is not city debt. Ms. Chavarria said this is not city debt. These were issued for improving infrastructure on those areas and is backed by the developer with a letter of credit which guarantees payment.

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

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

Emergency passed.

The ordinance “AUTHORIZING THE ISSUANCE OF TAX INCREMENT FINANCING REVENUE NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS IN THE AMOUNT OF NOT TO EXCEED \$4,975,000 FOR THE PURPOSE OF FINANCING CERTAIN PUBLIC IMPROVEMENTS; AUTHORIZING THE EXECUTION OF A NOTE PURCHASE AGREEMENT IN CONNECTION WITH THE SALE OF SAID NOTES; APPROVING THE USE OF AN OFFICIAL STATEMENT RELATING TO THE NOTES; RETIRING NOTES PREVIOUSLY ISSUED FOR SUCH PURPOSE; AND DECLARING AN EMERGENCY” was presented for first reading, title only. This legislation is for City Gate.

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

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

Emergency passed.

COMMENTS OF THE MAYOR AND COUNCIL PERSONS AND GENERAL DISCUSSION

1. Parks & Recreation Representative - Mrs. Richardson reported that Parks & Recreation Commission met this week. They completed the 5-Year Capital Improvement Plan. Also discussed the “Adopt the Park Program” that is already in place and is being run by the County.

Mrs. Richardson encouraged everyone to attend the Ohio Chautauqua event, which is taking place in Mill Valley South. Residents in that area should have received information about the event.

Mrs. Richardson reminded everyone to watch the motorcycle parade on Friday evening.

Mr. Fogt reminded everyone of the Union County Fair. Activities start officially on Sunday for the entire week.

Mr. Henk Berbee commented that the Marysville Kiwanis interacts with the City of Marysville quite often. He noted that he'd be flipping pancakes at the Elks tomorrow morning. It is a big fundraiser for the Kiwanis. Cost is \$6.00 at the door and \$5.00 for early ticket sales.

Mr. Reams reported on the Public Service Committee meeting held on Monday of this week. Discussed planning for wastewater, along with multiple project updates.

Mrs. Groat announced that Public Affairs will meet on Monday, July 27th from 6:00 to 7:00 p.m. Will be considering Marysville Codified Ordinance Section 1143.10, specifically signage regarding elections.

Mrs. Groat also announced a Ward 3 meeting on August 3rd, 6:30 – 8:00 p.m. at the Library in Meeting Room B.

Mr. Gore said this is going to be a very busy next 7-10 days for our community. Activities surrounding Chautauqua should be very interesting. He encouraged everyone to support the County Fair because this is when a lot of our young people come together and work very hard on their projects. Also, the Bike Fest is currently going on. “It is a good opportunity to show our support for the community, and I encourage everyone to do so.”

Mr. Gore said, “Sometimes we get lost in some of the projects that we work on, some of the things that we get involved in. I publicly want to thank our present City Council for all their efforts and all their work in the community. Sometimes we don’t always agree on issues, but at the end of the day, we’re all here for the same thing, and I truly appreciate that. I thank each and every one of you for your service and what you do for the community.”

ADJOURNMENT: There being no further business to come before City Council, the meeting adjourned at 7:25 p.m.