

## **CITY COUNCIL MINUTES**

**AUGUST 12, 2010**

The meeting was called to order by President Gore at 7:03 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, Finance Director Chavarria, City Engineer Klingman, Law Director Aslaner, Police Chief Golden, Clerk Patterson

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

**CITIZENS PRESENT:** Bill Kelley, Jeff Groat, Don McGlenn, Mr. & Mrs. Tony Brooks, Rick Shortell, Marianne Berbee

**APPROVAL OF MINUTES:** There being no additions or corrections, the minutes for the meeting on July 22, 2010 were approved as written.

**ADMINISTRATIVE REPORT:** Mayor Schmenk and President Gore presented Employee of the Quarter Awards to Detectives Tony Brooks and Don McGlenn.

Officers Don McGlenn and Tony Brooks are assigned as plain clothes investigators for the Marysville Police Division. As part of their duties, they combat the increasing prevalence of drugs in Marysville. The growing trend of drug use is partly attributed to the increased incidence of opiate-based medications, which often are prescribed for chronic pain. Unsuspecting people become dependent on the powerful drugs, and often graduate to heroin because it's cheaper and more readily available on the street. Don and Tony have worked hard to combat the use of illegal drugs here in Marysville.

Don and Tony initially obtained Grand Jury Indictments against eighteen individuals for a variety of drug crimes ranging from possession of drugs to aggravated trafficking in drugs. Their hard work resulted in several individuals receiving prison terms and subsequently being taken off our streets. Where some may have rested on this success, Don and Tony took their efforts to the next level.

Their continued investigation resulted in twelve more drug related Grand Jury Indictments this past quarter.

While investigating criminal activity is part of their daily job, Don and Tony have gone above and beyond our expectations. Due to the nature of their investigations, this dedicated duo were often required to adjust their schedules and come to work on extremely short notice. Their flexibility and willingness to adjust their personal time was critical to the success of the entire investigation – as was their willingness to move forward even as budget challenges resulted in fewer resources. Their dedication to duty in the fight against those involved in illegal drug activity and their willingness to battle back the growing trend of drug use in Marysville makes them our employees of the Quarter. Congratulations!

Police Chief Golden said, “It’s a real privilege to work with officers of this caliber; that go out every day and take it personal to fight this terrible battle we have going on. I’m thankful every day for it.”

Mr. Gore presented Tony and Don with a plaque with Council’s congratulations and sincere thanks for what you do for this community. Mayor Schmenk presented each one with a gift card to a local restaurant with her thanks. It’s a great sacrifice to allow them to do what they do. “Thanks a million.”

Ms. Froment reported that the City received the 2009 Water Fluoridation Quality Award. The Center for Disease Control and Prevention commends our water system for its consistent and professional adjustment of the water fluoride content to the optimum level for oral health for 12 consistent months.

Ms. Froment said residents have had a lot of brush with the recent wind storms. Because of that, city crews are running behind. It will be early next week before crews are back on schedule.

Mr. Reams asked who’s responsible for cleaning up a tree that has fallen across the sidewalk. Ms. Froment said it depends on a lot of things. She asked if it was planted in the right of way. Mr. Reams said no. Ms. Froment said it’s the homeowner’s responsibility.

**REPORT OF CLERK OF COUNCIL:** No report.

**REPORT OF ECONOMIC DEVELOPMENT DIRECTOR:** Mr. Phillips reported that the Tax Incentive Review Council will be meeting this month to review the

current Enterprise Zone Agreements. A report will be coming to Council in September or October.

Ohio Chautauqua and the Bike Fest were good events, and the Chamber is happy with the success of those events.

The Farmer's Market will be held on Saturday from 8:00 a.m. to 1:00 p.m. The Farmer's Market has been going on for 25 years. He encouraged everyone to come out to that.

The Covered Bridge Festival and Festifair will be held September 11<sup>th</sup>.

The All Ohio Balloon Rally will be held next weekend at the airport.

The Mural Dedication is scheduled for September 8<sup>th</sup> at 3:00 p.m.

Mr. Phillips reported that our troops are coming home tomorrow. They are due to arrive in Plain City between 11:30 a.m. and 12:00 p.m. and uptown Marysville between 12:00 and 12:30 p.m. There will be a police escort from the Indiana border all the way to the high school where they will be reunited with their families. A brief ceremony will be held at 1:00 p.m. Food and beverages will be provided free of charge. He encouraged everyone to line the streets and welcome them home.

Mr. Phillips said our Air Defense Unit will be deploying in September, so plans will be made for that departure.

Mr. Taylor asked how long the Farmer's Market is going to be held in the main City parking lot. A couple of business owners asked him about it because they open before noon on Saturday. Ms. Froment said it goes through October. Mr. Taylor asked if there was a possibility of moving it to the other parking lot or at least blocking off some of the parking spaces towards the front of the lot. Ms. Froment will talk with them to see what can be done.

Mrs. Richardson asked if there would be anyone in front of Amrine Road to direct where people should line up. Mr. Phillips said this will be better organized, because the last time when they deployed, they were all coming and going in their individual cars. This time there will be a caravan with police cars. Mr. Phillips will talk with Ken Bonnell to make certain there is someone to direct people.

Mr. Phillips added that the community effort on this event is unbelievable. All the food has been donated, ice cream, hot dogs, buns, condiments, napkins, ice tea, 2,000 bottles of water from Nestle. A thank you to those entities that have helped out will be printed in the newspaper. Mr. Phillips said, "It's just remarkable to see the community come together and the businesses step up to make this all happen."

Mayor Schmenk said in addition to the Military Support Group headed by General Decker and Lt. Colonel Bonnell, Mr. Phillips deserves a lot of credit, because he was the first person to be contacted and he's been getting donations and doing a lot of the leg work.

HEARING OF CITIZENS: None.

## 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 third reading, title only. Mr. Fogt moved to pass the legislation and the question put, stood:

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

Resolution 14-10 passed.

The resolution "AUTHORIZING THE USE OF A PORTION OF THE PROCEEDS OF BONDS OR BOND ANTICIPATION NOTES OF THE CITY, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$800,000, TO BE ISSUED FOR THE PURPOSE OF CONSTRUCTING, IMPROVING, FURNISHING AND EQUIPPING A MUNICIPAL FIRE STATION, WITH RELATED FACILITIES, SITE IMPROVEMENTS AND APPURTENANCES THERETO AND ACQUIRING REAL ESTATE AND INTERESTS IN REAL ESTATE RELATED THERETO, TO REIMBURSE THE CITY'S GENERAL FUND FOR MONEYS ADVANCED FOR SUCH PURPOSE" was presented for first reading, title only. Ms. Chavarria explained that this legislation and the next piece of legislation are the mechanisms for the city to start expending funds for the Police, Court and Fire buildings. Once City Council has approved the legislation, city can start expending funds for appraisals. Once the bonds are

issued sometime later next year, city can then reimburse the General Fund of the expenditures that the city paid to date.

Mr. Gore asked, “Isn’t now a better time to issue the bonds than at a later date because of costs?” Ms. Froment said you would start paying it back a year after having issued it, so we don’t want to issue the bonds until we actually need a large amount of funds. It’s kind of cash flow right now if we can use the cash we have on hand, but restore that cash. Ms. Chavarria said you also have to spend the funds within a certain time period.

The resolution “AUTHORIZING THE USE OF A PORTION OF THE PROCEEDS OF BONDS OR BOND ANTICIPATION NOTES OF THE CITY, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$1,200,000, TO BE ISSUED FOR THE PURPOSE OF CONSTRUCTING, IMPROVING, FURNISHING AND EQUIPPING A MUNICIPAL POLICE AND COURT BUILDING, WITH RELATED FACILITIES, SITE IMPROVEMENTS AND APPURTENANCES THERETO AND ACQUIRING REAL ESTATE AND INTERESTS IN REAL ESTATE RELATED THERETO, TO REIMBURSE THE CITY’S GENERAL FUND FOR MONEYS ADVANCED FOR SUCH PURPOSE” was presented for first reading, title only.

## ORDINANCES

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 second reading, public hearing. Mr. Fogt moved to waive the reading in full; affirmative voice vote was unanimous.

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 second reading, public hearing. Mrs. Richardson moved to waive the reading in full; affirmative voice vote was unanimous.

## COMMENTS OF THE MAYOR AND COUNCIL PERSONS AND GENERAL DISCUSSION

1. Parks & Recreation Representative - Mrs. Richardson announced that the next meeting of Parks & Recreation is scheduled for August 17<sup>th</sup> at 7:00 p.m.

Mr. Berbee attended the Planning Commission meeting last Monday. The sign ordinance was discussed. He commended Mr. Kraus and his Commission members for taking two hours to listen to questions and input from citizens. He noted this ordinance deals with temporary signage. There will be as many as eight new sign opportunities introduced and in addition to that, there are five other signs that are going to be expanded as far as what they can do with them. He feels it's a step in the right direction.

Mr. Berbee asked about the timing for passage of this legislation. Mr. Gore said this legislation was tabled to the August 26<sup>th</sup> meeting. It is his understanding that the legislation will not be ready for Council at that meeting, so it will most likely be tabled again at that meeting. Ms. Froment said Planning Commission will have a special meeting on August 24<sup>th</sup> at 6:30 p.m. to discuss these ordinances. It is their hope to have a proposal ready for the regularly scheduled Planning Commission meeting on September 7<sup>th</sup>. If approved at that time, it will come back on the September 23<sup>rd</sup> Council agenda. A zoning public hearing will be required for this legislation.

Mr. Berbee said there are over 30 different signs to be dealt with. He said the Planning Commission may look separately at Historic Marysville versus outside of the Historic Marysville. He noted an example; if you have a 4' A-frame that is allowed downtown, it will look very nice, but for instance, if it's at Barry's Perch 'N More and you have traffic going by at 35 MPH on Industrial Parkway, 4' may not do it.

Mr. Gore noted that the ordinance dealing with political signs needs to be dealt with soon because of early voting. Mr. Reams said that early voting begins September 28<sup>th</sup>.

Mrs. Groat reported that Public Affairs will meet on Monday August 23<sup>rd</sup>, 6:00 p.m. to 7:00 p.m. to discuss the political sign ordinance. Hope is to send a recommendation to Planning Commission at the end of that meeting. Planning Commission will need to do their due diligence to include that in their request for amendments.

Mr. Gore noted that the Mayor has the authority to do an Executive Order. He'd like to look into an Executive Order to address this upcoming election to allow an exception to our ordinance as we address that. There is no way this can go through Planning Commission and Council by the time of the election.

Mrs. Richardson extended condolences to the family of Lynne Whatley who was killed in an auto accident.

Mrs. Richardson encouraged everyone to come out and welcome home the return of 585<sup>th</sup> and support the troops.

Mr. Taylor said that kids will be returning to school soon, so he cautioned everyone to beware and watch out for the kids.

To the Chamber and the organizers of Bike Fest, Mr. Taylor said all of the riders from the various events, even though the numbers weren't high, were impressed with how well it was organized. "We just need the numbers."

Regarding City beautification, Mr. Taylor said he drove around the city looking at various properties. He noted that some people have put a lot of time into their yards and they should be commended. He suggested that pictures of the properties of those 17 nominees be put on the website for everyone to see.

Finance Committee will meet on Thursday, August 19<sup>th</sup> at 7:30 a.m. in the HR Conference Room.

Mr. Gore thanked Council for their efforts tonight. He thanked Administration for their efforts on behalf of the community and citizens; thank you for coming.

ADJOURNMENT: There being no further business to come before Council, the meeting adjourned at 7:35 p.m.