

**CITY COUNCIL MINUTES  
SEPTEMBER 25, 2017**

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

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

**OTHERS PRESENT:** Finance Director Justin Nahvi, City Law Director Tim Aslaner, Chief Golden, Chief Riley, Public Service Director Mike Andrako, IT Director Aaron Story, City Planner Chad Flowers and Clerk Kris Jones.

**REPORTERS PRESENT:** Will Channel – Journal Tribune

**CITIZENS PRESENT:** Robert Anderton, Kenneth Anderton, Jamie Dean, Carrie Dean, Janet Shonebarger, Jerry Bell, Andrea Noguchi, Margaret Lowry, Robert Lowry, Doug Bender, Lendy Lewis, Joe Brzozowski, Don Patterson, Rebecca Patterson, Ryan Lee, Scott Zwierzynski, Amy Zwierzynski, Dean Phelps, J.L. Notestine, Paul Grimm, Annette Potter, Kristin Phillips, Brandon Hess, Victor Thorn, April Rhoden, Laura Ingram, Tim Schacht, John Bland, Auston Bland, Douglas Doellinger, Patti Doellinger, Jeene Evans, Jay Evans, Cheryl Beach, Debra Kelly, L. Ehers, Tracy Rutherford, Alysia Centers, Cheri Seymour

**APPROVAL OF MINUTES:** The minutes for the meeting on September 11, 2017 were approved as presented.

**ADMINISTRATIVE REPORT:**

*City Manager Terry Emery reported the following:*

**Events & Recreation**

**Who's Awake in Our Parks**

Takes place at Mill Valley Park South this Saturday (9/30) at 7:00 pm. This 1.5 mile hike will start and end at the Mill Valley Park South shelter house, followed by a campfire and S'mores.

**First Wednesdays**

Our last First Wednesday event for the season takes place October 4 at Partners Park from 6-8pm. Music by The Jaw Jackets (genre: Classic Rock). Sponsored by Liberty National Bank.

**Howl at the Moon**

Howl at the Moon takes place Saturday, October 7 at 8:00 pm. Enjoy a brisk 3 mile hike with your leashed dog from Bark Park to the prairie along the Jim Simmons Trail.

**Trick-or-Treat**

Tuesday, October 31 from 6:00-8:00 pm.

*Mr. Nahvi reported the following:*

**Finance Department**

**2018 Budget**

The October Finance Committee meeting has been scheduled for Thursday, October 12<sup>th</sup> at 5 pm. Remaining budget adjustments to the 2018 Recommended Budget will be discussed at this meeting and budget binders will be distributed to City Council members the week of October 16<sup>th</sup>. The first reading of the 2018 Budget will be scheduled for the October 23<sup>rd</sup> Council meeting.

The budget work session through City Council for the 2018 budget will need to be scheduled. In the prior year, this meeting was held on the first Monday in November at 5:30 pm.

*Chief Riley reported the following:*

### **Division of Fire**

#### **Fill the Boot**

City of Marysville firefighters will hold their annual Fill the Boot fundraiser on Friday, September 29, 2017. Firefighters will be at the intersections of 5th & Main St. and 5th & Damascus Rd. from 1:00 – 5:30 p.m. The fundraiser, is a nationwide firefighter initiative that raises money for the Muscular Dystrophy Association (MDA). \$5,008.00 was raised during last year's campaign.

*Mr. Andrako reported the following:*

### **Public Service Department, Maintenance & Operations**

#### **Maclvor Woods Bridges**

The order has been placed for the three bridges to be used on the Maclvor Woods trail. The manufacturer has indicated they should arrive in early November.

### **Engineering Department**

#### **6th and Court Waterline**

- 8th Street trench repair and Court Street service, complete this week
- Court Street testing and asphalt, complete this week
- 6th Street installation, testing, services and paving, complete by the end of October

#### **2017 Paving Program**

- Walnut Street, paving complete
- West 5th Street, paving complete 9/25
- Industrial Parkway and Scottslawn, paving complete this week
- Reservoir and Trail Paving, complete next week

Mr. Reams questioned if there was a final step still needed for some of the streets that have been paved. Mr. Andrako confirmed they will still be sealing some of the streets and adding sand to prolong the life of the pavement.

### **REPORT OF CLERK OF COUNCIL:**

### **REPORT OF PLANNING COMMISSION AND DESIGN REVIEW BOARD:**

*Mr. Schacht reported the following:*

**Planning Commission:** At the September 5<sup>th</sup> meeting there were two items on the agenda. 1<sup>st</sup> was a request to rezone 286 acres on Weaver road from light manufacturing to heavy manufacturing, which was approved by the planning commission. The second item on the agenda was a property located on the NW corner of ST RT 38 and London Ave. which was tabled until the October meeting to obtain the traffic study. Two additional items of discussion included the Chapter 1144 Design Review Board materials and Uptown Zoning.

**Design Review Board:** One item on the agenda which applicant requested be tabled until the October Meeting, which was granted. Two additional items of discussion included the Chapter 1144 Design Review Board materials and Uptown Zoning. Mr. Taylor asked if the questions posed by neighbors regarding the possible rezoning were sufficiently answered. Mr. Schacht stated that the questions were more along the lines of what could be built there, as opposed to the actual rezoning from M1 to M2 which is the current request. Mr. Berbee confirmed that the property located on London Avenue was not a request for lot size variance.

**COMMITTEE REPORTS:**

*Mr. Berbee reported the following:*

**Finance Committee:** City income is ahead of schedule, expenses below schedule and administration is taking a close look at the project schedule and the general fund is secure. They are focusing on Water and Sewer as a high priority and the initial 2018 budget looks on track. The debt payoff is on track and debt is expected to be greatly reduced within the next 5-10 years. A budget work session will be scheduled at the next meeting.

*Mrs. Richardson reported the following:*

**Public Service Committee:** Met Thursday, September 21<sup>st</sup> and discussed the resurfacing of ST RT 38 from Marysville Corporate limits to 7<sup>th</sup> Street instead of the originally named street. Essentially the City will only be paying 20% of the entire cost of this project out of City funds, so it is seemingly a very good opportunity for Marysville to get this paving done because the state is going to do that for us with our contribution of 20%. Also, the committee will be providing a summary of all of the numerous projects going on around the City in your inboxes that way things that are important to you will be right there in writing to make sure you are aware.

*Mrs. Groat reported the following:*

**Public Affairs/Safety Committee:** They discussed the Division of Fire deploying special teams outside our area in mutual assistance for hurricane victims. The second item discussed was the possibility of planting 200 trees between now and August of 2019 in honor of Marysville’s Bicentennial which was Mr. Reams suggestion that Public Affairs is looking into and will be discussed in further detail at the October 23<sup>rd</sup> meeting.

*Mr. Reams reported the following:*

**Parks & Recreation:** They reviewed the capital project list for next year and are prioritizing according to available funds and project priorities. Mrs. Richardson asked if we were looking at \$300,000 for Parks & Recreation in the 2018 budget and requested they communicate to her the top three project priorities for next year.

**HEARING OF CITIZENS:**

**RESOLUTIONS:**

One Reading DESIGNATING PUBLIC DEPOSITORY AND DECLARING AN EMERGENCY  
Only

**Administration Comments:** Mr. Nahvi explained this would continue the agreement which would be backdated to September 1<sup>st</sup> of this year.

**Council Comments:**

Mr. Taylor moved to pass the emergency clause and the question put stood:

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

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

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

1st Reading RESOLUTION AUTHORIZING THE CITY MANAGER TO COOPERATE AND ENTER INTO AN  
Title Only AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION TO RESURFACE A PORTION  
OF SR 38 AND DECLARING AN EMERGENCY

Mrs. Richardson moved to modify this resolution regarding the resurfacing project and reflect 7<sup>th</sup> Street in lieu of 5<sup>th</sup> Street and the question put stood:

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

Mr. Taylor moved to pass the emergency clause 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

**Administration Comments:** Mr. Andrako stated this is the ODOT paving project regarding SR 38 and within the City limits. It is our responsibility to pay for paving, however ODOT is paving and we are paying them 20% to do so, so it is a cost savings.

**Council Comments:** Mr. Rausch explained that because it is the State, SR 38 came up on their radar, they do not do smaller portions of paving, but because it was only 20%, it was worth the City choosing to pave this section even though it wasn't in disrepair. Mr. Berbee asked if we expected disruption to this project due to the expansion of Memorial Hospital and Mr. Andrako stated that we do not.

2nd Reading A RESOLUTION TO APPROVE THE CONTINUANCE OF ENTERPRISE ZONE TAX INCENTIVE  
Public Hearing AGREEMENTS WITH VARIOUS COMPANIES AND TO REPORT SUCH FINDINGS TO THE OHIO  
DEVELOPMENT SERVICE AGENCY

**Administration Comments:**

**Council Comments:** Mr. Taylor noted that everything went through committee well and recommends approval.

**Citizen Comments:**

### **ORDINANCES:**

1st Reading AN ORDINANCE TO APPROVE, ADOPT, AND ENACT THE JULY 2017 REPLACEMENT PAGES  
Title Only TO THE CODIFIED ORDINANCES; TO REPEAL ORDINANCES IN CONFLICT THEREWITH; TO PUBLISH THE  
ENACTMENT OF NEW MATTER; AND DECLARING AN EMERGENCY

**Administration Comments:**

**Council Comments:**

Mr. Seymour moved to pass the emergency clause 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

1st Reading TO AUTHORIZE THE SALE OF PUBLIC SERVICE ITEMS VALUED OVER \$1,000.00  
Title Only

**Administration Comments:** Mr. Emery and Mr. Andrako explained that 8 vehicles and one lawnmower are on this list.

**Council Comments:** Mr. Rausch asked if we were using the online auction to auction off these items and also asked if we were auctioning any smaller items as well. Mr. Andrako stated yes to both questions. Mrs. Richardson asked if the revenue from these sales are deposited right back into the same Department/Division accounts and Mr. Nahvi stated that they are.

1st Reading  
Title Only TO AMEND CHAPTER 142, MUNICIPAL INCOME TAX EFFECTIVE JANUARY 1, 2016, TO CONFORM WITH AM. SUB. HB 49 WHICH MADE AMENDMENTS TO CHAPTER 718, MUNICIPAL INCOME TAXES, OF THE OHIO REVISED CODE

**Administration Comments:** Mr. Aslaner explained that we have to do this due to changes made by the State.

**Council Comments:** Mrs. Richardson asked if this will affect our revenues. Mr. Nahvi stated that it impacts two things including an administration fee and a delay of cash flow.

1st Reading  
Title Only TO APPROVE A ZONING MAP AMENDMENT TO REZONE +/- 286 ACRES (PARCEL # 2900300470000, 2900300480000, 2900300560000, 2900300600000, AND 2900300670000) ON WEAVER ROAD FROM LIGHT MANUFACTURING (M-1) TO HEAVY MANUFACTURING (M-2)

**Administration Comments:** Mr. Flowers gave a presentation overviewing the impact of rezoning. He also stated the plan has been reviewed by the Planning Commission. Victor Thorn with Ohio Craft and Malthouse LLC fielded questions by Council.

**Council Comments:** Mr. Taylor confirmed with Ohio Craft and Malthouse LLC that A) Heritage is the priority for rail connection, B) a cooperative agreement to egress Scotts Lawn is the goal, C) they are looking at the malting process, not mashing, D) the projected plant location would encourage the egress of Scotts Lawn, and E) ground water contamination will not be a concern. Mr. Rausch asked if the process uses a large amount of gas or electric and was told that either form of energy could be used. Mrs. Richardson asked why Marysville is an attractive location for this business and confirmed that the odor is not expected to be a concern for citizens. Mrs. Groat likened the scenario to living near Nestle where the plant gives off an odor, however it is not unpleasant and is highly acceptable and worth the cost of business. Mr. Reams stated that Scotts has always given off an odor, but due to location and wind direction, it is less noticeable for the community.

2nd Reading  
Public Hearing TO APPROVE A ZONING MAP AMENDMENT TO REZONE +/- 24.384 ACRES (PARCEL 2900250030010) FROM MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT (R-2) TO A PLANNED UNIT DEVELOPMENT (PUD) ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF SR 31 AND CREEKVIEW DRIVE

**Administration Comments:** Mr. Flowers gave a presentation overviewing the request and explained that the Applicant had been to Planning Commission and had been recommended for approval with a 4/3 vote.

**Council Comments:** Mr. Seymour questioned if the buffering was sufficient for screening. Mrs. Richardson asked that the fence bordering the development be completed for continuity and also asked them to add a left turn lane to the exit for traffic flow safety. Mr. Reams agreed that he would like to see a left turn lane added before the third reading. Mr. Berbee questioned the number of children anticipated to live in the proposed development and asked questions regarding the maintenance of the development.

**Citizen Comments:** Gary Smith representing the developer fielded questions by Council.

3rd Reading TO APPROVE AN AMENDED DEVELOPMENT PLAN AT THE EXISTING PLANNED  
Public Hearing UNIT DEVELOPMENT (PUD) OF THE VILLAGE AT TIMBER LAKES, LOCATED AT PROPERTY ON MILFORD  
AVENUE (PARCELS 2900191210000 & 2900191200000)

**Administration Comments:**

**Council Comments:**

**Citizen Comments:**

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

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

3rd Reading TO APPROVE A ZONING MAP AMENDMENT TO REZONE +/- 107 ACRES (PARCELS  
Public Hearing 2900031230000, 2900230110000, 29000031220000, 2900031200010, AND 2900230300000) FROM  
SPECIAL DISTRICT ONE (SD1) TO A PLANNED UNIT DEVELOPMENT (PUD) ON PROPERTY LOCATED AT THE  
SOUTHWEST CORNER OF DUNHAM STREET AND COLUMBUS AVENUE FOR A MIXED –USE  
DEVELOPMENT (WOODSIDE)

**Administration Comments:** Mr. Flowers gave a presentation overviewing the request and explained that although many specifics have not been finalized, due to the agreement, the Design Review Board would have the ability to make the judgment calls on many of the currently unknown areas.

**Council Comments:** Mr. Berbee expressed his concern with the possible influx of school aged children in the area and the Community’s ability to raise funds to build potentially necessary schools. Mr. Taylor and Mr. Reams both expressed a large concern with the number of allowable units in the area. Mr. Rausch expressed the target market seemed unclear. Mrs. Richardson expressed concern about the length of the construction on Professional Parkway and Columbus Avenue as well.

**Citizen Comments:** David Fischer, Kephart Fischer LLC Principal, fielded questions on behalf of the applicant and stated that they have agreed to complete Professional Parkway for additional access to the airport, assist in traffic improvements in the area and he believes the design is in compliance with the City’s comprehensive plan.

Mr. Reams moved to table the legislation until the next meeting and the question put stood:

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

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

Mrs. Groat reminded Ward 3 of Tuesday, October 3<sup>rd</sup> 6:30-8pm at the Marysville Public Library. Public Affairs/Safety Special Council Meeting Monday, October 23<sup>rd</sup> 6pm.

Mrs. Richardson gave a shout out to leaders/ambassadors for the Marysville High School who were at the High School football game. They were greeting everyone going in and coming out and were representing 5 Minutes for Life, which is the organization she was promoting at the last council meeting. She will be out of town for the Richwood Ribbon Cutting. Also, it was a great showing tonight of citizens for a good reason and good dialogue, which shows due diligence on all our parts. Thank you to the entire Council for all of their work.

Mr. Berbee said now is the time for Marysville to be setting smart goals about how fast we want and need to go. We have high expectations for Innovation Park, and we need to be setting smart goals for persistent, yet manageable growth. Mr. Seymour spoke in agreement.

Mr. Reams stated we need to be concerned about high density and the impact to our community. We need a smart balance so that we are not providing more in services than we get in revenue.

Mr. Emery commented that we are becoming a victim of our own success and we need to be cognizant of what is happening in our area right now with the Corridor coming in. We need to be careful and make sure we are making decisions that are in the best long term interest of our community and our staff will continue to do research to help make smart decisions.

ADJOURNMENT: There being no further business to come before Council, the meeting was adjourned at 9:41pm.