

## CITY COUNCIL MINUTES

October 22, 2018

The meeting was called to order by President Rausch at 7:00 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, Tracy Richardson, JR Rausch, Mark Reams, and Henk Berbee. Deb Groat and Alan Seymour excused.

**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, and Clerk of Council Rebecca Dible.

**CITIZENS PRESENT:** Anthony Will, Tim Schacht, Karen Eylon

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

### **APPROVAL OF MINUTES:**

Minutes from September 24, 2018 were approved as corrected and minutes from October 8, 2018 were approved as presented.

### **ADMINISTRATIVE REPORT:**

Mr. Emery introduced Karen Eylon, who was recently named Tourism & Marketing Director of the Union County Convention and Visitors Bureau, to Council. Mrs. Eylon greeted Council and per Mr. Emery's request, gave an overview of her extensive experience in the tourism and marketing industry.

*Mr. Emery reported the following:*

#### **Scarysville**

Scarysville will be held on Saturday, October 27 from 10 am – noon. Children are invited to dress up in their Halloween costumes and visit Uptown merchants for candy and other goodies.

#### **Trick or Treat**

Marysville's Trick or Treat will be held on Wednesday, October 31 from 6-8 pm.

*Mr. Andrako reported the following:*

#### **Public Service Department**

##### **Park Restrooms**

Parks & Grounds Crews will be closing and winterizing all restrooms in the Parks this week. Temporary restrooms will be located at Mill Valley Park Central, Mill Valley Park South, and Lewis Park for the winter season. Partners Park restrooms will remain open until after the winter holidays, most likely closing in late December or early January. The Bark Park drinking fountain will stay on as long as possible.

##### **Waterline Replacement**

Water crews continue work to sawcut W 3rd St in preparation for waterline replacement (Main St. to Maple St).

## **Engineering Department**

### **Construction Updates:**

**SR31 Widening, Phase 1** - Topsoil and seeding this week. This should be the last update on this project until we get a pole delivery schedule. Mr. Berbee asked Mr. Andrako how the traffic flow had changed around Mill Valley. Mr. Andrako stated the lane utilization seemed more even and the traffic flow had improved. Mrs. Richardson voiced concern regarding driver's speed in the area and Mr. Andrako stated the placement of a speed trailer for 35mph might help.

**Cook's Pointe Blvd.** – Hope to wrap up paving this week weather permitting. Paving operations are going a little slower than anticipated due to the size/amount of asphalt that needs to be placed. Once paving is complete, they'll start striping next week. Mrs. Richardson confirmed the barriers would stay in place until the traffic lights were installed, to ensure citizens understood it was not yet open for use.

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

Mrs. Dible had received a Liquor Permit D5 Transfer request to Marysville Best Pizza Inc. DBA Buckeye Family Pizzeria from Family Pizzeria LLC DBA Buckeye Family Pizzeria, both located at 707 S. Maple Street. She had also received a Liquor Permit D1 Transfer request to Wangs Food Service Inc. DBA Sakura Asian Bistro from Hui Mei LLC DBA Sakura Asian Bistro, both located at 465 N. Main Street. Chief Golden had no objection to either transfer, nor did Council.

### **PLANNING COMMISSION/DESIGN REVIEW BOARD REPORT:**

*Mr. Schacht reported the following:*

#### **Monday, October 1<sup>st</sup> Planning Commission**

**1) Property Owner: Maronda Homes, Inc. Applicant:** Chad Buckley, E.P. Ferris and Associates Location: Keystone Crossing Subdivision (off Chestnut St.) Request: Approval of Final Plat for Keystone Crossing, Phase 4. Chad Buckley represented the application to the Commission. Mr. Rozanski had some concerns with the minimum lot width. Mr. Todd addressed his concerns.

**Motion By: Mr. Garrett; Vote: 6-0; Conditions; Approved**

#### **2) Proposed Zoning Code Amendment (Text) to Chapter 1100 Subdivision and Zoning Fees Request:**

To hear proposed Zoning Code amendment. Ron Todd presented the Zoning Code Amendment to the Commission. Mr. Todd went over the reasons for the new fees that the City wanted to implement. Mr. Garrett stated he would like to see an analysis for new fees being presented to the Commission.

**Motion By: Mr. Rozanski; Vote: 6-0; Conditions; Approved**

#### **Wednesday, October 10<sup>th</sup> Design Review Board**

**1) Certificate of Appropriateness in the Historic Design Review District:** An application for a proposed mural at 231 N Main Street (Route 33 Fitness) in the U-C (Uptown Commercial) Zoning District. **Applicant requested to TABLE to a date uncertain.**

**2) Home Improvement Reimbursement Grant Application (HIRG):** An application for building improvements at property located at 263 W 5th Street in the U-T (Uptown Transitional) Zoning District. **Approved**

**3) Certificate of Appropriateness in the Historic Design Review District:** An application for an outdoor patio at property located at 211 E 5th Street (The Half Pint) in the U-C (Uptown Commercial) Zoning District. **Approved with Conditions** (*The applicant work with City Staff on mounting detail.*)

Mr. Berbee asked if the requested outdoor patio would be similar to that of The Ville Grill, as he was concerned to ensure wheelchairs would have ample usage of sidewalk. Mr. Schacht stated that the applicant planned to have an outdoor bartop with a fenced in area. He also explained that they were required to leave at least 6’ of sidewalk available as to not intrude on pedestrians. Mrs. Richardson voiced concern that she had often seen customer overflow standing on the sidewalk in that area, and questioned how that would then be managed.

**4) Certificate of Appropriateness in the Historic Design Review District:** An application for a building addition at 249 W 5th Street (Union County Prosecuting Attorney's Office) in the U-T (Uptown Transitional) Zoning District. **Approved with Conditions** (*Switch landscape boulders to Ohio Field stone or Granite, Add ornamental trees around the corners of the building, Light fixture used to uplight the sign shall be shielded, and building materials to match existing.*)

**5) Certificate of Appropriateness in the Historic Design Review District:** An application for a building addition at 215 W 5th Street (Union County Court House) in the U-C (Uptown Commercial) Zoning District. **Approved With Conditions** (*Building materials to match existing, seat wall stone to match existing building, add sidewalk in front of the accessible parking spaces for ADA accessibility. The 5th street stairway addition was not included with the review and is not included with this approval.*)

**6) Exterior Plan/Landscape Plan:** An application for a new running track, athletic field, grand-stands, and concession buildings at 800 Amrine Mill Road (Marysville High School) in the R-5 (High Density Multi-family) Zoning District. **Approved With Conditions** (*Add bollards at the south plaza where the parking lot driveway meets the plaza, work with City Staff on final landscape plan revisions. Coordinate with City Engineer on final engineering.*)

Mrs. Richardson asked for the track details/information and Mr. Schacht stated he would provide these.

**7) Exterior Plan/Landscape Plan:** An application for a proposed multi-family development (Residences at Woodside) located at the southwest corner of Dunham Street and Columbus Avenue in a PUD (Woodside Planned Unit Development) Zoning District. **Applicant requested to TABLE to a date uncertain.**

Mr. Taylor asked Mr. Schacht if the Design Review Board seemed to have the same the same concerns that Council had voiced when the same presentation was given at the October 1, 2018 Council Work Session. Mr. Schacht stated the Board had the same concerns as Council.

**HEARING OF CITIZENS:**

Mr. Will, a Commissioner of the Union County Veterans Service Commission (UCVSC), thanked Council for their support of the UCVSC and gave them specific, encouraging updates on the assistance and support they have been able to provide veterans and their families. He encouraged Council to continue to refer veterans to their local service office, located at 835 E 5<sup>th</sup> Street, Suite B.

**RESOLUTIONS:**

1<sup>st</sup> Reading    RESOLUTION TO AUTHORIZE THE CITY MANAGER TO APPLY FOR AND ENTER INTO  
Title Only      AGREEMENTS RELATED TO THE AWARD OF OHIO PUBLIC WORKS COMMISSION FUNDING  
AND DECLARE AN EMERGENCY

**Administration Comments:** Mr. Andrako explained that this was an annual process that often pushed the boundaries of time constraints for application execution. He explained the Engineering Division had received the information just in time to go before the Public Safety/Service Committee Meeting on October, where it was supported. He asked Council to consider the emergency clause and the possibility of waiving readings at the following Council Meeting, as funding was on the line.

**Council Comments:**

Mr. Taylor moved to pass the emergency clause and the question put, stood:  
Mr. Reams YES;            Mr. Berbee YES;            Mr. Taylor YES;  
Mrs. Richardson YES;    Mr. Rausch YES.

**Back for Second Reading, Public Hearing, on Tuesday, November 13<sup>th</sup>.**

2<sup>nd</sup> Reading    RESOLUTION TO AUTHORIZE THE FILING OF AN APPLICATION FOR THE OHIO DEPARTMENT  
Public Hearing   OF NATURAL RESOURCES LAND AND WATER CONSERVATION FUND PROGRAM AND TO  
AGREE TO THE OBLIGATION OF NECESSARY FUNDS FOR THE PROJECT COMPLETION AND  
DECLARE AN EMERGENCY

**Administration Comments:**

**Council Comments:** Mr. Taylor asked if this legislation needed the emergency clause passed, to which Mrs. Dible stated it had passed at the October 8<sup>th</sup> Council Meeting.

**Citizen Comments:**

**Back for Third Reading, Title Only, on Tuesday, November 13<sup>th</sup>.**

**ORDINANCES:**

1<sup>st</sup> Reading TO ADOPT A CAPITAL BUDGET FOR 2019  
Title Only

**Administration Comments:**

**Council Comments:** Several Council Members thanked and commended Mr. Nahvi for the detailed Budget binders he had presented for review. Mrs. Richardson stated that she was happy to see that playground replacements had been listed in the budget. She also assured administration and citizens that although several law enforcement and fire personnel requests were not reflected in the budget, it was something Council would keep a close eye on. Mr. Berbee thanked Administration for the opportunity to look at the vehicles in the viewing earlier that evening; he also reiterated the importance of realizing police vehicles had a 4 year life-span due to their constant use. Cemetery rules and rates were also discussed and Mr. Andrako informed Council that he was currently doing research to assist with any possible changes necessary.

**Back for Second Reading, Public Hearing, on Tuesday, November 13<sup>th</sup>.**

1<sup>st</sup> Reading TO ADOPT AN ANNUAL OPERATING BUDGET FOR 2019  
Title Only

**Administration Comments:**

**Council Comments:**

**Back for Second Reading, Public Hearing, on Tuesday, November 13<sup>th</sup>.**

1<sup>st</sup> Reading TO ADOPT ANNUAL APPROPRIATIONS FOR 2019  
Title Only

**Administration Comments:**

**Council Comments:**

**Back for Second Reading, Public Hearing, on Tuesday, November 13<sup>th</sup>.**

1<sup>st</sup> Reading TO AMEND THE ANNUAL COMPENSATION ORDINANCE FOR ALL CITY EMPLOYEES - 2019  
Title Only

**Administration Comments:**

**Council Comments:**

**Back for Second Reading, Public Hearing, on Tuesday, November 13<sup>th</sup>.**

1<sup>st</sup> Reading TO ACCEPT THE DEDICATION OF THE ADENA POINTE, SECTION 5 PUBLIC INFRASTRUCTURE  
Title Only

**Administration Comments:**

**Council Comments:**

**Back for Second Reading, Public Hearing, on Tuesday, November 13<sup>th</sup>.**

1<sup>st</sup> Reading Title Only TO AMEND SECTIONS 937.18(C) AND 937.18(D) ESTABLISHMENT OF STORM DRAINAGE SERVICE CHARGES AS WELL AS SECTION 945.04(A) SERVICE CHARGES OF THE CODIFIED ORDINANCES

**Administration Comments:**

**Council Comments:**

**Back for Second Reading, Public Hearing, on Tuesday, November 13<sup>th</sup>.**

2<sup>nd</sup> Reading Public Hearing TO AMEND SECTIONS 931.02(C) AND 931.04(B), UPDATING TABLES TO REFLECT MINIMUM MONTHLY CHARGES BASED ON METER EQUIVALENTS

**Administration Comments:**

**Council Comments:**

**Citizen Comments:**

**Back for Third Reading, Title Only, on Tuesday, November 13<sup>th</sup>.**

2<sup>nd</sup> Reading Public Hearing TO AMEND CHAPTER 1100 DEVELOPMENT AND ZONING FEES

**Administration Comments:**

**Council Comments:**

**Citizen Comments:**

**Back for Third Reading, Title Only, on Tuesday, November 13<sup>th</sup>.**

3<sup>rd</sup> Reading Title Only TO AUTHORIZE SUPPLEMENTAL APPROPRIATIONS FOR SAFETY AND WELLNESS EQUIPMENT AND MODIFY THE 2018 ANNUAL BUDGET

**Administration Comments:**

**Council Comments:** Mayor Rausch commended City staff for obtaining the Bureau of Workers Compensation refund that made this legislation possible. He stated this was possible because City employees take safety seriously.

Mr. Taylor moved to pass the legislation and the question put, stood:  
Mr. Berbee YES; Mr. Taylor YES; Mrs. Richardson YES; Mr. Rausch YES;  
Mr. Reams YES.

3<sup>rd</sup> Reading TO AUTHORIZE SUPPLEMENTAL APPROPRIATIONS FOR THE SEWER REPLACEMENT AND  
Title Only IMPROVEMENT FUND (FUND 536) AND MODIFY THE 2018 ANNUAL BUDGET

**Administration Comments:**

**Council Comments:**

Mr. Reams moved to pass the legislation and the question put, stood:  
Mr. Taylor YES; Mrs. Richardson YES; Mr. Rausch YES; Mr. Reams YES;  
Mr. Berbee YES.

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

Mr. Emery stated he had visited McIvor Woods and commended City staff on the impeccable quality of the trail and the work it took for execution. He stated the project was a beautiful amenity for the community and was made possible due to talented staff. He encouraged everyone to visit the new trail.

Mrs. Richardson applauded the Planning Commission and Design Review Board for the time and work they put in to serve the community, as displayed in the reports that evening. She also gave a shout out to the Union County Veterans Service Commission for all the hard work they do to benefit local veterans and thanked Mr. Will for the update. Mrs. Richardson then encouraged everyone to attend Scarysville; she stated she would be dressed as a pumpkin and hoped to see everyone there.

Mr. Berbee stated that a citizen had implied the City was not being proactive in the widening of SR 38, not realizing that because it was a State Road, the City did not have jurisdiction. He stated the City tries to be as proactive as possible, however, until something becomes a problem, it is not always possible to know what to plan for or to obtain funding. Mr. Emery agreed, stating the amount of external funding the City receives for projects is extremely beneficial, which is why City staff works funding sources at the appropriate times. Mr. Berbee agreed and stated the City had been proactive when it came to the development of Professional Parkway. Mayor Rausch added that the Engineering staff required prior traffic studies for developments and this was a very proactive measure.

Mr. Reams asked Administration to place the leaf pick-up season schedule on social media. Mayor Rausch stated that a citizen had questioned why the yard waste charge occurs all year if the yard waste pick-up did not. He explained that yard waste pick-up did continue throughout the year; the only alteration is that brush pick-up and leaf pick-up alternate, due to resources.

Mr. Taylor encouraged everyone to attend the Veterans Day Observance at the Union County Courthouse at 2 p.m. on Sunday, November 11, 2018. He reminded everyone that freedom wasn't free and the celebration would honor those currently serving and those who will serve in the future. He also wished Mrs. Richardson the best in the race for Ohio State Representative. He encouraged everyone to get out and vote in the election, as it was their right, privilege, and job to do so.

Mayor Rausch stated that he had read in a periodical stating certain police body cameras had caught fire and he was thankful the Police Division cameras were not from the same company. He also reminded everyone that Election Day was important, stating that veterans fight so citizens can vote.

ADJOURNMENT: There being no further business to come before Council, the meeting was adjourned at 7:54 p.m.