

## Coronavirus (COVID-19)

In response to the current national state of emergency, the City of Marysville is taking every possible precaution to protect the health and safety of its residents and employees. This Council Meeting will NOT be open to the public, however the meeting will be conducted via Zoom. Interested parties may attend this Meeting at <https://zoom.us/j/181188519?> or join via teleconference by calling **877-853-5257** US Toll-free.

**Meeting ID: 181 188 519 Password: 940576**

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### CITY COUNCIL

#### AGENDA FOR MEETING OF APRIL 13, 2020 at 7:00 P.M.

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

INVOCATION:

ROLL CALL:

APPROVAL OF MINUTES: March 23, 2020 Minutes and April 6, 2020 Work Session Minutes.

ADMINISTRATIVE REPORT:

REPORT OF ECONOMIC DEVELOPMENT:

REPORT OF CLERK OF COUNCIL:

HEARING OF CITIZENS:

#### **RESOLUTIONS:**

1<sup>st</sup> Reading TO AUTHORIZE THE CITY MANAGER AND/OR APPOINTED DESIGNEE TO SUBMIT A  
Title Only APPLICATION ON BEHALF OF THE CITY OF MARYSVILLE TO THE STATE OF OHIO COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SMALL CITIES PROGRAM FOR AN AMOUNT NOT TO EXCEED \$150,000 OF FISCAL YEAR (FY) 2020 COMMUNITY DEVELOPMENT ALLOCATION GRANT FUNDS

#### **ORDINANCES:**

1<sup>st</sup> Reading TO ACCEPT THE ANNEXATION OF CERTAIN TERRITORY CONTAINING 10.103 ACRES  
Title Only IN PARIS TOWNSHIP, UNION COUNTY TO THE CITY OF MARYSVILLE, OHIO

1<sup>st</sup> Reading TO AUTHORIZE SUPPLEMENTAL APPROPRIATION FOR THE CHIP GRANT FUND (FUND 275) AND  
Title Only MODIFY THE 2020 ANNUAL BUDGET

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

ADJOURN:

**CITY COUNCIL MINUTES**  
**March 23, 2020**

The meeting was called to order by Mayor Berbee at 7:00 p.m.

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was led by Mayor Berbee.

**INVOCATION:** The Invocation was given by Mayor Berbee.

**COUNCIL MEMBERS PRESENT:**

Alan Seymour, Deborah Groat, Donald Boerger, Henk Berbee, J. R. Rausch, Mark Reams, and Aaron J. Carpenter.

**OTHERS PRESENT:** *City Manager Terry Emery and Clerk of Council Rebecca Dible.*

*Chief of Police Floyd Golden, Fire Chief Jay Riley, and Human Resource Director Brian Dostanko entered the room for updates when applicable however did not remain in the meeting room in order to adhere to Governor DeWine’s mandate.*

**APPROVAL OF MINUTES:**

Councilman Reams moved to approve the March 9, 2020 Council Meeting minutes as presented; affirmative voice vote was unanimous.

**ADMINISTRATIVE REPORT:**

*City Manager Emery reported the following:*

In response to State issued orders by Governor Mike DeWine, the City of Marysville is taking every possible precaution to protect the health and safety of its residents and employees, while continuing to provide quality customer service.

**Closures**

Currently City Hall is closed to the public. The City of Marysville asks residents who normally visit City Hall for services to conduct their business over the phone, online, or utilizing the drive-thru drop box behind City Hall.

The following city facilities are closed to the public until further notice:

- City Hall (including Council Chambers)
- Oakdale Cemetery Office (no walk-ins; call 937- 645-7349 for an appointment)
- Partners Park Restrooms
- Police and Municipal Court Community Room
- Decker Fire Station Training Room is currently closed to the public

### **Regarding Public Meetings**

Marysville City Council meetings will continue as scheduled, but will not be open to public attendance.

All Council Committee, Board, and Commission meetings are cancelled until further notice (effective March 17, 2020).

*City Manager Emery's report continued:*

### **Income Tax Returns**

With the indefinite closure of City Hall, tax payers will be offered alternative methods to receive assistance from the Income Tax Division. In lieu of our typical walk-in service, a drop-off return preparation service is now available. If you need assistance with your City of Marysville return, you can leave your tax information in the drop box located behind City Hall. Our team will then prepare your return, contact you with results, and mail 2 copies of the prepared return (one to be signed and returned to our office and the other for your records). This service remains free of charge. We are still available to answer your city tax questions by phone at 937-645-7350 (option 4). Taxes may also be filed online at [www.marysvilleohio.org](http://www.marysvilleohio.org).

### **Utility Shut-Offs Postponed**

The utility shut-off process will be postponed for the month of March. This is for utility delinquent accounts that were scheduled to be shut-off on 3/19/20. We will continue to monitor the situation and provide updates as necessary.

### **Income Tax & Utilities Payments**

Although City Hall is closed to public access during this health emergency, Income Tax & Utilities Payments can be made by the following ways:

- Drive-thru drop box behind City Hall
- Online ([marysvilleohio.org](http://marysvilleohio.org))
- Phone (937-645-7350)

Email [utilities@marysvilleohio.org](mailto:utilities@marysvilleohio.org) for questions related to Utilities.

Email [incometax@marysvilleohio.org](mailto:incometax@marysvilleohio.org) for questions related to Income Tax.

\*Remind residents that it is critical that we continue to support our local businesses during this crisis.

Finally, I would like to encourage citizens to follow the Union County Health Department on Facebook or Twitter for the most recent information related to COVID-19. We will also keep you posted on the City's response to the COVID-19 situation on our website and Facebook page.

## **Public Service Department**

*Public Service Director Andrako reported the following:*

### **Play Structures & Park Shelters**

For the health and safety of the public, the City of Marysville will be prohibiting the use of City-owned play structures until further notice. Councilman Reams noted concern for anyone utilizing Bark Park, as the gate could be a major point for COVID-19 exposure.

In addition to play structures, park shelters will also be prohibited from being used by groups of 10 or more people and will not be available for reservations.

### **Tree Clearing**

Tree clearing work is occurring adjacent to Maclvor Woods as part of Residences at Bethel Woods development, clearing limit was verified by me, Jeremy and Andy.

### **COVID-19 Response Update**

*Fire Chief Jay Riley reported the following:*

He provided an update on Union County's COVID-19 response from the Emergency Operation Center (EOC). The EOC has been open since March 12th to assist in the massive amount of information coming in and public health guidance being pushed out. He thanked Union County Health Commissioner Dr. Jason E. Orcena, all fire/EMS, law enforcement, and EMA partners for standing together during this crisis.

If you have general questions about COVID-19, go to [Coronavirus.Ohio.gov](https://www.coronavirus.ohio.gov) or call the Ohio Call Center at 1-833-427-5634. For information on local efforts or local questions, please follow the Union County Health Department on Facebook, Twitter, Instagram, at [www.uchd.net](http://www.uchd.net), or call the Union County Health Department at 937-642-2053.

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

*Clerk Dible reported the following:*

#### **Liquor Permit Request**

New D4 & D5 permits were requested by Grain LLC at 404 S Oak Street. Neither the Division of Police nor City Council objected.

### **PARKS & RECREATION REPORT:**

*Councilman Carpenter reported the following:*

The meeting had been canceled due to lack of agenda items. He also agreed with Councilman Reams' previous comments and asked people to take precautions when passing through the gate at Bark Park.

**PLANNING COMMISSION REPORT:**

*City Manager Emery reported the following:*

1. To hear a zoning amendment application to rezone 18.393 acres of Parcel #2900191410000 located off of State Route 4 and Payne Road from the existing Traffic Oriented Commercial (TOC) to Agricultural Residential District (A-R).

**Approved: 6 - yes, 0- no**

Additional summary:

The zoning amendment request meets the goal of the vision for the preferred land use as outlined in the City’s Comprehensive Plan, as well as, the future zoning district (Agricultural Residential District) in the City’s update to the Zoning Code and Map.

2. To hear a major subdivision application for the final plat for Professional Parkway Right of Way at the Woodside Development for Parcel #2900230110000 and 2900031230000.

**Approved: 6 - yes, 0- no**

3. Motion for reconsideration to hear a Planned Unit Development (PUD) application to revise the PUD zoning code within ‘Sub-Area E’ of Parcel #2900090015000 of the existing Cooks Pointe PUD. This parcel is situated along Cooks Boulevard between SR 4 and SR 31.

(Motion for reconsideration was granted by Planning Commission in order to follow the Zoning Code requirements for PUD process, which requires a Commission member to state their reason for disapproval on record (Section 1145.17), and Planning Commission shall take the PUD Criteria into consideration while reviewing the application (Section 1145.18).

Additional information presented by the Cooks lawyer, and public input was heard at the meeting. Planning Commission reconsidered and re-voted.)

**Approved: 4 - yes, 2- no**

**Reasons for No Votes:**

1. Commission member did not feel that the application met Criteria #1:

*Section 1145.18 (A)(1) - The development is capable of creating an environment of sustained desirability and stability, or that adequate assurance will be provided that such objective will be attained and the uses proposed will not be detrimental to present and potential surrounding uses;*

2. Commission member felt this would cause a lack of variety of housing types and did not meet Criteria #7:

*Section 1145.18 (A)(7) The proposed development meets the objectives set forth in Section 1145.01.*

Additional summary:

Multi-family is currently a permitted use in ‘Sub Area E’ of the Planned Unit Development (PUD). The applicant is requesting a conversion from condos (owner occupied units) to apartments (rental units) for the remaining 10 acres within ‘Sub Area E’.

## **PLANNING COMMISSION REPORT:**

*City Manager Emery reported the following:*

1. Home Improvement Reimbursement Grant Application: An application for improvements located at 475 Damascus Road, in the Green Pastures subdivision, zoned R-2 (Medium Density Residential).  
**Approved: 6 - yes, 0- no** (1 Board Member late to meeting)
2. Home Improvement Reimbursement Grant Application: An application for building improvements located at 601 Scott Farm Blvd, in the Scott Farms subdivision, zoned R-3 (High Density Single Family Residential).  
**Approved: 6 - yes, 0- no** (1 Board Member late to meeting)
3. Certificate of Appropriateness in the Historic Design Review District: An application for renovation of an existing structure to be used as a Brewery/Brewpub (Walking Distance Brewery) at the property located at 222 E. 8th Street in the U-T (Uptown Transitional) zoning district.  
**Approved with conditions: 7 - yes, 0- no**
4. Certificate of Appropriateness in the Historic Design Review District: An application for a new sign at 333 S. Main Street (Vandre Professionals Plaza) in the U-T (Uptown Transitional) zoning district.  
**Approved with conditions: 7 - yes, 0- no**

Councilman Rausch asked that if Administration determines there was a safe way to meet, that the Boards & Commissions continue to meet, as not to delay projects. City Manager Emery stated staff had been requested to evaluate proposed addenda items to determine if meetings were necessary until the stay-at-home order was lifted. Councilman Carpenter stated the Federal Government has encouraged citizens to stop the curve (spread of COVID), not stop the economy. The meetings were discussed at length and City Manager Emery stated the situation was ever changing and he would keep Council updated.

## **HEARING OF CITIZENS:**

Dave Creviston appreciated the ability to call in to participate in the Council Meeting telephonically. He gave recommendations to improve the meeting procedure, such as asking Council Members to state their names prior to speaking which would allow those listening to better follow the conversation. Mr. Creviston also encouraged the City to tighten up the budget this year as much as possible and further agreed with the decision to not hold any unnecessary public meetings to prevent unnecessary spread of COVID-19.

Councilman Reams moved to add consent legislation to the agenda: TO DECLARE A STATE OF EMERGENCY IN THE CITY OF MARYSVILLE, DUE TO THE COVID-19 PANDEMIC AND TO EMPOWER THE CITY MANAGER WITH EXTRAORDINARY POWERS DURING THE STATE OF EMERGENCY AND TO DECLARE AN EMERGENCY, and the question put, stood:

Mr. Carpenter YES;      Mr. Seymour YES;      Mrs. Groat YES;      Mr. Boerger YES;  
Mr. Berbee YES;      Mr. Rausch YES;      Mr. Reams YES.

Vote 7-0 in favor; Motion carried.

**RESOLUTIONS:**

One Reading TO DECLARE CERTAIN EMERGENCY PROCEDURES NECESSARY FOR THE  
Only CONTINUED GOVERNANCE OF THE CITY DURING THE CURRENT NATIONAL STATE  
OF EMERGENCY

Councilwoman Groat moved to pass the emergency clause, and the question put, stood:

Mr. Rausch YES;      Mr. Reams YES;      Mr. Carpenter YES;      Mr. Seymour YES;  
Mrs. Groat YES;      Mr. Boerger YES;      Mr. Berbee YES;

Vote 7-0 in favor; Motion carried.

Councilman Rausch moved to pass the legislation, and the question put, stood:

Mr. Reams YES;      Mr. Carpenter YES;      Mr. Seymour YES;      Mrs. Groat YES;  
Mr. Boerger YES;      Mr. Berbee YES;      Mr. Rausch YES.

Vote 7-0 in favor; Motion carried.

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**ORDINANCES:**

1<sup>st</sup> Reading TO DECLARE A STATE OF EMERGENCY IN THE CITY OF MARYSVILLE, DUE TO THE  
Title Only COVID-19 PANDEMIC AND TO EMPOWER THE CITY MANAGER WITH  
EXTRAORDINARY POWERS DURING THE STATE OF EMERGENCY AND TO DECLARE  
AN EMERGENCY

Human Resources Director Dostanko explained the purpose of this legislation and gave Council an update on the current state of the City in regard to the COVID-19 pandemic. He answered several questions asked by Council.

Councilman Reams moved to pass the emergency clause, and the question put, stood:  
Mr. Seymour YES; Mrs. Groat YES; Mr. Boerger YES; Mr. Berbee YES;  
Mr. Rausch YES; Mr. Reams YES; Mr. Carpenter YES.  
Vote 7-0 in favor; Motion carried.

Councilman Rausch moved to waive third reading, and the question put, stood:  
Mrs. Groat YES; Mr. Boerger YES; Mr. Berbee YES; Mr. Rausch YES;  
Mr. Reams YES; Mr. Carpenter YES; Mr. Seymour YES.  
Vote 7-0 in favor; Motion carried.

Councilman Reams moved to waive second reading, and the question put, stood:  
Mr. Boerger YES; Mr. Berbee YES; Mr. Rausch YES; Mr. Reams YES;  
Mr. Carpenter YES; Mr. Seymour YES; Mrs. Groat YES.  
Vote 7-0 in favor; Motion carried.

Councilman Rausch moved to pass the legislation, and the question put, stood:  
Mr. Berbee YES; Mr. Rausch YES; Mr. Reams YES; Mr. Carpenter YES;  
Mr. Seymour YES; Mrs. Groat YES; Mr. Boerger YES.  
Vote 7-0 in favor; Motion carried.

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1<sup>st</sup> Reading Title Only TO ACCEPT THE DEDICATION OF THE ADENA POINTE SECTION 8, PART 3 PUBLIC INFRASTRUCTURE

Councilwoman Groat moved to waive third reading, and the question put, stood:  
Mr. Carpenter YES; Mr. Seymour YES; Mrs. Groat YES; Mr. Boerger YES;  
Mr. Berbee YES; Mr. Rausch YES; Mr. Reams YES.  
Vote 7-0 in favor; Motion carried.

Councilman Rausch moved to waive second reading, and the question put, stood:  
Mr. Seymour YES; Mrs. Groat YES; Mr. Boerger YES; Mr. Berbee YES;  
Mr. Rausch YES; Mr. Reams YES; Mr. Carpenter YES.  
Vote 7-0 in favor; Motion carried.

Councilman Seymour moved to pass the legislation, and the question put, stood:  
Mrs. Groat YES; Mr. Boerger YES; Mr. Berbee YES; Mr. Rausch YES;  
Mr. Reams YES; Mr. Carpenter YES; Mr. Seymour YES.  
Vote 7-0 in favor; Motion carried.

1<sup>st</sup> Reading Title Only TO ACCEPT THE DEDICATION OF THE ADENA POINTE SECTION 9, PART 1 PUBLIC INFRASTRUCTURE

Councilwoman Groat moved to waive third reading, and the question put, stood:  
Mr. Boerger YES; Mr. Berbee YES; Mr. Rausch YES; Mr. Reams YES;  
Mr. Carpenter YES; Mr. Seymour YES; Mrs. Groat YES.  
Vote 7-0 in favor; Motion carried.

Councilman Seymour moved to waive second reading, and the question put, stood:  
Mr. Berbee YES; Mr. Rausch YES; Mr. Reams YES; Mr. Carpenter YES;  
Mr. Seymour YES; Mrs. Groat YES; Mr. Boerger YES.  
Vote 7-0 in favor; Motion carried.

Councilwoman Groat moved to pass the legislation, and the question put, stood:  
Mr. Rausch YES; Mr. Reams YES; Mr. Carpenter YES; Mr. Seymour YES;  
Mrs. Groat YES; Mr. Boerger YES; Mr. Berbee YES.  
Vote 7-0 in favor; Motion carried.

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1<sup>st</sup> Reading TO ACCEPT THE DEDICATION OF THE WEAVER RIDGE PHASE 2 PUBLIC  
Title Only INFRASTRUCTURE

Councilwoman Groat moved to waive third reading, and the question put, stood:  
Mr. Reams YES; Mr. Carpenter YES; Mr. Seymour YES; Mrs. Groat YES;  
Mr. Boerger YES; Mr. Berbee YES; Mr. Rausch YES.  
Vote 7-0 in favor; Motion carried.

Councilman Rausch moved to waive second reading, and the question put, stood:  
Mr. Carpenter YES; Mr. Seymour YES; Mrs. Groat YES; Mr. Boerger YES;  
Mr. Berbee YES; Mr. Rausch YES; Mr. Reams YES.  
Vote 7-0 in favor; Motion carried.

Councilwoman Groat moved to pass the legislation, and the question put, stood:  
Mr. Seymour YES; Mrs. Groat YES; Mr. Boerger YES; Mr. Berbee YES;  
Mr. Rausch YES; Mr. Reams YES; Mr. Carpenter YES.  
Vote 7-0 in favor; Motion carried.

1<sup>st</sup> Reading TO LEVY AN ADDITIONAL FIVE DOLLAR (\$5.00) MOTOR VEHICLE LICENSE TAX FOR  
Title Only THE CITY OF MARYSVILLE, OHIO PURSUANT TO SECTION 4504.06 OF THE OHIO  
REVISED CODE

Councilman Rausch moved to table the legislation until April 27, 2020, the motion was  
seconded by Councilman Reams, and the question put, stood:  
Mrs. Groat YES; Mr. Boerger YES; Mr. Berbee YES; Mr. Rausch YES;  
Mr. Reams YES; Mr. Carpenter YES; Mr. Seymour YES.  
Vote 7-0 in favor; Motion carried.

1<sup>st</sup> Reading TO LEVY AN ADDITIONAL FIVE DOLLAR (\$5.00) MOTOR VEHICLE LICENSE TAX FOR  
Title Only THE CITY OF MARYSVILLE, OHIO PURSUANT TO SECTION 4504.172 OF THE OHIO  
REVISED CODE

Councilwoman Groat moved to table the legislation until April 27, 2020, the motion  
was seconded by Councilman Rausch, and the question put, stood:  
Mr. Boerger YES; Mr. Berbee YES; Mr. Rausch YES; Mr. Reams YES;  
Mr. Carpenter YES; Mr. Seymour YES; Mrs. Groat YES.  
Vote 7-0 in favor; Motion carried.

1<sup>st</sup> Reading Title Only TO REZONE PARCEL NO. 2900191410000 TOTALING 18.393 ACRES, MORE OR LESS, FROM TRAFFIC ORIENTED COMMERCIAL (TOC) TO AGRICULTURAL RESIDENTIAL DISTRICT (A-R) ON PROPERTY LOCATED AT THE CORNER OF PAYNE ROAD AND SR 4/36

Councilman Seymour moved to table the legislation until April 27, 2020, the motion was seconded by Councilman Reams, and the question put, stood:

Mr. Berbee YES; Mr. Rausch YES; Mr. Reams YES; Mr. Carpenter YES;  
Mr. Seymour YES; Mrs. Groat YES; Mr. Boerger YES.  
Vote 7-0 in favor; Motion carried.

1<sup>st</sup> Reading Title Only TO APPROVE A PLANNED UNIT DEVELOPMENT (PUD) APPLICATION TO REVISE THE PUD ZONING CODE WITHIN 'SUB-AREA E' OF PARCEL NO. 2900090015000 OF THE EXISTING COOKS POINTE PUD

Councilman Reams moved to table the legislation until April 27, 2020, the motion was seconded by Councilman Carpenter, and the question put, stood:

Mr. Rausch YES; Mr. Reams YES; Mr. Carpenter YES; Mr. Seymour YES;  
Mrs. Groat YES; Mr. Boerger YES; Mr. Berbee YES.  
Vote 7-0 in favor; Motion carried.

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

##### *Councilwoman Groat:*

Invited all citizens to participate in her less-formal meetings for Ward 3 Residents on the first Tuesday of each month, held at the Public Library at 6:30 p.m. in meeting room B.

##### *Councilman Boerger:*

Encouraged all to continue listening to Governor DeWine's order to stay-at-home and applauded the Governor for his leadership.

##### *Councilman Rausch:*

Expressed appreciation regarding the City's form of government during a crisis situation. He applauded the City Manager, Police & Fire Chiefs, Union County Health Department, Emergency Medical Personnel, and others for their efforts regarding the COVID-19 situation.

##### *Councilman Reams:*

Spoke to the current challenging times all were facing. He stressed the importance of thinking through choices, making sure all were minimizing contact with others, placing health and safety first.

*Councilman Carpenter:*

Conveyed his trust in the excellent leadership of the President, Ohio leadership, the City Manager, and Administrative staff. He asked the City clarify directives to citizens at this time and stressed the importance of not putting a full stop on the City's economy.

*Councilman Seymour:*

Asked Administration to explain to citizens how the City's recommendations align with the State's mandates.

*Mayor Berbee:*

He asked Administration to explain how the current COVID situation affected procedures regarding EMS calls. He also reiterated the importance of all reporting in the 2020 Census.

**ADJOURN:** There being no further business to take before Council, Councilman Rausch moved to adjourn at 8:48 p.m.; the voice vote in favor was unanimous.

## CITY COUNCIL WORK SESSION MINUTES April 6, 2020

Participation available via <https://zoom.us/j/594878309> and 877-853-5257 using Meeting ID 594 878 309

The meeting was called to order by Mayor Berbee at 6:00 p.m.

The Pledge of Allegiance was led by Mayor Berbee.

The invocation was led by Mayor Berbee.

**COUNCIL MEMBERS PRESENT:** Alan Seymour, Deborah Groat, Henk Berbee, J.R. Rausch, Mark Reams, and Aaron J. Carpenter. Donald Boerger arrived at 6:16 p.m.

**OTHERS PRESENT:** *City Manager Terry Emery, Law Director Tim Aslaner, Finance Director Brad Lutz, Deputy Police Chief Tony Brooks, Fire Chief Jay Riley, Public Service Director Mike Andrako, City Engineer Jeremy Hoyt, IT Director Aaron Story, Human Resources Director Brian Dostanko, Economic Development Director Eric Phillips, Clerk of Council Rebecca Dible, and Journal Tribune Mac Cordell.*

*Mayor Berbee read the following:*

### General Zoom Meeting Information

Due to the COVID-19 Pandemic, all City Council meetings will be conducted as virtual meetings until further notice. Meetings will be open remotely to the public to follow along and participate during the Public Comment section of the agendas. It is recommended to either join by desktop or by tablet/smart phone app. If using the smart phone application, please download it ahead of time from your respective app store. The public may also participate telephonically. Zoom meeting links, meeting IDs, and phone numbers will be published on the agenda.

### Speaking

Due to possible lag time in streaming, these meetings will be run at a slower pace to ensure proper procedure is maintained. All meeting participants are expected to keep their speakers silenced throughout the meeting unless they are called upon for a voice vote or until they are recognized by the chair. It is important that all participants state their name prior to commenting, as citizens may be participating telephonically.

### Public Comments

The public is encouraged to give prior notification to the Clerk of Council if they wish to comment at a meeting. The public is also welcome to submit written comments prior to the meetings by emailing the comments to [rdible@marysvilleohio.org](mailto:rdible@marysvilleohio.org). During "Citizen Comments" sections of meetings, parties wishing to speak must use the "raise hand" Zoom function in order to be recognized. If a citizen is participating in the meeting telephonically, they may press \*9 by touchtone phone to "raise their hand."

### Presentations and Handouts

All presentations and/or handouts must be submitted to the Clerk of Council at least 24 hours prior to the meeting.

## **AGENDA:**

### **1) Zoom Meeting Platform**

Mayor Berbee explained this was the first trial using the Zoom webinar platform. He stated if there were no objections, Council would continue using the platform for Council and Committee meetings until further notice due to the COVID-19 pandemic. There were no objections.

### **2) COVID-19 Pandemic**

Finance Director Lutz explained that he had created a COVID19 Financial Evaluation and Planning Outline for the City (Attachment A). City Manager Emery and Mayor Berbee thanked Finance Director Lutz for his diligent planning efforts and Economic Development Director Phillips for his continuous engagement. Per Councilman Rausch's inquiry, Mr. Phillips local businesses are encouraged to reach out to their local bank accountants, as per the Small Business Alliance (SBA) recommendation for payroll financial coverage questions/assistance. Fire Chief Riley gave an update regarding emergency response services. He stated all leave for Police and Fire staff was cancelled beginning April 12, 2020 and that the 2020 finances for personal protective equipment (PPE) were exhausted. Chief Riley stated they would be requesting additional PPE financing at the upcoming Finance Committee meeting and gave additional updates. Human Resources (HR) Director Dostanko updated Council regarding HR's actions during the pandemic and continuously updated information they were receiving. They are providing as many options as possible to managers and allowing the managers to oversee their respective departments/divisions. HR continued to update employees via email and spoke highly of the caliber of City staff. Council Members asked numerous questions of Administrative staff. The also thanked Administration for their efforts and discussed a formal letter and/or proclamation in response to the efforts and action taken by both City staff and citizens.

## **COMMENTS OF CITY MANAGER AND COUNCIL:**

City Manager Emery thanked his staff for their excellent work and responded to additional Council questions.

Councilwoman Groat specifically thanked Executive Administrative Assistant Anna Krutowskis and Council Clerk Rebecca Dible for their phenomenal communication and assistance throughout this crisis as well as the City Manager, Police and Fire Chiefs, and City staff. She supported a proclamation by the Mayor giving full support of City personnel. Councilwoman Groat also noted that freedom and safety required a difficult balancing act.

Councilman Rausch also supported Administrative staff and relayed concern because statistics only show eight confirmed cases of COVID in Union County, he stated many did not understand that testing in the county was extremely limited that many more (statistically, possibly 80%) had already been exposed and needed to continue taking precautions.

Councilman Seymour complemented City staff and stated that although he was in favor of a proclamation, it was important to not come across as boastful. He also confirmed the Public Safety/Service Committee meeting would be held on April 13, 2020 via the Zoom meeting platform.

Councilman Reams also was in full support of a proclamation in support of the efforts taken by City staff and citizens. He encouraged specific examples be given to let City residents know what the City encouraged them to do at this time.

Councilman Carpenter wished all good health and spoke of many, including himself, who were adjusting to working extremely long hours at this time. Per his request, Law Director Aslaner gave an overview regarding the current situation and legal requirements for public meetings.

Councilman Boerger confirmed that all regularly scheduled Board, Commission, and Committee meetings would proceed using the Zoom platform (other than the April 2020 Board of Zoning Appeals which would take place using the Google Meeting platform) to reassure concerned citizens.

Mayor Berbee confirmed details with City Manager Emery regarding a letter to be written and placed in the paper as an editorial in the Friday newspaper (Good Friday) regarding the proclamation conversation.

There being no further business to discuss, the meeting adjourned at 7:11 p.m.



Terry Emery  
Alan Seymour  
Deborah Groat  
Aaron J. Carpenter

**RESOLUTION \_\_\_\_\_**

TO AUTHORIZE THE CITY MANAGER AND/OR APPOINTED DESIGNEE 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 AN AMOUNT NOT TO EXCEED \$150,000 OF FISCAL YEAR (FY) 2020 COMMUNITY DEVELOPMENT ALLOCATION GRANT FUNDS

WHEREAS, the City of Marysville’s public facility improvements, which include but not limited to sidewalks, street and alley resurfacing are substantial; and

WHEREAS, the City of Marysville proposes to use the Ohio CDBG FY 2020 Community Development Allocation Grant Funds in the amount not to exceed \$150,000 to improve the public facility needs in qualified low-moderate income areas; and

WHEREAS, said submission shall be prepared in accordance with the Ohio Small Cities CDBG Handbook, now therefore;

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

**SECTION I.** The City Manager of the City of Marysville and/or appointed designee is authorized to sign and submit an application to the Ohio Development Services Agency, Office of Community Development, for Ohio CDBG FY 2020 Community Development Allocation Grant Fund for public facility improvements.

**SECTION II.** The City Manager and/or appointed designee is further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

1<sup>st</sup> Reading \_\_\_\_\_

\_\_\_\_\_  
MAYOR/PRESIDENT OF COUNCIL

2<sup>nd</sup> Reading \_\_\_\_\_

3<sup>rd</sup> Reading \_\_\_\_\_

ATTEST:

Passed: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
CLERK OF COUNCIL

\_\_\_\_\_  
Law Director    Date \_\_\_\_\_





**ORDINANCE \_\_\_\_\_**

**TO ACCEPT THE ANNEXATION OF CERTAIN TERRITORY CONTAINING 10.103 ACRES  
IN PARIS TOWNSHIP, UNION COUNTY TO THE CITY OF MARYSVILLE, OHIO**

WHEREAS, a petition for the annexation of 10.103 acres in Paris Township, Union County was duly filed with the Union County Board of County Commissioners; and

WHEREAS, the Board of County Commissioners granted the annexation petition on January 28, 2020; and

WHEREAS, pursuant to Section 709.033 of the Ohio Revised Code, the Board of County Commissioners certified the record of the proceeding in connection with the annexation to the Marysville Clerk of Council, who received it on January 31, 2020; and

WHEREAS, more than sixty (60) days from the date the Clerk of Council received the record of the annexation proceedings have elapsed and the Clerk has laid the transcript, accompanying map, and petition before Council at its next regular session following the expiration of the sixty (60) days in accordance with the provisions of the Ohio Revised Code Section 709.04, now; therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. The proposed annexation of 10.103 acres in Paris Township, as applied for in the petition by the petitioners' agent, Jill S. Tangeman, described in the legal description, also shown on the map, and approved for annexation by the Board of County Commissioners of Union County, Ohio on January 28, 2020 be and the same is hereby accepted. The Petition, legal description, map and Union County Commissioners Resolution No. 20-038 approving the Petition are all attached as Exhibit A and incorporated herein.

SECTION II. The Marysville Clerk of Council be and is hereby authorized and directed to make three (3) copies of this Ordinance, to each of which shall be attached a copy of the map

accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto and a certificate as to the correctness thereof. The Clerk of Council shall then forthwith deliver one copy to the County Auditor, one copy to the County Recorder, and one copy to the Secretary of State and shall file notice of this annexation with the Board of Elections within thirty (30) days after it becomes effective and the Clerk shall do all other things required by law.

SECTION III. This ordinance shall take effect and be in force at the earliest date permitted by law.

1<sup>st</sup> Reading \_\_\_\_\_

2<sup>nd</sup> Reading \_\_\_\_\_ MAYOR/PRESIDENT OF COUNCIL

3<sup>rd</sup> Reading \_\_\_\_\_

Passed: \_\_\_\_\_

APPROVED AS TO FORM: \_\_\_\_\_ CLERK OF COUNCIL

\_\_\_\_\_  
Law Director    Date \_\_\_\_\_

# EXHIBIT A

Note additional pages of the exhibit (as noted in the legislation) will be added on Monday, April 13, 2020.

## DESCRIPTION OF NEW ANNEXATION OF A 10.103 ACRE TRACT FROM PARIS TOWNSHIP TO THE CITY OF MARYSVILLE UNION COUNTY, OHIO

Situated in the State of Ohio, County of Union, Township of Paris, Virginia Military Survey No. 5140, and being part of an 11.036 acre tract of land (Parcel Number 2800300680000, Map Number 1130000018000), conveyed to The Scotts Company, an Ohio Corporation, of record in Official Record Volume 277, Page 436, all references to records being on file in the Office of the Recorder, Union County, Ohio, said 10.103 acre tract being more fully described herein;

**BEGINNING** at an angle point in the existing City of Marysville Corporation Line as established in County Resolution No. 118-98 in CJ 42, Page 478, being at the southeast corner of said 11.036 acre tract, the southwest corner of a 19.77 acre tract of land, conveyed to The Scotts Company, an Ohio Corporation, of record in Official Record Volume 43, Page 721, the north line of a 74 acre tract of land, conveyed to Jeanine Rausch and Thomas H. Rausch, Trustees, of record in Official Record Volume 93, Page 614, and being the south line of V.M.S. 5140 and the north line of V.M.S. 5141;

Thence, South 84°41'00" West, a distance of 1272.51 feet, with the south line of said 11.036 acre tract, and the north line of said 74 acre tract, to a point;

Thence, North 10°53'00" West, a distance of 5.51 feet, with the west line of said 11.036 acre tract, and an east line of said 74 acre tract, to a point on the west line of said 11.036 acre tract, on the east line of said 74 acre tract, the south right-of-way line of Scottslawn Road (County Road 105), and being at an angle point in said existing City of Marysville Corporation Line;

Thence, North 54°25'00" East, a distance of 1350.93 feet, through said 11.036 acre tract, with the south right-of-way line of said Scottslawn Road, and the existing City of Marysville Corporation Line, to a point on the east line of said 11.036 acre tract and on the west line of said 19.77 acre tract;

Thence, South 14°07'00" East, a distance of 694.56 feet, with the east line of said 11.036 acre tract, the west line of said 19.77 acre tract, and the existing City of Marysville Corporation Line, to the **TRUE POINT OF BEGINNING**, containing 10.103 acres.

For the purpose of this description a bearing of South 84°41'00" West was determined for the south line of an 11.036 acre tract of land (Parcel Number 2800300680000, Map Number 1130000018000), conveyed to The Scotts Company, an Ohio Corporation, of record in Official Record Volume 277, Page 436.

2,045 lineal feet of the 3,324 lineal feet herein described (61.5%), is contiguous with the existing City of Marysville corporation line.



CIVIL & ENVIRONMENTAL CONSULTANTS, INC.

Mark Alan Smith, P.S.  
Registered Surveyor No. 8232

7/25/2019

Date

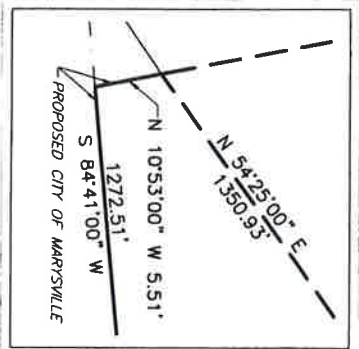
- LEGEND**
- EXISTING CORPORATION LINE
  - PROPOSED CORPORATION LINE
  - EXISTING RIGHT-OF-WAY
  - PROPOSED CORPORATION AREA

**CONTIGUITY CALCULATION:**  
 2,045 LINEAL FEET OF PERIMETER IS CONTIGUOUS WITH THE EXISTING CORPORATION LINE OF THE CITY OF MARYSVILLE.

A TOTAL OF 3,324 LINEAL FEET OF ANNEXED PERIMETER.  
 61.5% OF THE PERIMETER OF THE ANNEXED AREA IS CONTIGUOUS TO THE EXISTING CITY OF MARYSVILLE CORPORATION LINE.

# ANNEXATION OF 10.103 ACRES FROM PARIS TOWNSHIP TO CITY OF MARYSVILLE

STATE OF OHIO, COUNTY OF UNION, TOWNSHIP OF PARIS,  
 VIRGINIA MILITARY SURVEY NO. 5140



HERITAGE COOPERATIVE, INC., AN OHIO NON-PROFIT CORPORATION  
 277.008 ACRES  
 IN: 201402130001027

THE SCOTTS COMPANY, AN OHIO CORPORATION  
 114.70 ACRES  
 O.R.V. 43, PAGE 721

EXISTING CITY OF MARYSVILLE  
 COUNTY RESOLUTION NO: 118-98  
 IN CU 42, PAGE 478

PARCEL NO: 2800308680000  
 THE SCOTTS COMPANY, AN OHIO CORPORATION  
 11.036 ACRES  
 O.R.V. 27, PAGE 436  
 MAP NO: 1130000018000

JENNINE RAUSCH AND THOMAS H. RAUSCH, TRUSTEES  
 74 ACRES  
 O.R.V. 93, PAGE 614

EXISTING CITY OF MARYSVILLE  
 COUNTY RESOLUTION NO: 118-98  
 IN CU 42, PAGE 478



THIS ANNEXATION PLAT IS A GENERAL DESCRIPTION OF THE LOCATION OF PROPERTY TO BE ANNEXED AND IS NOT A BOUNDARY SURVEY AS DEFINED IN CHAPTER 4733-37 OHIO ADMINISTRATIVE CODE.

*Mark Alan Smith*  
 7/25/2019

MARK ALAN SMITH  
 PROFESSIONAL LAND SURVEYOR NO. 8232  
 DATE



THE SCOTTS COMPANY, AN OHIO CORPORATION  
 19.77 ACRES  
 O.R.V. 43, PAGE 721

EXISTING CITY OF MARYSVILLE  
 COUNTY RESOLUTION NO: 118-98  
 IN CU 42, PAGE 478

PROPOSED CITY OF MARYSVILLE

SEE DETAIL "A"

S 84°41'00" W 1272.51'

P.O.B.

S 14°07'00" E 694.56'

SCOTTSLAWN COUNTY ROAD 1057  
 (60' R.W. WIDE)

WMS 5140

**CEE**  
**Civil & Environmental Consultants, Inc.**  
 250 Old Wilson Bridge Road, Suite 250, Worthington, OH 43085  
 614-540-6633 888-598-6808  
 www.ceeinc.com

DRAWN BY:	KAS	CHECKED BY:	MAS	APPROVED BY:	MAS	EXHIBIT:	1 OF 1
DATE:	JULY 2019	DWG SCALE:	1"=200'	PROJECT NO:	193-198		

PLAT OF SURVEY



Mark Reams  
J.R. Rausch  
Donald Boerger

**ORDINANCE \_\_\_\_\_**

TO AUTHORIZE SUPPLEMENTAL APPROPRIATION FOR THE CHIP GRANT FUND (FUND 275) AND  
MODIFY THE 2020 ANNUAL BUDGET

WHEREAS, the City entered into a Partnership Agreement with the Union County  
Commissioners on April 30, 2019 in which the Commissioners agreed to manage the 2019 CHIP  
program; and

WHEREAS, The City currently has \$56,674.37 in available program income from multiple  
program years; and

WHEREAS, the City desires to see this balance used towards eligible projects in City limits; and

WHEREAS, per the Partnership Agreement the County will account for program income  
received from both Applicant and Partner jurisdictions and will authorize eligible expenses of  
Program Income in the jurisdiction where the Program Income was generated; and

WHEREAS, the City desires the County to utilize this balance on eligible projects in the City,  
now; therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. That supplemental appropriation for the CHIP Grant Fund (Fund 275) be modified as  
follows:

275200-557000	CHIP Grant Expenditures	\$56,674.37
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SECTION II. That the 2020 Annual Operating Budget of the City of Marysville be amended as  
identified above.

1<sup>st</sup> Reading \_\_\_\_\_

\_\_\_\_\_  
MAYOR/PRESIDENT OF COUNCIL

2<sup>nd</sup> Reading \_\_\_\_\_

3<sup>rd</sup> Reading \_\_\_\_\_

ATTEST:

Passed: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
CLERK OF COUNCIL

\_\_\_\_\_  
Law Director    Date \_\_\_\_\_