

Monroe Council Minutes
Regular Meeting of Council
November 24, 2015 - 6:30 pm
233 South Main Street, Monroe, Ohio

Public Hearings. Mayor Routson opened the public hearings on Ordinance No. 2015-35, Ordinance No. 2015-36, and Ordinance No. 2015-37 at 6:30 pm. He gave the following statement of purpose and procedure for the hearings:

The requests will be presented by the Director of Development. Following this presentation, anyone wishing to speak in favor of the proposal will be given an opportunity to speak. After all proponents have spoken, the opponents will be given an opportunity to present their case. Speakers are asked not to repeat the same ideas which have been previously presented but indicate that they agree with a previous speaker. All persons speaking are subject to cross examination and must be sworn. Council has the opportunity to question any speaker after they have completed their presentation. Once the public hearing is closed, individual speakers have no right to comment during discussion by Council Members.

Ordinance No. 2015-35. An Ordinance vacating a portion of Garver Road.

Having been sworn, the Director of Development, Kevin Chesar, stated that the vacation is part of the construction of a dentist office. The portion of the road to be vacated is no longer being utilized. The public right-of-way access will remain to McDonald's and the dentist office. There will be future lot splits following this vacation. He noted that both property owners have agreed on how the vacated portion will be divided.

Mrs. Rubin moved to close the public hearing; seconded by Mrs. Hale. Voice vote. Motion carried.

Ordinance No. 2015-36. An Ordinance rezoning real property containing approximately 3.3 acres, more or less, located on Lawton Avenue, from C-1 General Commercial Zoning District to L-1 Light Industrial Zoning District.

Having been sworn, the Director of Development, Kevin Chesar, presented the documents reflected the rezoning request and proof of publication of the notices for this public hearing. The property is currently owned by Equipment Depot who will be vacating this property in the future. Presto Foods has proposed to expand their property to the existing Equipment Depot property. Doing this would require a zoning change for this property. When City Council considers a rezoning they must look at the following review criteria:

- Whether the proposed amendment corrects an error or meets the challenge of some changing condition, trend, or fact since the time that the original text or map designations were established.

Mr. Chesar advised that it does not correct an error, but does address that times have changed and makes sense from looking at trend.

- Whether the proposed amendment is consistent with the comprehensive plan or other applicable city plans.

Mr. Chesar noted that the Comprehensive Plan calls for these parcels to remain commercial. However, it also reads that the City should pursue continued industrial development to take advantage of strong access, visibility, and additional land. Industrial projects should be concentrated appropriately. The Plan does call for assisting our existing businesses.

- Whether the proposed amendment is consistent with the purpose of this code.

Mr. Chesar advised that it does appear that the rezoning is consistent when considering the expansion and it will be subject to architectural criteria as it will face State Route 63.

- Whether, and the extent to which, the proposed amendment addresses a demonstrated community need.

Mr. Chesar pointed out that supporting future business and the employment needs of the citizens will be achieved by this amendment.

- Whether the proposed amendment will protect the health, safety, morals, and general welfare of the public.

Based on the design guidelines, Mr. Chesar stated that there is a lack of residential properties in this area that would be adversely affected.

- Whether the proposed amendment will result in significant mitigation of adverse impacts on the natural environment, including air, water, noise, storm water management, wildlife, and vegetation.

Mr. Chesar informed Council that it does not appear it will result in mitigation of any of the above criteria.

- Whether the proposed amendment will ensure efficient development within the City.

Mr. Chesar was of the opinion it seems to be the most efficient expansion of an existing business.

- Whether the proposed amendment will result in a logical and orderly development pattern.

Mr. Chesar advised that changing approximately 3 acres to light industrial will result in an appropriate development pattern.

Mr. Chesar noted that Planning Commission gave a favorable recommendation to the rezoning.

Mrs. Stillman inquired as to the returned notice to Equipment Depot. Mr. Chesar explained that notices are required to be sent by certified mail and are sometimes not picked up; however, Equipment Depot was aware of this because they had to be part of the rezoning of their property.

Mr. Black asked if there were any other light industrial properties between I-75 and Main Street along State Route 63 and Mr. Chesar advised there were not. Referring to the architectural standards, Mr. Black asked if those would just apply to the entire expansion or just the portion facing State Route 63. Mr. Chesar replied that it would apply to the portion facing State Route 63 giving it more of a commercial appearance.

Mr. Hickman asked if just two parcels could be rezoned. Mr. Chesar advised that Council could and reminded them that, while they are aware why this request has been submitted, you should not rezone for a specific business and should always look at the criteria previously outlined.

Having been sworn, Dewey Weeda, owner of Presto Foods, stated that it would be difficult for the area to be developed as commercial due to the amount of truck traffic.

Mrs. Rubin thanked Mr. Weeda for remaining in the City of Monroe.

Mayor Routson acknowledged the amount of truck traffic as Worthington unloads approximately 100 trucks per day.

Mrs. Rubin moved to accept the documents; seconded by Mr. Clark. Voice vote. Motion carried.

Mrs. Rubin moved to close the public hearing; seconded by Mrs. Stillman. Voice vote. Motion carried.

Ordinance No. 2015-37. An Ordinance amending and supplementing various sections of the Planning and Zoning Code to permit large breweries in a Light Industrial District, establish a minimum single-family house size in agricultural districts, clarifying the setback for vehicular use areas, and increase street tree spacing requirements.

Having been sworn, Director of Development, Kevin Chesar, outlined the proposed amendments as follows:

- allowing large breweries in a light industrial district
- clarify the single-family house size in an agricultural district
- clarify the vehicular use areas to be in line with the landscaping requirements
- increasing the street tree spacing requirements from 25 feet to 40 feet
- not initially included in the first reading of the legislation was the time-frame for recreational vehicles permitted in the front yard. Planning Commission recommended that it be permitted from one-week prior to Memorial Day to Veteran's Day.

Mr. Black asked if driveways were defined. Mr. Chesar replied that we have a maximum impervious surface. Mr. Black was aware of a recreational vehicle that was parked across a sidewalk. Mr. Chesar advised that the Code prohibits blocking the sidewalk.

Mrs. Stillman asked about recreational vehicles in the street. Mr. Chesar informed her that it is a police matter.

Mrs. Rubin moved to close the public hearing; seconded by Mr. Black. Voice vote. Motion carried.

Pledge of Allegiance

Mayor Routson opened the regular meeting of Council with the Pledge of Allegiance at 7:12 pm.

Roll Call

The following members of Council were present: Steve Black, Dan Clark, Anna Hale, Todd Hickman, Robert Routson, Suzi Rubin, and Lora Stillman.

Staff members present:

- City Manager/City Engineer William J. Brock
- Law Director K. Philip Callahan
- Chief of Police Robert Buchanan
- Fire Chief John P. Centers
- Director of Development Kevin Chesar
- Director of Finance Kacey L. Waggaman
- Assistant to the City Manager/Clerk of Council Angela S. Wasson

Visitors: John Westheimer, Paul Koloszar, and Dewey Weeda.

Approval of the Minutes

Mrs. Rubin moved to approve the Council Minutes of November 10, 2015; seconded by Mr. Clark. Voice vote. Motion carried.

Committee Reports

None.

Old Business

Ordinance No. 2015-32. An Ordinance amending the boundaries of the I-75 Monroe Community Entertainment District. (Second Reading)

Mr. Brock reported that this was tabled until Chipotle advised if they would still like to be included and they have advised that they would.

Mrs. Rubin moved to consider this the second reading of Ordinance No. 2015-32 and have it read by title only; seconded by Mrs. Stillman. Voice vote. Motion carried.

The Clerk of Council read Ordinance No. 2015-32 by title only.

Mrs. Rubin moved to adopt Ordinance No. 2015-32; seconded by Mr. Hickman. Roll call vote: seven ayes. Motion carried.

Ordinance No. 2015-35. An Ordinance vacating a portion of Garver Road. (Second Reading)

Mrs. Rubin moved to consider this the second reading and have it read by title only; seconded by Mr. Black. Voice vote. Motion carried.

The Clerk of Council read Ordinance No. 2015-35 by title only.

Mrs. Rubin moved to adopt Ordinance No. 2015-35; seconded by Mr. Clark. Roll call vote: seven ayes. Motion carried.

Ordinance No. 2015-36. An Ordinance rezoning real property containing approximately 3.3 acres, more or less, located on Lawton Avenue, from C-1 General Commercial Zoning District to L-I Light Industrial Zoning District. (Second Reading)

Mrs. Rubin moved to consider this the second reading of Ordinance No. 2015-36 and have it read by title only; seconded by Mrs. Hale. Voice vote. Motion carried.

The Clerk of Council read Ordinance No. 2015-36 by title only.

Mrs. Rubin moved to adopt Ordinance No. 2015-36; seconded by Mr. Hickman. Roll call vote: seven ayes. Motion carried.

Ordinance No. 2015-37. An Ordinance amending and supplementing various sections of the Planning and Zoning Code to permit large breweries in a Light Industrial District, establish a minimum single-family house size in agricultural districts, clarifying the setback for vehicular use areas, and increase street tree spacing requirements. (Second Reading)

Mrs. Rubin moved to amend Ordinance No. 2015-37 to allow the time allotment for recreational vehicles to be changed to one week prior to Memorial Day through Veterans Day; seconded by Mr. Black. Voice vote. Motion carried.

Mrs. Rubin moved to consider this the second reading of Ordinance No. 2015-37 and have it read by title only; seconded by Mrs. Hale. Voice vote. Motion carried.

The Clerk of Council read Ordinance No. 2015-37 by title only.

Mrs. Rubin moved to adopt Ordinance No. 2015-37; seconded by Mr. Clark. Roll call vote: seven ayes. Motion carried.

New Business

Emergency Resolution No. 53-2015. A Resolution amending Emergency Resolution No. 52-2015 to increase the not to exceed amount for National Inspection Corporation and declaring an emergency.

Mr. Brock reported that this will amend the blanket purchase order by \$50,000; however, they would like to increase it more as they received a permit today for an almost one million square foot building. Mr. Chesar requested that the legislation be amended so it reads not to exceed \$345,000.

Mrs. Rubin moved to amend Emergency Resolution No. 53-2015 to increase the amount not to exceed to \$345,000 for National Inspection Corporation; seconded by Mr. Black. Voice vote. Motion carried.

Mrs. Rubin moved to suspend the rule requiring the reading of Emergency Resolution No. 53-2015 on two separate days, authorize its adoption on the first reading, and have it read by title only; seconded by Mrs. Hale. Voice vote. Motion carried.

The Clerk of Council read Emergency Resolution No. 53-2015 by title only.

Mrs. Rubin moved to adopt Emergency Resolution No. 53-2015; seconded by Mr. Clark. Roll call vote: seven ayes. Motion carried.

Emergency Resolution No. 54-2015. A Resolution authorizing the City Manager to implement a Health Savings Account for calendar year 2016 and declaring an emergency.

Mr. Brock reported that this will allow for the implementation of the Health Savings Account with no change from the previous year.

Mrs. Rubin moved to suspend the rule requiring the reading of Emergency Resolution No. 54-2015 on two separate days, authorize its adoption on the first reading, and have it read by title only; seconded by Mr. Black. Voice vote. Motion carried.

The Clerk of Council read Emergency Resolution No. 54-2015 by title only.

Mrs. Rubin moved to adopt Emergency Resolution No. 54-2015; seconded by Mr. Hickman. Roll call vote: seven ayes. Motion carried.

Emergency Ordinance No. 2015-39. An Ordinance authorizing the City Manager to enter into a contract by and between the City of Monroe and RDT Concepts for the replacement of three dispatch consoles and declaring an emergency.

Mr. Brock stated that this will allow for the purchase of new dispatch consoles that were included in the budget.

Mrs. Rubin moved to suspend the rule requiring the reading of Emergency Ordinance No. 2015-39 on two separate days, authorize its adoption on the first reading, and have it read by title only; seconded by Mrs. Stillman. Voice vote. Motion carried.

The Clerk of Council read Emergency Ordinance No. 2015-39 by title only.

Mrs. Rubin moved to adopt Emergency Ordinance No. 2015-39; seconded by Mr. Clark. Roll call vote: seven ayes. Motion carried.

Emergency Ordinance No. 2015-40. An Ordinance supplementing the Codified Ordinances of the City of Monroe by adopting Chapter 887 to implement a new tax ordinance for taxable years beginning on or after January 1, 2016 and limiting the application of existing Chapter 886 to tax years prior to 2016 and declaring an emergency.

Mrs. Rubin moved to suspend the rule requiring the reading of Emergency Ordinance No. 2015-40 on two separate days, authorize its adoption on the first reading, and have it read by title only; seconded by Mrs. Stillman. Voice vote. Motion carried.

The Clerk of Council read Emergency Ordinance No. 2015-40 by title only.

Mrs. Rubin moved to adopt Emergency Ordinance No. 2015-40; seconded by Mrs. Hale. Roll call vote: seven ayes. Motion carried.

Emergency Ordinance No. 2015-41. An Ordinance amending Exhibit "1" of Ordinance No. 2015-19 to adjust the minimum and maximum wage/salary range for all non union employees by a two percent increase based on the Midwest Employee Cost Index and declaring an emergency.

Mrs. Rubin moved to suspend the rule requiring the reading of Emergency Ordinance No. 2015-41 on two separate days, authorize its adoption on the first reading, and have it read by title only; seconded by Mrs. Hale. Voice vote. Motion carried.

The Clerk of Council read Emergency Ordinance No. 2015-41 by title only.

Mrs. Rubin moved to adopt Emergency Ordinance No. 2015-41; seconded by Mr. Black. Roll call vote: seven ayes. Motion carried.

Ordinance No. 2015-42. An Ordinance ratifying the Community Reinvestment Area Agreement with the Rivertown Brewing Company and Barrel House, LLC; authorizing the City Manager to execute the Community Reinvestment Area Agreement substantially in the form attached to this Ordinance upon receipt of notification of Monroe City School.

Mr. Brock stated that this will allow for a Community Reinvestment Area Agreement and is a standard agreement used previously.

Mrs. Rubin moved to consider this the first reading of Ordinance No. 2015-42 and have it read by title only; seconded by Mr. Black. Voice vote. Motion carried.

The Clerk of Council read Ordinance No. 2015-42 by title only.

Mrs. Rubin moved to approve the first reading of Ordinance No. 2015-42; seconded by Mr. Clark. Roll call vote: seven ayes. Motion carried.

Ordinance No. 2015-43. An Ordinance approving a water rate, corporate income tax rebate, and funds for securing the appropriate liquor licenses for Rivertown Brewing Company and Barrel House, LLC.

Mr. Brock advised that this legislation is additional items for the incentive package for Rivertown Brewing Company.

Mrs. Rubin moved to consider this the first reading of Ordinance No. 2015-43; seconded by Mrs. Hale. Voice vote. Motion carried.

The Clerk of Council read Ordinance No. 2015-43 by title only.

Mrs. Rubin moved to approve the first reading of Ordinance No. 2015-43; seconded by Mr. Black. Roll call vote: seven ayes. Motion carried.

Consideration of Motion appointing a representative to the Ohio Kentucky Indiana Regional Council of Governments.

Mr. Black moved to appoint Suzi Rubin to the Ohio Kentucky Indiana Regional Council of Governments; seconded by Mrs. Stillman. Voice vote. Motion carried.

Administrative Reports

Mr. Hickman commended the Monroe Local School Board for making a decision to tear down the old school building.

Mrs. Stillman moved to cancel the December 22, 2015 meeting of Council; seconded by Mr. Black. Voice vote. Motion carried.

Mayor Routson announced that he and Vice Mayor Rubin attended the ribbon cutting for Liberty Township's new building and encouraged Council to stop by and see their new facility.

Mrs. Stillman commended the officers that were part of the final Citizens Police Academy and urged others to participate next year.

Mr. Clark announced that the Lions Club Pancake Breakfast is on December 5th at the high school.

Adjournment

Mrs. Rubin moved to adjourn; seconded by Mrs. Hale. Voice vote. Motion carried.

The regular meeting of Council adjourned at 7:45 pm.

Respectfully submitted,

Angela S. Wasson, CMC
Clerk of Council