

Jason Schaber, Chair Rick Huddle, Member Josh Daniels, Member
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**Marion City Council**  
**Streets & Sewers**  
July 17, 2018 @ 6:40 PM

**Roll Call**

**Minutes 02/20/2018 and 04/17/2018**

**New Business:**

**Item 1.** ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC WORKS TO PREPARE PLANS AND SPECIFICATIONS, ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE FARMING STREET SEWER IMPROVEMENTS, PROJECT 18-1S, IN THE CITY OF MARION, OHIO, AND DECLARING AN EMERGENCY

**Item 2.** ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC WORKS TO PREPARE PLANS AND SPECIFICATIONS, ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE SHARPLESS COURT SEWER IMPROVEMENTS, PROJECT 18-2S, IN THE CITY OF MARION, OHIO, AND DECLARING AN EMERGENCY

**Item 3.** ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC WORKS TO PREPARE PLANS AND SPECIFICATIONS, ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE 2018 STREET RESURFACING, PROJECT 18-1R, IN THE CITY OF MARION, OHIO, AND DECLARING AN EMERGENCY

**Items not on the Agenda**

April 17, 2018

Members present: Mr. Schaber, Mr. Huddle, Mr. Daniels. With a quorum present, Mr. Schaber called the meeting to order at 7:14PM.

Mr. Huddle moved to approve the minutes of April 2, 2018; Mr. Daniels 2<sup>nd</sup>. Roll call: Ayes all, motion carried.

**Minutes of April 2, 2018 were approved.**

**New Business:**

**Item 1. ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC WORKS TO ENTER INTO CONTRACT WITH BURGESS AND NIPLE FOR THE ENGINEERING AND DESIGN OF THE FARMING STREET SEWER IMPROVEMENTS, PROJECT 18-1S FOR THE CITY OF MARION, OHIO, APPROPRIATING NECESSARY FUNDS, AND DECLARING AN EMERGENCY**

Mr. Bischoff, City Engineer, explained that these projects are the two public works funds that the city applied for last fall. We made the cut for OPWC funds. They are available July 1, 2018. We want to get them designed and ready to bid.

Sharpless Court tried to apply for CDBG funds, but it didn't make the list. Sewer system is very undersized very little storm drainage. We cannot camera the line.

Farming we have done a significant number of repairs and it was prioritized for these projects. The city crew can no longer keep it clean, maintained and repaired.

Both are part of the complete street project, which includes replacing everything from the right away including sidewalks. Sharpless Court does not currently have sidewalks and the houses are out to the curb, so sidewalks will not be installed.

The Farming Street project is from Greenwood to Jefferson.

Mr. Huddle made a motion to approve, Mr. Daniels 2<sup>nd</sup>. Roll Call: Ayes – Mr. Daniels, Mr. Huddle, Mr. Schaber

**LEGISLATION GOES TO COUNCIL WITH 3-0 RECOMMENDATION**

**Item 2. ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC WORKS TO ENTER INTO CONTRACT WITH HULL & ASSOCIATES, INC. FOR THE ENGINEERING AND DESIGN OF THE SHARPLESS COURT SEWER IMPROVEMENTS, PROJECT 18-2S FOR THE CITY OF MARION, OHIO, APPROPRIATING NECESSARY FUNDS, AND DECLARING AN EMERGENCY**

Sharpless Court has approximately 16 homes and the estimated price of the project is \$330,000 (\$300,000 is grant).

Mr. Daniels made a motion to approve, Mr. Huddle 2<sup>nd</sup>. Roll Call: Ayes – Mr. Daniels, Mr. Huddle, Mr. Schaber

April 17, 2018

**LEGISLATION GOES TO COUNCIL WITH 3-0 RECOMMENDATION**

**OTHER BUSINESS NOT ON THE AGENDA:**

Charlie Blevins, 220 Blaine Avenue, provided information about the ongoing sewer issues in his neighborhood. Blaine, Olney, Windsor, Church, and Center streets have been flooding since the 1950s. As the city continues to do improvements in and around the area and the water now gets to area much quicker. The flooding is worse and includes raw sewage. Businesses in area have had flooding and damage. He stated that check valves are needed on sewer lines to keep flooding from basements. Demolition of neighborhood homes and the filling in of the basements has resulted in even more flooding to remaining homes. He would like to see a solution.

Mayor Schertzer addressed Mr. Blevins concerns. The city does major sewer projects every year. Millions of dollars are being put into it. The city is aware of problem points and is adjusting. This is not something that can be done quickly, however projects are being completed every year. This council has already addressed the capacity issue at waste water treatment plant. The city has worked with the EPA and done studies to support these plans. Previous councils have denied check-valve program for residents.

Mr. Schaber asked about the \$26 million improvement at the waste water treatment plant. When it goes online what will be impact? Mr. Bischoff stated that he could not estimate what effect it will have. The strategy is to start at the tail end and open that area. There is back pressure from the elevation from the wet well as it discharges at the plant and come across. He believes that the plant improvements will help with some of the flooding, but cannot quantify what that change will be.

With no further business to come before this committee, Mr. Schaber adjourned the meeting at 7:27pm.

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Chairman Schaber

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Clerk of Council

Members present: Mr. Schaber, Mr. Huddle, Mr. Daniels; Mr. Daniels moved to approve the minutes of February 5, 2018, Mr. Huddle seconded the motion. Roll call: Ayes all, motion carried. **Minutes of February 5, 2018 are approved.**

**New Business:**

**Item 1. ORDINANCE AMENDING MARION CITY CODE CHAPTER 914.04 IN ORDER TO MAKE THE DEBT SERVICES CHARGES MORE EQUITABLE AND TO CARRY OUT THE INTENT OF DEVELOPING A RATE STRUCTURE TO REPAY SANITARY SEWER DEBT OBLIGATIONS.**

Mr. Bischoff explained that this ordinance provides additional language regarding the debt service piece of sanitary sewer rates and the sewer system improvement fund. Under basis of the charge, this plan calls for 8% increase on commercial rates this year, and then a 5% increase for residential and commercial for 9 consecutive years after that. By instituting this now, the city will not have the automatic debt service increases that are currently in the language. By doing the 10-year plan, the intent is to plan for that debt over the next 10 years and structure the debt repayment schedule. The section on automatic increases would be null and void.

In response to Sulu Kelley (365 E. Farming), Mr. Bischoff stated that commercial is the nonresidential accounts, specifically the big 12 industrial accounts.

Mr. Schaber expressed concern that this fund is the sewer system improvement fund and questioned whether there would be any audit issues. Mr. Bischoff explained that this is all sanitary sewer. Auditor Carr explained that there are two funds: the storm water fund and the sanitary fund. The improvements are budgeted in various subaccounts, however the fund itself is the entire sanitary sewer.

Mr. Bischoff indicated that \$50,000 will be generated from the residential increase. The entire increase would be about \$300,000-\$350,000/year for the entire project. The key to it is the structured piece of it. There will be enhancements to plan.

We know that debt is going to come up in 3-4 years and we will have to start paying that out. As we build that repayment fund back and then moving on we will be through that construction and evaluation and will be looking at our second piece during the 10-year term. This doesn't generate in year one to make that for sure debt payment as it is structured out over time, during that 10 year there will be some debt that drops off. When the model was set up, the initial look was through 2030 and it has all our sanitary sewer debt laid out in it. This fell into what we could do to make this happen over the next 10 years.

In response to Mr. Schaber, Mr. Bischoff discussed the waste water treatment plant project that is coming up. We will start repaying that debt in 3-4 years. The current rate increase will not immediately cover that but it will go into it. The projected \$300,000 a year is not going to make the debt payment on its own. As it is worked out with all of the other payment and all of other the debt, we will build up enough to make payments. We will have



some debt restructure in the future. Specifically, we have a note that we are hopefully going to roll into a bond in the next few years. The debt payment will lesson when it is rolled into a bond. It is all built out over time. We are not asking for a rate increase to pay for it in year one. We are trying to spread it out and balance the payment over this time. We are counting on some things to drop off and consolidate.

Mr. Schaber asked how \$350,000 annually translates into a million dollars each year in projects. Mr. Bischoff explained that the city has annual money for capital improvements. We are doing about a project a year based on what we can afford. We do that with grants we have (OWPC) and capital improvement funds, and the rest we do with low interest loans. We are accruing debt as we go. The loans are 0% with OWPC loans and we're structuring that in as well.

Mr. Daniels stated that the project is \$26 million including the design piece – 13.5 and 12.5 split up in two pieces. We must come to a point that the debt and revenue balances reconcile. Is this where we are going to start and at some time in the future we can expect another rate increase?

Mr. Bischoff explained that some existing plant debt will drop off in the next few years. Also, the design loan will roll over into construction. They have agreed, in principal, that we won't have a debt payment until the construction is done. We are not going to make a payment on the new plant for four years and a large project debt will roll off, so we should have enough money to make that first round of payments.

In response to questions from Mr. Daniels, Auditor Carr explained that the debt from the \$26 million project that we did 20 years ago rolls off in 2 years. That is a loss of a \$900,000+ per year payment and is part of the overall debt/project forecast in the model that was used.

Mr. Daniels made a motion to approve, Mr. Huddle 2<sup>nd</sup>. Roll Call: Ayes – Mr. Daniels, Mr. Huddle, Mr. Schaber

**LEGISLATION GOES TO COUNCIL WITH A 3-0 RECOMMENDATION**

**Item 2. Items not on the agenda**

Mr. Huddle asked about lights again. He is wondering about LED lights and changing over sometime soon. He has talked with farmer who have changed over and saved a lot of money. He would like that to be given more consideration for downtown.

Mayor Schertzer stated that there would be a savings with LED, however the city is limited because of the initial investment required. The city is at the borrowing limit which is why we are using the kinds of loans that we are on the sewer project. If we are at the ceiling on our borrowing, there is nowhere to borrow to make the capital improvement to the lights. We are trying to get creative to look at other avenues to fund the downtown ornamental lights replacement project. It is very slow very methodical process, because the funding must be in place to support the project.

This is one of the long-term project plans for the Marion Downtown Inc. group. Downtown sometimes has access to money that we do not, however there is no source that is known at this time. Marion Downtown, Inc. has done an inventory of the existing lights, needed repairs, and needed replacements (approximately 96 +/-). It's more complex than just putting the LED in because we need to make sure that the electrical system is still in good working order. The banners on city utility poles are a fundraiser for Downtown Marion, and they are all over town on city utility poles. Those lights were not designed for that and it is deteriorating the structural integrity of those ornamental lights. We all need to work collectively together come up with a funding mechanism. We are likely to have to borrow the money at some point to make the initial investment to fund the ornamental lights.

Mr. Daniels asked about the program previously discussed (through Evelyn Warr-Cummings with Regional Planning) that would provide 0% loans (not a grant) to build energy efficiency. Perhaps regional planning can assist in pursuing some funding sources.

Mayor Schertzer shared that there has also been discussion of a total renovation of the downtown streetscape. That is an even greater cost. If that is pursued, it might not be wise to put money into the ornamental lights as an individual project.

Mike Thomas, 974 Woodrow, asked for clarification as to whether the conversation is about street lighting or downtown lighting. Mr. Huddle stated that there are concerns about street lighting all over the city, but mainly downtown. It is difficult to attract new business, as well as customers, when the lighting is bad. He shared an experience where there were no lights on a certain stretch of South Main Street that night. Mr. Thomas stated there is a need for lighting on Woodrow Avenue. Mr. Thomas stated that downtown needs to help fund the lights downtown and the things that they want to do.

Mayor Schertzer clarified that his comments were based on downtown ornamental street lights only.

Mr. Daniels stated that councilman go through their wards and check for burned out lights, but as soon as that is done then another one can burn out. All it requires is a call to Ohio Energy/First Energy to get it fixed. We just aren't identifying them to make that repair. Additionally, we are now talking about weeds and other nuisance issues. Regarding the nuisance inspector, he feels that the job should encompass more than weeds and could include checking street lights and other nuisance issues. Outside of downtown, all we must do is notify First Energy. There is no cost to the city to make the repairs.

Mr. Daniels continued by talking about other issues that prevent or discourage businesses from setting up in downtown. One-way streets are one complex issue, but there are simpler things like lighting. An unlit downtown is an unsafe place to be and people won't migrate from one place to another when they are finished with the business at their initial destination. Additionally, when you drive through downtown during the day, it doesn't look like business is going on. Other cities have districts that allow signs to face traffic instead of being face-mounted on the building. They allow businesses to have signs where traffic and people can see it. He feels that business owners need to be allowed to have their sign to be seen. Every commercial sign is state inspected. Within downtown, businesses not only go

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through this and a zoning code, but then also through a downtown design review board on top of that. He feels that businesses are discouraged and find it easier to establish their location in the township.

Mrs. Gustin stated that received a complaint regarding the lighting in the area around Salvation Army on West Church Street. All the lights were off and people were walking right around and looking in the windows. She was frustrated that she was not able to resolve the situation with a phone call to First Energy. They requested the numbers from every single pole. The staff from First Energy told her that he would schedule a time to attend a council meeting to talk about the issue.

With no further business to come before this committee, Mr. Schaber adjourned the meeting.

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Chairman Schaber

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Clerk of Council

ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC WORKS TO PREPARE PLANS AND SPECIFICATIONS, ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE FARMING STREET SEWER IMPROVEMENTS, PROJECT 18-1S, IN THE CITY OF MARION, OHIO, AND DECLARING AN EMERGENCY

**BE IT ORDAINED** by the Council of the City of Marion, Marion County, Ohio:

**Section 1.** That the Director of Public Works is hereby authorized and directed to prepare plans and specifications, advertise for bids and enter into all necessary contracts for the Farming Street Sewer Improvements, Project 18-1S.

**Section 2.** That said contract shall be payable from the Storm and Sanitary Sewer Improvement Funds.

**Section 3.** That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, welfare and safety of the City of Marion and the inhabitants thereof, and due to the imminent construction season and the need to move forward without further delay, and as such, shall take effect and be in force immediately upon its passage and approval by the Mayor, provided it receives the affirmative vote of two-thirds of all members elected to Council; otherwise it shall become effective from and after the earliest period allowed by law.

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Todd Schneider  
President of Council

Approved:

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Mayor Scott Schertzer

Attest:

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Clerk of Council



ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC WORKS TO PREPARE PLANS AND SPECIFICATIONS, ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE SHARPLESS COURT SEWER IMPROVEMENTS, PROJECT 18-2S, IN THE CITY OF MARION, OHIO, AND DECLARING AN EMERGENCY

**BE IT ORDAINED** by the Council of the City of Marion, Marion County, Ohio:

**Section 1.** That the Director of Public Works is hereby authorized and directed to prepare plans and specifications, advertise for bids and enter into all necessary contracts for the Sharpless Court Sewer Improvements, Project 18-2S.

**Section 2.** That said contract shall be payable from the Storm and Sanitary Sewer Improvement Funds.

**Section 3.** That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, welfare and safety of the City of Marion and the inhabitants thereof, and due to the imminent construction season and the need to move forward without further delay, and as such, shall take effect and be in force immediately upon its passage and approval by the Mayor, provided it receives the affirmative vote of two-thirds of all members elected to Council; otherwise it shall become effective from and after the earliest period allowed by law.

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Todd Schneider  
President of Council

Approved:

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Mayor Scott Schertzer

Attest:

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Clerk of Council

ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC WORKS TO PREPARE PLANS AND SPECIFICATIONS, ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE 2018 STREET RESURFACING, PROJECT 18-1R, IN THE CITY OF MARION, OHIO, AND DECLARING AN EMERGENCY

**BE IT ORDAINED** by the Council of the City of Marion, Marion County, Ohio:

**Section 1.** That the Director of Public Works is hereby authorized and directed to prepare plans and specifications, advertise for bids and enter into all necessary contracts for the 2018 Street Resurfacing, Project 18-1R.

**Section 2.** That said contract shall be payable from the Street Construction Maintenance and Repair Fund.

**Section 3.** That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, welfare and safety of the City of Marion and the inhabitants thereof, and due to the imminent construction season and the need to move forward without further delay, and as such, shall take effect and be in force immediately upon its passage and approval by the Mayor, provided it receives the affirmative vote of two-thirds of all members elected to Council; otherwise it shall become effective from and after the earliest period allowed by law.

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Todd Schneider  
President of Council

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Mayor Scott Schertzer

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Clerk of Council