



City of
Marion
Ohio

Marion City Council
Marion City Hall
233 West Center Street
Marion, Ohio 43302
Phone: 740.387.4935

AGENDA
REGULAR MEETING
September 23, 2019 at 7:30 PM
City Hall – Council Chambers, 2nd Floor

ROLL CALL

PRAYER

PLEDGE OF ALLEGIANCE

MINUTES FROM 09/09/2019

OLD BUSINESS:

NEW BUSINESS:

Item 1. ORD 2019-49: ORDINANCE AMENDING EXISTING MARION CITY CODE SECTION 660.03 IN ORDER TO ADDRESS EXISTING NUISANCES WITHIN THE CITY OF MARION, OHIO (Legislation and Codes, 2-0, Mr. Landon)

Item 2. ORD 2019-58: ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO TAKE ALL STEPS NECESSARY TO MAKE URGENT AND NECESSARY REPAIRS AT FIRE DEPARTMENT STATION 1, APPROPRIATING THE NECESSARY FUNDS. COUNCIL HEREBY DECLARING IT NECESSARY TO UTILIZE AUTHORITY PROVIDED BY ORC 735.051 AND DECLARING AN EMERGENCY (Mayor Schertzer)

OTHER BUSINESS:

MATTERS NOT ON THE AGENDA:

COUNCIL COMMITTEE MEETING SCHEDULE:

ADJOURN



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 233 West Center Street
 Marion, Ohio 43302
 Phone: 740.387.4935

COMMITTEE SCHEDULE

Marion City Council Committee Meetings are at Marion City Hall, Courtroom Number One, 2nd Floor, 233 West Center Street, Marion, Ohio 43301-1802.

“Each committee shall hold its meetings at such time and place as fixed by the chairman of the respective committees.” ORD 2000-50 Rule 15

Committee	Chair	10/07/2019	**Possible** Agenda Items
Finance	Huddle		
Airport, Lands & Buildings	Huddle		
Information Systems	Landon		
Jobs and Economic Development	Schaber		
Legislation, Codes & Regulations	Landon		
Municipal Services, Parks & Recreation	Schaber		
Public Utilities	Cunningham		
Regional Planning	Norris	09/25/2019 At 7:00 PM	
Streets and Sewers	Schaber		
Zoning and Annexation	Cunningham		

COUNCIL COMMITTEES		
<u>Finance</u> Rick Huddle, Chair Robert Landon Josh Daniels <u>Airport, Lands & Buildings</u> Rick Huddle, Chair Jason Schaber Rebecca Gustin <u>Information Systems</u> Robert Landon, Chair Rick Huddle Ayers Ratliff	<u>Jobs & Economic Development</u> Jason Schaber, Chair Kevin Norris Ayers Ratliff <u>Legislation, Codes & Regulations</u> Robert Landon, Chair Rick Huddle Debbie Blevins <u>Municipal Services, Parks & Recreation</u> Jason Schaber, Chair Robert Landon Kevin Norris	<u>Public Utilities</u> Leslie Cunningham, Chair Robert Landon Josh Daniels <u>Regional Planning</u> Kevin Norris, Chair Leslie Cunningham Rebecca Gustin <u>Streets & Sewers</u> Jason Schaber, Chair Rick Huddle Josh Daniels <u>Zoning & Annexation</u> Leslie Cunningham, Chair Kevin Norris Debbie Blevins

COUNCIL MEMBERS (2018-2019 TERM)

Office Holder	Contact Information	Committee/Commission Assignments (* designated Chairperson)
President Todd Schneider	920 Cambridge Marion, OH 43302 740-360-9644 CouncilPresident@marionohio.org	
At-Large Rebecca Gustin	623 Concord Marion, OH 43302 740-387-5442/740-396-2581 AtLarge3@marionohio.org	<ul style="list-style-type: none"> • Airport, Lands, & Buildings • Regional Planning
At-Large Josh Daniels	1093 Edison Ave. Marion, OH 43302 740-361-5271 AtLarge2@marionohio.org	<ul style="list-style-type: none"> • Finance • Public Utilities • Streets & Sewers • Traffic Commission
At-Large Kevin Norris	973 Colonial Ave. Marion, OH 43302 740-360-1272 AtLarge1@marionohio.org	<ul style="list-style-type: none"> • Jobs and Economic Development • Municipal Services, Parks, & Recreation • Regional Planning* • Zoning & Annexation
1 st Ward Robert Landon	1294 Montego Dr. Marion, OH 43302 740-361-3068 Ward1@marionohio.org	<ul style="list-style-type: none"> • Finance • Information Systems* • Legislation, Codes, & Regulations* • Municipal Services, Parks, & Recreation • Public Utilities
2 nd Ward Ayers Ratliff	411 Oak St. Marion, OH 43302 740-802-0277 Ward2@marionohio.org	<ul style="list-style-type: none"> • Information Systems • Jobs & Economic Development
3 rd Ward President, Pro Tempore Jason Schaber	359 Rosewood Dr. Marion, OH 43302 740-225-0250 Ward3@marionohio.org	<ul style="list-style-type: none"> • Airport, Lands, & Buildings • Jobs & Economic Development* • Municipal Services, Parks, & Recreation* • Streets & Sewers* • Traffic Commission*
4 th Ward Debbie Blevins	181 Superior St. 740-383-9894 Marion, OH 43302 Ward4@marionohio.org	<ul style="list-style-type: none"> • Legislation, Codes, & Regulations • Zoning & Annexation
5 th Ward Leslie Cunningham	248 Cummins Ave. Marion, OH 43302 740-225-9068 Ward5@marionohio.org	<ul style="list-style-type: none"> • Public Utilities* • Regional Planning • Zoning & Annexation*
6 th Ward Rick Huddle	697 Uhler Rd. Marion, OH 43302 740-225-9812 Ward6@marionohio.org	<ul style="list-style-type: none"> • Finance* • Airport, Lands, & Buildings* • Information Systems • Legislation, Codes, & Regulations • Streets & Sewers • Traffic Commission • Airport Commission
Tarina R. Rose, Clerk of Council, CouncilClerk@marionohio.org		
Sarah Bice, Clerk Pro Tempore		

RECORD OF PROCEEDINGS**MARION CITY COUNCIL REGULAR MEETING***Minutes of*

BARRETT BROTHERS - DAYTON, OHIO

Meeting

Form 6101

Held

City Hall – Council Chambers on 9/9/2019 7:30 PM

ROLL CALL: 9 members answered – Mr. Landon, Mr. Ratliff, Mr. Schaber, Mrs. Cunningham, Mr. Huddle, Mr. Norris, Mr. Daniels, Mrs. Gustin, Mr. Schneider.

Absent – Mrs. Blevins

With a quorum present, the meeting was called to order at 7:30 PM.

Prayer was led by Mrs. Cunningham. Pledge of Allegiance recited.

SUMMARY OF PROCEEDINGS – 8/12/2019:

Mr. Daniels made a motion to approve; Mrs. Gustin 2nd. Roll Call: Ayes -- Mr. Landon, Mr. Ratliff, Mr. Schaber, Mrs. Cunningham, Mr. Huddle, Mr. Norris, Mr. Daniels, Mrs. Gustin. Nays – none

MINUTES OF 8/12/2019 APPROVED (8-0)

OLD BUSINESS:

NEW BUSINESS:

Item 1. ORD 2019-52: ORDINANCE AUTHORIZING THE CITY SERVICE DIRECTOR TO APPLY FOR AND ACCEPT OHIO AIRPORT MATCHING GRANT PROGRAM, AND THE CITY AUDITOR TO APPROPRIATE FUNDS TO AIRPORT IMPROVEMENT FUND AT THE MARION MUNICIPAL AIRPORT, AND DECLARING AN EMERGENCY (Finance, 2-0)

Mr. Huddle highlighted several positive community and business activities in the Marion area, including airport, stressing that sometimes money must be spent to make money. The community needs to be proactive. He complimented council on working together to adjust airport terminal project. He expressed his disappointment with the way that the meeting and the airport decision making process was covered by local media, specifically the Marion Star.

Mr. Huddle made a motion to suspend; Mr. Norris 2nd. Roll Call: Ayes -- Mr. Landon, Mr. Ratliff, Mr. Schaber, Mrs. Cunningham, Mr. Huddle, Mr. Norris, Mr. Daniels, Mrs. Gustin. (8-0)

Mr. Daniels made a motion to approve; Mrs. Cunningham 2nd. Roll Call: Ayes -- Mr. Landon, Mr. Ratliff, Mr. Schaber, Mrs. Cunningham, Mr. Huddle, Mr. Norris, Mr. Daniels, Mrs. Gustin. (8-0)

ORDINANCE 2019-52 PASSED (8-0)

Item 2. ORD 2019-53: ORDINANCE AUTHORIZING THE CITY SERVICE DIRECTOR TO ACCEPT AND ADMINISTER AN OHIO DEPARTMENT OF NATURAL RESOURCES GRANT FOR THE RESTORATION OF LINCOLN PARK STADIUM AND ENTER INTO CONTRACT FOR THE RESTORATION PROJECT AND THE CITY AUDITOR TO APPROPRIATE FUNDS TO THE PARKS DEPARTMENT FUND, AND DECLARING AN EMERGENCY (Finance, 2-0)

Mr. Huddle made a motion to suspend; Mr. Norris 2nd. Roll Call: Ayes -- Mr. Landon, Mr. Ratliff, Mr. Schaber, Mrs. Cunningham, Mr. Huddle, Mr. Norris, Mr. Daniels, Mrs. Gustin. (8-0)

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Mrs. Cunningham made a motion to approve; Mrs. Gustin 2nd. Roll Call: Ayes -- Mr. Landon, Mr. Ratliff, Mr. Schaber, Mrs. Cunningham, Mr. Huddle, Mr. Norris, Mr. Daniels, Mrs. Gustin. (8-0)

ORDINANCE 2019-53 PASSED (8-0)

Item 3. ORD 2019-54: ORDINANCE AUTHORIZING AND DIRECTING THE PUBLIC WORKS DIRECTOR TO ENTER INTO CONTRACT BEST EQUIPMENT COMPANY FOR THE PURCHASE OF A RECYCLING TRUCK FOR THE CITY OF MARION, OHIO, APPROPRIATING NECESSARY FUNDS, AND DECLARING AN EMERGENCY (Finance, 2-0, no recommendation)

Mr. Kurz, Service-Sanitation Superintendent, explained that this is to replace a current truck that is almost 25 years old. There is a second that will need to be replaced soon. They are in very poor condition and are considered unsafe.

DKMM is offering a grant (due date 10/18) that may be an option for this type of expense, up to \$50,000. The grant is limited to the DKMM district. DKMM has offered assurances that they will work with the city regarding options to use this grant for the truck referenced in ordinance and appropriated for this year. Mayor is working with the director of DKMM and it would have to go before their board. This grant was added to the plan due to the efforts of Mr. Daniels and the Mayor during the negotiation process for the DKMM plan. There is no guarantee that we will receive any funds.

Mr. Daniels expressed frustration that the EPA grant was not received and that could have helped with purchase of this truck. The grant was for new recycling activities and the city was never eligible for it. EPA led council to believe that city could receive some financial assistance. Grant was denied. He does not believe that buying truck now will allow for DKMM to help, but that waiting until January 1 could make a difference.

Mr. Daniels continued by clarifying that he does not think that all recycling activities are wasteful, as he was mis-quoted recently in the Marion Star. There is a proper way to recycle and there is a wrong way to recycle. Continuing to recycle erroneously does not build public support. The city cannot spend \$2 to save \$1 in natural resources. Money is the embodiment of the earth's resources. He is against the waste of anything. The city is not doing good recycling. He thinks that DKMM should be partnering and teaming up with the city better to perform its obligation of recycling. The city has many other obligations, including fire and police.

Various audience members spoke in support of continuing curbside recycling, the purchase of the new recycling truck, and the city's application for the DKMM grant. The League of Women Voters offered to assist with the grant writing process. It was suggested that there is a need for more community education for residents to understand the impact of recycling and how to do it properly to reduce contamination issues.

Mr. Ratliff expressed frustration that the Marion Star article regarding the committee discussion on recycling, as well as others, was inaccurate and misinformed the public. He stated that no public official is against recycling or thinks it is bad. Council has the responsibility to look out for the best interest of the community. DKMM has the responsibility for recycling inside of their solid waste district and that is paid for by a dumping fee. Previously, the community and council decided that they did not like the way that DKMM was

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recycling locally with community drop boxes. They elected to do curb side recycling in the city and that is paid for by the residents – and this is in addition to the dump fees paid on trash. Residents are paying for recycling twice. Council felt like EPA was going to help them financially. They also felt like DKMM was going to help. But neither did. The city is spending \$300,000 to recycle and they must buy a truck on top of that. They hope that they will get \$50,000 to help with this truck. Residents are getting fleeced by state legislators and DKMM. The city is getting denied financial help to do DKMM's tasked service. It angers him that residents are paying for service twice.

Mayor Schertzer stated that this money has already been appropriated and this purchase was planned for this year. The workers need the tools to do the job. The truck will be paid for upon delivery. There are no guarantees that they will get the grant. He noted that they did get a \$50,000 grant on the last recycling truck that they bought. There is also grant funding available for Sims and he encouraged them to apply.

Mr. Daniels continued to express concern that DKMM will not assist with a grant if the city authorizes purchase now. There is no leverage. The city does need to apply but should not dedicate themselves to the purchase before the application is submitted and a decision is made.

Mr. Kurz stated that they use three trucks every day of the week and have a back-up. There will be an immediate need to consider purchasing a second truck (of the same age) after this purchase. There is a build time to consider. Other garage staff supported Mr. Kurz's assertion that truck is worn out and unsafe.

Mr. Schaber made a motion to suspend; Mrs. Cunningham 2nd. Roll Call: Ayes -- Mr. Landon, Mr. Ratliff, Mr. Schaber, Mrs. Cunningham, Mr. Huddle, Mr. Norris, Mr. Daniels, Mrs. Gustin. (8-0)

Mrs. Cunningham made a motion to approve; Mr. Landon 2nd. Roll Call: Ayes -- Mr. Landon, Mr. Ratliff, Mr. Schaber, Mrs. Cunningham, Mr. Huddle, Mr. Norris, Mrs. Gustin. Nays – Mr. Daniels (7-1)

ORDINANCE 2019-54 PASSED (7-1)

Item 4. ORD 2019-55: ORDINANCE ENACTED BY THE CITY OF MARION, MARION COUNTY, OHIO, HEREINAFTER REFERRED TO AS THE LOCAL PUBLIC AGENCY (LPA), IN THE MATTER OF THE OHIO DEPARTMENT OF TRANSPORTATION BRIDGE INSPECTION PROGRAM SERVICES AND DECLARING AN EMERGENCY (Streets and Sewers, 2-0)

Mr. Schaber made a motion to suspend; Mr. Landon 2nd. Roll Call: Ayes -- Mr. Landon, Mr. Ratliff, Mr. Schaber, Mrs. Cunningham, Mr. Huddle, Mr. Norris, Mr. Daniels, Mrs. Gustin. (8-0)

Mr. Schaber made a motion to approve; Mr. Huddle 2nd. Roll Call: Ayes -- Mr. Landon, Mr. Ratliff, Mr. Schaber, Mrs. Cunningham, Mr. Huddle, Mr. Norris, Mr. Daniels, Mrs. Gustin. (8-0)

ORDINANCE 2019-55 PASSED (8-0)

Item 5. ORD 2019-56: ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC WORKS TO PREPARE PLANS AND SPECIFICATIONS, ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE PARK STREET SEWER IMPROVEMENTS,

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Held

PROJECT 1-1S, IN THE CITY OF MARION, OHIO, AND DECLARING AN EMERGENCY (Streets and Sewers, 2-0)

Mr. Schaber made a motion to suspend; Mr. Landon 2nd. Roll Call: Ayes -- Mr. Landon, Mr. Ratliff, Mr. Schaber, Mrs. Cunningham, Mr. Huddle, Mr. Norris, Mr. Daniels, Mrs. Gustin. (8-0)

Mr. Schaber made a motion to approve; Mr. Huddle 2nd. Roll Call: Ayes -- Mr. Landon, Mr. Ratliff, Mr. Schaber, Mrs. Cunningham, Mr. Huddle, Mr. Norris, Mr. Daniels, Mrs. Gustin. (8-0)

ORDINANCE 2019-56 PASSED (8-0)

Item 6. ORD 2019-57: ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC WORKS TO PREPARE PLANS AND SPECIFICATIONS, ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE UHLER AVENUE SEWER IMPROVEMENTS, PROJECT 19-2S, IN THE CITY OF MARION, OHIO, AND DECLARING AN EMERGENCY (Streets and Sewers, 2-0)

Mr. Schaber made a motion to suspend; Mrs. Cunningham 2nd. Roll Call: Ayes -- Mr. Landon, Mr. Ratliff, Mr. Schaber, Mrs. Cunningham, Mr. Huddle, Mr. Norris, Mr. Daniels, Mrs. Gustin. (8-0)

Mr. Schaber made a motion to approve; Mr. Norris 2nd. Roll Call: Ayes -- Mr. Landon, Mr. Ratliff, Mr. Schaber, Mrs. Cunningham, Mr. Huddle, Mr. Norris, Mr. Daniels, Mrs. Gustin. (8-0)

ORDINANCE 2019-57 PASSED (8-0)

Item 7. RES 2019-16: RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR FY 2020 GRANTS, THROUGH THE US DOT FEDERAL TRANSIT ADMINISTRATION, AS AUTHORIZED UNDER FEDERAL TRANSIT LAWS, AS CODIFIED, 49 USC SECTION 5311 AND 49 USC SECTION 5339. FINANCIAL ASSISTANCE FOR OTHER THAN URBANIZED AREAS AND FUNDS AVAILABLE FROM THE OHIO PUBLIC TRANSPORTATION GRANT PROGRAM AND OHIO ELDERLY AND DISABLED TRANSIT FARE ASSISTANCE PROGRAM AND EXECUTING A CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION UPON GRANT APPLICATION APPROVAL, AND DECLARING AN EMERGENCY, AS AMENDED ABOVE (Mayor Schertzer)

Mayor Schertzer said that this is a housekeeping issue and is just a minor verbiage change.

Mr. Schaber made a motion to suspend rule 56; Mrs. Cunningham 2nd. Roll Call: Ayes -- Mr. Landon, Mr. Ratliff, Mr. Schaber, Mrs. Cunningham, Mr. Huddle, Mr. Norris, Mr. Daniels, Mrs. Gustin. (8-0)

Mrs. Cunningham made a motion to suspend; Mr. Landon 2nd. Roll Call: Ayes -- Mr. Landon, Mr. Ratliff, Mr. Schaber, Mrs. Cunningham, Mr. Huddle, Mr. Norris, Mr. Daniels, Mrs. Gustin. (8-0)

Mrs. Cunningham made a motion to approve; Mrs. Gustin 2nd. Roll Call: Ayes -- Mr. Landon, Mr. Ratliff, Mr. Schaber, Mrs. Cunningham, Mr. Huddle, Mr. Norris, Mr. Daniels, Mrs. Gustin. (8-0)

RESOLUTION 2019-16 PASSED (8-0)

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Item 8. RES 2019-17: RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR. (Finance, 2-0)

Mr. Huddle made a motion to suspend; Mrs. Gustin 2nd. Roll Call: Ayes -- Mr. Landon, Mr. Ratliff, Mr. Schaber, Mrs. Cunningham, Mr. Huddle, Mr. Norris, Mr. Daniels, Mrs. Gustin. (8-0)

Mr. Huddle made a motion to approve; Mrs. Gustin 2nd. Roll Call: Ayes -- Mr. Landon, Mr. Ratliff, Mr. Schaber, Mrs. Cunningham, Mr. Huddle, Mr. Norris, Mr. Daniels, Mrs. Gustin. (8-0)

RESOLUTION 2019-17 PASSED (8-0)

MATTERS NOT ON THE AGENDA:

City departments were thanked for the work performed during the Marion Popcorn Festival.

COMMITTEE MEETING SCHEDULE:

Committee meetings were announced as follows:

Finance – 6:30 PM 9/17/2019 – Mr. Huddle, Chair – unknown

Legislation, Codes, and Regulations – 6:35 PM 9/17/2019 – Mr. Landon, Chair – liquor permit, abandoned tires discussion

Regional Planning – 7 PM on 9/25/2019 at the Marion County Building – Mr. Norris, Chair

No other committee chairs called meetings.

With no further business to come before Council, Mr. Schneider adjourned the meeting at 9:09 PM.

Todd Schneider
President of Council

Tarina R. Rose
Clerk of Council

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Held

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 8220S

Ordinance No. 2019-49

Passed _____

ORDINANCE AMENDING EXISTING MARION CITY CODE SECTION 660.03 IN ORDER TO ADDRESS EXISTING NUISANCES WITHIN THE CITY OF MARION, OHIO

WHEREAS, Council finds it advantageous to amend existing Marion City Code Section 6603.03 as it had determined that nuisances exist within the City for which it finds it necessary to enact certain enhancements and revisions to the current existing City Code,

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARION, STATE OF OHIO

Section 1. § 660.03 LITTERING AND DEPOSIT OF GARBAGE AND WASTE MATERIAL now reading as:

(A) As used in this section, LITTER means garbage, trash, rubbish, ashes, cans, bottles, wire, paper, cartons, boxes, automobile parts, furniture, glass or anything else of an unsightly or unsanitary nature, thrown, dropped, discarded or placed as mentioned herein.

(C) No person shall place or allow to be placed or deposited upon any lots or land in the municipality any waste, debris or material resulting from the demolition, repair or alteration of any building, or trees or limbs resulting from the removal of trees, or any other waste material including but not limited to old or scrap copper, brass, rope, rags, trash, waste, batteries, paper, rubber junked, dismantled or wrecked automobiles or parts thereof, iron, steel, or other old or scrapped ferrous or nonferrous material without written permission of the City Safety/Service Director or designated representative.

(H) Whoever violates divisions (B),(C) or (D) is guilty of a minor misdemeanor for the first offense. Any person convicted of a similar offense within one year is guilty of a misdemeanor of the fourth degree.

SHALL BE AMENDED TO READ AS:

Section 2 § 660.03 LITTERING AND DEPOSIT OF GARBAGE AND WASTE MATERIAL:

(A) As used in this section, LITTER means garbage, trash, rubbish, ashes, cans, bottles, wire, paper, cartons, boxes, automobile parts, furniture, glass, TIRES or anything else of an unsightly or unsanitary nature, thrown, dropped, discarded or placed as mentioned herein.

(C) No person shall place or allow to be placed or deposited upon any lots or land in the municipality any waste, debris or material resulting from the demolition, repair or alteration of any building, or trees or limbs resulting from the removal of trees, or any other waste material including but not limited to old or scrap copper, brass, rope, rags, trash, waste, batteries, paper, TIRES, junked, dismantled or wrecked automobiles or parts thereof, iron, steel, or other old or scrapped ferrous or nonferrous material without written permission of the City Safety/Service Director or designated representative.

In addition, no person shall store, place or allow to remain any tire or tires not mounted on a motor vehicle, bicycle, or trailer outside of a permitted structure located within a residential zone district.

RECORD OF ORDINANCES

Form 6220S

ARRETT BROTHERS - DAYTON, OHIO

Ordinance No. _____ Passed _____

(H) Whoever violates divisions (B),(C) or (D) is guilty of a 4th Degree misdemeanor for the first offense. Any person convicted of a similar offense within one year is guilty of a 3rd misdemeanor.

All sections not modified or amended within Section 2 above shall remain in force.

Section 3. That this Ordinance shall be in force from and after the earliest period allowed by law.

Approved: _____
President of Council

Mayor Scott Schertzer

Attest:

Clerk of Council

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. 2019-58

Passed _____

ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO TAKE ALL STEPS NECESSARY TO MAKE URGENT AND NECESSARY REPAIRS AT FIRE DEPARTMENT STATION 1, APPROPRIATING THE NECESSARY FUNDS. COUNCIL HEREBY DECLARING IT NECESSARY TO UTILIZE AUTHORITY PROVIDED BY ORC 735.051 AND DECLARING AN EMERGENCY

WHEREAS, The Council previously determined it necessary to make necessary repairs to support the failing floor at Fire Department Station 1, and

WHEREAS, Administrators have submitted and received grant funds to assist with the necessary repairs, costs saving the General Fund hundreds of thousands of dollars, and

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

Section 1. Based upon the information provided by the Director of Public Safety, Council desires to eliminate the real and present safety concern as to the Fire Department Station 1 floor. Therefore, the Council determines it is necessary as an emergency under ORC 735.051 the Safety Director chose the lowest and best proposal he has received to date in order to complete the work without further delay for the safety of the Fire Department staff and citizens of the City of Marion. The Council declares an emergency and authorizes the Director of Public Safety to enter into all necessary contracts, amendments or modifications to carry out the work without further delay. The Council having found any further delay would place employees and citizens at unnecessary risk of harm.

Section 2. The cost of the project shall be payable from the CDBG FY 2018 Critical Infrastructure fund and the necessary match required from the General Fund. Council hereby authorizing the appropriation of the necessary funds.

Section 3. This Ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and its inhabitants thereof: Due to the real and present need to move forward without delay given the danger caused by the failure of the floor components and the risk of harm collaterally related thereto; 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.

Todd Schneider
President of Council

APPROVED:

Mayor Scott Schertzer

RECORD OF ORDINANCES

Form 62205

BRETT BROTHERS - DAYTON, OHIO

Ordinance No.

Passed

ATTEST:

Tarina Rose
Clerk of Council

Prior reference 2019-46