

ORDINANCE NO. 1990-1

ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES
AND OTHER EXPENDITURES OF THE CITY OF MARION, STATE OF
OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 1990,
AND DECLARING AN EMERGENCY.

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

Section 1. To provide for the current expenses and transfers and other
expenditures of the City of Marion, Ohio during the fiscal year ending December
31, 1990, the following sums be and they are hereby set aside, transferred and
appropriated as follows:

GENERAL FUND

Police Department

Salaries-Civilian	\$ 248,000	
Salaries-Uniformed	1,271,000	
Benefits	670,000	
Accrued Pension	35,461	
Quartermaster	30,000	
Travel	4,500	
Schooling	15,000	
Service Contracts	20,000	
Prisoner Sustenance	32,000	
Prisoner Commissary	8,000	
Equipment Maintenance	18,500	
Insurance	45,000	
Supplies	18,000	
Fuel & Lubricants	25,000	
Equipment	150,000	
Capital Improvements	20,000	
Retirements	42,000	
Professional Service	<u>2,000</u>	
<u>Total Police Department.....</u>		\$2,654,461

Fire Department

Salaries-Civilian	\$ 101,000	
Salaries-Uniformed	1,770,000	
Benefits	890,000	
Accrued Pension	50,275	
Quartermaster	40,000	
Travel	7,000	
Schooling	20,000	
Utilities	31,500	
Service Contracts	13,000	
Equipment Maintenance	18,000	
Building Maintenance	11,500	
Insurance	55,000	
Supplies	14,000	
Fuel & Lubricants	16,000	
Equipment	420,000	
Capital Improvements	10,000	
Retirements	70,000	
Professional Service	<u>8,000</u>	
<u>Total Fire Department.....</u>		\$3,545,275

Disaster Services

City Share	\$ <u>6,000</u>	
<u>Total Disaster Services.....</u>		\$ 6,000

Recreation Department

Salaries	\$	39,000	
Benefits		16,000	
Travel		515	
Professional Services		20,600	
Insurance		1,339	
Supplies		10,300	
Equipment		200	
		<u> </u>	
<u>Total Recreation Dept.</u>	\$		87,954

Senior Citizens Department

Salaries	\$	35,000	
Benefits		19,000	
Utilities		13,500	
Building Maintenance		4,000	
Insurance		13,500	
Professional Service		1,500	
Capital Improvement		9,000	
		<u> </u>	
<u>Total Senior Citizens Dept.</u>	\$		95,500

Planning Department

Supplies	\$	198	
Marion Regional Plan.		34,302	
		<u> </u>	
<u>Total Planning Dept.</u>	\$		34,500

Economic Development Department

Contingency	\$	150,000	
Administration		15,000	
		<u> </u>	
<u>Total Economic Development</u>	\$		165,000

Street Lighting

Utilities	\$	310,000	
		<u> </u>	
<u>Total Street Lighting</u>	\$		310,000

Parking Meter Department

Salary	\$	19,220	
Benefits		9,000	
Clothing Allowance		200	
Travel		200	
Taxes		1,500	
Supplies		250	
		<u> </u>	
<u>Total Parking Meter Dept.</u>	\$		30,370

Airport

Salaries	\$	51,000	
Benefits		21,000	
Travel		800	
Utilities		13,500	
Service Contracts		4,300	
Equipment Maintenance		600	
Land/Bldg. Maintenance		2,000	
Insurance		12,500	
Taxes		3,100	
Supplies		700	
Fuel & Lubricants		1,500	
Capital Improvements		20,000	
		<u> </u>	
<u>Total Airport Operations</u>	\$		131,000

Mayor

Salaries	\$ 39,960	
Benefits	6,000	
Travel	4,000	
Professional Services	2,000	
Supplies	500	
	<u> </u>	
<u>Total Mayor's Office.....</u>		\$ 52,460

Auditor

Salaries	\$ 145,000	
Benefits	54,000	
Travel	400	
Professional Services	20,000	
Service Contracts	31,000	
Supplies	7,000	
Equipment	30,600	
	<u> </u>	
<u>Total Auditor's Office</u>		\$ 288,000

Income Tax Department

Salaries	\$ 80,500	
Benefits	33,200	
Travel	500	
Professional Services	12,500	
Supplies	15,000	
Refunds	193,000	
Equipment	12,000	
	<u> </u>	
<u>Total Income Tax Dept.</u>		\$ 346,700

Treasurer

Salary	\$ 4,700	
Benefits	1,200	
Professional Services	300	
Supplies	300	
	<u> </u>	
<u>Total Treasurer's Office</u>		\$ 6,500

Law Director

Salaries	\$ 119,200	
Benetits	49,000	
Travel	1,000	
Professional Services	15,000	
Supplies	2,500	
Equipment	5,000	
	<u> </u>	
<u>Total Law Director's Office.....</u>		\$ 191,700

Service Director

Salaries	\$ 55,700	
Benefits	18,000	
Travel	1,000	
Professional Services	3,000	
Burials	2,500	
Supplies	4,000	
	<u> </u>	
<u>Total Service Director's Office.....</u>		\$ 84,200

Safety Director

Salaries	\$ 77,400
Benefits	32,000
Travel	1,200
Professional Services	3,000
Supplies	1,500
Demolition	25,000
Equipment	1,000
Quartermaster	500
Schooling	<u>1,000</u>

Total Safety Director's Office..... \$ 142,600

Civil Service Commission

Salaries	\$ 4,100
Benefits	1,000
Professional Services	3,000
Supplies	<u>1,000</u>

Total Civil Service Commission..... \$ 9,100

City Council

Salaries	\$ 47,000
Benefits	10,100
Travel	1,000
Professional Services	3,000
Legal Advertising	1,600
Supplies	<u>500</u>

Total City Council \$ 63,200

Clerk of Council

Salary	\$ 22,800
Benefits	9,600
Travel	100
Service Contract	130
Supplies	<u>700</u>

Total Clerk of Council..... \$ 33,330

Municipal Court

Salaries	\$ 243,000
Benefits	105,620
Travel	2,500
Professional Services	56,000
Service Contracts	1,700
Equipment Maintenance	500
Supplies	23,150
Fuel & Lubricants	<u>750</u>

Total Municipal Court..... \$ 433,220

City Hall

Salaries	\$ 31,000
Benefits	11,500
Utilities	125,000
Custodial Service	15,000
Postage Meter	26,500
Building Maintenance	25,000
Insurance	31,500
Taxes	300
Supplies	4,000
Service Contracts	3,500
Equipment	<u>9,500</u>

Total City Hall..... \$ 282,800

Engineering Department

Salaries	\$ 114,000
Benefits	43,000
Travel	1,000
Equipment Maintenance	1,000
Supplies	2,000
Fuel & Lubricants	1,000
Equipment	<u>10,000</u>

Total Engineering Dept.....\$ 172,000

Statutory Accounts

Election Expense	\$ 18,000
Examiner Fees	23,500
Cty.Auditor/Treasurer Fees	<u>30,000</u>

Total Statutory Accts..... \$ 71,500

Transfers

Law Enforcement	\$ 5,000
Bond Retirement	315,355
Health	214,000
Senior Citizens	4,000
Swimming Pool	25,000
SCMR	503,225
Sewer Revenue	55,000
Capital Improvement	180,000
Parks	<u>258,100</u>

Total Transfers..... \$1,559,680

TOTAL GENERAL FUND..... \$10,797,050

CAPITAL IMPROVEMENT FUND

Capital Improvements	\$ <u>180,000</u>
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Total Capital Improve. Fund..... \$ 180,000

TRANSIT FUND

Salaries	\$ 439,299
Benefits	230,555
Travel	300
Utilities	30,000
Professional Services	2,000
Service Contracts	1,600
Land Lease	4,800
Equipment Maintenance	75,000
Land/Bldg. Maintenance	10,000
Insurance	79,000
Supplies	15,000
Fuel & Lubricants	70,000
Equipment	251,000
Reimbursements	<u>17,000</u>

Total Transit Fund \$1,225,554

PARKS FUND

Salaries	\$ 115,000	
Benefits	37,000	
Travel	100	
Utilities	20,000	
Service Contracts	2,000	
Equipment Maintenance	8,000	
Land/Bldg. Maintenance	8,000	
Insurance	8,000	
Supplies	4,000	
Fuel & Lubricants	3,000	
Professional Service	3,000	
Equipment	<u>50,000</u>	
<u>Total Parks Fund</u>		\$ 258,100

SENIOR CITIZENS GRANT

Salaries	\$ 55,217	
Travel	1,120	
Utilities	2,400	
Equipment Maintenance	400	
Vehicle Leases	9,032	
Supplies	2,211	
Fuel & Lubricants	<u>5,300</u>	
<u>Total Sr. Citizens Grant Fund</u>		\$ 75,680

SEWER REPLACEMENT FUND

Equipment Maintenance	\$ 50,000	
Land/Bldg. Maintenance	100,000	
Equipment	<u>100,000</u>	
<u>Total Sewer Replacement Fund</u>		\$ 250,000

SEWER REVENUE FUND

Sewer Maintenance & Repair

Salaries	\$ 233,700	
Benefits	92,600	
Clothing Allowance	2,000	
Utilities	2,600	
Professional Services	1,200	
Equipment Maintenance	8,000	
Insurance	10,000	
Supplies	38,500	
Fuel & Lubricants	12,000	
Equipment	<u>20,500</u>	
<u>Total Sewer Maint. & Repair</u>		\$ 421,100

Water Pollution Control

Salaries	\$ 663,800
Benefits	257,100
Clothing Allowance	5,500
Travel	3,000
Utilities	502,800
Professional Services	70,000
Service Contracts	20,000
Equipment Maintenance	47,500
Land/Bldg. Maintenance	21,300
Insurance	50,000
Taxes	700
Supplies	225,700
Fuel & Lubricants	23,500
Equipment	28,300
Capital Improvements	20,000
OWDA Loan	306,760
Refunds	5,800
Transfer-Replacement	185,000
" Bond Retirement	73,840
" Utility Billing	85,000
" General	54,000
<u>Total Water Pollution Control.....\$2,649,600</u>	
<u>TOTAL SEWER REVENUE FUND.....\$3,070,700</u>	

SANITATION FUND

Refuse Collection

Salaries	\$ 569,000
Benefits	222,000
Clothing Allowance	7,500
Travel	500
Equipment Maintenance	66,000
Insurance	24,200
Supplies	45,400
Fuel & Lubricants	38,500
Equipment	83,800
Refunds	1,000
Reimbursements	1,500
Transfer-Utility Billing	80,800
" General	22,500
Service Contracts	500
<u>Total Refuse Collection..... \$1,163,200</u>	

Landfill Operations

Salaries	\$ 214,400
Benefits	71,000
Clothing Allowance	2,000
Travel	1,000
Utilities	14,000
Professional Services	60,000
Equipment Maintenance	66,000
Insurance	13,000
Taxes	1,700
Supplies	102,000
Fuel & Lubricants	37,000
Equipment	90,000
Refunds	1,000
Transfers-Utility Billing	4,200
" General	12,600
State Reimbursement	30,000
<u>Total Landfill Operations.....\$ 719,900</u>	
<u>TOTAL SANITATION FUND.....\$1,883,100</u>	

STREET CONSTRUCTION MAINTENANCE & REPAIR FUND

Traffic Maintenance

Utilities	\$ 37,000	
Equipment Maintenance	15,000	
Supplies	24,000	
Capital Improvements	<u>5,000</u>	
<u>Total Traffic Maintenance.....</u>		\$ 81,000

Street Maintenance

Salaries	\$ 572,000	
Benefits	230,000	
Clothing Allowance	5,750	
Travel	500	
Professional Services	1,400	
Service Contracts	2,750	
Equipment Maintenance	42,000	
Permissive Auto Tax	161,900	
Insurance	43,000	
Supplies	99,000	
Fuel & Lubricants	37,000	
Equipment	218,000	
Streetscape	4,000	
Transfer-Bond Retirement	50,000	
Resurfacing Projects	<u>100,000</u>	
<u>Total Street Maintenance</u>		\$1,567,300
<u>TOTAL SCMR FUND.....</u>		<u>\$1,648,300</u>

STATE HIGHWAY IMPROVEMENT FUND

Street Maintenance	\$ 95,000	
Reimbursements	<u>15,000</u>	
<u>Total State Highway Improvement.....</u>		\$ 110,000

UTILITY BILLING FUND

Salaries	\$ 100,000	
Benefits	43,000	
Travel	200	
Professional Services	2,000	
Supplies	15,000	
Transfers-General	<u>30,600</u>	
<u>Total Utility Billing Fund.....</u>		\$ 190,800

HEALTH FUND

Administration

Salaries	\$151,200	
Benefits	58,400	
Travel	2,000	
Professional Services	5,000	
Service Contracts	1,200	
Equipment Maintenance	1,300	
Supplies	4,000	
Fuel & Lubricants	800	
State Reimbursement	<u>12,000</u>	
<u>Total Health Administration.....</u>		\$ 235,900

Inspection

Salaries	\$ 35,000	
Benefits	11,900	
Travel	1,000	
Professional Services	1,400	
Weed Control	14,000	
Blight Control	5,000	
Mosquito Control	3,000	
Supplies	2,000	
Fuel & Lubricants	1,000	
<u>Total Health Inspection.....</u>		\$ 74,300
<u>TOTAL HEALTH FUND.....</u>		<u>\$ 310,200</u>

WOMEN, INFANTS & CHILDREN FUND

Salaries	\$ 97,898	
Benefits	30,000	
Travel	500	
Utilities	30	
Service Contracts	150	
Insurance	63	
Supplies	3,992	
<u>Total WIC Fund.....</u>		\$ 132,633

SWIMMING POOL FUND

Salaries	\$ 26,883	
Benefits	1,109	
Utilities	9,538	
Equipment Maintenance	1,545	
Land/Bldg. Maintenance	1,236	
Insurance	453	
Supplies	15,038	
Equipment	6,695	
<u>Total Swimming Pool Fund.....</u>		\$ 62,497

EVELYN E. WALTER TRUST FUND

Recreation Equipment	\$ 2,150	
Parks Equipment	300	
<u>Total Evelyn E. Walter Trust Fund..</u>		\$ 2,450

STATE PATROL FINES AGENCY FUND

State Patrol Fines	\$ 80,000	
<u>Total State Patrol Fines Agency Fund..</u>		\$ 80,000

STREET CUT DEPOSIT AGENCY FUND

Street Cut Deposits	\$ 3,000	
<u>Total Street Cut Deposit Agency Fund..</u>		\$ 3,000

SENIOR CITIZENS TRUST FUND

Senior Citizens Program	\$ 18,000	
<u>Total Sr.Citizens Program.....</u>		\$ 18,000

POLICE & FIREMEN PENSION AGENCY FUND

Transfers-General \$ 140,830
Total Police & Firemen Pension Agency Fund.....\$ 140,830

SAFETY PATROL TRUST FUND

Safety Patrol Program \$ 2,500
Total Safety Patrol Trust Fund.....\$ 2,500

LAW ENFORCEMENT TRUST FUND

Law Enforcement \$ 15,000
Total Law Enforcement Trust Fund.....\$ 15,000

PARKING METER AGENCY FUND

Henney & Cooper \$ 5,000
Jenkins & Jenkins 5,000
Courthouse 5,000
Total Parking Meter Agency Fund..... \$ 15,000

FIRE DAMAGED STRUCTURE AGENCY FUND

Insurance Proceeds \$ 15,000
Total Fire Damaged Structure Agency Fund..... \$ 15,000

MORBITT MEMORIAL TRUST FUND

Charlie Morbitt Memorial \$ 5,000
Total Morbitt Memorial Trust Fund..... \$ 5,000

G.O. BOND RETIREMENT FUND

Professional Services \$ 4,000
G.O. Notes 150,000
G.O. Bonds 637,355
Total G.O.Bond Retirement Fund..... \$ 791,355

S.A. BOND RETIRMENT FUND

S.A. Bonds \$ 105,857
Total S.A.Bond Retirement Fund..... \$ 105,857

HEALTH LICENSE FUND

Trailer Park \$ 300
Food Service 12,500
Vending Machines 1,500
Water System -0-
Swimming Pool 1,400
Infectious Waste 100
Total Health License Fund..... \$ 15,800

SPECIAL HOUSING FUND

Administration	\$ 16,500	
Primary Activity	<u>73,500</u>	
<u>Total Special Housing Fund</u>		\$ 90,000

RECYCLING FUND

Administration	\$ 5,000	
Primary Activity	<u>100,000</u>	
<u>Total Recycling Fund</u>		\$ 105,000

REVOLVING FUND

Administration	\$ 5,500	
Loans	<u>40,000</u>	
<u>Total Revolving Fund</u>		\$ 45,500

RENTAL REHABILITATION FUND

Administration	\$ 12,000	
Rehab.	<u>88,148</u>	
<u>Total Rental Rehab Fund</u>		\$ 100,148

DOWNTOWN REVITALIZATION FUND

Primary Activity	\$ <u>206,500</u>	
<u>Total Downtown Revitalization Fund</u>		\$ 206,500

UDAG REPAYMENT FUND

Administration	\$ 13,500	
Loans	20,000	
Grant Matching	<u>30,000</u>	
<u>Total UDAG Repayment Fund</u>		\$ 63,500

COMMUNITY DEVELOPMENT BLOCK GRANT

Administration	\$ 42,750	
Primary Activity	<u>98,000</u>	
<u>Total CDBG Fund</u>		\$ 140,750

ROTARY AGENCY FUND


Pass-Thru Payments	\$ <u>10,000</u>	
<u>Total Rotary Agency Fund</u>		\$ 10,000

GRAND TOTAL.....\$22,165,804

SUMMARY OF FUNDS

<u>FUND</u>	<u>APPROPRIATIONS</u>	<u>REIMBURSEMENTS & REFUNDS</u>	<u>TRANSFERS</u>	<u>TOTALS</u>
General	\$9,044,370	\$193,000	\$1,559,680	\$10,797,050
Sr.Citizens Grant	75,680			75,680
SCMR	1,598,300		50,000	1,648,300
State Highway	95,000	15,000		110,000
Health	298,200	12,000		310,200
WIC Grant	132,633			132,633
Parks	258,100			258,100
Health License		15,800		15,800
Special Housing Grant	90,000			90,000
Recycling Grant	105,000			105,000
Rental REhab Grant	100,148			100,148
Revolving	45,500			45,500
CDBG	140,750			140,750
UDAG Loan Repayment	63,500			63,500
Downtown Revital. Grant	206,500			206,500
G.O.Bond Retirement	791,355			791,355
Capital Improvement	180,000			180,000
Transit	1,208,554	17,000		1,225,554
Sewer Replacement	250,000			250,000
Sewer Revenue	2,667,060	5,800	397,840	3,070,700
Sanitation	1,729,500	33,500	120,100	1,883,100
Swimming Pool	62,497			62,497
Utility Billing	160,200		30,600	190,800
Evelyn E. Walter Trust	2,450			2,450
State Patrol Fines Agency	80,000			80,000
Street Cut Deposit Agency	3,000			3,000
Senior Citizens Trust	18,000			18,000
Police/Fire Pension Agency			140,830	140,830
Safety Patrol Trust	2,500			2,500
Law Enforcement Trust	15,000			15,000
Parking Meter Agency	15,000			15,000
Insurance Proceeds Trust	15,000			15,000
Morbitt Memorial Trust	5,000			5,000
S.A.Bond Retirement Agency	105,857			105,857
Rotary		10,000		10,000
GRAND TOTAL	\$19,564,654	\$302,100	\$2,299,050	\$22,165,804

Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that it is necessary for the daily operation of said City, 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.

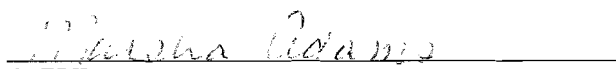

 PRESIDENT OF COUNCIL

PASSED: January 1, 1990

APPROVED: January 2, 1990


 MAYOR

ATTEST:


 CLERK

ORDINANCE NO. 1990- 2

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS FOR THE
YEAR ENDING DECEMBER 31, 1990, AND DECLARING AN
EMERGENCY.

Ohio: Be it ordained by the Council of the City of Marion, Marion County,

Section 1. That there be additional appropriations made in the Mayor's Office in the General Fund in the amount of \$31,750.00 as follows:

Salaries	101-07-710-210-000-110	\$22,000.00
Benefits	101-07-710-210-000-120	\$ 9,000.00
Equipment	101-07-710-250-000-450	\$ 750.00
TOTAL GENERAL FUND		\$31,750.00

Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof and for the daily operation of the Mayor's Office; 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.

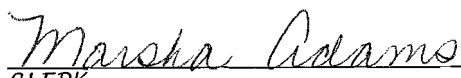

PRESIDENT OF COUNCIL

PASSED: January 22, 1990

APPROVED: January 22, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990- 3

ORDINANCE TO REPEAL SECTIONS 41 AND 41.1 OF THE
CITY PERSONNEL POLICIES FOR THE CITY OF MARION.

WHEREAS, The Board of Park Commissioners has, by authority of the Ohio Revised Code, authority over the physical facilities in the Marion city parks, and

WHEREAS, currently a provision of the City Personnel Policies covers a residence located at Kennedy Park, and

WHEREAS, The Board of Park Commissioners is desirous of changing the terms covering said residence, and

WHEREAS, any such changes now and in the future would require amendment to the City Personnel Policies,

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

Section 1. That Sections 41 and 41.1 of the City Personnel Policies be and the same are hereby repealed.

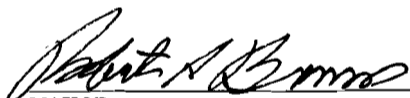
Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.



PRESIDENT OF COUNCIL

PASSED: January 22, 1990

APPROVED: January 22, 1990



MAYOR

ATTEST:



CLERK

Amended Ord. No. 1990-40

ORDINANCE NO. 1990- 4

ORDINANCE TO VACATE A CERTAIN ALLEY BETWEEN LOTS 216 AND 217 TO THE NORTH AND 226 TO THE SOUTH IN BAKER'S ADDITION, BEHIND EPWORTH UNITED METHODIST CHURCH, 249 E. CENTER STREET, MARION, OHIO.

WHEREAS, in the opinion of this Council, there is good cause for vacating a certain alley behind Epworth Methodist Church, between lots 216 and 217 to the north and 226 to the south in Baker's Addition to the City of Marion, and

WHEREAS, the petition to vacate this alley was approved by the Marion City Planning Commission at its meeting of November 30, 1989, and

WHEREAS, notice to all abutting landowners was given in accordance with Marion Codified Ordinance 903.08, and

WHEREAS, Council, upon hearing, is satisfied that said vacation will not be detrimental to the general interest and ought to be made;

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

Section 1. That the following described alley, to-wit:

A certain alley commencing at the northeast corner of Lot Two Hundred Twenty-six (226) in Baker's Addition to the town, now City of Marion, Ohio; thence west along the north line of said Lot Two Hundred Twenty-six (226) to the northwest corner of said Lot Two Hundred Twenty-six (226); thence north on the west line of said Lot Two Hundred Twenty-six (226) extended north, to the southwest corner of Lot Two Hundred Seventeen (217) in Baker's Addition to the City of Marion, Ohio; thence east along the south line of Lots Two Hundred Seventeen (217) and Two Hundred Sixteen (216) in Baker's Addition to the City of Marion, Ohio, to the southeast corner of said Lot Two Hundred Sixteen (216); thence south on the east line of said Lot Two Hundred Sixteen (216), extended south, to the northeast corner of Lot Two Hundred Twenty-six (226) in Baker's Addition and the place of beginning,

be and is hereby vacated.

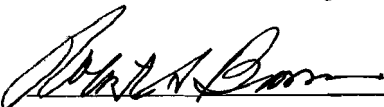
Section 2. That title to the real estate comprising said alley shall revert to the abutting property owners in accordance with the laws of Ohio.

Section 3. That nothing in this ordinance shall be construed to affect any right-of-way or easement now held by the City of Marion, in, under, over or across the above mentioned alley for sewer purposes or for use by any public utility operating under a franchise with the City of Marion, and the vacation of said alley herein is specifically made subject to the continued existence of any such existing right-of-way or easement, unless the abutting property owners renegotiate with the utility another right-of-way or easement.


Section 4. That the Clerk of Council be and she is hereby authorized and directed to certify a copy of the within ordinance to the Auditor of Marion County and to the Recorder of Marion County, Ohio.

Section 5. This ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: January 22, 1990
APPROVED: January 22, 1990


MAYOR


PRESIDENT OF COUNCIL

ATTEST:

CLERK

ORDINANCE TO AMEND THE ZONING CODE OF THE CITY
OF MARION BY ENACTING CHAPTER 1185 (DESIGN
REVIEW REGULATIONS).

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

Section 1. That the Zoning Code of the City of Marion is hereby amended
by enacting Chapter 1185 to read as follows:

CHAPTER 1185
DESIGN REVIEW REGULATIONS

1185.01 ESTABLISHMENT OF A DESIGN REVIEW BOARD

A Marion City Design Review Board is established to provide for a
public body with authority to advise upon changes to structures and
objects in the Downtown Design District.

1185.02 PURPOSE

The purpose of this ordinance is to attempt to encourage design
changes that are compatible with the existing architecture of Marion.
The City Council declares that the restoration, preservation, re-
habilitation and the overall aesthetic improvement of the community
are matters of public necessity involving the health, safety, pros-
perity, and welfare of the people. More specifically, the purpose
of this chapter is to:

- (a) Safeguard existing and new investments in building preservation,
restoration, and rehabilitation by preventing intrusive alternatives
within the district that would be compatible with the established
design and character.
- (b) Encourage businesses and building owners to carry out restoration
and rehabilitation true to the character of the building involved.
Nothing in this ordinance shall be deemed or interpreted as a require-
ment that an existing building must be altered, or if to be altered,
changed in any way to imitate or mimic an architectural period or
style such as Colonial, Victorian, etc., other than its own.
- (c) Foster civic beauty and pride.
- (d) Strengthen the local economy by design review of existing building
and construction of new buildings compatible in size, scale, and
materials to the area.

1185.03 DEFINITIONS FOR DESIGN REVIEW REGULATIONS

The following definitions shall apply only to the provisions of the
Design Review Regulations of the City Zoning Code.

- (a) "Alter" or "Alteration" means any material change in the external
architectural features of any property which lies within a Design
District, including demolition, removal or construction, but not in-
cluding the landscaping of real property.
- (b) "Applicant" means any owner, owners, person, persons, association,
partnership or corporation who applies for a certificate of appropri-
ateness in order to undertake any change on property subject to this
chapter.
- (c) "Change" means any alteration, demolition, removal or construction
involving any property subject to the provisions of this chapter
including signs.

(d) "Property" means any place, building, structure, work of art, fixture or similar object, but shall not include real property unless expressly provided.

(e) "Design District" means any area so designated on the Zoning Map in accord with the provisions of this Zoning Code.

(f) "Member" means any member of the Review Board.

(g) "Owner" means the owner or owners of record.

(h) "Review Board" means the Design Review Board established under the provisions of this Zoning Code.

1185.04 DESIGN DISTRICT BOUNDARIES.

(a) The Design District boundaries are shown on the Zoning District Map and includes all properties within such boundary.

1185.05 DESIGN REVIEW BOARD.

(a) The Design Review Board, hereinafter referred to as the Review Board, shall consist of five (5) members. One (1) member shall be the chairman of the City Planning Commission. Four (4) members shall be appointed by the Mayor with the consent of City Council. Of these, two (2) shall be affiliated with a business or organization within the Design District, or a property owner within the district. One (1) shall represent the banking, building, law, or real estate profession. The Mayor shall attempt, for the fourth appointed member, to nominate and appoint a registered architect, or someone who is or has been in a design related profession, such as urban planning, historic preservation, etc.

(b) At least three (3) members of the Review Board shall be residents of the City of Marion.

(c) Each appointed member shall serve a term of four (4) years and may be reappointed for terms of four (4) years, except that of the initial appointments, one (1) member shall be appointed for one (1) year term, one (1) for a two (2) year term, one (1) for a three (3) year term, and one (1) for a four (4) year term.

(d) The members shall serve without compensation from the City and appointed members may be removed for just cause by the Mayor.

1185.06 ORGANIZATION & RULES OF REVIEW BOARD.

(a) As soon as convenient following the appointment of members to the Review Board, the members shall meet and organize by election of a chairman and vice chairman. The Review Board shall adopt its own rules of procedure and provide for regular and special meetings to accomplish the purpose of this Zoning Code. The Clerk of Council shall serve as Secretary, but shall not be required to attend meetings. The Chairman shall request that a member take minutes which shall be forwarded to the secretary for reproduction and distribution.

(b) Before adoption of such rules of procedure by the Review Board such rules shall be submitted to the City Planning Commission for review and recommendation and to Council for approval. Such rules shall not be adopted without prior Council approval.

1185.07 DUTIES OF THE REVIEW BOARD.

The Review Board shall have the following rules:

(a) The Review Board shall review and act upon all applications for certificates of appropriateness as required in §1185.11 of this Zoning Code.

(b) The Review Board may establish additional criteria, rules and regulations not otherwise included in this chapter for evaluating applications for certificates of appropriateness submitted to it and the manner in which they shall be processed. Such criteria, rules and regulations shall not be adopted by the Review Board until after review and recommendations by the City Planning Commission and approved by Council.

1185.08 DEMOLITION PERMIT REQUIRED.

No demolition of any property, as defined in §1185.03 shall be undertaken prior to obtaining a certificate of appropriateness from the Review Board and a demolition permit from the Safety Director unless otherwise provided by law. The proposed use of the resulting space, in the case of a demolished structure, will be stated in the application for the permit.

1185.09 LIMITATIONS ON ISSUANCE OF BUILDING, DEMOLITION, SIGN PERMITS & CERTIFICATES OF ZONING COMPLIANCE.

(a) No permits which require a certificate of appropriateness shall be issued unless the application for such permit is approved by the Review Board through the issuance of a certificate of appropriateness.

(b) No sign permit shall be issued by the Safety Director or through otherwise established procedures for any sign to be erected or placed within the Design District unless a certificate of appropriateness has been issued for that sign.

1185.10 ISSUANCE OF CERTIFICATE OF APPROPRIATENESS OR RESULTS OF REVIEW.

(a) When the owner of a property within a Design District desires to make any change other than ordinary maintenance including the construction, reconstruction, alteration or demolition of any property, structure, sign, area or object within a Design District, such owner or his agent shall first secure a certificate of appropriateness from the Design Review Board unless such property is exempted in accord with the exclusions permitted in §1185.14. Such exemption shall be determined by the Safety Director.

(b) Applications for certificate of appropriateness shall be filed with the Safety Director who shall, prior to the issuance of any permits, refer the application to the Review Board for approval or denial.

(c) If a proposed change is in accordance with the guide lines and criteria for the Design Review Board, including the criteria provided in §1185.11, then the Review Board shall issue a certificate of appropriateness.

1185.11 CRITERIA FOR EVALUATING APPLICATIONS FOR CERTIFICATE OF APPROPRIATENESS.

(a) In considering the appropriateness of any changes, including signs, the Review Board shall take into account the historical and architectural value and significance, architectural style and general design, arrangement, texture, material and color of the proposed change and the relation thereof to the same or related factors in other properties, objects and areas in the immediate vicinity.

(b) Attention shall be taken to avoid the environmentally harmful effect often created by the clash of undisguised contemporary materials with those of older origin, such as aluminum or other metals, plastic, fiberglass and glass improperly used with brick, stone, masonry and wood.

(c) In judging appropriateness of any change or in making a recommendation, the Review Board shall use The Secretary of the Interior's STANDARDS FOR REHABILITATION & GUIDELINES FOR REHABILITATING HISTORIC BUILDINGS, U.S. Department of Interior, as currently revised.

1185.12 NOTICE OF DEMOLITION REQUIRED.

Where a certificate of appropriateness is required by the provisions of this Zoning Code, before being granted a certificate of appropriateness the applicant may be required to provide a written statement that the property concerned is not historically or architecturally significant or otherwise worthy of preservation.

1185.13 CERTIFICATE OF APPROPRIATENESS REQUIRED FOR NEW SIGNS.

(a) As has been provided under the provisions of this Zoning Code, a certificate of appropriateness shall be obtained for any new sign an applicant wishes to erect or place within a Design District.

(b) The certificate of appropriateness by the Review Board shall be obtained prior to issuance of a certificate of zoning compliance by the Safety Director.

1185.14 EXCLUSIONS.

Nothing in this chapter shall be construed to prevent the ordinary maintenance or repair of any property, area or object within a Design District or otherwise listed under the provisions of this chapter, provided such work involves no change in material, design, texture or other appearance other than color; nor shall anything in this chapter be construed to prevent any change, including the construction, reconstruction, alteration or demolition of any feature which in the view of the Safety Director acting lawfully is required for the public safety because of an unsafe or dangerous condition.

1185.15 PENALTY.

(a) Whoever constructs, reconstructs, alters, changes or demolishes any exterior feature of any property, area or object in violation of these Design Review Regulations or whoever maintains, changes or installs a sign in violation of this Zoning Code, shall be deemed in violation of this Zoning Code, and such violation shall be punishable under this Zoning Code.

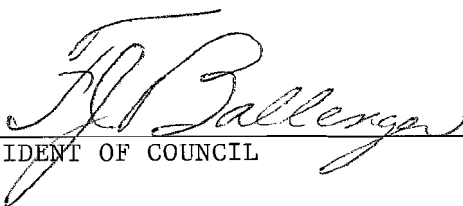
(b) In the event any change is made in any property which is situated in a Design District, in violation of the provisions of these Design Review Regulations, the City may institute appropriate proceedings to prevent such unlawful change.

1185.16 APPEAL FROM DECISION OF REVIEW BOARD.

(a) In the case of a denied certificate of appropriateness, the Review Board shall attempt to work out an alternative plan with the owner or his agent that is acceptable to all parties.


(b) If the Review Board and the owner are unable to work out an alternative plan or if the owner does not wish to take this action, the owner may make an appeal to the Board of Zoning Appeals in accord with Chapter 1169 of this Zoning Code.

Section 2. This ordinance shall take effect and be in force from and after the earliest period allowed by law.


PRESIDENT OF COUNCIL

PASSED: January 22, 1990
APPROVED: January 22, 1990


MAYOR

ATTEST:

CLERK

ORDINANCE NO. 1990-6

ORDINANCE TO AMEND ORDINANCE NO. 1989-37 (GRANTING CERTAIN BENEFITS TO PART-TIME PERMANENT EMPLOYEES OF THE CITY) TO INCLUDE THE PART-TIME EMPLOYEES OF THE MARION AREA TRANSIT SYSTEM, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 1989-37, Part-Time Permanent Employees included in the Yarger Report have been granted certain employee benefits, and

WHEREAS, the Part-Time Employees in the Marion Area Transit System are not included in the Yarger Report, and

WHEREAS, in order to comply with the 1990 operating grant awarded to the Marion Area Transit System, O.D.O.T. has mandated that these Part-Time Employees receive partial employee benefits,

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

Section 1. That Ordinance No. 1989-37 be and is hereby amended to include the Part-Time Employees in the Marion Area Transit System who are entitled to receive partial employee benefits as set out in said ordinance.


Section 2. That Ordinance No. 1989-37 is hereby further amended by adding subsection (c) to Section 6 of said ordinance, to read as follows:

"27.8 (c) Part-Time Employees in the Marion Area Transit System hired to work 30-35 hours per week shall be entitled to the following 8 paid holidays and paid hours shall be limited to the regularly scheduled hours normally worked:

- 1 - January 1 - New Year's Day
- 2 - The third Monday of January, known as Marion Luther King Day
- 3 - The Friday before Easter Sunday, known as Good Friday
- 4 - The last Monday of May, known as Memorial Day
- 5 - July 4 - Independence Day
- 6 - The first Monday of September, known as Labor Day
- 7 - The fourth Thursday of November, known as Thanksgiving Day
- 8 - December 25 - known as Christmas Day

Section 3. That, in order to comply with the grant funding our Transit Department, the holiday pay provisions of \$2 hereof, shall be retroactive to January 1, 1990.

Section 4. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that it is necessary to comply with the operating grant and continue public transit service in Marion; 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.


PRESIDENT OF COUNCIL

PASSED: January 22, 1990

APPROVED: January 22, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE AUTHORIZING THE SAFETY DIRECTOR TO ENTER INTO CONTRACT WITH EARL PRICE FOR THE DEMOLITION OF THE HOUSE AND ACCESSORY BUILDING LOCATED AT 512 PEARL STREET AND DECLARING AN EMERGENCY.

WHEREAS, The Safety Director did not receive any bids for the demolition of the house and accessory building located at 512 Pearl Street, and;

WHEREAS, the Safety Director, having received no bids, did request and receive two (2) proposals for the demolition, and;

WHEREAS, the lowest proposal was submitted by Earl Price,

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

SECTION 1. That the Safety be and he is hereby authorized to enter into contract with Earl Price for the demolition of the house and accessory building as per bid specifications.

SECTION 2. That the said work shall be for the amount of \$4,000.00 from the General Fund, Account Number 101-07-716-230-000-323.

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 as such shall take effect 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.



PRESIDENT OF COUNCIL

PASSED: January 22, 1990

APPROVED: January 22, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO.

DATE

RECEIVED

FILED

ORDINANCE NO. 1990- 8

ORDINANCE AUTHORIZING AND DIRECTING THE SERVICE DIRECTOR TO PREPARE PLANS AND SPECIFICATIONS AND ADVERTISE FOR BIDS FOR THE REMODELLING AND IMPROVING OF PORTIONS OF THE MARION CITY HALL BUILDING IN THE CITY OF MARION, AND DECLARING AN EMERGENCY.

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

Section 1. That the Service Director is hereby authorized and directed to prepare plans and specifications and advertise for bids for the remodelling and improving of the following areas within the Marion City Hall building:

1. Engineering Department. Provide offices for Economic Development, Zoning Inspector and Clerk of Council.
2. Third Floor Conference Room. Convert into Law Director's office.
3. Duplicating Room. Provide area for third floor conference room.
4. Police Department. Remodel dispatching area.

Section 2. That the cost of items numbered 1 through 3 shall be payable from the City Hall Improvement Fund-101-07-741-250-000-520, and the cost of item 4 shall be payable from the Police Department Capital Improvements Fund-101-01-111-250-000-520.

Section 3. 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 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.

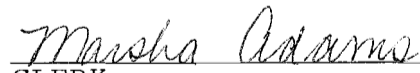

PRESIDENT OF COUNCIL

PASSED: *January 22, 1990*

APPROVED: *January 22, 1990*


MAYOR

ATTEST:


CLERK

ORDINANCE TO MAKE ADDITIONAL APPROPRIATIONS
FOR THE YEAR ENDING DECEMBER 31, 1990, AND
DECLARING AN EMERGENCY.

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

Section 1. That there be additional appropriations made in the General
Fund in the amount of \$30,212.00 as follows:

Airport Reimbursements	101-06-621-270-000-721	\$ 212.00
Clerk of Council Equipment	101-07-722-250-000-450	1,000.00
Municipal Court Equipment	101-07-731-250-000-450	10,000.00
City Hall Professional Service	101-07-741-230-000-320	1,700.00
City Hall Capital Improvement	101-07-741-250-000-520	<u>17,300.00</u>
Total General Fund		\$30,212.00


Section 2. This ordinance is hereby declared to be an emergency measure
necessary for the immediate preservation of the public health, welfare and safety
of the City of Marion and the inhabitants thereof and for the further reason that
it is necessary for the daily operation of said City; 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.



PRESIDENT OF COUNCIL


PASSED: February 12, 1990

APPROVED: February 13, 1990



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1990- 10

ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO
ENTER INTO CONTRACT WITH PETER MILLER, INC.
FOR THE PURCHASE ^{and installation} / OF A ROOFTOP HEATING/VENTILATING
SYSTEM FOR USE AT THE WASTEWATER TREATMENT PLANT,
AND DECLARING AN EMERGENCY.

WHEREAS, by Ordinance No. 1989-112, the Service Director was authorized to prepare specifications and advertise for bids for a rooftop heating/ventilating system, and

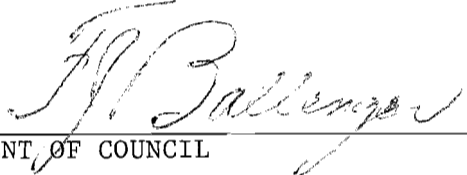
WHEREAS, Peter Miller, Inc. submitted the lowest and best bid,

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

Section 1. That the Service Director be and he is hereby authorized to enter into contract with Peter Miller, Inc. for the purchase ^{and installation} / of a heating/ventilating system for the screen building at the Wastewater Treatment Plant.

Section 2. That the cost of said contract, \$25,400.00, shall be payable from the Water Pollution Control Sewer Replacement Fund - 504-05-553-230-000-370.


Section 3. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that the building has been without heat this winter; 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.



PRESIDENT OF COUNCIL

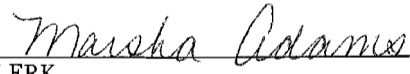
PASSED: *January 22, 1990*

APPROVED: *January 22, 1990*



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1990- 11

ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY BILLS
FROM VARIOUS CITY DEPARTMENTS PURSUANT TO OHIO
REVISED CODE §5705.41(D), AND DECLARING AN EMERGENCY.

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

Section 1. That the City Auditor is hereby authorized to pay bills from various city departments pursuant to O.R.C. §5705.41(D) which reads in part as follows: "No subdivision or taxing unit shall make any contract or give any order involving the expenditure of money unless there is attached thereto a certificate of the fiscal officer of the subdivision that the amount required to meet the same...such taxing authority may authorize the issuance of a warrant in payment of such amounts due upon such contract, but such resolution or ordinance shall be passed within thirty days from the receipt of such certificate."

General Fund	\$199.00
SCMR Fund	<u>202.87</u>
TOTAL	\$401.87

Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the City of Marion and the inhabitants thereof and for the further reason that it provides for the daily operation of said City, and as such it shall become effective 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.

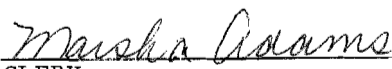

PRESIDENT OF COUNCIL

PASSED: *January 22, 1990*

APPROVED: *January 22, 1990*


MAYOR

ATTEST:


CLERK

ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS FOR THE LEASING OF A PORTION OF THE TRACT OF LAND, OWNED BY THE CITY OF MARION, AND KNOWN AS "THE FRESHMAN BUILDING", AND DECLARING AN EMERGENCY.

WHEREAS, the City of Marion is the owner of a certain tract of land of approximately 2.3 acres in size, located on W. Church Street, Marion, Ohio, and commonly known as "the Freshman Building", and

WHEREAS, the City is desirous of demolishing the main structure, while preserving the newer structure, known as the "Gymnasium Building", and

WHEREAS, the costs of such demolition may be offset by sale or lease of a portion of the "Freshman Building" tract, so as not to interfere with the use of the "Gymnasium Building", and

WHEREAS, the City is desirous of addressing the shortage of housing for the elderly, as well as developing a center for the youth of Marion,

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

Section 1. The Service Director is hereby authorized to advertise for bids for the leasing of a portion of the tract of land, owned by the City of Marion, and known as the "Freshman Building".

Section 2. That said advertisement shall contain, at least, the following specifications:

- (a) Any prospective Lessee shall lease the land in order to obtain a loan from the U.S. Dept. of Housing and Urban Development under §202 of the Housing Act of 1959, to operate the property as improved housing for the elderly, including the handicapped and developmentally disabled.
- (b) That the term of said lease shall be for a minimum of 99 years.
- (c) That the Lessee shall pay a minimum of \$70,000.00, payable in full upon the execution of the initial term of the lease.
- (d) That the Lessee shall execute the lease on or before June 1, 1990.
- (e) Both Lessor and Lessee shall cooperate to mutually assist each other in obtaining the necessary funds for this project.
- (f) The lease shall be conditioned upon the successful application by the Lessee, for the necessary funds for this project.

Section 3. That this advertisement shall run for five (5) consecutive weeks, in accordance with §721.03 Ohio Revised Code.

Section 4. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof 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.

PRESIDENT OF COUNCIL

PASSED:

APPROVED:

MAYOR

ATTEST:

CLERK

defeated Jan. 26, 1990

ORDINANCE NO. 1990-13

ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO AN AGREEMENT WITH FLOYD BROWNE ASSOCIATES, LIMITED, 181 SOUTH MAIN STREET, MARION, OHIO, FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN, PREPARING OF PLANS AND CONTRACT DOCUMENTS, ACQUISITION OF EASEMENTS FOR, AND INSPECTION OF THE SOUTHEAST STORM SEWER, AND DECLARING AN EMERGENCY.

WHEREAS, the voters of the State of Ohio passed State Issue #2 on November 3, 1987, thereby establishing funds necessary to improve a portion of Ohio's infrastructure facilities, and

WHEREAS, the Council of the City of Marion, Ohio approved Resolution 1989-8 authorizing and directing the mayor to apply to the Ohio Public Works Commission for the funding of the Southeast Storm Sewer, and

WHEREAS, the City of Marion, Ohio has received approval of a \$1.42 million grant through the Ohio Public Works Commission for the design and construction of the Southeast Storm Sewer, and

WHEREAS, the City of Marion, Ohio desires to construct the said Southeast Storm Sewer to improve storm water drainage within a 387 acre watershed in the southeast part of the City of Marion,

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

Section 1. That the Service Director is hereby authorized to enter into an agreement with Floyd Browne Associates, Limited, 181 South Main Street, Marion, Ohio 43302, to provide professional engineering services for the design, preparing of plans, specifications, contract documents, easements, and the construction inspection for the Southeast Storm Sewer.


Section 2. That the local share shall be payable from the Southeast Storm Sewer Project Fund.

Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the citizens of Marion and for the further reason that it is necessary to expedite the project to meet the deadlines of the grant agreement 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.



PRESIDENT OF COUNCIL

PASSED: *January 22, 1990*

APPROVED: *January 22, 1990*


MAYOR

ATTEST:


CLERK

NAME OF STREET Richland Road

ORDINANCE NO. 1990- 14

ROUTE NO. SR 529

DATE January 22, 1990

An emergency ordinance enacted by the City of Marion,
Marion County, Ohio, in the matter of the hereinafter described improvement
and to request cooperation by the Director of Transportation.

WHEREAS, the City has identified the need for and proposes the improvement of a portion of the public highway which is described as follows:

By applying an asphaltic concrete intermediate course approximate thickness one half (1/2) inch and an asphaltic concrete surface course of one (1) inch on Richland Road (SR 529) beginning at Mt. Vernon Avenue (SR 95) (S.L.M. 0.00) to the Corporation line (S.L.M. 0.55)

said portion of highway within the municipal corporation limits being hereinafter referred to as the improvement, and

WHEREAS, the City further desires cooperation from the Director of Transportation in the planning, design and construction of said improvement.

NOW THEREFORE, Be it ordained by the Council of the City of Marion,
Ohio:

SECTION I (Cooperation)

That said City hereby requests the cooperation of the Director of Transportation in the cost of the above described improvement as follows:

- A. The Ohio Department of Transportation will assume and bear ninety (90%) percent of the cost of the improvement.
- B. The City will assume and bear all remaining cost of the improvement.

SECTION II (Consent)

That it is declared to be in the public interest that the consent of said City be and such consent is hereby given to the Director of Transportation to construct the above described improvement, in accordance with plans, specifications and estimates as approved by the Director.

SECTION III (Authority to Sign)

That the Mayor of said City, is hereby empowered and directed on behalf of the City to enter into agreements with the Director of Transportation necessary to complete the planning and construction of this improvement.

SECTION IV (Traffic Control Signals and Devices)

That traffic control devices installed within the limits of the project will conform with Section 4511 of the Ohio Revised Code.

SECTION V (Maintenance and Parking)

That upon completion of said improvement, said City, will thereafter keep said highway open to traffic at all times, and

- (a) Maintain the improvement in accordance with the provisions of the statutes relating thereto and make ample financial and other provisions for such maintenance; and
- (b) Maintain the right-of-way and keep it free of obstructions in a manner satisfactory to the State of Ohio and hold said right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the right-of-way limits; and
- (c) Place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the improvement in compliance with the provisions of Section 4511.11 and related sections of the Ohio Revised Code.
- (d) Regulate parking in the following manner:

Prohibit parking within the limits of the improvement.

SECTION VI (Right-of-Way, Utility Rearrangement and Damage and Liability Responsibilities)

- (a) That all existing street and public way right-of-way within the City which is necessary for the aforesaid improvement, shall be made available therefor.
- (b) That the State/City will acquire any additional right-of-way required for the construction of the aforesaid improvement.
- (c) That arrangements have been or will be made with and agreements obtained from all public utility companies whose lines or structures will be affected by the said improvement and said companies have agreed to make any and all necessary plant removals or rearrangements in such a manner as to be clear of any construction called for by the plans of said improvement and said companies have agreed to make such necessary rearrangements immediately after notification by said City or the Department of Transportation.
- (d) That it is hereby agreed that the City shall at its own expense, make all rearrangements of water mains, service lines, fire hydrants, valve boxes, sanitary sewers or other municipally owned utilities and/or any appurtenances thereto, which do not comply with the provisions of Directive DH-P-411 inside or outside the corporate limits as may be necessary to conform to the said improvement and said rearrangements shall be done at such time as requested by the Department of Transportation Engineer.
- (e) That the construction, reconstruction, and/or rearrangement of both publicly and privately owned utilities, referred to in subsections (c) and (d) above, shall be done in such a manner as not to interfere unduly with the operation of the contractor constructing the improvement and all backfilling of trenches made necessary by such utility rearrangements shall be performed in accordance with the provisions of the Ohio Department of Transportation Construction and Material Specifications and shall be subject to approval by the State.
- (f) That the installation of all utility facilities on the right of way shall conform with the requirements of the Federal Highway Administration Policy and Procedure Memorandum 30-4 "Utility Relocations and Adjustments" and the Department of Transportation's rules on Utility Accommodation.
- (g) That the City hereby agrees to accept responsibility for any and all damages or claims for which it is legally liable arising from the negligence of its officers, employees or agents in the performance of the City's obligations made or agreed to in Sections (a), (b), (c), (d), (e) and (f) hereinabove. Likewise, The State agrees to accept responsibility for any and all damages or claims for which it is legally liable arising from the negligence of its officers, employees or agents in the performance of the State's obligations made or agreed to in Sections (a), (b), (c), (d), (e) and (f) hereinabove.

This ordinance is hereby declared to be an emergency measure by reason of the need for expediting highway improvements to promote highway safety, and provided it receives the affirmative vote of two-thirds of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed: January 22, _____, 19 90.

Attest: Marsha Adams
Clerk

Robert A. Brown
Mayor

Attest: Marsha Adams

J. J. Talley
President of Council

CERTIFICATE OF COPY

STATE OF OHIO

City of Marion _____ SS

County Marion _____

I, Marsha Adams, as Clerk of the City of Marion, Ohio, do hereby certify that the foregoing is a true and correct copy of ordinance adopted by the legislative Authority of the said City on the 22nd day of January, 19 90, that the publications of such ordinance has been made and certified of record according to law; that no proceedings looking to a referendum upon such ordinance have been taken; and that such ordinance and certificate of publication thereof are of record in Ordinance Record No. 34, Page _____.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 23rd day of January, 19 90.

(SEAL) Marsha Adams
Clerk

City of Marion, Ohio.

The foregoing is accepted as a basis for proceeding with the improvement herein described.

For the City of _____, Ohio.

Attest: _____

_____, Date _____
Contractual Officer

For the State of Ohio

Attest: _____

_____, Date _____
Director, Ohio Department of Transportation

This ordinance is hereby declared to be an emergency measure by reason of the need for expediting highway improvements to promote highway safety, and provided it receives the affirmative vote of two-thirds of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

ORDINANCE NO. 1990-15

ORDINANCE TO AMEND ORDINANCE NO. 68-41 (PERSONNEL POLICIES FOR THE CITY OF MARION, OHIO), AS AMENDED, BY AMENDING SECTION 27.2 - HOLIDAYS.

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

Section 1. That Section 27.2 of the Personnel Policies for the City of Marion, Ohio, as amended and now reading as follows:

- "27.2 The following days are hereby designated as holidays with eight (8) hours pay for Full-Time Permanent Employees, except for those employees who are covered by collective bargaining agreements by and between said bargaining units and the City of Marion:
- a. The first day of January, known as New Year's Day
 - b. The third Monday of January, known as Martin Luther King Day
 - c. The third Monday of February, known as President's Day
 - d. The Friday before Easter Sunday, known as Good Friday
 - e. The Last Monday of May, known as Memorial Day
 - f. The fourth day of July, known as Independence Day
 - g. The first Monday of September, known as Labor Day
 - h. The eleventh day of November, known as Veterans Day
 - i. Any day appointed and recommended by the Governor of the State of Ohio or the President of the United States as a day of Fast or Thanksgiving
 - j. The twenty-fifth day of December, known as Christmas Day
 - k. The birthday of said Full-Time Permanent Employee
 - l. One (1) personal day to be used in accordance with any work rules applicable to said employee."

is hereby amended to read as follows:

- "27.2 The following days are hereby designated as holidays with eight (8) hours pay for Full-Time Permanent Employees, except for those employees who are covered by collective bargaining agreements by and between said bargaining units and the City of Marion:
- a. The first day of January, known as New Year's Day
 - b. The third Monday of January, known as Martin Luther King Day
 - c. The third Monday of February, known as President's Day
 - d. The Friday before Easter Sunday, known as Good Friday
 - e. The Last Monday of May, known as Memorial Day
 - f. The fourth day of July, known as Independence Day
 - g. The first Monday of September, known as Labor Day
 - h. The eleventh day of November, known as Veterans Day
 - i. The fourth Thursday of November, known as Thanksgiving Day
 - j. The twenty-fifth day of December, known as Christmas Day
 - k. The birthday of said Full-Time Permanent Employee
 - l. One (1) personal day to be used in accordance with any work rules applicable to said employee."


Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.


PRESIDENT OF COUNCIL

PASSED: January 22, 1990
APPROVED: January 22, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990 105

ORDINANCE AUTHORIZING THE SAFETY DIRECTOR TO ENTER INTO CONTRACT WITH ROLLAND SPECIALTY VEHICLE AND PRODUCTS INC., FOR THE PURCHASE OF A 1990 DEMONSTRATOR EMERGENCY VEHICLE AND DECLARING AN EMERGENCY.

WHEREAS, per Ordinance No. 1990-60, the Safety Director was authorized to prepare specifications and advertise for bids for the rechassis of the 1982 Ford Wheelcoach Emergency Squad Vehicle

WHEREAS, 11.0 entertained proposals for a New Warranty Demonstrator Vehicle which meets or exceeds the specifications; and

WHEREAS, Rolland Specialty Vehicle and Products Inc., submitted the best proposal.

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

Section 1. That the Safety Director be and he is hereby authorized to enter into contract with Rolland Specialty Vehicle and Products Inc., for the purchase of one (1) 1990 Demonstrator Emergency Squad Vehicle.

Section 2. That the purchase shall be for the amount of \$57,200.00 payable from the General Fund, Acct. No. 101-01-131-250-000-450.

Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason it is necessary for the daily operation of said City; 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.

PRESIDENT OF COUNCIL

PASSED:

APPROVED:

MAYOR

ATTEST:

CLERK OF COUNCIL

defeated Nov. 26, 1990

ORDINANCE NO. 1990-106

ORDINANCE TO AMEND CHAPTER 373 OF THE CODIFIED
ORDINANCES BY AMENDING §373.10 - RIDING ON SIDEWALKS.

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

Section 1. That §373.10 of the Codified Ordinances of the City of Marion,
now reading as follows:

"373.10 RIDING ON SIDEWALKS

No person shall operate a bicycle upon a sidewalk within a business
district or upon a sidewalk where signs are erected prohibiting such
operation.

Penalty - See Sections 309.01 and 309.02"

is hereby amended to read as follows:

"373.10 RIDING ON SIDEWALKS

No person shall operate a bicycle or skate board upon a sidewalk, parking
area or walk way within a downtown business district or upon a sidewalk,
parking area or walk way where signs are erected prohibiting such operation,
during the hours of 8:00 A.M. to 6:00 P.M.

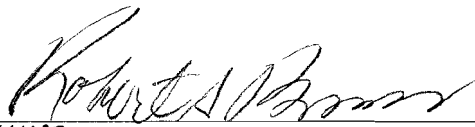
Penalty - See Sections 309.01 and 309.02"

Section 2. That this ordinance shall take effect and be in force from and
after the earliest period allowed by law.


PRESIDENT

PASSED: November 12, 1990

APPROVED: November 13, 1990


MAYOR

ATTEST:


CLERK

*Amended on Council floor 10/22/90

Jay H. Maish

ORDINANCE NO. 1990- 107

ORDINANCE TO VACATE A CERTAIN ALLEY SOUTH OF GEORGE STREET TO THE FIRST ALLEY AND AT THE REAR OF LOTS 153 & 154 IN HOLMES ADDITION TO THE CITY, BEHIND THE JAY H. MAISH COMPANY.

WHEREAS, in the opinion of this Council, there is good cause for vacating a certain alley south of George Street to the first alley and at the rear of Lots 153 and 154 in Holmes Addition to the City of Marion, and

WHEREAS, the petition to vacate this alley was approved by the Marion City Planning Commission at its meeting of August 21, 1990, and

WHEREAS, notice to all abutting landowners was given in accordance with Marion Codified Ordinance 903.08, and

WHEREAS, Council, upon hearing, is satisfied that said vacation will not be detrimental to the general interest and ought to be made;

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

Section 1. That the following described alley, to-wit:

A north-south alley between Lots 153 & 154 on the west and Lots 184 & 185 on the east, running south from George St. 132.48 feet to an east-west alley which runs between North Main and North State Streets, being 16.5' in width,

be and is hereby vacated.

Section 2. That title to the real estate comprising said alley shall revert to the abutting property owners in accordance with the laws of Ohio.

Section 3. That nothing in this ordinance shall be construed to affect any right-of-way or easement now held by the City of Marion, in, under, over or across the above mentioned alley for sewer purposes or for use by any public utility operating under a franchise with the City of Marion, and the vacation of said alley herein is specifically made subject to the continued existence of any such existing right-of-way or easement, unless the abutting property owners renegotiate with the utility another right-of-way or easement.

Section 4. That the Clerk of Council be and she is hereby authorized and directed to certify a copy of the within ordinance to the Auditor of Marion County and to the Recorder of Marion County, Ohio.

Section 5. This ordinance shall take effect and be in force from and after the earliest period allowed by law.

Bill Ballenger

PRESIDENT OF COUNCIL

PASSED: *November 26, 1990*

APPROVED: *November 27, 1990*

Robert A. Brown

MAYOR

ATTEST:

Marsha Adams

CLERK

ORDINANCE NO. 1990-108

ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO A SERVICE AGREEMENT WITH SIMS BROS., INC. FOR THE ACCEPTANCE OF RECYCLABLES COLLECTED BY THE CITY OF MARION, AND DECLARING AN EMERGENCY.

WHEREAS, Sims Bros., Inc. operates a processing facility for recyclable material at 1011 S. Prospect Street, which will guarantee acceptance of certain curbside recyclable items, at no cost to the City, regardless of how marketable the items may be, and

WHEREAS, proposals for acceptance of the recyclables collected by the City were solicited, and Sims Bros., Inc. offered the best proposal, and

WHEREAS, the City will operate a curbside collection program for the residents of the City of Marion and Sims will construct an unloading dock at the Sims facility for the City's recycling trucks to allow for quick entry and exit,

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

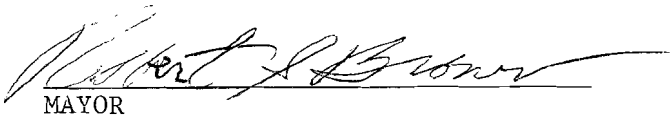
Section 1. That the Service Director is hereby authorized to enter into a service agreement with Sims Bros., Inc. for the acceptance of recyclables collected by the City of Marion.

Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that it is necessary to begin the recycling program as soon as possible; and as such, shall take effect 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.

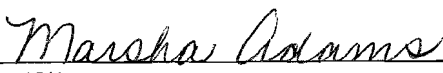

PRESIDENT OF COUNCIL

PASSED: November 1, 1990

APPROVED: November 2, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990-109

ORDINANCE AUTHORIZING AND DIRECTING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE CONSTRUCTION OF THE SOUTHEAST STORM SEWER IN THE CITY OF MARION, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, the voters of the State of Ohio passed State Issue #2 on November 3, 1987, thereby establishing funds necessary to improve a portion of Ohio's infrastructure facilities, and

WHEREAS, THE Council of the City of Marion, Ohio approved Resolution 1989-8 authorizing and directing the mayor to apply to the Ohio Public Works Commission for the funding of the Southeast Storm Sewer, and

WHEREAS, the City of Marion, Ohio has received approval of a \$1.42 million grant through the Ohio Public Works Commission for the design and construction of the Southeast Storm Sewer, and

WHEREAS, the Council of the City of Marion, Ohio, approved Ordinance 1990-13 authorizing and directing the Service Director to enter into agreement with Floyd Browne Associates, Ltd. for the design of the Southeast Storm Sewer, and

WHEREAS, the City of Marion, Ohio desires to construct the said Southeast Storm Sewer to improve storm water drainage within a 387 acre watershed in the southeast part of the City of Marion,

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

Section 1. That the Service Director is hereby authorized and directed to advertise for bids and enter into contract for the construction of the Southeast Storm Sewer.


Section 2. That the local share shall be payable from the Southeast Storm Sewer Project Fund.

Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the citizens of Marion and for the further reason that it is necessary to expedite the project to meet the deadlines of the grant agreement 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.



President of Council

PASSED: November 1, 1990

APPROVED: November 2, 1990


Mayor

ATTEST:


Clerk

ORDINANCE NO. 1990- 110

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN THE
RECYCLING FUND FOR THE YEAR ENDING DECEMBER 31, 1990,
AND DECLARING AN EMERGENCY.

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

Section 1. That there be additional appropriations in the Recycling
Fund in the amount of \$25,000.00 as follows:

Salaries	272-04-540-210-000-110	\$ 5,000.00
Benefits	272-04-540-210-000-120	1,000.00
Maintenance	272-04-540-230-000-360	1,000.00
Insurance	272-04-540-230-000-380	2,000.00
Supplies	272-04-540-240-000-420	4,000.00
Fuel	272-04-540-240-000-430	2,000.00
Reimbursement	272-04-540-270-000-721	<u>10,000.00</u>
	TOTAL	\$25,000.00


Section 2. That this ordinance is contingent upon the certification of
funds by the Marion County Budget Commission.

Section 3. That this ordinance is hereby declared to be an emergency
measure necessary for the immediate preservation of the public health, welfare
and safety of the City of Marion and the inhabitants thereof and for the further
reason that the City wants to implement the Recycling Program as soon as possible;
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.

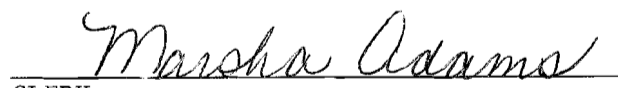

PRESIDENT OF COUNCIL

PASSED: November 1, 1990

APPROVED: November 2, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990-111

ORDINANCE TO AMEND ORDINANCE NO. 68-41 (PERSONNEL POLICIES FOR THE CITY OF MARION, OHIO) BY AMENDING SECTION 33 - UNIFORM ALLOWANCE.

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

Section 1. That Section 33 of the Personnel Policies for the City of Marion is hereby repealed in its entirety.

Section 2. That Section 33 of the Personnel Policies for the City of Marion shall now read as follows:

Section 33. Uniform and Equipment

33.1 As per Rules and Regulations established by the Safety Director, the City shall furnish uniforms and the required equipment necessary for the performance of their duties to the following personnel employed by the City of Marion:

1. Police Chief
2. Fire Chief
3. Meterman

33.2 Said uniforms shall be cleaned by the City as per the Rules and Regulations established by the Safety Director.

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

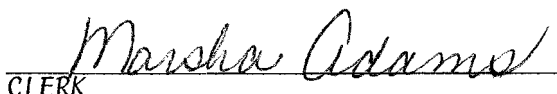

PRESIDENT OF COUNCIL

PASSED: November 12, 1990

APPROVED: November 13, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990- 112

ORDINANCE AUTHORIZING THE SAFETY DIRECTOR TO
ADVERTISE FOR BIDS TO SELL ONE 1960 SEAGRAVE
QUAD FIRE TRUCK, WITH EQUIPMENT, NOW OWNED BY
THE CITY OF MARION.

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

Section 1. That the following motor vehicle now owned by the
City of Marion, Ohio and not used by the Fire Department:

One 1960 Seagrave Quad Fire Truck, 1000 GPM, 50ft.
Bangor ladder, 35 ft. extension ladder, 400 ft.
booster hose, 300 gallon booster,

is unfit for public use and obsolete, it is to the best interest of
the City of Marion, Ohio that said vehicle be sold.

Section 2. That the Safety director is hereby authorized
and directed to advertise for bids to sell said vehicle and
equipment.

Section 3. This ordinance shall take effect and be in
force from and after the earliest period allowed by law.



PRESIDENT OF COUNCIL

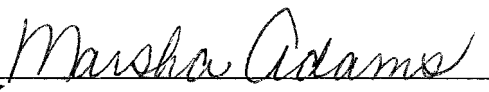
PASSED: November 12, 1990

APPROVED November 13, 1990



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1990- 113


ORDINANCE AUTHORIZING THE SAFETY DIRECTOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS FOR THE DEMOLITION OF THE BUILDING LOCATED AT 138 & 142 UNION STREET, AND DECLARING AN EMERGENCY.

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

Section 1. That the Safety Director be and he is hereby authorized and directed to prepare specifications and advertise for bids for the demolition of the building located at 138 & 142 Union Street; said building being considered a dangerous building as defined in Ordinance No. 1360.01(C).

Section 2. That the cost shall be payable from the General Fund, Acct. No. 101-07-716-230-000-323.

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 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.



PRESIDENT OF COUNCIL

PASSED: November 12, 1990

APPROVED: November 13, 1990



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1990- 114

ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO A CONTRACT WITH BOHL EQUIPMENT COMPANY FOR THE PURCHASE OF ONE (1) NEW FORKLIFT FOR USE BY THE MARION AREA TRANSIT SYSTEM, AND DECLARING AN EMERGENCY.

WHEREAS, The Service Director was authorized, by Ordinance No. 1990-74, to prepare specifications and advertise for bids for one forklift for use by the Marion Area Transit System, and

WHEREAS, Bohl Equipment Company of Toledo, Ohio submitted the lowest responsive, responsible bid, as recommended by the Ohio Dept. of Transportation,

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

Section 1. That the Service Director be and he is hereby authorized to enter into contract with Bohl Equipment Company for the purchase of one Hyster Model H-60-XL forklift to be used by the Marion Area Transit System.

Section 2. That the cost of said contract, \$17,974.00, shall be payable from the Transit Fund-502-06-512-250-000-450-Capital Equipment.

Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that the equipment should be purchased this year under the terms of the Grant; 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.

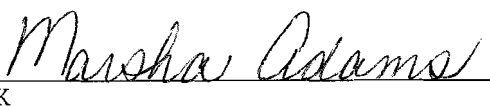

PRESIDENT OF COUNCIL

PASSED: November 12, 1990

APPROVED: November 13, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990-115

ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO A CONTRACT WITH McDANIEL MOTOR COMPANY FOR THE PURCHASE OF ONE (1) TRUCK AND WRECKER TO BE USED BY THE MARION AREA TRANSIT SYSTEM, AND DECLARING AN EMERGENCY.

WHEREAS, the Service Director was authorized, by Ordinance No. 1990-75, to prepare specifications and advertise for bids for one truck and wrecker for use by the Marion Area Transit System, and


WHEREAS, McDaniel Motor Company of Marion submitted the lowest responsive, responsible bid, as recommended by the Ohio Dept. of Transportation,

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

Section 1. That the Service Director be and he is hereby authorized to enter into contract with McDaniel Motor Company for the purchase of one 1991 GMC TC 31003 truck and wrecker unit to be used by the Marion Area Transit System.

Section 2. That the cost of said contract, \$32,221.00, shall be payable from the Transit Fund-502-06-512-250-000-450-Capital Equipment.

Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that the equipment should be purchased this year under the terms of the Grant; 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.



PRESIDENT OF COUNCIL


PASSED: November 12, 1990

APPROVED: November 13, 1990



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1990-116

ORDINANCE AUTHORIZING AND DIRECTING THE SERVICE DIRECTOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS FOR THE PROVIDING OF GROUNDWATER MONITORING, SAMPLING AND ANALYSIS SERVICES AT THE MARION CITY LANDFILL, AND DECLARING AN EMERGENCY.

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

Section 1. That the Service Director be and he is hereby authorized and directed to prepare specifications and advertise for bids for the providing of groundwater monitoring, sampling and analysis services at the Marion City Landfill.

Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that the monitoring should begin in December of this year; 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.



PRESIDENT OF COUNCIL


PASSED: November 12, 1990

APPROVED: November 13, 1990



MAYOR

ATTEST:



CLERK

Ken Adams

ORDINANCE NO. 1990-117

ORDINANCE TO AMEND ORDINANCE NO. 1990-71 - ALLEY VACATION,
AND DECLARING AN EMERGENCY.

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

Section 1. That Section 1 of Ordinance No. 1990-71 and now reading as follows:

Section 1. That the following described alley, to-wit: a certain east-west alley between Lots #1314 and #1325 to the north and Lots #1315 and #1324 to the south, running east-west between Lee Street and Thompson Street in Love's Second Addition to the City of Marion, being 360' in length and 14' in width, be and is hereby vacated.

is hereby amended to read:

Section 1. That the following described alley, to-wit: a certain east-west alley between Lots #1314 to the north and #1315 to the south being 14' in width, 172' in length and between Lots #1325 to the north and #1324 to the south being 14' in width, 172' in length, running east-west between Lee Street and Thompson Street in Love's Second Addition to the City of Marion, be and is hereby vacated.

Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof; 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.

J. J. Ballenger
PRESIDENT OF COUNCIL

PASSED: November 26, 1990

APPROVED: November 27, 1990

Ken Adams
MAYOR

ATTEST:

Marsha Adams
CLERK

ORDINANCE NO. 1990-118

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS FOR THE YEAR ENDING DECEMBER 31, 1990, AND DECLARING AN EMERGENCY.

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

Section 1. That there be additional appropriations made as follows:

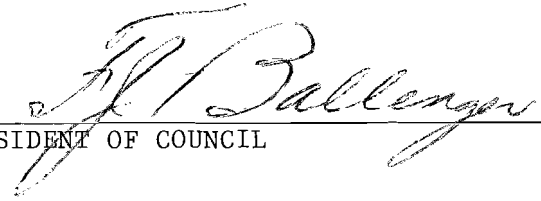
General Fund

Airport Salaries	101-06-621-210-000-110	\$4,500.00
Total General Fund.....		\$4,500.00

WIC Fund

Salaries	215-02-223-210-000-110	\$5,000.00
Benefits	215-02-223-210-000-120	<u>500.00</u>
Total WIC Fund.....		\$5,500.00

Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that it is necessary for the daily operation of said City; 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.

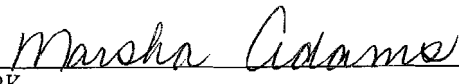

PRESIDENT OF COUNCIL

PASSED: November 26, 1990

APPROVED: November 27, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990- 119

ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR FARM FIELD DRAINAGE IMPROVEMENTS AT THE MARION MUNICIPAL AIRPORT.

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

Section 1. That the Service Director be and he is hereby authorized to prepare specifications, advertise for bids and enter into contract for farm field drainage improvements at the Marion Municipal Airport. Said contract to be let and the work performed in 1991.

Section 2. That the cost of said contract shall be payable from the Airport Capital Improvements Fund-101-06-621-250-000-520.

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


PRESIDENT OF COUNCIL

PASSED: *November 26, 1990*

APPROVED: *November 27, 1990*


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990-120


ORDINANCE TO AMEND CHAPTER 301 "DEFINITIONS" OF THE
CODIFIED ORDINANCES OF THE CITY OF MARION BY ADDING
THERE TO §301.06(a) "DOWNTOWN BUSINESS DISTRICT."

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

Section 1. That Chapter 301 "Definitions" of the Codified Ordinances
is hereby amended by adding thereto the following:

"301.06(a). "Downtown Business District" means those streets
delineated on the Marion City map attached hereto as Exhibit A.

Section 2. That this ordinance shall take effect and be in force from
and after the earliest period allowed by law.



PRESIDENT OF COUNCIL

PASSED: November 26, 1990

APPROVED: November 27, 1990



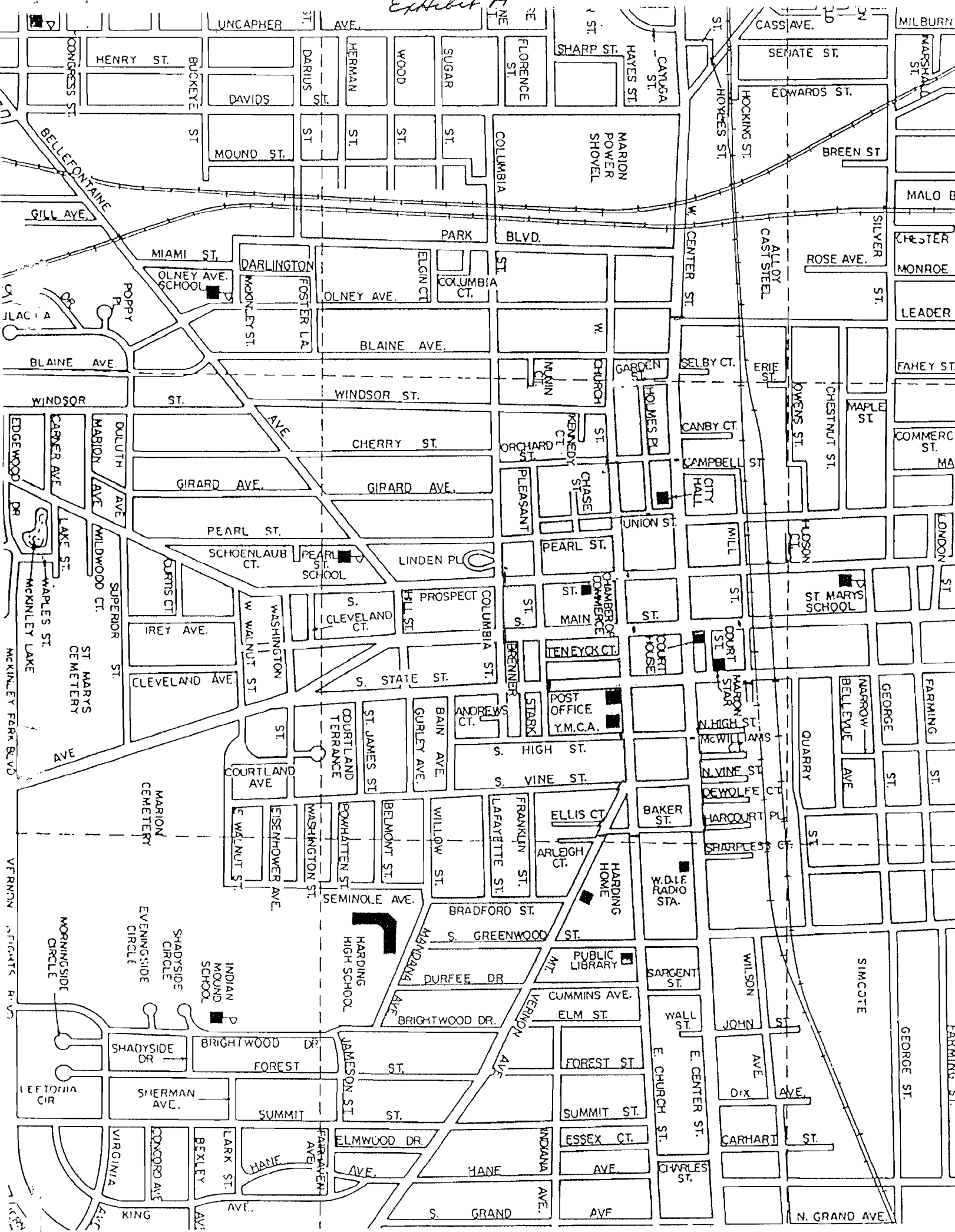
MAYOR

ATTEST:



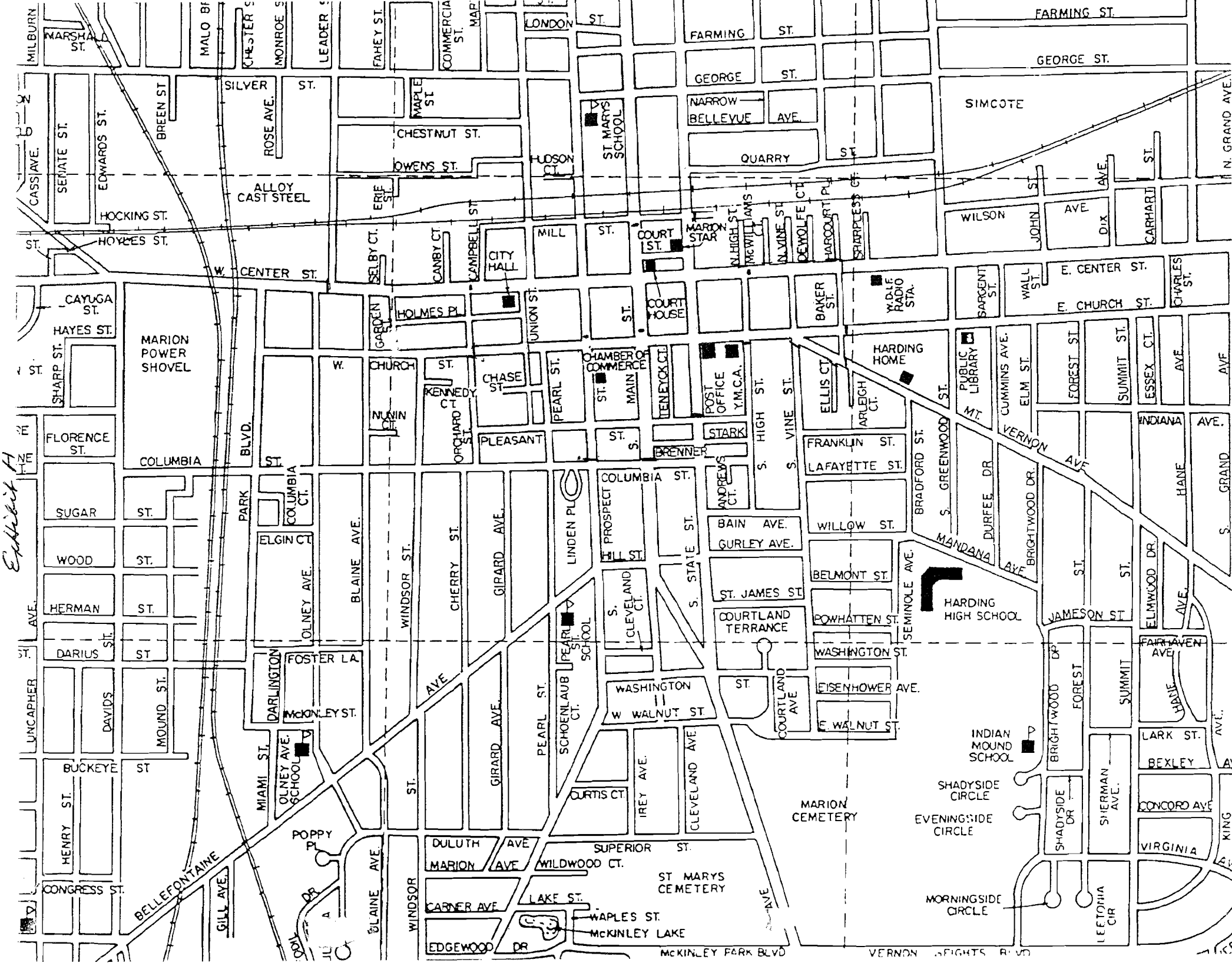
CLERK

Exhibit A



ORDINANCE NO. 1990-120

Exhibit A



ORDINANCE AUTHORIZING THE SAFETY DIRECTOR TO
ENTER INTO CONTRACT WITH PARKER HANNIFIN CORP.
FOR FURNISHING FIRE PROTECTION TO ITS PLANT
AT GREEN CAMP TOWNSHIP, MARION COUNTY, OHIO,
AND DECLARING AN EMERGENCY.

WHEREAS, Parker Hannifin Corp. is now the owner of the
Stratoflex Plant in Green Camp, and

WHEREAS, in the usual daily operation of the Safety Department
and for the preservation of public property and safety, it is
necessary to enter into a contract for fire protection with Parker
Hannifin Corp., Cleveland, Ohio, for its plant at Green Camp
Township, Marion County, Ohio.

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

Section 1. That the Safety Director of the City of Marion
be and he is hereby authorized and directed to contract on behalf
of the City of Marion, Ohio, with Parker Hannifin Corp. for
furnishing fire protection to its plant at Green Camp Township,
Marion County, Ohio, for a period of three (3) years beginning
December 1, 1990 and ending December 31, 1993.

Section 2. That this ordinance is hereby declared to be an
emergency measure for the immediate preservation of the public
health, safety and welfare of the City of Marion and the inhabitants
thereof and for the further reason that the present contract
expired July 31, 1990; 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.



PRESIDENT OF COUNCIL

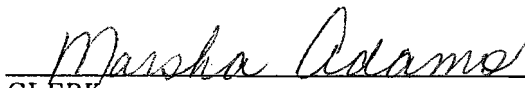
PASSED: December 10, 1990

APPROVED: December 11, 1990



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1990-122


ORDINANCE MAKING AN ADDITIONAL APPROPRIATION FOR THE YEAR ENDING DECEMBER 31, 1990, AND DECLARING AN EMERGENCY.

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

Section 1. That there be an additional appropriation made in the Recycling Fund as follows:

Salaries	272-04-540-210-000-110	\$1,800.00
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Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that it is necessary to meet payroll requirements; 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.



PRESIDENT OF COUNCIL

PASSED: December 10, 1990

APPROVED: December 11, 1990



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1990-123

ORDINANCE TO AMEND SECTION 45.2 OF ORDINANCE NO. 68-41,
PERSONNEL POLICIES OF THE CITY OF MARION, PERTAINING
TO MILEAGE.

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

Section 1. That Section 45.2 of Ordinance No. 68-41, as amended by
Ordinance No. 1980-85 and now reading as follows:

"45.2 Any employee who, with prior approval of the responsible
administrative officer of the employing unit and the City Auditor,
who incurs mileage in the performance of his duties as a city
employee, shall be reimbursed for said mileage at the rate of
twenty cents (20¢) per mile. Each employee entitled to mileage
shall keep a record of his mileage."

is hereby amended to read as follows:

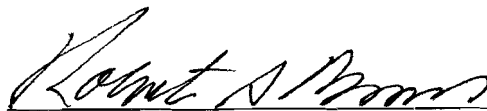
"45.2 Any employee who, with prior approval of the responsible
administrative officer of the employing unit and the City Auditor,
who incurs mileage in the performance of his duties as a city
employee, shall be reimbursed for said mileage at the rate of
twenty-two cents (22¢) per mile. Each employee entitled to mile-
age shall keep a record of his mileage."

Section 2. That this ordinance shall take effect and be in force from
and after the earliest period allowed by law.

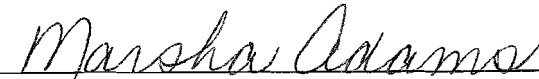

PRESIDENT OF COUNCIL

PASSED: December 10, 1990

APPROVED: December 11, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE TO AMEND SECTION 943.11 (OWNERSHIP OF DOMESTIC REFUSE, RUBBISH & WASTE MATERIAL) OF THE CODIFIED ORDINANCES OF THE CITY OF MARION, TO INCLUDE RECYCLABLES, AND DECLARING AN EMERGENCY.

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

Section 1. That Section 943.11 of the Codified Ordinances, now reading as follows:

"943.11 OWNERSHIP OF DOMESTIC REFUSE, RUBBISH AND WASTE MATERIAL.

All domestic refuse, rubbish and waste material in the process of being collected and at the Landfill site are the property of the collector and no person shall be allowed to separate, collect, carry off or dispose of the same except under the authority of the Service Director."

is hereby amended to read as follows:

"943.11 OWNERSHIP OF DOMESTIC REFUSE, RUBBISH, RECYCLABLES AND WASTE MATERIAL.

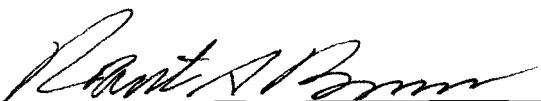
All domestic refuse, rubbish, recyclables and waste material in the process of being collected and at the Landfill site are the property of the collector and no person shall be allowed to separate, collect, carry off or dispose of the same except under the authority of the Service Director."

Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that it should be implemented immediately since the recycling program is now in effect; and as such, shall take effect 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 period allowed by law.



PRESIDENT OF COUNCIL

PASSED: December 10, 1990

APPROVED: December 11, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990-125

ORDINANCE TO AMEND CHAPTER 943 (GARBAGE AND RUBBISH COLLECTION) OF THE CITY OF MARION'S CODIFIED ORDINANCES, BY AMENDING SECTION 943.19 (EXEMPTION OF SENIOR CITIZENS AND DISABLED PERSONS FROM PAYMENT OF CHARGES), AND DECLARING AN EMERGENCY.

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

Section. That Section 943.19 of the Codified Ordinances of the City of Marion, now reading as follows:

"943.19 EXEMPTION OF SENIOR CITIZENS AND DISABLED PERSONS FROM PAYMENT OF CHARGES.

(a) Citizens of the City meeting the following qualifications shall be charged eight dollars and fifty cents (\$8.50) bimonthly.

The subscriber shall meet either the following age and retirement criteria or the following disability criteria:

- (1) Age and Retirement Criteria. The subscriber shall be sixty-two years of age or more and shall be a retired individual receiving public welfare assistance or disability benefits, or shall be receiving a retirement income from social security, public employees retirement system, military retirement, railroad retirement, privately endowed retirement system or from another similar retirement system. The gross income of a household shall not exceed twelve thousand five hundred dollars (\$12,500.00).
- (2) Disability Criteria. The subscriber may be of any age provided such subscriber is rendered unemployable due to and as a direct result of a permanent physical or mental disability. The gross income of a household shall not exceed twelve thousand five hundred dollars (\$12,500.00).

(b) The subscriber shall reside at the location of the exemption applied for but need not own the residence. The applicant shall not be entitled to the exemption if he or she is residing with a subscriber who is not entitled to the exemption as defined herein.

(c) Subscribers desiring the reduced rate of eight dollars and fifty cents (\$8.50) bimonthly for the sanitation charge shall apply for same at the office of the Sanitation Division. Subscribers shall make application and shall reapply annually by displaying proof of identity and age or disability and by signing an application in the form of an affidavit, swearing to the factual existence of the minimum qualifications as set forth in this section. The affidavit shall be in the presence of a notary public. Subscribers making application for the reduced rate shall make their application at the time of their subscription. Annual applications for subscribers shall be filed not later than December 1 of each year.

(d) The Service Director, after hearing, shall be the final authority for any disputed application.

(e) Effective November 2, 1987, the special rates for senior citizens and disabled persons shall be in effect."

is hereby amended to read as follows:

"943.19 EXEMPTION OF SENIOR CITIZENS AND DISABLED PERSONS FROM PAYMENT OF CHARGES.

(a) Citizens of the City meeting the following qualifications shall be charged fifty percent (50%) bimonthly of the full residential rate as designated by the Service Director.

The subscriber shall meet either the following age and retirement criteria or the following disability criteria:

- (1) Age and Retirement Criteria. The subscriber shall be sixty-two years of age or more and shall be a retired individual receiving public welfare assistance or disability benefits, or shall be receiving a retirement income from social security, public employees retirement system, military retirement, railroad retirement, privately endowed retirement system or from another similar retirement system. The gross income of a household shall not exceed fifteen thousand dollars (\$15,000.00).
- (2) Disability Criteria. The subscriber may be of any age provided such subscriber is rendered unemployable due to and as a direct result of a permanent physical or mental disability. The gross income of a household shall not exceed fifteen thousand dollars (\$15,000.00).

(b) The subscriber shall reside at the location of the exemption applied for but need not own the residence. The applicant shall not be entitled to the exemption if he or she is residing with a subscriber who is not entitled to the exemption as defined herein.

(c) Subscribers desiring the reduced rate of fifty percent (50%) bimonthly of full residential rate for the sanitation charge shall apply for same at the office of the Sanitation Division. Subscribers shall make application and shall reapply annually by displaying proof of identity and age or disability and by signing an application in the form of an affidavit, swearing to the factual existence of the minimum qualifications as set forth in this section. The affidavit shall be in the presence of a notary public. Subscribers making application for the reduced rate shall make their application at the time of their subscription. Annual applications for subscribers shall be filed not later than December 1 of each year.

(d) The Service Director, after hearing, shall be the final authority for any disputed application.

(e) Effective January 2, 1991, the special rates for senior citizens and disabled persons shall be in effect."

Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City of Marion and the inhabitants thereof and for the further reason that it is necessary for the daily operation of said City, and as such emergency shall become effective 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.

J. Ballenger

 PRESIDENT OF COUNCIL

PASSED: December 10, 1990

APPROVED: December 11, 1990

Robert A. Brown

MAYOR

ATTEST:

Marsha Adams

CLERK

ORDINANCE NO. 1990-126

ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH SENECA ASBESTOS REMOVAL OF TIFFIN, OHIO FOR REMOVAL OF ASBESTOS FROM THE FRESHMAN BUILDING AND CONTIGUOUS GYMNASIUM AT THE WEST CHURCH STREET SITE KNOWN AS THE HARDING FRESHMAN BUILDING, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 1990-21, the Service Director was authorized to advertise for bids for removal or repair of asbestos from building at the Harding Freshman Building site on West Church Street, and

WHEREAS, Seneca Asbestos Removal Company of Tiffin, Ohio submitted the low bid for asbestos removal.

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

Section 1. That the Service Director be and he is hereby authorized to enter into contract with Seneca Asbestos Removal for the removal of asbestos from the Freshman Building and contiguous gymnasium and that FY89 Formula Grant funds can be used for such removal.

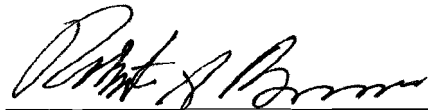
Section 2. That the cost of said contract shall not exceed \$31,320.00 and shall be payable from the CDBG Fund 275-04-549-230-000-323.

Section 3. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that in order to use the FY89 Formula Grant funds the work must be done no later than January 31, 1991; and as such, shall take effect 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.


PRESIDENT OF COUNCIL

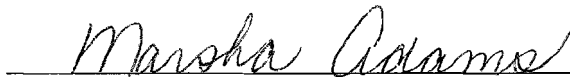
PASSED: December 10, 1990

APPROVED: December 11, 1990



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1990-127

ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH NORTHWEST CONSTRUCTION COMPANY OF MANSFIELD, OHIO FOR THE REPAIR OF THE ROOF ON THE GYMNASIUM BUILDING ON THE HARDING FRESHMAN BUILDING SITE ON WEST CHURCH STREET, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 1990-21, the Service Director was authorized to advertise for bids for repair of the roof of the gymnasium building at the Harding Freshman Building site on West Church Street, and

WHEREAS, Northwest Construction Company of Mansfield, Ohio submitted the low bid for said roof repair,

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

Section 1. That the Service Director be and he is hereby authorized to enter into contract with Northwest Construction Company for the repair of the roof upon written concurrence from the Ohio Department of Development and that FY 89 Formula Grant funds can be used for such repair.

Section 2. That the cost of said contract shall not exceed \$13,180.00 and shall be payable from the CDBG Fund 275-04-549-230-000-330.

Section 3. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that in order to use the FY89 Formula Grant funds the work must be done no later than January 31, 1991; and as such, shall take effect 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.


PRESIDENT OF COUNCIL

PASSED: December 10, 1990

APPROVED: December 11, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE AUTHORIZING THE SAFETY DIRECTOR TO SELL ONE
1961 SEAGRAVE PUMPER, AND DECLARING AN EMERGENCY.

WHEREAS, this Council, in Ordinance No. 1990-112, declared that a certain 1961 Seagrave pumper, now owned by the City, was no longer needed for municipal purposes, and authorized the Safety Director to advertise for bids for the sale of said vehicle for the highest price obtainable, and

WHEREAS, the Safety Director did advertise for bids, the only bid received being \$850.00, whereupon, the Safety Director is recommending this bid be accepted.

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

Section 1. The Safety Director is hereby authroized to sell one 1961 Seagrave pumper to Stinnett Volunteer Fire and Rescue or Hoskinston, Kentucky, for the pircce of \$850.00.

Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof 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.

PASSED: December 27, 1990

J. T. Ballenger
PRESIDENT OF COUNCIL

APPROVED: December 28, 1990

Richard Moore
MAYOR

ATTEST:

Marsha Adams
CLERK

ORDINANCE NO. 1990-129

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS FOR THE YEAR ENDING DECEMBER 31, 1990, AND DECLARING AN EMERGENCY.

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

Section 1. That there be additional appropriations made in the SCMR Fund in the amount of \$101,000.00 as follows:

Salaries	207-06-612-210-000-110	\$ 65,000.00
Benefits	207-06-612-210-000-120	26,000.00
Insurance	207-06-612-230-000-380	5,000.00
Fuel	207-06-612-240-000-430	<u>5,000.00</u>
TOTAL.....		\$101,000.00

Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that it is necessary for the daily operation of said City; 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.


PRESIDENT OF COUNCIL

PASSED: December 27, 1990

APPROVED: December 28, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990- 130

ORDINANCE RATIFYING AND APPROVING THE BARGAINING AGREEMENT BETWEEN THE CITY OF MARION AND THE UNITED STEELWORKERS OF AMERICA, LOCAL 7856, AND DECLARING AN EMERGENCY.

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

Section 1. That Council hereby ratifies and approves the bargaining agreement between the City of Marion and the United Steelworkers of America, Local 7856, for the years 1991, 1992 and 1993.

Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that it is necessary for the daily operation of said City; 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.

PRESIDENT OF COUNCIL

PASSED:

APPROVED:

MAYOR

ATTEST:

CLERK

defeated 1/2/91


ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO PURCHASE REPLACEMENT PARTS FOR TWO D.O. JAMES GEAR REDUCERS FOR THE WASTEWATER TREATMENT PLANT, WITHOUT FORMAL ADVERTISING AND BIDS, AND DECLARING AN EMERGENCY.

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

Section 1. That the Service Director be and he is hereby authorized to purchase replacement parts for two D.O. James Gear Reducers Serial No. 250939 to 250963 Model CH13VRAH, for use at the Wastewater Treatment Plant, without formal advertising and bids.

Section 2. That the cost of said purchase, estimated to be ^{31,000.00} ~~\$28,000.00~~, shall be payable from the Capital Equipment Replacement Fund 504-05-553-25-000-450.

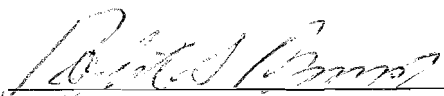
Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that the order for these parts will take a considerable length of time; 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.



PRESIDENT OF COUNCIL

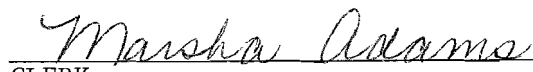
PASSED: February 12, 1990

APPROVED: February 13, 1990



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1990-17

ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH BAKER MAINTENANCE FOR JANITORIAL SERVICES AT THE WASTEWATER TREATMENT PLANT.

WHEREAS, pursuant to Ordinance No. 1989-104, the Service Director was authorized to prepare specifications and advertise for bids for janitorial services at the Wastewater Treatment Plant, and

WHEREAS, Baker Maintenance has submitted the lowest and best bid for said services,

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

Section 1. That the Service Director be and he is hereby authorized to enter into contract with Baker Maintenance for janitorial services at the Wastewater Treatment Plant.

Section 2. That the cost of said contract, \$7500.00, shall be payable from the Lands and Building Account 505-05-552-230-000-370.

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

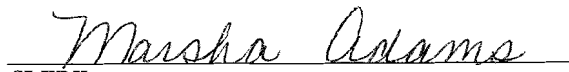

PRESIDENT OF COUNCIL

PASSED: February 12, 1990

APPROVED: February 13, 1990


MAYOR

ATTEST:


CLERK

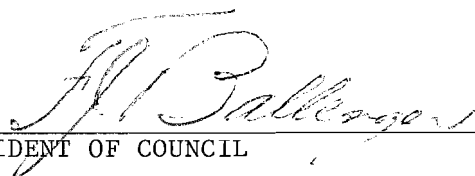
ORDINANCE NO. 1990-18

ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS FOR THE LOADING, HAULING AND LAND APPLICATION OF ZIMPRO CAKE SLUDGE AT THE WASTEWATER TREATMENT PLANT.

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

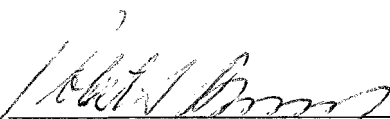
Section 1. That the Service Director be and he is hereby authorized to prepare specifications and advertise for bids for the loading, hauling and land application of approximately 3000 tons of Zimpro cake sludge at the Wastewater Treatment Plant.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

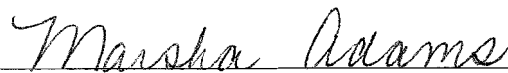

PRESIDENT OF COUNCIL

PASSED: February 12, 1990

APPROVED: February 13, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990- 19

ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS FOR THE PURCHASE OF A NEW TRUCK CAB AND CHASSIS WITH UTILITY BODY AND CRANE FOR USE AT THE WASTEWATER TREATMENT PLANT, AND AUTHORIZING TO BE TRADED THEREFORE ONE VEHICLE NOW OWNED BY THE CITY, AND DECLARING AN EMERGENCY.

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


Section 1. That the Service Director be and he is hereby authorized to prepare specifications and advertise for bids for the purchase of a new truck cab and chassis with utility body and crane for use at the Wastewater Treatment Plant.

Section 2. That the following vehicle now owned by the City of Marion and used at the Wastewater Treatment Plant, to-wit:

One (1) 1980 Chevrolet truck - Unit #17, Serial No.CCT33AV154633, Certificate of Title No. 510584719, Mileage over 70,000,

is either unfit for public use or obsolete and it is in the best interest of the City of Marion that said motor vehicle be sold simultaneously with the purchase of one new vehicle for use at the Wastewater Treatment Plant.

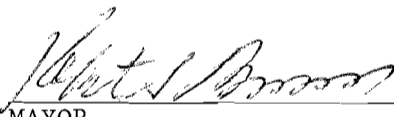
Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that the dealer's cut-off date for ordering new vehicles is April or May; 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.



PRESIDENT OF COUNCIL

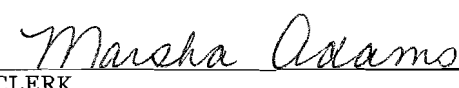
PASSED: February 12, 1990

APPROVED: February 13, 1990



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1990- 20

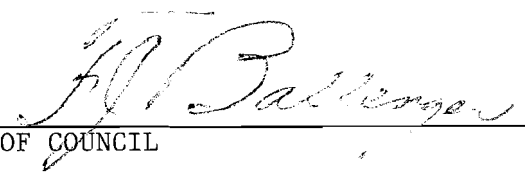
ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS FOR THE DEMOLITION OF THE BUILDING KNOWN AS THE HARDING FRESHMAN BUILDING ON WEST CHURCH STREET IN THE CITY OF MARION, OHIO.

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

Section 1. That the Service Director be and he is hereby authorized to prepare specifications and advertise for bids for the demolition and clearance from the Harding Freshman Building site on West Church Street, Marion, Ohio, the building known as the Freshman Building and a segment of the connecting passageway to the Gymnasium Building.

Section 2. That said bids shall incorporate the consideration that there be prior removal of asbestos, and that CDBG grant monies be used to fund a portion of the demolition and clearance.

Section 3. This ordinance shall take effect and be in force from and after the earliest period allowed by law.

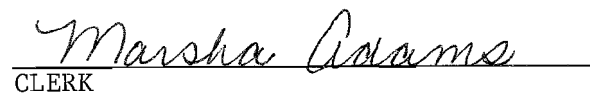

PRESIDENT OF COUNCIL

PASSED: February 12, 1990

APPROVED: February 13, 1990


MAYOR

ATTEST:


CLERK

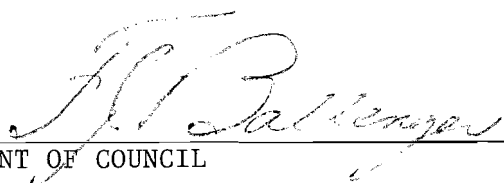
ORDINANCE NO. 1990- 21

ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS FOR THE REMOVAL OR REPAIR OF ASBESTOS AND REPAIR OF THE ROOF ON THE GYMNASIUM BUILDING AND REMOVAL OF ASBESTOS FROM THE FRESHMAN BUILDING AT THE WEST CHURCH STREET SITE KNOWN AS THE HARDING FRESHMAN BUILDING.

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

Section 1. That the Service Director be and he is hereby authorized to prepare specifications and advertise for bids for the removal or repair of asbestos and repair of the roof on the Gymnasium Building and removal of asbestos from the Freshman Building at the West Church Street site, known as the Harding Freshman Building.


Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.



PRESIDENT OF COUNCIL


PASSED: February 12, 1990

APPROVED: February 13, 1990



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1990-22

ORDINANCE MAKING APPROPRIATION ADJUSTMENTS FOR THE
YEAR ENDING DECEMBER 31, 1990, AND DECLARING AN
EMERGENCY.

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

Section 1. That there be additional appropriations made in the amount
of \$966,372.39 as follows:

GENERAL FUND

Police Department	Prisoner Sustenance	101-01-111-230-000-350	\$ 9,700.00
Service Director	Prof. Services	101-07-715-230-000-320	2,000.00
City Hall	Prof. Services	101-07-741-230-000-320	2,500.00
Transfers to SCMR Fund		101-09-745-270-000-718	<u>130,200.00</u>
	TOTAL General Fund.....		\$144,400.00

SCMR FUND

Professional Service		207-06-612-230-000-320	\$ 9,700.00
Supplies		207-06-612-240-000-420	6,500.00
Equipment		207-06-612-250-000-450	<u>12,000.00</u>
	TOTAL SCMR Fund.....		\$ 28,200.00

RENTAL REHAB FUND

Salaries		273-04-548-210-110-324	\$ 761.82
Benefits		273-04-548-210-120-324	51.83
Prof. Services		273-04-547-230-320-324	<u>502.15</u>
	TOTAL Rental Rehab Fund....		\$ 1,315.80

CDBG FUND

Salaries		275-04-548-210-110-324	\$ 1,223.21
Benefits		275-04-548-210-120-324	125.51
Supplies		275-04-548-240-420-324	<u>107.87</u>
	TOTAL CDBG Fund.....		\$ 1,456.59

SOUTHEAST STORM SEWER PROJECT FUND

Professional Service		556-05-533-230-000-320	\$ 76,000.00
Right-of-Way		556-05-533-230-000-391	15,000.00
Construction		553-05-533-250-000-520	<u>700,000.00</u>
	TOTAL Southeast Storm Sewer..		\$791,000.00

Section 2. That there be appropriation reductions in the amount of
\$219,000.00 made as follows:

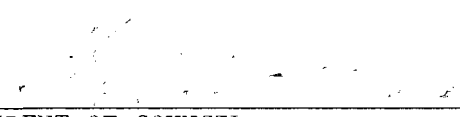
TRANSIT FUND

Salaries		502-06-512-210-000-110	(\$ 80,000.00)
Benefits		502-06-512-210-000-120	(50,000.00)
Utilities		502-06-512-230-000-310	(2,000.00)
Equipment Maintenance		502-06-512-230-000-360	(30,000.00)
Fuel & Lubricants		502-06-512-240-000-430	(15,000.00)
Equipment		502-06-512-250-000-450	(20,000.00)
Reimbursements		502-06-512-270-000-721	(17,000.00)
	TOTAL Transit Fund.....		(\$214,000.00)

STATE HIGHWAY FUND

Maintenance		208-06-613-230-000-370	(\$ 5,000.00)
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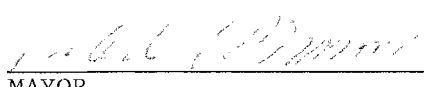
Section 3. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that it is necessary for the daily operation of said City; and as such, 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.



PRESIDENT OF COUNCIL

PASSED: February 12, 1990

APPROVED: February 13, 1990



MAYOR

ATTEST:



CLERK

AN ORDINANCE AUTHORIZING PAYMENT IN LIEU OF THE ISSUANCE OF COUPONS TO REPLACE COUPONS NUMBERED 26 AND 27 FROM HOSPITAL IMPROVEMENT BONDS OF 1975 DATED FEBRUARY 1, 1975 NUMBERED 686 and 687, WHICH COUPONS HAVE BEEN LOST. AND DECLARING AN EMERGENCY

WHEREAS, this Council has been presented with an affidavit evidencing the loss of the following coupons from bonds issued by this Council:

Coupons numbered 26 and 27 due December 1, 1987 and June 1, 1988, respectively, from City of Marion, Ohio Hospital Improvement Bonds of 1975 dated February 1, 1975 numbered 686 and 687 in the denomination of \$5,000 each (4 coupons at \$143.75 for a total of \$575.00), maturing December 1, 1992 and bearing interest at the rate of 5.75% per annum.

WHEREAS, an indemnity bond has been presented to this Council holding this Council harmless against all loss or liability for or on account of the coupons so lost and in an amount equal to the amount presently due and owing on the above-mentioned coupons, which indemnity bond is hereby determined to be satisfactory to protect this Council;

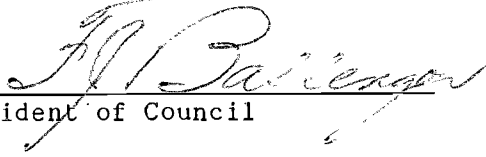
NOW THEREFORE BE IT ORDAINED by the Council of the City of Marion, Marion County, Ohio:

Section 1. That pursuant to the authority granted by Section 133.39 of the Ohio Revised Code, and pursuant to the assurances received by this Council hereinbefore cited, there shall be payment made in lieu of the issuance of duplicate coupons to replace coupons numbered 26 and 27 due December 1, 1987 and June 1, 1988, respectively, from City of Marion, Ohio Hospital Improvement Bonds of 1975 dated February 1, 1975 numbered 686 and 687 in the denomination of \$5,000 each (4 coupons at \$143.75 for a total of \$575.00), maturing December 1, 1992 and bearing interest at the rate of 5.75% per annum.

Section 2. This Council finds and determines that all formal actions of this Council concerning an relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in such formal actions were in meetings open to the public in compliance with the law.

Section 3. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that this ordinance is required to be immediately effective in order to provide for the payment of the lost coupons and thereby preserve its credit; wherefore, this ordinance shall be in full force and effect immediately upon its passage an approval by the Mayor.

PASSED: February 12, 1990



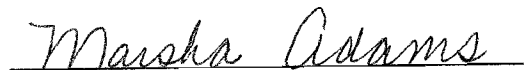
President of Council

APPROVED: February 13, 1990



Mayor

ATTEST:



Clerk of Council

ORDINANCE NO. 1990- 24

ORDINANCE AUTHORIZING THE SAFETY DIRECTOR TO ENTER INTO CONTRACT WITH BENNETT CHEVROLET TO PURCHASE TWO POLICE VEHICLES, WITH TRADE-INS, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 1989-113, the Safety Director was authorized to advertise for bids for two new police vehicles and to trade in two vehicles now owned by the City as part of said bids, and

WHEREAS, no bids were received by the Safety Director, and

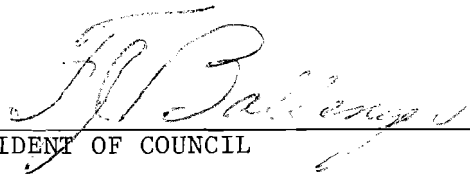
WHEREAS, The Safety Director subsequently received two proposals and it was determined that Bennett Chevrolet had submitted the lowest and best proposal,

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

Section 1. That the Safety Director be and he is hereby authorized to enter into contract with Bennett Chevrolet to purchase two police vehicles as per bid specifications.

Section 2. That the cost of said contract, \$29,581.76, shall be payable from the Police Equipment Fund 101-01-111-250-000-450.

Section 3. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that the order must be placed by February 15; 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.


PRESIDENT OF COUNCIL

PASSED: February 12, 1990

APPROVED: February 13, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990-25

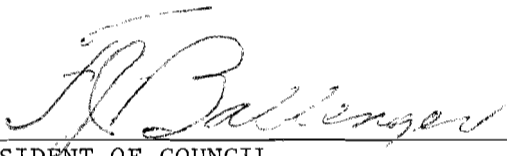
ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY BILLS
FROM VARIOUS CITY DEPARTMENTS PURSUANT TO OHIO
REVISED CODE 5705.41 (D), AND DECLARING AN EMERGENCY.

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

Section 1. That the City Auditor is hereby authorized to pay bills from various city departments pursuant to O.R.C. §5705.41(D) which reads in part as follows: "No subdivision or taxing unit shall make any contract or give any order involving the expenditure of money unless there is attached thereto a certificate of the fiscal officer of the subdivision that the amount required to meet the same...such taxing authority may authorize the issuance of a warrant in payment of such amounts due upon such contract, but such resolution or ordinance shall be passed within thirty days from the receipt of such certificate."

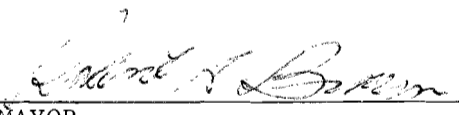
General Fund	\$ 2,976.31
Sanitation Fund	<u>7,860.00</u>
TOTAL	\$10,836.31

Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the City of Marion and the inhabitants thereof and for the further reason that it provides for the daily operation of said City, and as such, shall become effective 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.

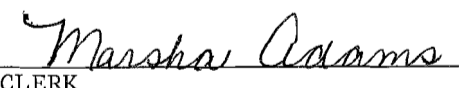

PRESIDENT OF COUNCIL

PASSED: February 26, 1990

APPROVED: February 27, 1990


MAYOR

ATTEST:


CLERK

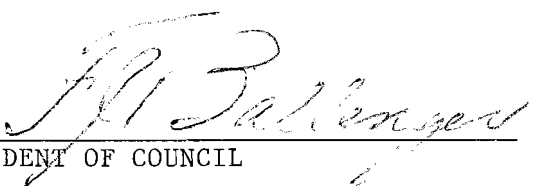
ORDINANCE NO. 1990- 26

ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS FOR THE PURCHASE OF TWO (2) 3/4 TON PICKUP TRUCKS, 4x4 WITH AUTOMATIC TRANSMISSIONS, 8 CYLINDER ENGINES AND MAXIMUM PAYLOAD PACKAGE, FOR USE IN THE SERVICE DEPARTMENT.

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

Section 1. That the Service Director be and he is hereby authorized to prepare specifications and advertise for bids for the purchase of two (2) 3/4 ton pickup trucks, 4x4 with automatic transmissions, 8 cylinder engines and maximum payload package, for use in the Service Department.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

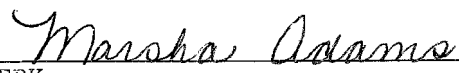

PRESIDENT OF COUNCIL

PASSED: February 26, 1990

APPROVED: February 27, 1990


MAYOR

ATTEST:


CLERK

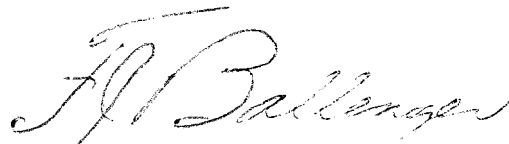
ORDINANCE NO. 1990- 27

ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS FOR THE PURCHASE OF RECYCLING CONTAINERS FOR MARION'S RECYCLING PROGRAM.

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

Section 1. That the Service Director be and he is hereby authorized to prepare specifications and advertise for bids for the purchase of recycling containers for Marion's recycling program.


Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.



PRESIDENT OF COUNCIL

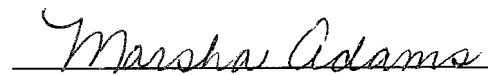
PASSED: February 26, 1990

APPROVED: February 27, 1990



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1990-28

ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS FOR TWO (2) DUMP TRUCKS WITH SNOW PLOWS FOR USE IN THE SERVICE DEPARTMENT.

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


Section 1. That the Service Director be and he is hereby authorized to prepare specifications and advertise for bids for the purchase of two (2) dump trucks with snow plows for use in the Service Department.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.


PRESIDENT OF COUNCIL

PASSED: February 26, 1990

APPROVED: February 27, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990- 29

ORDINANCE APPROVING AND ADOPTING THE REVISED SEWER CODE AND SEWER REGULATIONS (CHAPTER 911 OF THE CODIFIED ORDINANCES OF THE CITY OF MARION); REPEALING EXISTING CHAPTER 911, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Marion operates a wastewater treatment plant under authority of the Ohio Environmental Protection Agency and the Federal Environmental Protection Agency, and

WHEREAS, such operation must comply with the requirements of 40 CFR Section 403.9(b) and 40 CFR Section 403.11 and Section 611.03(Q) Ohio Revised Code, as a publicly owned Treatment Works Pretreatment Program,

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

Section 1. That the revised sewer use code and sewer regulations, attached hereto and made a part hereof by reference, is hereby approved and adopted as Chapter 911 of the Codified Ordinances of the City of Marion.

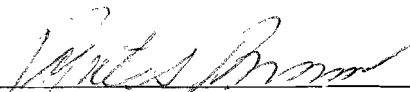
Section 2. That the existing Chapter 911 be and is hereby repealed.

Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that it is necessary to comply with the OEPA and the Federal EPA; 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.

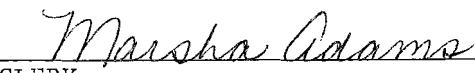

PRESIDENT OF COUNCIL

PASSED: February 26, 1990

APPROVED: February 27, 1990


MAYOR

ATTEST:


CLERK

Published: The Marion Star
March 15, 22, 1990
Marsha Adams
Clerk of Council

ORDINANCE NO. 1990- 30

ORDINANCE TO MAKE ADDITIONAL APPROPRIATIONS FOR THE YEAR
ENDING DECEMBER 31, 1990, AND DECLARING AN EMERGENCY.

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

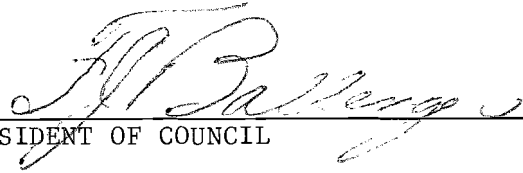
Section 1. That, subject to the certification of available funds by
the Marion County Budget Commission, there be additional appropriations in
the Parks Fund in the amount of \$30,250.00 as follows:

Benefits	221-03-421-210-000-120	\$19,250.00
Land Maintenance	221-03-421-230-000-370	5,000.00
Resurfacing Project	221-03-421-230-000-531	<u>6,000.00</u>
TOTAL Parks Fund.....		\$30,250.00

Section 2. That there be additional appropriations in the General Fund
in the amount of \$166,500.00 as follows:

Transfer to Parks Fund	101-09-745-270-000-708	\$ 30,250.00
Transfer to Recycling Fund	101-09-745-270-000-707	<u>136,250.00</u>
TOTAL General Fund.....		\$166,500.00

Section 3. That this ordinance is hereby declared to be an emergency
measure necessary for the immediate preservation of the health, welfare and safety
of the City of Marion and the inhabitants thereof and for the further reason that
it is necessary for the daily operation of said City; 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.



PRESIDENT OF COUNCIL

PASSED: March 12, 1990

APPROVED: March 13, 1990



MAYOR

ATTEST:



CLERK

94

ORDINANCE NO. 1990- 31

ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO
ADVERTISE FOR BIDS FOR THE SALE OF TWO (2)
TRACTS OF LAND NOW OWNED BY THE CITY OF MARION.

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

Section 1. That the Service Director be and he is hereby authorized to advertise for bids for the sale of two (2) Tracts of land now owned by the City and described as follows:

TRACT NO. 1 --0.065 ACRES

Being part of the Southwest Quarter of Section 28, Township 5 South, Range 15 East, in the City of Marion, Marion County, State of Ohio and being more particularly described as follows:

Commencing at a 5/8" dia. iron pin set on the East right-of-way line of Mound Street (now 60 feet wide) at the intersection of the South right-of-way line of Buckeye Street (now 50 feet wide); thence along the South right-of-way line of Buckeye Street South 89 degrees 38 minutes 27 seconds West for a distance of 207.00 feet to an existing stone and the point of beginning; thence South 01 degree 14 minutes 09 seconds East for a distance of 118.70 feet to a 5/8" dia. iron pin set; thence South 89 degrees 38 minutes 27 seconds West for a distance of 24.00 feet to a 5/8" dia. iron pin set on the East right-of-way line of a 16 feet wide alley in Shovelton's Second Addition as recorded in Plat Bood 2, page 314; thence along the East right-of-way line of said 16 feet wide alley North 01 degree 14 minutes 09 seconds West for a distance of 118.70 feet to a railroad spike set on the South right-of-way line of Buckeye Street; thence along the South right-of-way line of Buckeye Street North 89 degrees 38 minutes 27 seconds East for a distance of 24.00 feet to an existing stone and the point of beginning

Containing 0.065 acre more or less and subject to legal highways, easements, restrictions, and agreements of record.

Grantor acquired title by instrument recorded in Volume 172, page 369 of the Deed Records of Marion County, Ohio.

This description was prepared from a survey made by John J. (Jack) Norris, Professional Surveyor No. 6835 and dated July 5, 1989.

The bearing South 89 degrees 38 minutes 27 seconds West for the South right-of-way line of Buckeye Street was assumed. All other bearings were then calculated from field observations.

All 5/8" dia. iron pins set are 30" long #5 rein. rods having orange colored plastic caps stamped "NORRIS" in black colored letters.
S-6835

REVISED TRACT NO. 2 -- 0.057 ACRE

Being part of the Southwest Quarter of Section 28, Township 5 South, Range 15 East, in the City of Marion, Marion County, State of Ohio and being more particularly described as follows:

Beginning at a 5/8" dia. iron pin set on the East right-of-way line of Mound Street (now 60 feet wide) at the intersection of the South right-of-way line of Buckeye Street (now 50 feet wide); thence along the East right-of-way line of Mound Street North 01 degree 14 minutes 09 seconds West for a distance of 15.00 feet to a 5/8" dia. iron pin set; thence North 89 degrees 38 minutes 27 seconds East for a distance of 165.84 feet to a 5/8" dia. iron

pin set on the West right-of-way line of the C & O Railroad; thence along the West right-of-way line of the C & O Railroad along a curve to the right having a radius of 5679.65 feet for an arc distance of 15.01 feet to a 5/8" dia. iron pin set on the South right-of-way line of Buckeye Street produced to the East; thence along the South right-of-way line of Buckeye Street produced Eastwardly South 89 degrees 38 minutes 27 seconds West for a distance of 165.10 feet to a 5/8" dia. iron pin set on the East right-of-way line of Mound Street and the point of beginning.

Containing 0.057 acre more or less and subject to legal highways, easements, restrictions, and agreements of record.

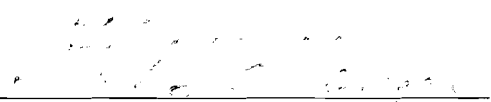
Grantor acquired title by instrument recorded in Volume 172, page 369 of the Deed Records of Marion County, Ohio.

This description was prepared from a survey made by John J. (Jack) Norris, Professional Surveyor No. 6835 and dated July 5, 1989, and revised September 14, 1989.

The bearing South 89 degrees 38 minutes 27 seconds West for the South right-of-way line of Buckeye Street was assumed. All other bearings were then calculated from field observations.

All 5/8" dia. iron pins set are 30" long #5 rein. rods having orange colored plastic caps stamped "NORRIS" in black colored letters.
S-6835

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.



PRESIDENT OF COUNCIL

PASSED: March 12, 1990

APPROVED: March 13, 1990



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1990-32

ORDINANCE AUTHORIZING AND DIRECTING THE SERVICE DIRECTOR TO PREPARE PLANS AND SPECIFICATIONS, ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE INSTALLATION OF NEW TRAFFIC CONTROL DEVICES AT THE INTERSECTIONS OF CENTER STREET WITH DAVIDS STREET AND MAIN STREET WITH PATTEN STREET 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 Service Director is hereby authorized and directed to prepare plans and specifications, advertise for bids and enter into contract for the installation of new traffic control devices at the intersections of Center Street with Davids Street and Main Street with Patten Street.

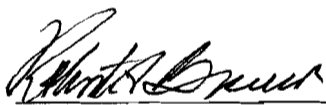
Section 2. That the cost of such contract shall be payable from the State Highway Improvement Fund (208-06-613-230-000-370).

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 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.

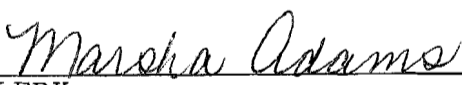

PRESIDENT OF COUNCIL

PASSED: April 9, 1990

APPROVED: April 10, 1990


MAYOR

ATTEST:


CLERK

Challenge
City of Marion

233 West Center Street • Marion, Ohio 43302
(614) 387-2020



STANLEY W. CARLYLE, P.E.
City Engineer

March 14, 1990

Marion City Council Members

Subject: Traffic Signal Improvements

Dear Members:

Enclosed is a proposed ordinance for the installation of new traffic signals and poles at the intersections of Center Street with Davids Street and Main Street with Patten Street.

The estimated cost of this project is \$40,000 to be payable from the State Highway Improvement Fund.

The existing installations at these locations do not meet the standards as established by the Ohio Manual of Uniform Traffic Control Devices. Also the wooden signal poles are nearly to the point of failure.

I will be presenting this item to the Street and Alley Committee for approval on March 14.

If you have any questions please contact me.

Sincerely,

Stanley W. Carlyle P.E.
City Engineer

SWC;jr

cc: Service Director
City Auditor
File, Project 90-2M

1990-32.

ORDINANCE NO. _____

ORDINANCE AUTHORIZING AND DIRECTING THE SERVICE DIRECTOR TO PREPARE PLANS AND SPECIFICATIONS, ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE INSTALLATION OF NEW TRAFFIC CONTROL DEVICES AT THE INTERSECTIONS OF CENTER STREET WITH DAVIDS STREET AND MAIN STREET WITH PATTEN STREET 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 Service Director is hereby authorized and directed to prepare plans and specifications, advertise for bids and enter into contract for the installation of new traffic control devices at the intersections of Center Street with Davids Street and Main Street with Patten Street.

Section 2. That the cost of such contract shall be payable from the State Highway Improvement Fund (208-06-613-230-000-370).

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 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.

ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH SOUTHEASTERN EQUIPMENT COMPANY FOR THE PURCHASE OF ONE (1) FRONT END LOADER PER CONTRACT WITH THE STATE OF OHIO, AND DECLARING AN EMERGENCY.

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

Section 1. That the Service Director be and he is authorized to enter into contract with Southeastern Equipment Company for the purchase of one (1) front end loader as per the contract with the State of Ohio.

Section 2. That the said loader shall be for the amount of \$38,673.00 payable from the S.C.M. & R. Fund.

Section 3. That this ordinance is hereby declared to be emergency measure necessary for immediate preservation of the public peace, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that this equipment is necessary to obtain prior to this year's construction season and summer work program and as such shall take effect 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.

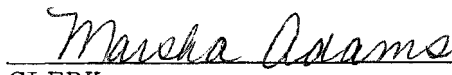

PRESIDENT OF COUNCIL

PASSED: April 9, 1990

APPROVED: April 10, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990- 34

ORDINANCE AUTHORIZING THE SAFETY DIRECTOR TO ENTER INTO CONTRACT WITH THE NCR CORPORATION FOR THE PURCHASE OF A NEW COMPUTER SYSTEM FOR THE DEPARTMENT OF SAFETY, DIVISION OF POLICE, AND DECLARING AN EMERGENCY.

WHEREAS, the Safety Director did advertise for bids for the purchase of a new computer system, and

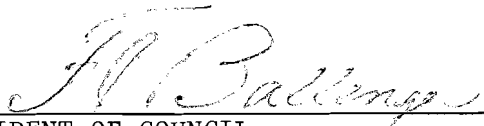
WHEREAS, the NCR Corporation submitted the only bid,

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

Section 1. That the Safety Director be and he is hereby authorized to enter into contract with NCR Corporation for the purchase of a new computer system for the Police Department, as per bid specifications.

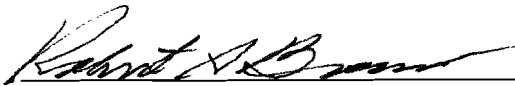
Section 2. That said purchase and installation, in the amount of \$73,393.75, shall be payable from the General Fund Account No. 101-01-111-250-000-450.

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 for the further reason that the available capacity on the current computer system is quickly diminishing; and as such, shall take effect 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.

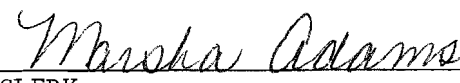

PRESIDENT OF COUNCIL

PASSED: April 9, 1990

APPROVED: April 10, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE TO ESTABLISH A MODERATE HOUSING REHABILITATION PROGRAM THROUGH THE STATE OF OHIO UNDER THE STATE OF OHIO'S COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SMALL CITIES' PROGRAM AND TO AUTHORIZE THE MAYOR TO APPLY FOR THESE FUNDS AND ADMINISTER THE GRANT, AND DECLARING AN EMERGENCY.

WHEREAS, this Council recognizes the need for programs which remove slums and blights, benefit low-and-moderate income households or meet other urgent community development needs, and

WHEREAS, the CDBG Small Cities' Program makes funds available for projects which address these problems, and

WHEREAS, the Mayor must submit an application to the State of Ohio, Department of Development, to receive funds which have been authorized for the City of Marion to be used on eligible activities which address the community and economic development programs,

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

Section 1. That this Council hereby authorizes the Mayor to submit an application for CDBG Small Cities' funds, for moderate housing rehabilitation in the FY1990 Target Area bounded generally by State Street on the West, Mark Street on the North, Patterson Street on the East and Quarry Street on the South.

Section 2. That, upon approval of the City of Marion's grant application, the Mayor is hereby authorized to accept the grant and administer the CDBG Small Cities' Program in the City of Marion.

Section 3. 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 for the further reason that the grant application must be filed immediately in order to be eligible for consideration; 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.

PRESIDENT OF COUNCIL

PASSED: April 9, 1990

APPROVED: April 10, 1990

MAYOR

ATTEST:

CLERK

ORDINANCE TO ESTABLISH A SPECIAL OR INNOVATIVE HOUSING PROJECT UNDER THE COMPREHENSIVE HOUSING/NEIGHBORHOOD REVITALIZATION PROGRAM AND TO AUTHORIZE THE MAYOR TO APPLY FOR FUNDS FROM THE STATE OF OHIO'S COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SMALL CITIES' PROGRAM AND TO ADMINISTER THE GRANT, AND DECLARING AN EMERGENCY.

WHEREAS, this Council recognizes the need for programs which remove slums and blight, benefit low-and-moderate income households or meet other urgent community development needs, and

WHEREAS, the CDBG Small Cities' Program makes funds available for projects which address these problems, and

WHEREAS, the Mayor must submit an application to the State of Ohio, Department of Development, to establish eligibility for such funds in competition with other applicants, and

WHEREAS, the charitable and educational non-profit organization known as Marion H.A.N.D., Inc. was formed to assist low and moderate income people in their quest for decent and affordable housing, and

WHEREAS, said organization has requested assistance from the City of Marion in implementing its operations, and

WHEREAS, the goals of the City of Marion and H.A.N.D., Inc., with respect to LMI Housing are compatible and a cooperative program between the City of Marion and Marion H.A.N.D., Inc. will establish eligibility for the City of Marion to compete with other applicants for Special or Innovative Housing Projects funds administered by the Ohio Department of Development, and

WHEREAS, an application for use of FY89 CDBG funds filed in April, 1989, pursuant to Ordinance 1989-32, did not result in the receipt of a grant, and

WHEREAS, in notifying the City that the April 1989 application would not be funded, the Ohio Department of Development noted it would accept a new application because of the commitment at the local level,

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

Section 1. That this Council hereby authorizes the Mayor to submit an application for CDBG Small Cities' funds via a grant from the Special Set-Aside Program for FY1990 which will support Marion H.A.N.D., Inc. in its quest for improving LMI housing in the City of Marion.

Section 2. That, upon approval of the City of Marion's grant application, the Mayor is hereby authorized to accept the grant and administer the CDBG Small Cities' Program in the City of Marion.

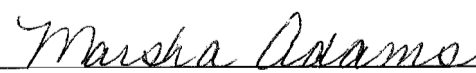
Section 3. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that the grant application must be filed immediately in order to optimize the chances for receiving a grant; 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.

PASSED: April 9, 1990

APPROVED: April 10, 1990


MAYOR


PRESIDENT OF COUNCIL

ATTEST:

CLERK

ORDINANCE TO ADOPT AN ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN IN CONFORMITY WITH REQUIREMENTS OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM, AND DECLARING AN EMERGENCY.

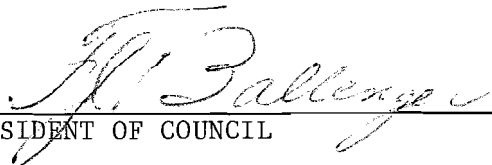
WHEREAS, the City intends to apply for funds from the State of Ohio CDBG Small Cities' Program, and

WHEREAS, as part of such application(s) the City shall have evidence of legislation placing in effect a Residential Anti-Displacement and Relocation Assistance Plan under Section 104(d) of the Housing and Community Act of 1974, as amended,

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

Section 1. That this Council hereby adopts the attached Anti-Displacement and Relocation Assistance Plan.

Section 2. 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 for the further reason to conform with the grant application which must be filed immediately in order to be eligible for consideration; 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.



PRESIDENT OF COUNCIL

PASSED: *April 9, 1990*

APPROVED: *April 10, 1990*



MAYOR

ATTEST:



CLERK

ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN

Residential Antidisplacement and Relocation Assistance
Plan Under Section 104(d) of the Housing and Community
Development Act of 1974, as Amended.

Providing for One-for-One Replacement Units
and Relocation Assistance.

The City of Marion will replace all occupied and vacant occupiable low/moderate-income dwelling units demolished or converted to a use other than as low/moderate-income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, as described in 24 CFR 570.496 a(b)(1).

All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the City of Marion will make public and submit to the Office of Local Government Services, Ohio Department of Development, the following information in writing:

1. A description of the proposed assisted activity;
2. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate-income dwelling units as a direct result of the assisted activity;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
5. The source of funding and a time schedule for the provision of replacement dwelling units; and
6. The basis for concluding that each replacement dwelling unit will remain a low/moderate-income dwelling unit for at least 10 years from the date of initial occupancy;
7. An analysis determining whether a dwelling unit proposed to be demolished is occupiable or not;
8. An analysis determining whether a dwelling unit proposed to be demolished or converted is considered a low/moderate-income unit.

1990-37

The City of Marion will provide relocation assistance, as described in 570.496 a(b)(2), to each low/moderate-income household displaced by the demolition of housing or by the conversion of a low/moderate-income dwelling to another use as a direct result of assisted activities.

Consistent with the goals and objectives of activities assisted under the Act, the City of Marion agrees to provide substantial levels of assistance to persons displaced by HUD-assisted programs and will further seek to minimize displacement of persons as a result of assisted activities.

The effective date of this plan and certification is March 26, 1990, the date of the submission of this application.

ORDINANCE ACCEPTING THE CEDE OF JURISDICTION FOR
THE INSTALLATION AND MAINTENANCE OF STREET LIGHTS
IN LINCOLN PARK FROM THE BOARD OF PARK COMMISSIONERS,
AND DECLARING AN EMERGENCY.

WHEREAS, the Board of Park Commissioners of Marion, Ohio in its regular meeting of March 13, 1990, passed a resolution concerning the street lights in Lincoln Park, and

WHEREAS, said resolution ceded jurisdiction for the installation and maintenance of said street lights to the City of Marion, and

WHEREAS, the City is a party to a street lighting contract with Ohio Edison giving favorable rates to the City, and


WHEREAS, it is in the best interests of the Board of Park Commissioners, and the City and the citizens to bring said street lights in Lincoln Park within the terms of said contract,

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

Section 1. That the City hereby accepts the cede of jurisdiction for the installation and maintenance of said lights in Lincoln Park from the Board of Park Commissioners.


Section 2. The City elects to proceed under the contract with Ohio Edison and cause the installation of said lights to be performed by The Ohio Edison Company and charges for the operation of said lights to be in accordance with the terms of said contract.

Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that it is necessary in order to have the lights installed by June 1, 1990; and as such, shall take effect 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.


PRESIDENT OF COUNCIL

PASSED: April 2, 1990

APPROVED: April 3, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990- 39

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS FOR THE YEAR
ENDING DECEMBER 31, 1990, AND DECLARING AN EMERGENCY.

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

Section 1. That there be additional appropriations made in the amount
of \$192,503 as follows:

GENERAL FUND

Police Equipment	101-01-111-250-000-450	\$ <u>73,400.00</u>
Total General Fund.....		\$ 73,400.00

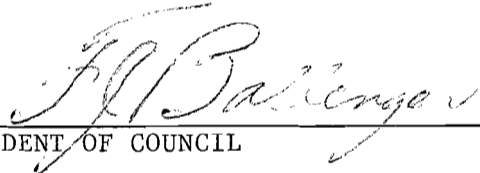
SENIOR CITIZENS FUND

Salaries	203-03-427-210-000-110	\$ 4,788.00
Professional Services	203-03-427-230-000-320	300.00
Equipment Maintenance	203-03-427-230-000-360	431.00
Supplies	203-03-427-240-000-420	599.00
Fuel	203-03-427-240-000-430	1,100.00
Equipment	203-03-427-250-000-450	<u>885.00</u>
Total Senior Citizens Fund.....		\$ 8,103.00

SANITATION FUND

Collection Salaries	506-05-561-210-000-110	\$ 80,000.00
Collection Benefits	506-05-561-210-000-120	<u>31,000.00</u>
Total Sanitation Fund.....		\$111,000.00
GRAND TOTAL.....		\$192,503.00

Section 2. This ordinance is hereby declared to be an emergency measure
necessary for the immediate preservation of the public health, welfare and safety
of the City of Marion and the inhabitants thereof and for the further reason that
it is necessary for the daily operation of said City; 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.



PRESIDENT OF COUNCIL

PASSED: April 9, 1990

APPROVED: April 10, 1990



MAYOR

ATTEST:



CLERK

ORDINANCE TO AMEND ORDINANCE NO. 1990-4 - ALLEY VACATION,
AND DECLARING AN EMERGENCY.

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

Section 1. That Section 1 of Ordinance No. 1990-4 and now reading as follows:

Section 1. That the following described alley, to-wit:

A certain alley commencing at the northeast corner of Lot Two Hundred Twenty-six (226) in Baker's Addition to the town, now City of Marion, Ohio; thence west along the north line of said Lot Two Hundred Twenty-six (226) to the northwest corner of said Lot Two Hundred Twenty-six (226); thence north on the west line of said Lot Two Hundred Twenty-six (226) extended north, to the southwest corner of Lot Two Hundred Seventeen (217) in Baker's Addition to the City of Marion, Ohio; thence east along the south line of Lots Two Hundred Seventeen (217) and Two Hundred Sixteen (216) in Baker's Addition to the City of Marion, Ohio, to the southeast corner of said Lot Two Hundred Sixteen (216); thence south on the east line of said Lot Two Hundred Sixteen (216), extended south, to the northeast corner of Lot Two Hundred Twenty-six (226) in Baker's Addition and the place of beginning,

be and is hereby vacated.

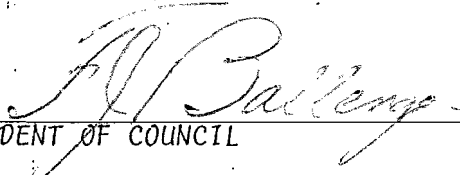
is hereby amended to read:

Section 1. That the following described alley, to-wit:

A certain alley commencing at the northeast corner of Lot Two Hundred Twenty-six (226) in Baker's Addition to the town, now City of Marion, Ohio; thence west along the north line of said Lot Two Hundred Twenty-six (226) to the northwest corner of said Lot Two Hundred Twenty-six (226); thence north on the west line of said Lot Two Hundred Twenty-six (226) extended north, to the southwest corner of Lot Two Hundred Seventeen (217) in Baker's Addition to the City of Marion, Ohio; thence east along the south line of Lots Two Hundred Seventeen (217) and Two Hundred Sixteen (216) in Baker's Addition to the City of Marion, Ohio, to the southeast corner of said Lot Two Hundred Sixteen (216); thence south on the east line of said Lot Two Hundred Sixteen (216), extended south, to the northeast corner of Lot Two Hundred Twenty-six (226) in Baker's Addition and the place of beginning, and being 16.5' in width,

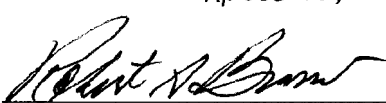
be and is hereby vacated.

Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public Health, welfare and safety of the City of Marion and the inhabitants thereof; 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.

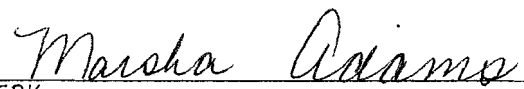

PRESIDENT OF COUNCIL

PASSED: April 9, 1990

APPROVED: April 10, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990-41

ORDINANCE TO AMEND ORDINANCE NO. 1989-115 - ALLEY VACATION,
AND DECLARING AN EMERGENCY.

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

Section 1. That the first WHEREAS of Ordinance 1989-115 and now reading as follows:

WHEREAS, in the opinion of this Council, there is good cause for vacating the western portion of a certain east-west alley between lots #675 and #676, running east from Main Street to the first north-south alley running between Fairground and Wallace Streets in the Patten & Wallace Addition to the City of Marion, being 165.24' in length, and

is hereby amended to read:

WHEREAS, in the opinion of this Council, there is good cause for vacating the western portion of a certain east-west alley between lots #675 and #676, running east from Main Street to the first north-south alley running between Fairground and Wallace Streets in the Patten & Wallace Addition to the City of Marion, being 165.24' in length and 16.5' in width, and

Section 2. That Section 1 of Ordinance No. 1989-115 and now reading as follows:

Section 1. That the western portion of a certain east-west alley running east from Main Street to the first north-alley running between Fairground and Wallace Streets in the Patten & Wallace Addition to the City of Marion, and being 165.24' in length, be and is hereby vacated.

is hereby amended to read:

Section 1. That the western portion of a certain east-west alley running east from Main Street to the first north-alley running between Fairground and Wallace Streets in the Patten & Wallace Addition to the City of Marion, and being 165.24' in length and 16.5' in width, be and is hereby vacated.

Section 3. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public Health, welfare and safety of the City of Marion and the inhabitants thereof; 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.


PRESIDENT OF COUNCIL

PASSED: April 23, 1990

APPROVED: April 24, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990- 42

ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH BENNETT CHEVROLET FOR THE PURCHASE OF ONE NEW TRUCK CAB AND CHASSIS, UTILITY BODY AND CRANE FOR USE AT THE WASTEWATER TREATMENT PLANT, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance NO. 1990-19, the Service Director was authorized to advertise for bids for a new truck cab and chassis with utility body and crane, and


WHEREAS, Bennett Chevrolet has submitted the lowest and best bid for said vehicle,

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

Section 1. That the Service Director be and he is hereby authorized to enter into contract with Bennett Chevrolet for the purchase of one new truck cab and chassis with utility body and crane for use at the Wastewater Treatment Plant.

Section 2. That the cost of said contract, \$18,683.18, shall be payable from the Water Pollution Control Capital Equipment Replacement Fund -504-05-553-250-000-450.

Section 3. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that the dealer's cut-off date for ordering new vehicles is April or May; and as such, shall take effect 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.



PRESIDENT OF COUNCIL


PASSED: April 9, 1990

APPROVED: April 10, 1990



MAYOR

ATTEST:



CLERK

ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH BURCH HYDRO CLEANING SPECIALISTS, INC., FOR LOADING, HAULING AND APPLICATION OF CAKE SLUDGE AT THE WASTEWATER TREATMENT PLANT.

WHEREAS, pursuant to Ordinance No. 1990-18, the Service Director was authorized to advertise for bids for the loading, hauling and application of cake sludge at the Wastewater Treatment Plant, and

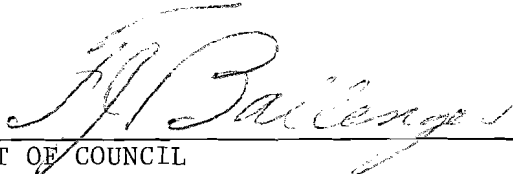
WHEREAS, Burch Hydro Cleaning Specialists, Inc. has submitted the lowest and best bid,

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

Section 1. That the Service Director be and he is hereby authorized to enter into contract with Burch Hydro Cleaning Specialists, Inc. for the loading, hauling and application of cake sludge at the Wastewater Treatment Plant.

Section 2. That the cost of said contract, \$12.92 per ton, shall be payable from the Water Pollution Control Professional Services Account-505-05-552-230-000-320.

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



PRESIDENT OF COUNCIL

PASSED: April 9, 1990

APPROVED: April 10, 1990



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1990- 44

ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY BILLS
FROM VARIOUS CITY DEPARTMENTS PURSUANT TO OHIO
REVISED CODE §5705.41(D), AND DECLARING AN EMERGENCY.

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

Section 1. That the City Auditor is hereby authorized to pay bills from various city departments pursuant to O.R.C. §5705.41(D) which reads in part as follows: "No subdivision or taxing unit shall make any contract or give any order involving the expenditure of money unless there is attached thereto a certificate of the fiscal officer of the subdivision that the amount required to meet the same... such taxing authority may authorize the issuance of a warrant in payment of such amounts due upon such contract, but such resolution or ordinance shall be passed within thirty days from the receipt of such certificate."

Sanitation Fund	<u>\$4,920.00</u>
GRAND TOTAL	\$4,920.00

Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the City of Marion and the inhabitants thereof and for the further reason that it provides for the daily operation of said City, and as such, shall become effective 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.



PRESIDENT OF COUNCIL

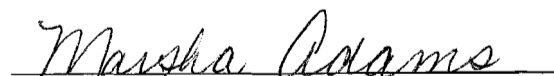
PASSED: April 9, 1990

APPROVED: April 10, 1990



MAYOR

ATTEST:



CLERK

ORDINANCE TO AMEND SECTION 1 OF ORDINANCE NO. 1970-53 (DESIGNATING CERTAIN STREETS OR PORTIONS THEREOF AS THROUGH STREETS), AS AMENDED, BY ADDING THERETO "BLAINE AVENUE FROM COLUMBIA STREET TO CHURCH STREET", AND DELETING THEREFROM VARIOUS STREETS OR PORTIONS THEREOF.

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

Section 1. That Section 1 of Ordinance No. 1970-53, as amended, designating certain streets or portions thereof as through streets, be amended by adding thereto the following:

"Blaine Avenue from Columbia Street to Church Street",

and deleting therefrom the following streets or portions thereof:

- ~~Ballentine-Avenue-from-George-Street-to-Fairground-Street;~~
- ~~Barnhart-Street-from-Center-Street-to-Mark-Street;~~
- BELLEFONTAINE AVENUE FROM THE CORPORATION LINE NORTHEAST TO PROSPECT STREET.
- ~~Bennett-Street-from-the-west-corporation-line-to-Davids-Street;~~
- BLAINE AVENUE FROM COLUMBIA STREET TO CHURCH STREET
- ~~Cass-Avenue-from-Kenton-Avenue-to-Silver-Street;~~
- CENTER STREET FROM THE WEST CORPORATION LINE TO THE EAST CORPORATION LINE.
- ~~Cheney-Avenue-from-Barks-Road-to-Bellefontaine-Avenue;~~
- CHURCH STREET FROM PARK BOULEVARD TO KENSINGTON PLACE.
- ~~Clinton-Street-from-Woodrow-Avenue-to-Bennett-Street;~~
- ~~Columbia-Street-from-Davids-Street-to-High-Street;~~
- COLUMBIA STREET FROM DAVIDS STREET TO BLAINE AVENUE
- ~~Darius-Street-from-Davids-Street-to-Park-Boulevard;~~
- DAVIDS STREET FROM THE SOUTH CORPORATION LINE TO CENTER STREET.
- ~~Delaware-Avenue-from-the-south-corporation-line-to-Hill-Street;~~
- DELAWARE AVENUE FROM THE SOUTH CORPORATION LINE TO HILL STREET.
- ~~Edgewood-Drive-from-Windsor-Street-to-Mckinley-Park-Boulevard;~~
- FAIRGROUND STREET FROM THE WEST CORPORATION LINE TO THE EAST CORPORATION LINE.
- ~~Fairview-Street-from-Main-Street-to-Fairwood-Avenue;~~
- ~~Farming-Street-from-Prospect-Street-to-Greenwood-Street;~~
- ~~Forest-Lawn-Boulevard-from-Mount-Vernon-Avenue-to-Center-Street;~~
- ~~George-Street-from-Prospect-Street-to-Grand-Avenue;~~
- ~~Grand-Avenue-from-Mount-Vernon-Avenue-to-George-Street;~~
- GRAND AVENUE FROM MOUNT VERNON AVENUE TO CENTER STREET.
- ~~Greenwood-Street-from-Mandana-Avenue-to-Fairground-Street;~~
- ~~Hecker-Avenue-from-Main-Street-to-State-Street;~~
- ~~Hill-Street-from-Prospect-Street-to-Main-Street;~~
- ~~Jefferson-Street-from-Center-Street-to-Fairground-Street;~~
- ~~Kensington-Place-from-Mount-Vernon-Avenue-to-Center-Street;~~
- KENTON AVENUE FROM THE CORPORATION LINE SOUTHEAST TO CENTER STREET.
- ~~Klerx-Street-from-Prospect-Street-to-Main-Street;~~
- ~~Leader-Street-from-Center-Street-to-Fairground-Street;~~
- ~~Lee-Street-from-Silver-Street-to-Fairground-Street;~~
- ~~Madison-Avenue-from-Center-Street-to-the-north-corporation-line;~~
- MAIN STREET FROM WALNUT STREET TO THE NORTH CORPORATION LINE.
- ~~Mark-Street-from-Prospect-Street-to-Barnhart-Street;~~
- MCKINLEY PARK BOULEVARD FROM EDGEWOOD DRIVE TO DELAWARE AVENUE.
- ~~Merchant-Avenue-from-Mount-Vernon-Avenue-to-Center-Street;~~
- MOUNT VERNON AVENUE FROM VINE STREET TO THE EAST CORPORATION LINE.
- ~~Niles-Street-from-Kenton-Avenue-to-Silver-Street;~~
- ~~Oak-Street-from-Center-Street-to-Fairground-Street;~~
- ~~Osney-Avenue-from-Bellefontaine-Avenue-to-Center-Street;~~
- ~~Orchard-Street-from-Columbia-Street-to-Center-Street;~~
- ~~Park-Boulevard-from-Darius-Street-to-Center-Street;~~
- PARK BOULEVARD FROM CHURCH STREET TO CENTER STREET.
- ~~Patten-Street-from-Main-Street-to-State-Street;~~
- ~~Pearl-Street-from-Prospect-Street-to-Church-Street;~~
- PROSPECT STREET FROM THE SOUTH CORPORATION LINE TO FAIRGROUND STREET.
- ~~Richland-Road-from-Mount-Vernon-Avenue-southeast-to-the-corporation-line;~~
- RICHLAND ROAD FROM MOUNT VERNON AVENUE SOUTHEAST TO THE CORPORATION LINE.
- ~~Sargent-Street-from-Church-Street-to-Center-Street;~~
- SARGENT STREET FROM CHURCH STREET TO CENTER STREET.
- ~~Seffner-Avenue-from-Mount-Vernon-Avenue-to-Center-Street;~~
- SEFFNER AVENUE FROM MOUNT VERNON AVENUE TO CENTER STREET.
- ~~Silver-Street-from-the-west-corporation-line-to-Prospect-Street;~~
- STATE STREET FROM WASHINGTON STREET TO HECKER AVENUE.
- ~~Summit-Street-from-Vernon-Heights-Boulevard-to-Mount-Vernon-Avenue;~~
- ~~Superior-Street-from-Prospect-Street-to-Delaware-Avenue;~~
- VERNON HEIGHTS BOULEVARD FROM DELAWARE AVENUE TO MOUNT VERNON AVENUE.

Vine-Street-from-Walnut-Street-to-Center-Street.
Walnut-Street-from-Prospect-Street-to-Vine-Street.
WALNUT STREET FROM PROSPECT STREET TO STATE STREET
Wilson-Avenue-from-Greenwood-Street-to-Madison-Avenue.
Windsor-Street-form-Edgewood-Drive-to-Church-Street.
Woodrow-Avenue-from-Clinton-Street-to-Bellefontaine-Avenue.

Section 2. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

J. T. Ballenger
PRESIDENT

PASSED: April 23, 1990

APPROVED: April 24, 1990

Robert R. Brown
MAYOR

ATTEST:

Marsha Adams
CLERK

Published:
The Marion Star
May 17, 24, 1990
Marsha Adams
Clerk of Council

ORDINANCE NO. 1990- 46

ORDINANCE MAKING AN ADDITIONAL APPROPRIATION FOR THE YEAR ENDING DECEMBER 31, 1990, AND DECLARING AN EMERGENCY.

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

Section 1. That there be an additional appropriation in the ODNR Recycling Demonstration Grant Fund as follows:

Equipment	272-04-540-250-000-450	\$218,155.00
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Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that it is necessary for the daily operation of said City; 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.


PRESIDENT OF COUNCIL

PASSED: April 23, 1990

APPROVED: April 24, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH MIDWEST EPOKE COMPANY FROM DAYTON, OHIO FOR THE PURCHASE OF TWO (2) LODAL MODEL 3000 RECYCLING TRUCKS, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 1989-123, the Service Director was authorized to advertise for bids for two (2) trucks to be used for collecting recyclable materials, and

WHEREAS, Midwest Epoke Company of Dayton, Ohio submitted the only qualifying bid for said vehicles,

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

Section 1. That the Service Director be and he is hereby authorized to enter into contract with Midwest Epoke Company for the purchase of two (2) Lodal Model 3000 Recycling Trucks for collecting recyclable materials.

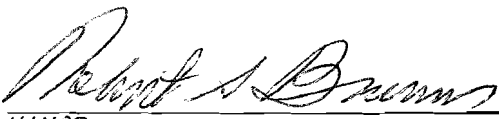
Section 2. That the cost of said contract shall not exceed \$159,530.00 and shall be payable from the Recycling Grant Fund 272-04-540-250-000-450.

Section 3. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof; and as such, shall take effect 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.


PRESIDENT OF COUNCIL

PASSED: April 23, 1990

APPROVED: April 24, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH REHRIG PACIFIC COMPANY OF ERIE, PENNSYLVANIA FOR THE PURCHASE OF 12,500, 18 GALLON RECYCLING CONTAINERS, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 1990-27, the Service Director was authorized to advertise for bids for the purchase of recycling containers for Marion's recycling program, and

WHEREAS, Rehrig Pacific Company of Erie, Pennsylvania submitted the lowest and best bid for said containers,

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

Section 1. That the Service Director be and he is hereby authorized to enter into contract with Rehrig Pacific Company for the purchase of 12,500, 18 gallon recycling containers.

Section 2. That the cost of said contract shall not exceed \$58,625.00 and shall be payable from the Recycling Grant Fund 272-04-540-250-000-450.

Section 3. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof; and as such, shall take effect 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.


PRESIDENT OF COUNCIL

PASSED: May 29, 1990

APPROVED: May 30, 1990


MAYOR

ATTEST:


CLERK

3

ORDINANCE NO. 1990- 49

ORDINANCE TO MAKE APPROPRIATION REVISIONS FOR THE
YEAR ENDING DECEMBER 31, 1990, AND DECLARING AN
EMERGENCY.

WHEREAS, the appropriations of the SCMR Fund exceed the amended certificate of estimated revenues, and

WHEREAS, said situation is contrary to the Ohio Revised Code, and

WHEREAS, additional appropriations have been requested for the General Fund and Parks Fund,

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

Section 1. That the following appropriation revisions be made:

GENERAL FUND

City Hall Maintenance	101-07-741-230-000-370	\$6,000.00
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PARKS FUND

Equipment	221-03-421-250-000-450	\$5,000.00
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SCMR FUND

Salaries	207-06-612-210-000-110	(\$65,000.00)
Benefits	207-06-612-210-000-120	(\$26,000.00)
Clothing	207-06-612-210-000-140	(500.00)
Travel	207-06-612-220-000-220	(500.00)
Prof. Services	207-06-612-230-000-320	(\$10,100.00)
Equipment Maintenance	207-06-612-230-000-360	(\$ 5,000.00)
Insurance	207-06-612-230-000-380	(\$ 5,000.00)
Supplies	207-06-612-240-000-420	(\$10,000.00)
Fuel	207-06-612-240-000-430	(\$ 5,000.00)
Streetscape Maintenance	207-06-612-240-000-600	(\$ 3,000.00)

TOTAL SCMR (\$130,100.00)

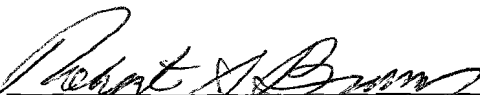
Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that it is necessary for the daily operation of said City; and as such, 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.



PRESIDENT OF COUNCIL

PASSED: April 23, 1990

APPROVED: April 24, 1990



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1990- 50

ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS FOR THE PURCHASE OF SUPPLIES, MATERIALS AND SERVICES FOR THE SERVICE DEPARTMENT AND SAFETY DEPARTMENT OF THE CITY OF MARION, AND DECLARING AN EMERGENCY.

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

Section 1. That the Service Director be and he is hereby authorized to contract and purchase supplies, materials and services, to-wit: cement, salt, stone, concrete, paint, premises patching materials, oil, grease, tires, gasoline, sign blanks, and such other supplies, materials and services as may be needed in the Service Department and Safety Department of the City of Marion.

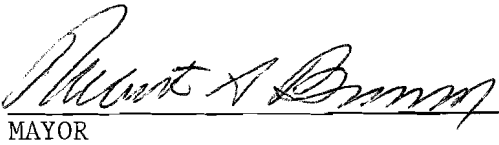
Section 2. That said Service Director shall advertise for bids for such supplies, materials and services and he shall be authorized and directed to enter into written contracts with the lowest and best bidders for said supplies, materials and services required for a period of one year or fraction of one year beginning June 1, 1990 and terminating not later than May 31, 1991. Said Service Director may reject any or all bids.

Section 3. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof, and for the further reason that it is necessary for the daily operation of said City; 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.


PRESIDENT OF COUNCIL

PASSED: April 23, 1990

APPROVED: April 24, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990- 51 _ _

ORDINANCE AUTHORIZING THE SAFETY DIRECTOR TO ENTER INTO CONTRACT WITH MIDSTATE CONTRACTORS, INC., FOR THE EXTERIOR REPAIRS TO NUMBER 3 FIRE STATION LOCATED AT 599 JEFFERSON STREET, AND DECLARING AN EMERGENCY.

WHEREAS, the Safety Director did advertise for bids for the exterior repairs to the Fire Station located at 599 Jefferson Street, and

WHEREAS, Midstate Contractors, Inc. submitted the only qualifying bid for said repairs,

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

Section 1. That the Safety Director be and he is hereby authorized to enter into contract with Midstate Contractors, Inc. for the exterior repairs to the Fire Station located at 599 Jefferson Street, as per bid specifications.

Section 2. That said repairs, in the amount of \$12,317.50, shall be payable from the CDBG Fund Account No. 275-04-549-230-000-330.

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 for the further reason that the work must be completed by may 25, 1990, prior to the opening of this Fire Station; and as such, shall take effect 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.

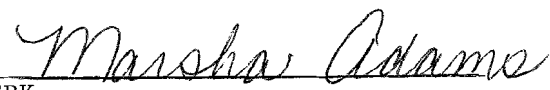

PRESIDENT OF COUNCIL

PASSED: May 29, 1990

APPROVED: May 30, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990-52

ORDINANCE AUTHORIZING AND DIRECTING THE SERVICE DIRECTOR TO PREPARE PLANS AND SPECIFICATIONS, ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR RESURFACING AND IMPROVING OF CERTAIN STREETS IN THE CITY OF MARION, OHIO, AND DECLARING AN EMERGENCY.

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

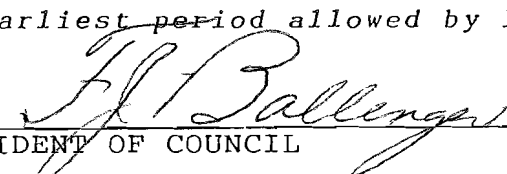
Section 1. That the Service Director is hereby authorized and directed to prepare plans and specifications, advertise for bids and enter into contract for the resurfacing and improving of the following described streets in the City of Marion, Ohio:

RESURFACING

	<u>FROM</u>	<u>TO</u>
1. Fairpark Avenue	Central Drive	Robinson Avenue
2. Lorraine Circle	Entire	
3. Trinidad Drive	Entire	
4. Executive Drive	Harding Memorial Parkway	Carriage Lane
5. Bain Avenue	Entire	
6. Gurley Avenue	State Street	Vine Street
7. Duluth Avenue	Olney Avenue	Prospect Street
8. Harding Memorial Pkwy.	Entire	
9. Blaine Avenue	Columbia Street	Bellefontaine Avenue
10. Plantation Drive	Entire	
11. Sawyer Ludwig Park	drives:	

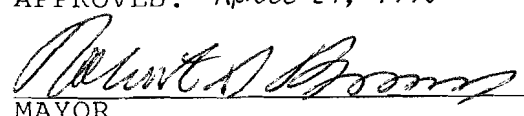
Section 2. That the cost of such contract shall be payable from the SCM&R Fund 207-06-612-230-000-530 (Permissive Auto Tax) and 207-06-612-230-000-531 (resurfacing projects). Item #11 shall be paid from the Parks Fund 221-03-421-230-000-531.

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 for the further reason that the construction season for this project is limited to the summer months; 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.

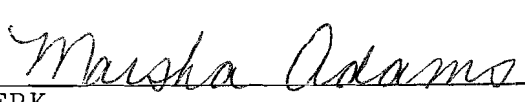

PRESIDENT OF COUNCIL

PASSED: April 23, 1990

APPROVED: April 24, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990- 53

ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO CONTRACTS WITH STEGAL CONSTRUCTION FOR PLUMBING AND GENERAL CONSTRUCTION, AND WITH CHARNAN ELECTRIC, INC. FOR ELECTRICAL WORK, FOR THE REMODELLING AND IMPROVING OF PORTIONS OF MARION CITY HALL, AND DECLARING AN EMERGENCY.

WHEREAS, the Service Director, pursuant to Ordinance No. 1990-8, did advertise for bids for the remodeling and improving of portions of Marion City Hall, and

WHEREAS, Stegal Construction, Marion, Ohio submitted the only bid for plumbing and general construction, and

WHEREAS, Charnan Electric, Inc, Shelby, Ohio submitted the lowest and best bid for electrical work,

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

Section 1. That the Service Director be and he is hereby authorized to enter into contracts with Stegal Construction for plumbing and general construction, and with Charnan Electric, Inc. for electrical work, for the remodelling and improving of the following areas in City Hall:

1. Engineering Dept. Provide offices for Economic Development, Zoning Inspector and Clerk of Council.
2. Third Floor Conference Room. Convert into Law Director's office.
3. Duplicating Room. Provide area for third floor conference room.
4. Police Dept. Remodel dispatching area.

Section 2. That the cost of the contract with Stegal Construction - \$50,954.00, and the contract with Charnan Electric, Inc. - \$16,975.00, shall be payable from City Hall Improvement Fund-101-07-741-250-000-520 and Police Department Capital Improvements fund-101-01-111-250-000-520.

Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason it is necessary for the daily operation of said City; 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.

PRESIDENT OF COUNCIL

PASSED:

APPROVED:

MAYOR

ATTEST:

CLERK

defeated May 29, 1990

ORDINANCE NO. 1990- 54

ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH FLOYD BROWNE ASSOCIATES, INC. FOR THE SOLIDS HANDLING STUDY AT THE WATER POLLUTION CONTROL PLANT.

WHEREAS, the Service Director, pursuant to Ordinance No. 1989-130, did advertise for bids for a Solids Handling Study at the Water Pollution Control Plant, and

WHEREAS, Floyd Browne Associates, Inc., Marion, Ohio, submitted the lowest and best bid,

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

Section 1. That the Service Director be and he is hereby authorized to enter into contract with Floyd Browne Associates, Inc. for the Solids Handling Study at the Water Pollution Control Plant.

Section 2. That the cost of said contract, \$17,125.00, shall be payable from the Professional Services Account - 505-05-552-230-000-320.

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



PRESIDENT OF COUNCIL

PASSED: *May 14, 1990*

APPROVED: *May 15, 1990*


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990-55

ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH BENNETT CHEVROLET FOR THE PURCHASE OF TWO 3/4 TON PICKUP TRUCKS FOR USE IN THE SERVICE DEPARTMENT, AND DECLARING AN EMERGENCY.

WHEREAS, the Service Director, pursuant to Ordinance No. 1990-26, did advertise for bids for two pickup trucks, and

WHEREAS, Bennett Chevrolet submitted the lowest and best bid,

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

Section 1. That the Service Director be and he is hereby authorized to enter into contract with Bennett Chevrolet for the purchase of two 3/4 ton pickup trucks for use in the Service Department.

Section 2. That the cost of said contract, \$27,765.48, shall be payable from Account No. 207-06-612-250-000-450.

Section 3. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason they are needed to replace two older vehicles no longer serviceable; 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.



PRESIDENT OF COUNCIL

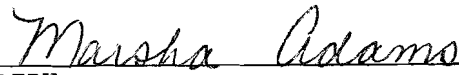
PASSED: *May 14, 1990*

APPROVED: *May 15, 1990*



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1990- 56

ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH MATHEWS-KENNEDY FORD FOR THE PURCHASE OF TWO DUMP TRUCKS WITH SNOW PLOWS FOR USE IN THE SERVICE DEPARTMENT, AND DECLARING AN EMERGENCY.

WHEREAS, the Service Director, pursuant to Ordinance No. 1990-28, did advertise for bids for two dump trucks with snow plows, and

WHEREAS, Mathews-Kennedy Ford submitted the lowest and best bid,

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

Section 1. That the Service Director be and he is hereby authorized to enter into contract with Mathews-Kennedy Ford for the purchase of two dump trucks with snow plows for use in the Service Department.

Section 2. That the cost of said contract, not to exceed \$72,694.00, shall be payable from Account No. 207-06-612-250-000-450.

Section 3. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason they are needed to replace two older vehicles no longer serviceable; and as such, shall become effective 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.



PRESIDENT OF COUNCIL

PASSED: *May 14, 1990*

APPROVED: *May 15, 1990*



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1990- 57

ORDINANCE TO MAKE APPROPRIATION ADJUSTMENTS FOR THE YEAR ENDING DECEMBER 31, 1990, AND DECLARING AN EMERGENCY.

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

Section 1. That there be appropriation adjustments in the amount of *\$36,124.00 made as follows:
4,324.00

GENERAL FUND

Police-Capital-Improvements	101-07-741-250-000-520	\$16,600.00
Econ. Devel. Contingency	101-04-539-270-000-624	(20,000.00)
Econ. Devel. Loan Acquisition	101-04-539-250-000-455	20,000.00
City Hall-Bldg. Maintenance	101-07-741-230-000-370	5,000.00
City Hall-Capital-Improvements	101-07-741-250-000-520	-15,200.00
	TOTAL General Fund.....	\$36,800.00 5,000.00

POLICE & FIRE PENSION AGENCY FUND

Transfers to General Fund	735-09-821-270-000-790	\$ (676.00)
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Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that it is necessary for the daily operation of said City; 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.


PRESIDENT OF COUNCIL


PASSED: May 29, 1990

APPROVED: May 30, 1990

*Amended on Council floor May 29, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990- 58

ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY BILLS
FROM VARIOUS CITY DEPARTMENTS PURSUANT TO OHIO
REVISED CODE §5705.41(D), AND DECLARING AN EMERGENCY.

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

Section 1. That the City Auditor is hereby authorized to pay bills from various city departments pursuant to O.R.C. §5705.41(D) which reads in part as follows: "No subdivision or taxing unit shall make any contract or give any order involving the expenditure of money unless there is attached thereto a certificate of the fiscal officer of the subdivision that the amount required to meet the same... such taxing authority may authorize the issuance of a warrant in payment of such amounts due upon such contract, but such resolution or ordinance shall be passed within thirty days from the receipt of such certificate."

General Fund	\$3,164.60
	<hr/>
TOTAL	\$3,164.60

Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the City of Marion and the inhabitants thereof and for the further reason that it provides for the daily operation of said City, and as such, shall become effective 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.



PRESIDENT OF COUNCIL

PASSED: May 29, 1990

APPROVED: May 30, 1990



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1990- 59

ORDINANCE AUTHORIZING THE SAFETY DIRECTOR TO PREPARE PLANS AND SPECIFICATIONS AND ADVERTISE FOR BIDS FOR THE PURCHASE AND INSTALLATION OF TELECOMMUNICATIONS AND ASSOCIATED EQUIPMENT FOR THE CENTRAL DISPATCH AREA OF THE DEPARTMENT OF SAFETY, DIVISION OF POLICE AND FIRE, AND DECLARING AN EMERGENCY.

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

Section 1. That the Safety Director be and he is hereby authorized to prepare plans and specifications and advertise for bids for the purchase and installation of telecommunications and associated equipment for the central dispatch area of the Department of Safety, Divisions of Police and Fire.

Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the peace, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason it is necessary for the daily operation of said City; 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.

PRESIDENT OF COUNCIL

PASSED:

APPROVED:

MAYOR

ATTEST:

CLERK

defeated 5/14/90

ORDINANCE NO. 1990- 60

ORDINANCE AUTHORIZING THE SAFETY DIRECTOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS TO RECHASSIS THE 1982 FORD WHEELCOACH EMERGENCY SQUAD VEHICLE USED IN THE DEPARTMENT OF SAFETY, DIVISION OF FIRE, AND DECLARING AN EMERGENCY.

WHEREAS, the 1982 Ford Wheelcoach emergency squad vehicle used in the Fire Department is unfit for public use in its present condition, and

WHEREAS, it is in the best interest of the City of Marion that said vehicle be rechassisid,

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

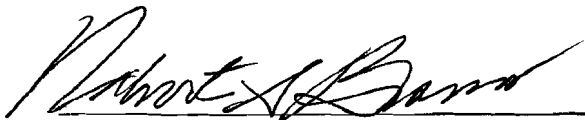
Section 1. That the Safety Director be and he is hereby authorized to prepare plans and specifications and advertise for bids to rechassis the 1982 Ford Wheelcoach emergency squad vehicle used in the Department of Safety, Division of Fire.

Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason it is necessary for the daily operation of said City; 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.

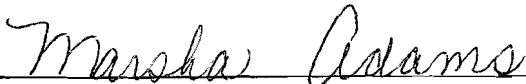

PRESIDENT OF COUNCIL

PASSED: May 14, 1990

APPROVED: May 15, 1990


MAYOR

ATTEST:


CLERK


ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO
ADVERTISE FOR BIDS ~~AND CONTRACT~~ TO SELL TWO (2)
BUSES USED BY THE MARION AREA TRANSIT SYSTEM,
AND DECLARING AN EMERGENCY.

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

Section 1. That the Service Director is hereby authorized to
advertise for bids ~~and contract~~ to sell the following two buses used by the
Marion Area Transit System which have exceeded their useful life as a public
transit vehicle:

1. (1) 1982 Wayne bus with a 350 Chevrolet engine, Serial No. 1GBJP32M7C3314138
Certificate of Title No. 510650480, Mileage 313,499.8 (bus 707)
2. (2) 1982 Wayne bus with a 350 Chevrolet engine, Serial No. 1GBJP32M7C3314544
Certificate of Title No. 510650484, Mileage 313,306.2 (bus 711)

Section 2. This ordinance is hereby declared to be an emergency
measure necessary for the immediate preservation of the public health, welfare
and safety of the City of Marion and the inhabitants thereof and for the
further reason that it is necessary for the daily operation of said City; 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.



PRESIDENT OF COUNCIL


PASSED: *May 29, 1990*

APPROVED: *May 30, 1990*



MAYOR

ATTEST:



CLERK OF COUNCIL

ORDINANCE NO. 1990- 62

ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY BILLS
FROM VARIOUS CITY DEPARTMENTS PURSUANT TO OHIO
REVISED CODE §5705.41(D), AND DECLARING AN EMERGENCY.

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

Section 1. That the City Auditor is hereby authorized to pay bills from various city departments pursuant to O.R.C. §5705.41(D) which reads in part as follows: "No subdivision or taxing unit shall make any contract or give any order involving the expenditure of money unless there is attached thereto a certificate of the fiscal officer of the subdivision that the amount required to meet the same... such taxing authority may authorize the issuance of a warrant in payment of such amounts due upon such contract, but such resolution or ordinance shall be passed within thirty days from the receipt of such certificate."

General Fund	<u>\$658.00</u>
TOTAL	\$658.00

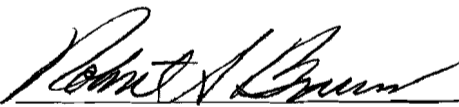
Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the City of Marion and the inhabitants thereof and for the further reason that it provides for the daily operation of said City, and as such, shall become effective 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.



PRESIDENT OF COUNCIL

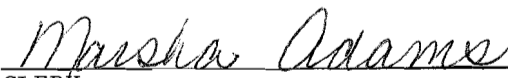
PASSED: May 29, 1990

APPROVED: May 30, 1990



MAYOR

ATTEST:



CLERK

ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARION TO APPLY FOR AN F71990 OHIO RENTAL REHABILITATION PROGRAM GRANT (HUD §17) THROUGH THE STATE OF OHIO UNDER THE STATE OF OHIO'S COMMUNITY DEVELOPMENT BLOCK (CDBG) SMALL CITIES' PROGRAM AND TO ADMINISTER SAID GRANT, AND DECLARING AN EMERGENCY.

WHEREAS, this Council recognizes the need for programs which benefit low and moderate income households, and

WHEREAS, the Rental Rehabilitation Program will expand the supply of decent, affordable rental housing available to low and moderate income households, and

WHEREAS, in order to pursue the application through completion,

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

Section 1. That this Council hereby authorizes the Mayor to submit an application for an F71990 Ohio Rental Rehabilitation Program Grant.

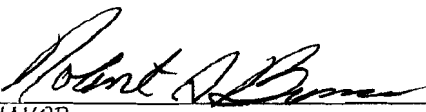
Section 2. That, upon approval of the City of Marion's grant application, the Mayor is hereby authorized to accept and administer said grant.

Section 3. 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 for the further reason that the grant application must be filed immediately in order to be eligible for consideration; 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.


PRESIDENT OF COUNCIL

PASSED: May 29, 1990

APPROVED: May 30, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990-64

ORDINANCE AUTHORIZING THE SAFETY DIRECTOR TO PREPARE PLANS AND SPECIFICATIONS AND ADVERTISE FOR BIDS FOR THE PURCHASE AND INSTALLATION OF TELECOMMUNICATIONS AND ASSOCIATED EQUIPMENT FOR THE CENTRAL DISPATCH AREA OF THE DEPARTMENT OF SAFETY, DIVISION OF POLICE AND FIRE, AND DECLARING AN EMERGENCY.

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

Section 1. That the Safety Director be and he is hereby authorized to prepare plans and specifications and advertise for bids for the purchase and installation of telecommunications and associated equipment for the central dispatch area of the Department of Safety, Divisions of Police and Fire.

Section 2. That specifications would be drawn and bids would be received for the following categories:

- * 1. ~~Console and Associated Equipment~~
- 2. ~~Closed-Circuit Video~~
- 3. ~~Intercom-System~~
- 4. ~~Radio-Equipment~~
- 1.5. Upgrade current equipment for centralized dispatch
- 6. ~~Additional equipment for third dispatcher station~~

Section 3. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the peace, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason it is necessary for the daily operation of said City; 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.


PRESIDENT OF COUNCIL


PASSED: May 29, 1990

APPROVED: May 30, 1990

* Amended on Council floor 05/29/90


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990- 65


ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY BILLS
FROM VARIOUS CITY DEPARTMENTS PURSUANT TO OHIO
REVISED CODE §5705.41(D), AND DECLARING AN EMERGENCY.

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

Section 1. That the City Auditor is hereby authorized to pay bills from various city departments pursuant to O.R.C. §5705.41(D) which reads in part as follows: "No subdivision or taxing unit shall make any contract or give any order involving the expenditure of money unless there is attached thereto a certificate of the fiscal officer of the subdivision that the amount required to meet the same... such taxing authority may authorize the issuance of a warrant in payment of such amounts due upon such contract, but such resolution or ordinance shall be passed within thirty days from the receipt of such certificate."

SCMR Fund	\$ 139.00
Sewer Revenue Fund	<u>11,151.57</u>
TOTAL	\$11,290.57

Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the City of Marion and the inhabitants thereof and for the further reason that it provides for the daily operation of said City, and as such, shall become effective 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.


PRESIDENT OF COUNCIL

PASSED: June 25, 1990

APPROVED: June 26, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990-66

ORDINANCE AUTHORIZING THE SAFETY DIRECTOR TO ENTER INTO CONTRACT WITH RIEMAR-KLINGEL TRUCKING FOR THE DEMOLITION OF THE BUILDING LOCATED AT 1195 BAHAMA DRIVE AND DECLARING AN EMERGENCY.

WHEREAS, the Safety Director, by Chapter 1360.08(c) of the Codified Ordinances for the City of Marion, was authorized to prepare specifications and advertise for bids for the demolition of the building located at 1195 Bahama Drive, and

WHEREAS, Riemar-Klingel Trucking submitted the lowest bid,

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

Section 1. That the Safety Director be and is hereby authorized to enter into contract with Riemar-Klingel Trucking for the demolition as per bid specifications.

Section 2. That the demolition shall be for the amount of \$1,900.00 payable from the Insurance Proceed Fund, Acct. No. 741-09-828-270-000-731 and the General Fund, Acct. No. 101-07-716-230-000-323.

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 as such shall take effect 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 be come effective from and after the earliest period allowed by law.


PRESIDENT OF COUNCIL

PASSED: June 25, 1990

APPROVED: June 26, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY DIRECTOR TO PREPARE PLANS AND SPECIFICATIONS AND ADVERTISE FOR BIDS FOR THE REMODELLING AND IMPROVING OF PORTIONS OF THE MARION CITY HALL BUILDING IN THE CITY OF MARION, AND DECLARING AN EMERGENCY.

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

Section 1. That the Safety Director is hereby authorized and directed to prepare plans and specifications and advertise for bids for the remodelling and improving of the Police Department and Jail Visitors addition.


Section 2. That the cost shall be payable from the Police Department Capital Improvements Fund Acct. No. 101-01-111-250-000-520.

Section 3. 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 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.

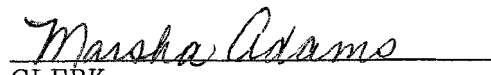

PRESIDENT OF COUNCIL

PASSED: July 9, 1990

APPROVED: July 10, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990-68

ORDINANCE TO AMEND CHAPTER 903 OF THE CODIFIED ORDINANCES
BY AMENDING §903.08 (a) - VACATION OF STREETS AND ALLEYS.

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

Section 1. That §903.08 (a) of the Codified Ordinances of the City of Marion, now reading as follows:

"903.08 VACATION OF STREETS AND ALLEYS

(a) A petitioner, on application to vacate any street or alley or part thereof, shall notify all abutting property owners by mailing them a copy of such petition by certified mail. Proof of such notice shall be filed with the Clerk of Council."

is hereby amended to read as follows:

"903.08 VACATION OF STREETS AND ALLEYS

(a) The Clerk of Council, on application to vacate any street or alley or part thereof, shall notify all abutting property owners by mailing to them a copy of such petition by certified mail. Proof of such notice shall be filed with the Clerk of Council."

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.


PRESIDENT OF COUNCIL

PASSED: June 25, 1990

APPROVED: June 26, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990-69

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS FOR THE
YEAR ENDING DECEMBER 31, 1990, AND DECLARING AN
EMERGENCY.

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

Section 1. That there be additional appropriations made in various funds
as follows:

General Fund

City Hall Service Contracts	101-07-741-230-000-321	\$ 5,580.00
City Hall Supplies	101-07-741-240-000-420	1,100.00
Transfers to Sewer Revenue	101-09-745-270-000-719	<u>12,000.00</u>
Total General Fund.....		\$18,680.00

Sewer Revenue Fund

Sewer M&R Pro. Services	505-05-551-230-000-320	\$ 6,000.00
Sewer M&R Equipment	505-05-551-250-000-450	<u>6,000.00</u>
Total Sewer Revenue Fund.....		\$12,000.00

Sanitation Fund

Landfill Pro. Services	506-05-562-230-000-320	\$20,000.00
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Safety Patrol Trust Fund

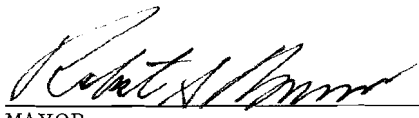
Trust Expenditures	736-09-822-270-000-731	\$ 1,440.00
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Section 2. This ordinance is hereby declared to be an emergency measure
necessary for the immediate preservation of the public peace, health and safety
of the City of Marion and the inhabitants thereof and for the further reason
that it is necessary for the daily operation of said City; 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.


PRESIDENT OF COUNCIL

PASSED: June 25, 1990

APPROVED: June 26, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990- 70

ORDINANCE MAKING AN ADDITIONAL APPROPRIATION FOR THE YEAR ENDING DECEMBER 31, 1990, AND DECLARING AN EMERGENCY.

WHEREAS, The Marion City Board of Health has received numerous proposals to remove the tires from the City's West Center Street property, and

WHEREAS, it will require approximately \$395,000.00 to remove said tires, and

WHEREAS, the Health Fund has insufficient funding for the removal of said tires,

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

Section 1. That there be an additional appropriation made in the General Fund as follows:

Transfers to Health Fund 101-09-745-270-000-711 \$395,000.00

Section 2. That the usage of the above funds is restricted to the removal of the tires.

Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that it is necessary to enter into a contract as soon as possible to have the tires removed, thus eliminating the problem of mosquitoes and possible fire; 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.



PRESIDENT OF COUNCIL

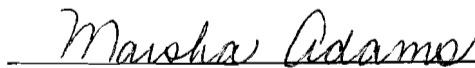
PASSED: June 25, 1990

APPROVED: June 26, 1990



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1990-71

ORDINANCE TO VACATE A CERTAIN EAST-WEST ALLEY BETWEEN LEE ST. AND THOMPSON ST..IN LOVE'S SECOND ADDITION TO THE CITY OF MARION, OHIO.

WHEREAS, in the opinion of this Council, there is good cause for vacating a certain east-west alley between Lee Street and Thompson Street in Love's Second Addition to the City of Marion, and

WHEREAS, the petition to vacate this alley was approved by the Marion City Planning Commission at its meeting of May 1, 1990, and

WHEREAS, notice to all abutting landowners was given in accordance with Marion Codified Ordinance 903.08, and

WHEREAS, Council, upon hearing, is satisfied that said vacation will not be detrimental to the general interest and ought to be made;

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

Section 1. That the following described alley, to-wit: a certain east-west alley between Lots #1314 and #1325 to the north and Lots #1315 and #1324 to the south, running east-west between Lee Street and Thompson Street in Love's Second Addition to the City of Marion, being 360' in length and 14' in width, be and is hereby vacated.

Section 2. That title to the real estate comprising said alley shall revert to the abutting property owners in accordance with the laws of Ohio.

Section 3. That nothing in this ordinance shall be construed to affect any right-of-way or easement now held by the City of Marion, in, under, over or across the above mentioned alley for sewer purposes or for use by any public utility operating under a franchise with the City of Marion, and the vacation of said alley herein is specifically made subject to the continued existence of any such existing right-of-way or easement, unless the abutting property owners renegotiate with the utility another right-of-way or easement.

Section 4. That the Clerk of Council be and she is hereby authorized and directed to certify a copy of the within ordinance to the Auditor of Marion County and to the Recorder of Marion County, Ohio.

Section 5. This ordinance shall take effect and be in force from and after the earliest period allowed by law.

J. J. Ballenger

PRESIDENT OF COUNCIL

PASSED: June 26, 1990

APPROVED: June 27, 1990

Robert S. Brown

MAYOR

ATTEST:

Marsha Adams

CLERK

Amended Ordinance No. 1990-117

ORDINANCE NO. 1990-72

ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO EXECUTE A GRANT OF EASEMENT FOR AND ON BEHALF OF THE CITY OF MARION, GRANTING TO THE COUNTY OF MARION THE RIGHT TO USE CERTAIN CITY-OWNED PROPERTY SITUATED IN THE TOWNSHIP OF MARION, COUNTY OF MARION, STATE OF OHIO, AND BEING A PART OF SECTION 19, TOWNSHIP 5 SOUTH, RANGE 15 EAST.

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

Section 1. That the Service Director be and he is hereby authorized to sign on behalf of the City of Marion, a grant of a highway easement for and on behalf of the City of Marion granting to the County of Marion, Ohio certain rights as more fully set forth in Section 2 hereof.

Section 2. The grant of a highway easement referred to in Section 1 hereof shall be in the following form and shall contain the following terms and conditions:

KNOW ALL MEN BY THESE PRESENTS, that the CITY OF MARION, an Ohio municipality, the GRANTOR, by virtue of ORDINANCE NO. 1990-72, and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, does hereby grant unto the County of Marion, Ohio, the GRANTEE, an easement and right-of-way, with the rights and privileges hereinafter set forth, for a public highway and road purposes:

Situated in the Township of Marion, County of Marion, State of Ohio, and being a part of Section 19, Township 5 South, Range 15 East.

Commencing at a railroad spike found on the centerline of Holland Road (C.R.95) on the East line of Section 19;

Thence North 88°54'40" West a distance of 4101.88 feet, along the half section line of Section 19, and the centerline of said County Road 95, to a point 0.21 feet left of centerline of survey Station 9+99.76 being the Grantor's northeasterly property corner and the TRUE point of beginning;

Thence South 0°01'00" West a distance of 30.21 feet along the Grantor's easterly property line to a point 30.00 feet right of centerline of survey Station 10+00.25;

Thence North 89°02'59" West a distance of 175.25 feet to a point 30.00 feet right of centerline of survey Station 8+25.00;

Thence North 0°57'01" East a distance of 30.63 feet to a point in the half section line of Section 19 and the Grantor's northerly property line, 0.63 feet left of centerline of survey Station 8+25.00;

Thence South 88°54'40" East a distance of 174.76 feet along the said half section line and the Grantor's northerly property line to the TRUE point of beginning;

This description is based on a survey made in 1938 by Eriksson Engineering, Ltd., William G. Young, Registered Surveyor No.6109.

Grantor claims title by instrument(s) of record in Official Record 103, Page 109, Marion County Recorder's Office.

This easement neither supersedes nor amends aforementioned instrument.

The easement and rights herein granted shall be for public highway and road purposes.

TO HAVE AND TO HOLD the said easement, rights and right-of-way and its appurtenances to said Grantee, forever, and the Grantor represents that it is the owner of the above-mentioned premises herein described.

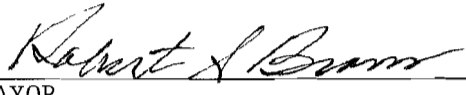
372

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.


PRESIDENT OF COUNCIL

PASSED: June 25, 1990

APPROVED: June 26, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990- 73

ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO SELL TWO (2) BUSES USED BY THE MARION AREA TRANSIT SYSTEM TO MATHEWS KENNEDY FORD, THE SOLE BIDDER, AND DECLARING AN EMERGENCY.

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

Section 1. That the Service Director is hereby authorized and directed to sell to Mathews Kennedy Ford, the sole bidder, for \$4,250.00 the following two buses used by the Marion Area Transit System which have exceeded their useful life as a public transit vehicle.

1. (1) 1982 Wayne bus with a 350 Chevrolet engine, Serial No. 1GBJP32M7C3314138 Certificate of Title No. 510650480, Mileage 313,499.8 (bus 707)
2. (1) 1982 Wayne bus with a 350 Chevrolet engine, Serial No. 1GBJP32M7C3314544 Certificate of Title No. 510650484, Mileage 313,306.2 (bus 711)

Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that it is necessary for the daily operation of said City; 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.

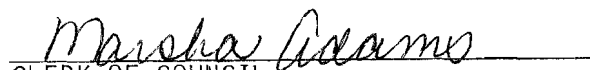

PRESIDENT OF COUNCIL

PASSED: June 25, 1990

APPROVED: June 26, 1990


MAYOR

ATTEST:


CLERK OF COUNCIL

ORDINANCE NO. 1990-74

ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO PREPARE SPECIFICATIONS, ADVERTISE FOR BIDS ~~AND ENTER INTO CONTRACT~~ FOR THE PURCHASE OF ONE (1) NEW FORK LIFT FOR USE BY THE MARION AREA TRANSIT SYSTEM, AND DECLARING AN EMERGENCY.

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

Section 1. That the Service Director be and he is hereby authorized to prepare specifications, advertise for bids ~~and enter into contract~~ for the purchase of one (1) new fork lift for use by the Marion Area Transit System.


Section 2. That the cost of said contract, approximately \$21,000.00 shall be payable from the Transit Fund -502.06.512.250.000.450- Capital Equipment.

Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof, and for the further reason that this year's bidding prices must be obtained under the terms of Grant; 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.


PRESIDENT OF COUNCIL

PASSED: July 9, 1990

APPROVED: July 10, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO PREPARE SPECIFICATIONS, ADVERTISE FOR BIDS ~~AND ENTER INTO CONTRACT~~ FOR THE PURCHASE OF ONE (1) NEW TRUCK AND WRECKER FOR USE BY THE MARION AREA TRANSIT SYSTEM, AND DECLARING AN EMERGENCY.

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

Section 1. That the Service Director be and he is hereby authorized to prepare specifications, advertise for bids ~~and enter into contract~~ for the purchase of one (1) new truck and wrecker for use by the Marion Area Transit System.


Section 2. That the cost of said contract, approximately \$30,000.00 shall be payable form the Transit Fund -502.06.512.250.000.450- Capital Equipment.

Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof, and for the further reason that this year's bidding prices must be obtained under the terms of the Grant; 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.

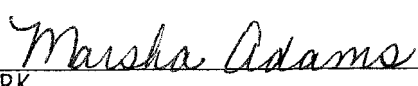

PRESIDENT OF COUNCIL

PASSED: *July 9, 1990*

APPROVED: *July 10, 1990*


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990-76

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS FOR THE YEAR
ENDING DECEMBER 31, 1990, AND DECLARING AN EMERGENCY.

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

Section 1. That there be additional appropriations made as follows:

General Fund

Airport	Land & Building Maintenance	-101-06-621-230-000-370-	\$2,500.00
Airport	Equipment	-101-06-621-250-000-450-	500.00
Total General Fund			\$3,000.00

Health Fund


Administration	Professional Svcs.	-214-02-221-230-000-320-	\$395,000.00
Total Health Fund			\$395,000.00

Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, welfare and safety of the City of Marion and the inhabitants thereof; 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.

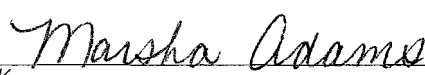

PRESIDENT OF COUNCIL

PASSED: July 9, 1990

APPROVED: July 10, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990- 77

ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS TO LEASE A SECTION OF LAND LOCATED AT THE DIVISION OF WATER POLLUTION CONTROL.

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

Section 1. That the Service Director be and he is hereby authorized to prepare specifications and advertise for bids to lease a section of land located at the Division of Water Pollution Control, beginning at the North-east corner of said property for a distance of 145 ft. west, thence 140 ft. south, thence 145 ft. east, thence 140 ft. north to the point of beginning, containing 20,300 sq. ft., more or less.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.


PRESIDENT OF COUNCIL

PASSED: July 23, 1990

APPROVED: July 24, 1990


MAYOR

ATTEST:


CLERK

*Amended
Ordinance No. 1990-95*

ORDINANCE MAKING AN ADDITIONAL APPROPRIATION FOR THE YEAR ENDING DECEMBER 31, 1990, AND DECLARING AN EMERGENCY.

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

Section 1. That there be an additional appropriation in the General Fund as follows:

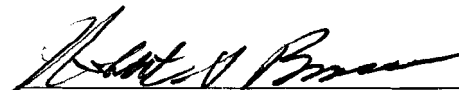
City Hall Maintenance 101-07-741-230-000-370 \$7,000.00

Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that the air conditioner broke down and needed repaired; 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.

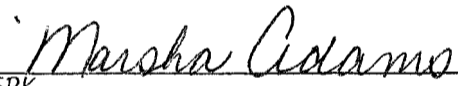

PRESIDENT OF COUNCIL

PASSED: August 27, 1990

APPROVED: August 28, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990- 79

ORDINANCE AUTHORIZING THE SALE OF TWO (2) TRACTS OF LAND
NOW OWNED BY THE CITY OF MARION TO THE WILSON BOHANNAN
COMPANY.

WHEREAS, the Service Director, by Ordinance No. 1990-31, was authorized to advertise for bids for the sale of two tracts of land now owned by the City of Marion, and

WHEREAS, The Wilson Bohannan Company was the only bidder for said land,

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

Section 1. That the Service Director be and he is hereby authorized to sell the two tracts of land heretofore described in Ordinance No. 1990-31 to The Wilson Bohannan Company.

Section 2. That the sale price for said land purchase shall be \$1,065.06, the full appraised value.

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



PRESIDENT OF COUNCIL

PASSED: August 13, 1990

APPROVED: August 14, 1990



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1990- 80

ORDINANCE MAKING AN ADDITIONAL APPROPRIATION FOR
THE YEAR ENDING DECEMBER 31, 1990 AND DECLARING
AN EMERGENCY.

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

Section 1. That there be an additional appropriation in the Federal
Revenue Sharing Fund as follows:

Equipment	210-07-746-250-000-450	\$10,103.10
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Section 2. That this ordinance is hereby declared to be an emergency
measure necessary for the immediate preservation of the public health, welfare
and safety of the City of Marion and the inhabitants thereof and for the further
reason that the orders for the fire hydrants must be placed as soon as possible;
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.



PRESIDENT OF COUNCIL

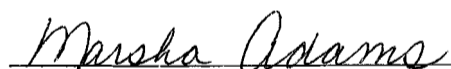
PASSED: August 13, 1990

APPROVED: August 14, 1990



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1990- 81


ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY BILLS
FROM VARIOUS CITY DEPARTMENTS PURSUANT TO OHIO
REVISED CODE §5705.41(D), AND DECLARING AN EMERGENCY.

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

Section 1. That the City Auditor is hereby authorized to pay bills from various city departments pursuant to O.R.C. §5705.41(D) which reads in part as follows: "No subdivision or taxing unit shall make any contract or give any order involving the expenditure of money unless there is attached thereto a certificate of the fiscal officer of the subdivision that the amount required to meet the same... such taxing authority may authorize the issuance of a warrant in payment of such amounts due upon such contract, but such resolution or ordinance shall be passed within thirty days from the receipt of such certificate."

General Fund	\$ 814.95
Sanitation Fund	<u>7,202.77</u>
TOTAL	\$8,017.72

Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the City of Marion and the inhabitants thereof and for the further reason that it provides for the daily operation of said City, and as such, shall become effective 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.


PRESIDENT OF COUNCIL

PASSED: August 13, 1990

APPROVED: August 14, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990- 82

ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY BILLS
FROM VARIOUS CITY DEPARTMENTS PURSUANT TO OHIO
REVISED CODE §5705.41(D), AND DECLARING AN EMERGENCY.

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

Section 1. That the City Auditor is hereby authorized to pay bills from various city departments pursuant to O.R.C. §5705.41(D) which reads in part as follows: "No subdivision or taxing unit shall make any contract or give any order involving the expenditure of money unless there is attached thereto a certificate of the fiscal officer of the subdivision that the amount required to meet the same... such taxing authority may authorize the issuance of a warrant in payment of such amounts due upon such contract, but such resolution or ordinance shall be passed within thirty days from the receipt of such certificate."


General Fund \$3,603.51

Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the City of Marion and the inhabitants thereof and for the further reason that it provides for the daily operation of said City, and as such, shall become effective 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.



PRESIDENT OF COUNCIL

PASSED: September 10, 1990

APPROVED: September 11, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE TO AMEND CERTAIN SECTIONS OF CHAPTER 943
(DOMESTIC REFUSE AND RUBBISH COLLECTION) OF THE
CODIFIED ORDINANCES OF THE CITY OF MARION.

WHEREAS, it is necessary to amend Chapter 943 of the Codified Ordinances in order to institute a city-wide mandatory recycling program,

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

Section 1. That Section 943.01 of the Codified Ordinances, now reading in part as follows:

"943.01 (b) "Rubbish" includes nonputrescible, nonliquid wastes, such as ashes, cinders, tin cans, glass, bottles, rags, waste paper, wood and paper boxes, grass, leaves, refuse of trees and tree and shrub trimmings, but excluding dead trees, tree limbs, trunks or stumps, accumulations of bricks, concrete, plaster, wood, metal spouting, sand, gravel, earth, stones or other refuse from construction, remodeling or repairing of buildings, appliances and worn out furniture."

is hereby amended to read as follows:

"943.01 (b) "Rubbish" includes nonputrescible, nonliquid wastes, such as plastics, ashes, cinders, tin cans, glass, bottles, rags, waste paper, wood and paper boxes, grass, leaves, refuse of trees and tree and shrub trimmings, but excluding dead trees, tree limbs, trunks or stumps, accumulations of bricks, concrete, plaster, wood, metal spouting, sand, gravel, earth, stones or other refuse from construction, remodeling or repairing of buildings, appliances and worn out furniture."

Section 2. That Section 943.01 of the Codified Ordinances is hereby amended by adding the following:

"943.01 (l) "Recyclables" means items including glass, plastic, aluminum, paper and such other items as prescribed by the rules and regulations of the City Service Director which require separation from domestic refuse and rubbish for reuse."

Section 3. That Section 943.10 of the Codified Ordinances, now reading as follows:

"943.10 DISPOSAL RESTRICTED TO CITY'S DESIGNATED LANDFILL.

No person shall dispose of, bury or dump within the City any domestic refuse, rubbish or waste material accumulated within or without the City. All domestic refuse, rubbish and waste material shall be conveyed to the areas' designated solid waste handling and disposal facilities."

is hereby amended to read as follows:

"943.10 DISPOSAL RESTRICTED TO CITY'S DESIGNATED LANDFILL.

In accordance with the rules and regulations adopted by the Service Director under §943.02, no person shall dispose of, bury or dump within the City any domestic refuse, rubbish or waste material accumulated within or without the City. All domestic refuse, rubbish and waste material shall be conveyed to the areas' designated solid waste handling and disposal facilities."

Section 4. That Section 943.14 of the Codified Ordinances is hereby repealed and a new Section 943.14 is hereby enacted to read as follows:

"943.14 RESIDENT SUBSCRIBER CHARGES.

To provide necessary funds for equipment, personnel and other expense in connection with the collection and disposal of residential domestic refuse and rubbish in the City, the necessary charges for same shall be as directed by the rules and regulations adopted by the City Service Director."

Section 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

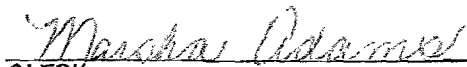

PRESIDENT OF COUNCIL

PASSED: October 8, 1990

APPROVED: October 9, 1990


MAYOR

ATTEST:


CLERK

10/10/90

ORDINANCE NO. 1990-84

ORDINANCE AUTHORIZING AND DIRECTING THE SERVICE DIRECTOR TO PREPARE PLANS AND SPECIFICATIONS, ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR SLURRY SEAL RESURFACING AND IMPROVING OF CERTAIN STREETS 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 Service Director is hereby authorized and directed to prepare plans and specifications, advertise for bids and enter into contract for the slurry seal resurfacing and improving of the following described streets in the City of Marion, Ohio:

SLURRY SEAL RESURFACING

	<u>FROM</u>	<u>TO</u>
1. Avondale Avenue	Entire	
2. Decatur Street	Entire	
3. Forest Lawn Dr.	Bexley Ave.	S. Terminus
4. Grant Street	Entire	
5. Latourette St.	Bennett Street	S. Terminus
6. Toledo Avenue	Entire	
7. Virginia Ave.	Vernon Hts. Blvd.	Forest Lawn Blvd.
8. Windsor Street	Thew Ave.	Duluth Avenue
9. WPC Plant	Entire	


Section 2 That the cost of such contract shall be payable from the SCM&R Fund 207-06-612-230-000-531. Item #9 shall be paid from the WPC Land & Building Maintenance Fund 504-05-553-230-000-370.

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 for the further reason that the construction season for this project is limited to the summer months; 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.


PRESIDENT OF COUNCIL

PASSED: August 27, 1990

APPROVED: August 28, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990- 85

ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS FOR JANITORIAL SERVICES FOR THE MUNICIPAL BUILDING, 233 WEST CENTER STREET, MARION, OHIO, AND DECLARING AN EMERGENCY.

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

Section 1. That the Service Director be and he is hereby authorized and directed to prepare specifications and advertise for bids for janitorial services for the Municipal Building, 233 West Center Street, Marion, Ohio, for a one-year period with the option to renew for an additional one-year period.

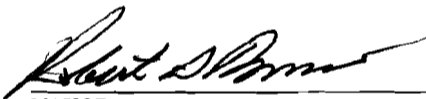
Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that the current contract expires August 31, 1990; and as such, shall take effect 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.



PRESIDENT OF COUNCIL

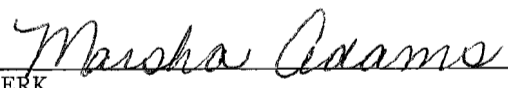
PASSED: August 27, 1990

APPROVED: August 28, 1990



MAYOR

ATTEST:



CLERK


ORDINANCE NO. 1990- 86

ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO
PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS
TO REPLACE THE BOILER SYSTEM AT THE SENIOR
CITIZENS CENTER, AND DECLARING AN EMERGENCY.

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

Section 1. That the Service Director be and he is hereby authorized to
prepare specifications and advertise for bids to replace the boiler system at
the Senior Citizens Center.

Section 2. This ordinance is hereby declared to be an emergency measure
necessary for the immediate preservation of the public health, welfare and safety
of the City of Marion and the inhabitants thereof and for the further reason that
it is necessary to have the boiler system installed before the cold season arrives,
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.



PRESIDENT OF COUNCIL

PASSED: August 27, 1990

APPROVED: August 28, 1990



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1990- 87


ORDINANCE MAKING ADDITIONAL APPROPRIATIONS FOR THE
YEAR ENDING DECEMBER 31, 1990, AND DECLARING AN
EMERGENCY.

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

Section 1. That there be additional appropriations made in the Recycling
Fund as follows:

Salaries	272-04-540-210-000-110	\$1,000.00
Benefits	272-04-540-210-000-120	250.00
Travel	272-04-540-220-000-220	1,000.00
Insurance	272-04-540-230-000-380	1,000.00
Supplies	272-04-540-240-000-420	1,000.00
Fuel	272-04-540-240-000-430	<u>1,000.00</u>
	TOTAL	\$5,250.00

Section 2. This ordinance is hereby declared to be an emergency measure
necessary for the immediate preservation of the public health, welfare and safety
of the City of Marion and the inhabitants thereof and for the further reason that
the recycling trucks are to be picked up on August 28, 1990; 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.



PRESIDENT OF COUNCIL

PASSED: August 27, 1990

APPROVED: August 28, 1990



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1990- 88

ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY BILLS FROM VARIOUS CITY DEPARTMENTS PURSUANT TO OHIO REVISED CODE §5705.41(D), AND DECLARING AN EMERGENCY.

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

Section 1. That the City Auditor is hereby authorized to pay bills from various city departments pursuant to O.R.C. §5705.41(D) which reads in part as follows: "No subdivision or taxing unit shall make any contract or give any order involving the expenditure of money unless there is attached thereto a certificate of the fiscal officer of the subdivision that the amount required to meet the same... such taxing authority may authorize the issuance of a warrant in payment of such amounts due upon such contract, but such resolution or ordinance shall be passed within thirty days from the receipt of such certificate."

General Fund	\$ 490.50
SCMR Fund	160.00
Sanitation Fund	<u>944.00</u>
TOTAL	\$1,594.50

Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the City of Marion and the inhabitants thereof and for the further reason that it provides for the daily operation of said City, and as such, shall become effective 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.



PRESIDENT OF COUNCIL

PASSED: September 10, 1990

APPROVED: September 11, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990-89

ORDINANCE APPROPRIATING FUNDS AND RATIFYING AND APPROVING THE BARGAINING AGREEMENT BETWEEN THE CITY OF MARION AND THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC., FOR THE COMMUNICATIONS OFFICERS AND CORRECTIONS OFFICERS BARGAINING UNIT, AND DECLARING AN EMERGENCY.

WHEREAS, Council will hereby appropriate monies to implement a bargaining agreement with the Fraternal Order of Police, Ohio Labor Council, Inc., for the Communications Officers and Corrections Officers bargaining unit, and

WHEREAS, an agreement with the Fraternal Order of Police, Ohio Labor Council, Inc. has been reached on behalf of said F.O.P. and the City of Marion and ratified by the bargaining unit, to be effective July 1, 1990,

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

Section 1. That Council hereby appropriates the funds necessary to implement the C.B.A. effective July 1, 1990, as provided to Council in writing, by the City Auditor on August 19, 1990.

Section 2. That Council hereby ratifies and approves the bargaining agreement between the City of Marion and the Fraternal Order of Police, Ohio Labor Council, Inc. for the above specified bargaining unit.

Section 3. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, safety and welfare of the City of Marion and the inhabitants thereof and for the further reason that it is necessary for the daily operation of said City, 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.



PRESIDENT OF COUNCIL

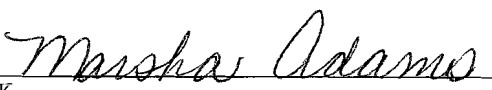
PASSED: August 27, 1990

APPROVED: August 28, 1990



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1990- 90

ORDINANCE APPROPRIATING FUNDS AND RATIFYING AND APPROVING
THE BARGAINING AGREEMENT BETWEEN THE CITY OF MARION AND THE
FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC., FOR
THE BLUE BARGAINING UNIT, AND DECLARING AN EMERGENCY.

WHEREAS, Council will hereby appropriate monies to implement a bargaining agreement with the Fraternal Order of Police, Ohio Labor Council, Inc., for the Blue bargaining unit, and


WHEREAS, an agreement with the Fraternal Order of Police, Ohio Labor Council, Inc. has been reached on behalf of said F.O.P. and the City of Marion and ratified by the bargaining unit, to be effective July 1, 1990,

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

Section 1. That Council hereby appropriates the funds necessary to implement the C. B. A. effective July 1, 1990, as provided to Council in writing, by the City Auditor on August 19, 1990.

Section 2. That Council hereby ratifies and approves the bargaining agreement between the City of Marion and the Fraternal Order of Police, Ohio Labor Council, Inc. for the above specified bargaining unit.

Section 3. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, safety and welfare of the City of Marion and the inhabitants thereof and for the further reason that it is necessary for the daily operation of said City, 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.


PRESIDENT OF COUNCIL

PASSED: August 27, 1990

APPROVED: August 28, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990-91

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$100,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF IMPROVING CERTAIN DESIGNATED STREETS AND CERTAIN ALLEYS BY RESURFACING, CONSTRUCTING AND RECONSTRUCTING CURBS AS REQUIRED, AND PROVIDING ALL NECESSARY APPURTENANCES, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 1989-93 passed September 25, 1989, notes in anticipation of bonds in the amount of \$140,000, dated October 12, 1989, were issued for the purpose stated in Section 1, to mature on October 11, 1990 (the Outstanding Notes); and

WHEREAS, this Council finds and determines that the City should retire the Outstanding Notes with the proceeds of the Notes described in Section 3 and other funds available to the City; and

WHEREAS, the Auditor as fiscal officer of this City has certified to this Council that the estimated life or period of usefulness of the improvement described in Section 1 is at least five years, the estimated maximum maturity of the bonds described in Section 1 is ten years, and the maximum maturity of the Notes described in Section 3, to be issued in anticipation of the bonds, is October 14, 2006;

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

Section 1. It is necessary to issue bonds of this City in the aggregate principal amount of \$100,000 (the Bonds) for the purpose of improving Roberts Avenue, Indiana Avenue, Central Drive, Lynn Drive, Bartram Avenue, N. State Street, Blaine Avenue, Hane Avenue, Burgandy Drive, Normandy Circle, Bradford Street, George Street, Duluth Avenue, Woodrow Avenue, Elm Street, Bimini Drive, N. Grand Avenue, Baker Street, Hecker Avenue, Gurley Avenue, Belmont Street, Adams Street, W. Fairground Street, Mark Street, Sherman Avenue, Summit Street, Bain Avenue, Olney Avenue, Brown Avenue, Pearl Street, Indiana Avenue, Boone Avenue, Burgandy Circle, Marseilles Drive, Windsor Street, Normandy Drive, Elgin Court, Court Street, E. Church Street, Greenwood Street, McKinley Park Boulevard, Main Street, S. Grand Avenue, Spencer Street, Broad Street, Evans Street, Fairview Avenue, Summit Street, Bexley Avenue, Chester Street, Rose Avenue, Latourette Street, Fies Avenue, Lincoln Park Road, Grant Street, Polk Street, Windsor Street, Decatur Street, Franklin Street, Lafayette Street, Kelley Lane, McKinley Park Road, Thew Avenue, Marion Avenue, Merchant Avenue, E. Farming Street, Summit Street, Colonial Avenue, Plantation Court, Westlawn Drive, Catalina Avenue, Underwood Avenue, and Edward Street and certain alleys by resurfacing, constructing and reconstructing curbs as required, and providing all necessary appurtenances.

Section 2. The Bonds shall be dated approximately October 1, 1990, shall bear interest at the now estimated rate of 8% per year, payable semiannually until the principal amount is paid, and are estimated to mature in ten annual principal installments that are substantially equal.

Section 3. It is necessary to issue and this Council determines that notes in the aggregate principal amount of \$100,000 (the Notes) shall be issued in anticipation of the issuance of the Bonds and to retire, together with other funds available to the City, the Outstanding Notes. The Notes shall bear interest at a rate or rates not to exceed 8% per year (computed on a 360-day per year basis), payable at maturity and until the principal amount is paid or payment is provided for. The rate or rates of interest on the Notes shall be determined by the Auditor in the certificate awarding the Notes in accordance with Section 6 of this ordinance.

Section 4. The debt charges on the Notes shall be payable in Federal Reserve funds of the United States of America and shall be payable, without deduction for services of the City's paying agent, at the main office of

BancOhio National Bank, Columbus, Ohio (the Paying Agent). The Notes shall be dated October 11, 1990 and shall mature on October 10, 1991.

Section 5. The Notes shall be signed by the Mayor and Auditor, in the name of the City and in their official capacities, provided that one of those signatures may be a facsimile. The Notes shall be issued in the denominations and numbers as requested by the original purchaser and approved by the Auditor, provided that the entire principal amount may be represented by a single note. The Notes shall not have coupons attached, shall be numbered as determined by the Auditor and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this ordinance.

Section 6. The Notes shall be sold at not less than par at private sale by the Auditor in accordance with law and the provisions of this ordinance. The Auditor shall sign the certificate of award referred to in Section 3 evidencing that sale, cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the original purchaser, to the original purchaser upon payment of the purchase price. The Mayor, the Auditor, the Clerk of Council and other City officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance.

Section 7. The proceeds from the sale of the Notes, except any premium and accrued interest, shall be paid into the proper fund or funds and those proceeds are appropriated and shall be used for the purpose for which the Notes are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

Section 8. The par value to be received from the sale of the Bonds or of any renewal notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used to pay the debt charges on the Notes at maturity and are pledged for that purpose.

Section 9. During the year or years in which the Notes are outstanding, there shall be levied on all the taxable property in the City, in addition to all other taxes, the same tax that would have been levied if the Bonds had been issued without the prior issuance of the Notes. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Notes or the Bonds when and as the same fall due.

Section 10. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent as may be necessary so that (a) the Notes will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the Code) or (ii) be treated other than as bonds to which Section 103(a) of the Code applies, and (b) the interest on the Notes will not be treated as an item under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Notes to be and remain excluded from gross income for federal income tax purposes, and (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purpose of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The City hereby represents that the Outstanding Notes are treated as "qualified tax-exempt obligations" pursuant to Section 265(b)(3) of the Code. The City hereby covenants that it will redeem the Outstanding Notes from proceeds of, and within 90 days after issuance of, the Notes, and represents that all other conditions are met for treating the Notes as "qualified tax-exempt obligations" and as not to be taken into account under subparagraph (D) of Section 265(b)(3) of the Code, without necessity for further designation, by reason of subparagraph (D)(ii) of Section 265(b)(3) of the Code. Further, the City represents and covenants that, during any time or in any manner as might affect the status of the Notes as "qualified tax-exempt obligations," it has not formed or participated in the formation of, or benefited from or availed itself of, any entity in order to avoid the purposes of subparagraph (C) or (D) of Section 265(b)(3) of the Code, and will not form, participate in the formation of, or benefit from or avail itself of, any such entity. The City further represents that the Notes are not being issued as part of a direct or indirect composite issue that combines issues or lots of tax-exempt obligations of different issuers.

Each covenant made in this section with respect to the Notes is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Notes (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Notes from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this section to take with respect to the Notes.

The Auditor, as the fiscal officer, or any other officer of the City having responsibility for issuance of the Notes is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the City with respect to the Notes as the City is permitted to or required to make or give under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Notes.

Section 11. The Clerk of Council is directed to deliver a certified copy of this ordinance to the County Auditor.

Section 12. This Council determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 9) of the City are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

Section 13. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 14. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that this ordinance is required to be immediately effective in order to issue and sell the Notes, which is necessary to enable the City to timely retire the Outstanding Notes and thereby preserve its credit; wherefore, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed: September 10, 1990

J.P. Ballenger
President of Council

Approved: September 11, 1990

Paul A. Brown
Mayor

Attest: Marsha Adams
Clerk of Council

ORDINANCE NO. 1990- 92

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS FOR
THE YEAR ENDING DECEMBER 31, 1990 AND DECLARING
AN EMERGENCY.

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

Section 1. That there be additional appropriations made in the General
Fund in the amount of \$35,373.50 as follows:

Police-Quartermaster	101-01-111-210-000-140	\$20,000.00
Police-Marmet Matching Funds	101-01-111-230-000-510	13,873.50
Airport-Land & Bldg. Maint.	101-06-621-230-000-370	<u>1,500.00</u>
	TOTAL General Fund	\$35,373.50

Section 2. That this ordinance is hereby declared to be an emergency
measure necessary for the immediate preservation of the public health, welfare
and safety of the City of Marion and the inhabitants thereof and for the further
reason that it is necessary for the daily operation of said City; 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.


PRESIDENT OF COUNCIL

PASSED: September 10, 1990

APPROVED: September 11, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990- 93

ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY BILLS
FROM VARIOUS CITY DEPARTMENTS PURSUANT TO OHIO
REVISED CODE §5705.41(D), AND DECLARING AN EMERGENCY.

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

Section 1. That the City Auditor is hereby authorized to pay bills from various city departments pursuant to O.R.C. §5705.41(D) which reads in part as follows: "No subdivision or taxing unit shall make any contract or give any order involving the expenditure of money unless there is attached thereto a certificate of the fiscal officer of the subdivision that the amount required to meet the same... such taxing authority may authorize the issuance of a warrant in payment of such amounts due upon such contract, but such resolution or ordinance shall be passed within thirty days from the receipt of such certificate."

General Fund	\$ 204.02
Sewer Revenue Fund	143.79
Sanitation Fund	<u>6,254.92</u>
TOTAL	\$6,602.73

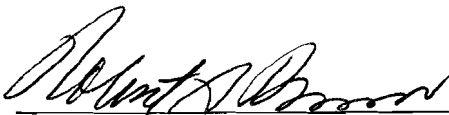
Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the City of Marion and the inhabitants thereof and for the further reason that it provides for the daily operation of said City, and as such, shall become effective 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.



PRESIDENT OF COUNCIL

PASSED: September 10, 1990

APPROVED: September 11, 1990



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1990-94

ORDINANCE APPROPRIATING FUNDS AND RATIFYING AND APPROVING THE BARGAINING AGREEMENT BETWEEN THE CITY OF MARION AND THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC., FOR THE GOLD BARGAINING UNIT, AND DECLARING AN EMERGENCY.

WHEREAS, Council will hereby appropriate monies to implement a bargaining agreement with the Fraternal Order of Police, Ohio Labor Council, Inc., for the Gold bargaining unit, and

WHEREAS, an agreement with the Fraternal Order of Police, Ohio Labor Council, Inc. has been reached on behalf of said F.O.P. and the City of Marion and ratified by the bargaining unit, to be effective July 1, 1990,

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

Section 1. That Council hereby appropriates the funds necessary to implement the C. B. A. effective July 1, 1990, as provided to Council in writing, by the City Auditor on August 27, 1990.


Section 2. That Council hereby ratifies and approves the bargaining agreement between the City of Marion and the Fraternal Order of Police, Ohio Labor Council, Inc. for the above specified bargaining unit.

Section 3. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, safety and welfare of the City of Marion and the inhabitants thereof and for the further reason that it is necessary for the daily operation of said City, 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.

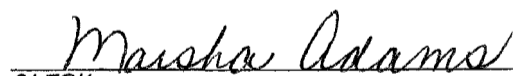

PRESIDENT OF COUNCIL

PASSED: September 10, 1990

APPROVED: September 11, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990- 95

ORDINANCE AMENDING ORDINANCE NO. 1990-77, AUTHORIZING THE SERVICE DIRECTOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS TO LEASE A SECTION OF LAND LOCATED AT THE DIVISION OF WATER POLLUTION CONTROL.

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

Section 1. That Section 1 of Ordinance No. 1990-77, now reading as follows:

"Section 1. That the Service Director be and he is hereby authorized to prepare specifications and advertise for bids to lease a section of land located at the Division of Water Pollution Control, beginning at the Northeast corner of said property for a distance of 145 feet west, thence 140 feet south, thence 145 feet east, thence 140 feet north to the point of beginning, containing 20,300 sq. ft., more or less."

is hereby amended to read as follows:

"Section 1. That the Service Director be and he is hereby authorized to prepare specifications and advertise for bids to lease a section of land located at the Division of Water Pollution Control, beginning at the Northeast corner of said property for a distance of 205 feet west, thence 156 feet south, thence 205 feet east, thence 156 feet north to the point of beginning, containing 31,980 sq. ft., more or less."

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.


PRESIDENT OF COUNCIL

PASSED: September 24, 1990

APPROVED: September 25, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990-96

ORDINANCE MAKING AN ADDITIONAL APPROPRIATION FOR THE YEAR ENDING DECEMBER 31, 1990, AND DECLARING AN EMERGENCY.

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

Section 1. That there be an additional appropriation in the General Fund in the amount of \$4,500.00 as follows:

Fire Department Schooling 101-01-131-230-000-221 \$4,500.00

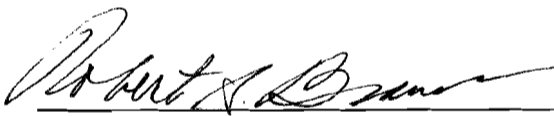
Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that it is necessary for the daily operation of said City; and as 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.



PRESIDENT OF COUNCIL

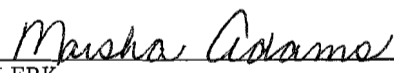
PASSED: September 24, 1990

APPROVED: September 25, 1990



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1990- 97


ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY BILLS
FROM VARIOUS CITY DEPARTMENTS PURSUANT TO OHIO
REVISED CODE §5705.41(D), AND DECLARING AN EMERGENCY.

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

Section 1. That the City Auditor is hereby authorized to pay bills from various city departments pursuant to O.R.C. §5705.41(D) which reads in part as follows: "No subdivision or taxing unit shall make any contract or give any order involving the expenditure of money unless there is attached thereto a certificate of the fiscal officer of the subdivision that the amount required to meet the same... such taxing authority may authorize the issuance of a warrant in payment of such amounts due upon such contract, but such resolution or ordinance shall be passed within thirty days from the receipt of such certificate."

Sanitation Fund	\$1,859.41
TOTAL.....	\$1,859.41

Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the City of Marion and the inhabitants thereof and for the further reason that it provides for the daily operation of said City, and as such, shall become effective 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.


PRESIDENT OF COUNCIL

PASSED: September 24, 1990

APPROVED: September 25, 1990


MAYOR

ATTEST:


CLERK

NAME OF STREET Bellefontaine Ave.

ORDINANCE NO. 1990-98

ROUTE NO. State Route SR-739

DATE September 24, 1990

An emergency ordinance enacted by the City of Marion,
Marion County, Ohio, in the matter of the hereinafter described improvement
and to request cooperation by the Director of Transportation.

WHEREAS, the City has identified the need for and proposes the improvement of a portion of the public highway which is described as follows: By constructive permanent shoulders 2 ft. wide on each side of the pavement and by applying an Asphaltic concrete intermediate course of approximate thickness of one-half (1/2) inch and an Asphaltic concrete surface course of one (1) inch on Bellefontaine Ave. (SR-739) beginning at the Marion west corporation line (S.L.M. 7.85) and at the Marion west corporation line (S.L.M. 7.85) and ending just west of Chatfield Rd. (S.L.M. 8.21).

said portion of highway within the municipal corporation limits being hereinafter referred to as the improvement, and

WHEREAS, the City further desires cooperation from the Director of Transportation in the planning, design and construction of said improvement.

NOW THEREFORE, Be it ordained by the Council of the City of Marion,
Ohio:

SECTION I (Cooperation)

That said City hereby requests the cooperation of the Director of Transportation in the cost of the above described improvement as follows:

- A) The Ohio Department of Transportation will assume and bear ninety-seven (97%) percent of the cost of the improvement.
- B) The City will assume and bear all remaining cost of the improvement.

SECTION II (Consent)

That it is declared to be in the public interest that the consent of said City be and such consent is hereby given to the Director of Transportation to construct the above described improvement, in accordance with plans, specifications and estimates as approved by the Director.

SECTION III (Authority to Sign)

That the Mayor of said City, is hereby empowered and directed on behalf of the City to enter into agreements with the Director of Transportation necessary to complete the planning and construction of this improvement.

SECTION IV (Traffic Control Signals and Devices)

That traffic control devices installed within the limits of the project will conform with Section 4511 of the Ohio Revised Code.

SECTION V (Maintenance and Parking)

That upon completion of said improvement, said City, will thereafter keep said highway open to traffic at all times, and

- (a) Maintain the improvement in accordance with the provisions of the statutes relating thereto and make ample financial and other provisions for such maintenance; and
- (b) Maintain the right-of-way and keep it free of obstructions in a manner satisfactory to the State of Ohio and hold said right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the right-of-way limits; and
- (c) Place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the improvement in compliance with the provisions of Section 4511.11 and related sections of the Ohio Revised Code.
- (d) Regulate parking in the following manner:

Prohibit parking within the limits of the improvement.

SECTION VI (Right-of-Way, Utility Rearrangement and Damage and Liability Responsibilities)

- (a) That all existing street and public way right-of-way within the City which is necessary for the aforesaid improvement, shall be made available therefor.
- (b) That the State/City will acquire any additional right-of-way required for the construction of the aforesaid improvement.
- (c) That arrangements have been or will be made with and agreements obtained from all public utility companies whose lines or structures will be affected by the said improvement and said companies have agreed to make any and all necessary plant removals or rearrangements in such a manner as to be clear of any construction called for by the plans of said improvement and said companies have agreed to make such necessary rearrangements immediately after notification by said City or the Department of Transportation.
- (d) That it is hereby agreed that the City shall at its own expense, make all rearrangements of water mains, service lines, fire hydrants, valve boxes, sanitary sewers or other municipally owned utilities and/or any appurtenances thereto, which do not comply with the provisions of Directive DH-P-411 inside or outside the corporate limits as may be necessary to conform to the said improvement and said rearrangements shall be done at such time as requested by the Department of Transportation Engineer.
- (e) That the construction, reconstruction, and/or rearrangement of both publicly and privately owned utilities, referred to in subsections (c) and (d) above, shall be done in such a manner as not to interfere unduly with the operation of the contractor constructing the improvement and all backfilling of trenches made necessary by such utility rearrangements shall be performed in accordance with the provisions of the Ohio Department of Transportation Construction and Material Specifications and shall be subject to approval by the State.
- (f) That the installation of all utility facilities on the right of way shall conform with the requirements of the Federal Highway Administration Policy and Procedure Memorandum 30-4 "Utility Relocations and Adjustments" and the Department of Transportation's rules on Utility Accommodation.
- (g) That the City hereby agrees to accept responsibility for any and all damages or claims for which it is legally liable arising from the negligence of its officers, employees or agents in the performance of the City's obligations made or agreed to in Sections (a), (b), (c), (d), (e) and (f) hereinabove. Likewise, The State agrees to accept responsibility for any and all damages or claims for which it is legally liable arising from the negligence of its officers, employees or agents in the performance of the State's obligations made or agreed to in Sections (a), (b), (c), (d), (e) and (f) hereinabove.

This ordinance is hereby declared to be an emergency measure by reason of the need for expediting highway improvements to promote highway safety, and provided it receives the affirmative vote of two-thirds of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed: September 24, 1990.

Attest: Marsha Adams
Clerk

Robert Brown
Mayor

Attest: Marsha Adams

J. H. Ballenger
President of Council

CERTIFICATE OF COPY

STATE OF OHIO

City of Marion SS

County Marion

I, Marsha Adams, as Clerk of the City of Marion, Ohio, do hereby certify that the foregoing is a true and correct copy of ordinance adopted by the legislative Authority of the said City on the 24th day of September, 1990, that the publications of such ordinance has been made and certified of record according to law; that no proceedings looking to a referendum upon such ordinance have been taken; and that such ordinance and certificate of publication thereof are of record in Ordinance Record No. 34, Page 430.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 25th day of September, 1990.

(SEAL)

Marsha Adams
Clerk

City of Marion, Ohio.

The foregoing is accepted as a basis for proceeding with the improvement herein described.

For the City of _____, Ohio.

Attest: _____

_____, Date _____
Contractual Officer

For the State of Ohio

Attest: _____

_____, Date _____
Director, Ohio Department of Transportation

ORDINANCE NO. 1990- 99

ORDINANCE AUTHORIZING THE SAFETY DIRECTOR TO ENTER INTO CONTRACT WITH STEGAL CONSTRUCTION, INC. AND CHARNAN ELECTRIC, INC. FOR THE REMODELING AND IMPROVING OF PORTIONS OF THE MARION CITY HALL BUILDING IN THE CITY OF MARION, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance NO. 1990-67, the Safety Director was authorized to advertise for bids for remodeling and improving of portions of the Marion City Hall Building in the City of Marion, and

WHEREAS, Stegal Construction, Inc. and Charnan Electric, Inc. have submitted the lowest and best bids for said remodeling,

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

Section 1. That the Safety Director be and he is hereby authorized to enter into contract with Stegal Construction for the general and plumbing work for the remodeling and improving of the Police Department and Jail Visitors addition.

Section 2. That the Safety Director be and he is hereby authorized to enter into contract with Charnan Electric, Inc. for the electrical work for the remodeling and improving of the Police Department and Jail Visitors addition.

Section 3. That the cost of said contract with Stegal Construction, Inc. in the amount of \$21,765.00, shall be payable from the Police Department Capital Improvements Fund Acct. No. 101-01-111-250-000-520.

Section 4. That the cost of said contract with Charnan Electric, Inc., in the amount of \$11,500.00, shall be payable from the Police Department Capital Improvements Fund Acct. No. 101-01-111-250-000-520.

Section 5. This ordinance is hereby declared to be an emergency measure for the immediate preservation of the public health and safety of the City of Marion and the inhabitants thereof; and as such, it shall take effect 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.


PRESIDENT OF COUNCIL

PASSED: October 22, 1990

APPROVED: October 23, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY DIRECTOR TO PREPARE PLANS AND SPECIFICATIONS AND ADVERTISE FOR BIDS FOR THE INSTALLATION OF NEW ROOF AT #1 FIRE STATION LOCATED AT 186 SOUTH PROSPECT STREET IN THE CITY OF MARION, AND DECLARING AN EMERGENCY.

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

Section 1. That the Safety Director is hereby authorized and directed to prepare plans and specifications and advertise for bids for the installation of new roof at #1 Fire Station located at 186 South Prospect Street.

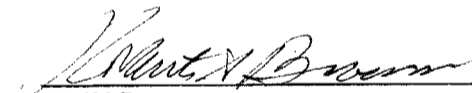
Section 2. That the cost shall be payable from the Fire Department Capital Improvements Fund Acct. No. 101-01-131-250-000-520.

Section 3. 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 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.

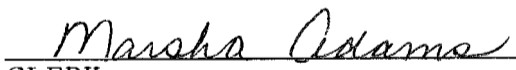

PRESIDENT OF COUNCIL

PASSED: September 24, 1990

APPROVED: September 25, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990-101

ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY DIRECTOR TO PREPARE PLANS AND SPECIFICATIONS AND ADVERTISE FOR BIDS FOR THE MASONRY POINTING AND WATERPROOFING OF BRICK EXTERIOR AT #1 FIRE STATION LOCATED AT 186 SOUTH PROSPECT STREET IN THE CITY OF MARION, AND DECLARING AN EMERGENCY.

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

Section 1. That the Safety Director is hereby authorized and directed to prepare plans and specifications and advertise for bids for the masonry pointing and waterproofing of brick exterior at #1 Fire Station located at 186 South Prospect Street.

Section 2. That the cost shall be payable from the Fire Department Capital Improvements Fund Acct. No. 101-01-131-250-000-520.

Section 3. 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 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.



PRESIDENT OF COUNCIL

PASSED: September 24, 1990

APPROVED: September 25, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990-102

ORDINANCE APPROPRIATING MONIES IN THE EARLY INTERVENTION
GRANT FUND FOR THE YEAR ENDING DECEMBER 31, 1990, AND
DECLARING AN EMERGENCY.

WHEREAS, the Marion County Budget Commission has certified the revenues
of the Early Intervention Grant Fund, and

WHEREAS, this Council has duly established the Early Intervention Grant
Fund,

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

Section 1. That the following appropriations are hereby made in the Early
Intervention Grant Fund:

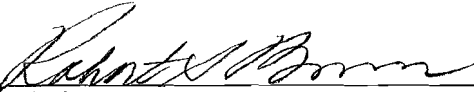
Salaries	249-02-541-210-000-110	\$ 425.00
Benefits	249-02-541-210-000-120	100.00
Pro. Services	249-02-541-230-000-320	2,750.00
Supplies	249-02-541-240-000-420	<u>725.00</u>
	TOTAL	\$4,000.00

Section 2. That this ordinance is hereby declared to be an emergency
measure necessary for the immediate preservation of the public health, welfare
and safety of the City of Marion and the inhabitants thereof and for the further
reason that it is necessary for the daily operation of said City; 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.


PRESIDENT OF COUNCIL

PASSED: October 8, 1990

APPROVED: October 9, 1990


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1990-103

ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO CONTRACT FOR JANITORIAL SERVICES FOR THE MUNICIPAL BUILDING, 233 W. CENTER STREET, MARION, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, the Service Director has received bids as authorized by Ordinance No. 1990-85, and

WHEREAS, the Service Director has recommended the contract be awarded to Debbie Baker, the only bidder,

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

Section 1. That the Service Director be and he is hereby authorized and directed to enter into contract with Debbie Baker for janitorial services for the Municipal Building.

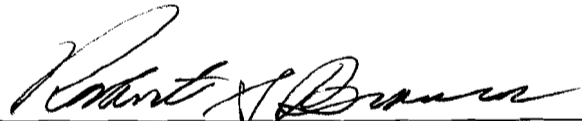
Section 2. That the cost for said contract shall be paid from Account No. 101-07-741-230-000-424, said cost being \$9,800.00.

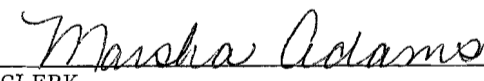
Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the City of Marion and the inhabitants thereof and for the further reason that the current contract, with extensions, expires August 31, 1990; and 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.


PRESIDENT OF COUNCIL

PASSED: October 22, 1990

APPROVED: October 23, 1990


MAYOR


CLERK

ORDINANCE NO. 1990-104

ORDINANCE TO ESTABLISH AN ECONOMIC AND COMMUNITY DEVELOPMENT PROGRAM THROUGH THE STATE OF OHIO UNDER THE STATE OF OHIO'S COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SMALL CITIES' PROGRAM AND TO AUTHORIZE THE MAYOR TO APPLY FOR THESE FUNDS AND ADMINISTER THE GRANT, AND DECLARING AN EMERGENCY.

WHEREAS, this Council recognizes the need for programs which remove slums and blight, benefit low-and-moderate income households or meet other urgent community development needs, and

WHEREAS, the CDBG Small Cities' Program makes funds available for projects which address these problems, and

WHEREAS, the Mayor must submit an application to the State of Ohio, Department of Development, to receive funds which have been authorized for the City of Marion to be used on eligible activities which address the community and economic development problems,

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

Section 1. That this Council hereby authorizes the Mayor to submit an application for CDBG Small Cities' funds, including the following activities:

1. Emergency Home Repair.....	\$ 35,000.00
2. Rehabilitation Fund - Public Building.....	20,000.00
3. Clearance Activities.....	40,000.00
4. Local Share Downtown Revitalization Grant..	13,000.00
5. Administration & Audit.....	<u>19,000.00</u>
	\$127,000.00


Section 2. That, upon approval of the City of Marion's grant application, the Mayor is hereby authorized to accept the grant and administer the CDBG Small Cities' Program in the City of Marion.

Section 3. 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 for the further reason that the grant application must be filed immediately in order to be eligible for consideration; 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.


PRESIDENT OF COUNCIL

PASSED: October 22, 1990

APPROVED: October 23, 1990


MAYOR

ATTEST:


CLERK