

***AMENDED**

ORDINANCE NO. 1993 - 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, 1993, 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, 1993, the following sums be and they are hereby set aside, transferred and appropriated as follows:

GENERAL FUND

Police Department

Salaries - Civilian	\$ 171,258	
Salaries - Uniformed	1,746,360	
Benefits	891,973	
Accrued Pension	35,461	
Quartermaster	35,000	
Travel	5,500	4,950
Schooling	30,100	
Service Contracts	10,179	
Equipment Lease	6,000	
Equipment Maintenance	35,000	
Insurance	61,000	
Supplies	25,000	22,500
Fuel & Lubricants	31,500	
Professional Service	10,000	
Special Training	2,000	
Membership Dues	500	
Subscriptions/Publications	3,000	
<u>Total Police Department.</u>	\$3,099,831	\$3,096,781

Jail Facility

Salaries	\$ 88,321	
Benefits	33,809	
Quartermaster	1,000	
Travel	500	450
Schooling	1,000	
Prisoner Housing	50,000	
Prisoner Sustenance	26,000	
Equipment Maintenance	1,000	
Prisoner Medical Expense	50,000	
Supplies	1,000	900
<u>Total Jail Facility.</u>	\$252,630	\$252,480

Dispatch Department

Salaries	\$ 203,561	
Benefits	79,217	
Quartermaster	3,000	
Travel	2,000	1,800
Schooling	5,000	
Service Contracts	15,600	
Equipment Maintenance	14,203	
Equipment Lease	4,500	
<u>Total Dispatch Dept.</u>	\$327,081	\$326,881

Fire Department

Salaries - Uniformed	\$2,199,643	
Benefits	1,126,150	
Accrued Pension	50,275	
Quartermaster	23,010	
Travel	6,500	5,850
Schooling	15,000	
Utilities	43,000	
Service Contracts	5,000	
Equipment Maintenance	31,000	
Building Maintenance	18,000	
Insurance	40,634	
Supplies	18,000	16,200
Fuel & Lubricants	15,000	
Professional Service	7,000	
Membership Dues	687	
Subscriptions/Publications	6,332	
<u>Total Fire Department.</u>	<u>\$3,605,231</u>	<u>\$3,602,781</u>

Disaster Services

City Share	\$ 12,000	
<u>Total Disaster Services.</u>	<u>\$</u>	<u>12,000</u>

Recreation Department

Salaries	\$ 68,200	
Benefits	24,000	
Travel	300	270
Professional Services	55,500	
Insurance	1,400	
Supplies	26,800	24,120
Utilities	4,600	
Equipment Maintenance	1,050	
Fuel	500	
<u>Total Recreation Department.</u>	<u>\$ 182,350</u>	<u>\$179,640</u>

Senior Citizens Department

Salaries	\$ 40,000	
Benefits	31,973	
Utilities	17,600	
Building Maintenance	2,500	
Insurance	15,000	
Professional Service	1,500	
<u>Total Senior Citizens Dept.</u>	<u>\$</u>	<u>108,573</u>

Planning Department

Marion Regional Plan.	\$ 37,446	
<u>Total Planning Dept.</u>	<u>\$</u>	<u>37,446</u>

Economic Development Department

Salaries	\$ 31,488	
Benefits	9,896	
Land Acquisition	20,000	
Travel	37,000	2,700
Membership Dues	600	
Supplies	330	297
Professional Service	550	
Legal Ads	420	
Subscriptions/Publications	50	
<u>Total Economic Development.</u>	<u>\$ 66,334</u>	<u>\$66,001</u>

Street Lighting

Utilities \$ 225,000

Total Street Lighting. \$ 225,000

Parking Meter Department

Salary \$ 22,339
 Benefits 11,501
 Clothing Allowance 350
 Travel ~~200~~ 180
 Taxes 1,400
 Supplies ~~850~~ 765

Total Parking Meter Dept. \$ ~~36,640~~ \$36,535

Airport

Salaries \$ 59,312
 Benefits 26,888
 Travel ~~1,000~~ 900
 Utilities 18,300
 Service Contracts 4,500
 Equipment Maintenance 2,000
 Land/Bldg. Maintenance 18,472
 Insurance 12,000
 Taxes 2,800
 Supplies ~~6,030~~ 5,427
 Fuel & Lubricants 2,000
 Membership Dues 350
 Professional Services 3,000
 Postage 250
 Subscriptions/Publications 150

Total Airport Operations. \$ ~~157,052~~ \$156,349

Mayor

Salaries \$ 66,008
 Benefits 20,437
 Travel ~~3,600~~ 3,240
 Professional Service 1,200
 Supplies ~~1,200~~ 1,080
 Utilities 500
 Service Contracts 2,200
 Membership Dues 200
 Subscriptions/Publications 200

Total Mayor's Office. \$ ~~95,545~~ \$95,065

Auditor

Salaries \$ 150,902
 Benefits 60,430
 Travel 400= 360
 Professional Services 10,000
 Service Contracts 16,000
 Supplies ~~3,000~~ 7,200
 Subscriptions/Publications 1,300

Total Auditor's Office. \$ ~~247,032~~ \$246,192

Income Tax

Salaries	\$ 113,900	
Benefits	48,299	
Travel	650	585
Professional Services	8,000	
Supplies	14,275	12,848
Postage	6,000	
Service Contracts	2,000	
Schooling	400	
Membership Dues	25	
Subscriptions/Publications	<u>700</u>	
<u>Total Income Tax Dept.</u>	<u>. \$</u>	<u>194,249 \$192,757</u>

Treasurer

Salary	\$ 4,620	
Benefits	1,165	
Professional Services	600	
Supplies	300	270
<u>Total Treasurer's Office.</u>	<u>. \$</u>	<u>6,685 \$6,655</u>

Law Director

Salaries	\$ 122,191	
Benefits	59,860	
Travel	1,500	1,350
Professional Services	10,000	
Supplies	4,000	3,600
Schooling	2,000	
Membership Dues	500	
Subscriptions/Publications	<u>500</u>	
<u>Total Law Director's Office.</u>	<u>. \$</u>	<u>200,551 \$200,001</u>

Human Resource Director

Salaries	\$ 57,775	
Benefits	17,778	
Travel	1,500	1,350
Professional Services	7,000	
Supplies	4,000	3,600
Membership Dues	500	
Legal Ads	2,000	
Subscriptions/Publications	<u>1,000</u>	
<u>Total Human Resource Dir's Office.</u>	<u>. \$</u>	<u>91,553 \$91,003</u>

Safety/Service Director

Salaries	\$ 88,918	
Benefits	38,204	
Travel	1,600	1,440
Professional Services	3,000	
Supplies	4,000	3,600
Demolition	2,266	
Burials	5,000	
Schooling	1,000	
Service Contracts	1,800	
Membership Dues	150	
Litter Control	4,000	
Subscriptions/Publications	<u>500</u>	
<u>Total Safety/Service Dir.'s Office</u>	<u>. \$</u>	<u>150,438 \$149,878</u>

Civil Service Commission

Salaries	\$ 4,100	
Benefits	984	
Professional Services	5,000	
Supplies	1,000	900

Total Civil Service Comm. \$ ~~11,084~~ \$10,984

City Council

Salaries	\$ 47,322	
Benefits	11,811	
Travel	500	450
Membership Dues	3,000	
Legal Advertising	2,100	
Supplies	500	450

Total City Council. \$ ~~65,233~~ \$65,133

Clerk of Council

Salary	\$ 24,814	
Benefits	6,734	
Travel	100	90
Service Contract	130	
Supplies	700	630

Total Clerk of Council. \$ ~~32,478~~ \$32,398

Municipal Court

Salaries	\$ 332,250	
Benefits	139,172	
Travel	2,100	1,890
Professional Services	45,000	
Service Contracts	8,500	
Equipment Maintenance	1,100	
Supplies	20,000	18,000
Fuel & Lubricants	700	
Utilities	1,000	
Membership Dues	400	
Subscriptions/Publications	6,000	

Total Municipal Court. \$ ~~556,222~~ \$554,012

City Hall

Salaries	\$ 34,566	
Benefits	12,420	
Utilities	138,000	
Custodial Service	15,000	
Postage Meter	38,000	
Building Maintenance	40,000	
Insurance	31,500	
Taxes	400	
Supplies	8,000	7,200
Service Contracts	20,000	
Professional Service	1,000	

Total City Hall. \$ ~~338,886~~ \$338,086

Engineering Department

Salaries	\$ 133,249	
Benefits	51,452	
Travel	2,000	1,800
Equipment Maintenance	1,000	
Supplies	2,000	1,800
Fuel & Lubricants	1,000	
Membership Dues	10	
Subscriptions/Publications	350	

Total Engineering Dept. \$ ~~191,061~~ \$190,661

Statutory Accounts

Election Expense	\$ 35,000
Examiner Fees	20,000
City Auditor/Treasurer Fees	30,000
Income Tax Refunds	<u>177,500</u>

Total Statutory Accounts. \$ 262,500

Transfers

Bond Retirement	\$ 256,530
Health	292,500
Senior Citizens	5,000
Swimming Pool	41,000
SCMR	520,375
Sewer Revenue	55,000
Capital Improvement	197,150
Parks	<u>252,100</u>

Total Transfers. \$1,619,655

Total General Fund. ~~\$12,173,340~~ \$12,155,447

CAPITAL IMPROVEMENT FUND

Contingency '93	\$ 197,150
Contingency '90	198,190
Contingency '91	198,541
Contingency '92	<u>192,667</u>

Total Capital Improvement Fund . . . \$ 786,548

TRANSIT FUND

Salaries	\$ 445,946
Benefits	214,235
Travel	200
Utilities	28,412
Professional Services	5,300
Service Contracts	2,600
Land Lease	4,800
Equipment Maintenance	28,900
Land/Bldg. Maintenance	2,500
Insurance	70,000
Supplies	15,000
Fuel & Lubricants	71,172
Schooling	500
Membership Dues	200
Subscriptions/Publications	<u>250</u>

Total Transit Fund. \$ 890,015

PARKS FUND

Salaries	\$ 136,500
Benefits	58,000
Clothing Allowance	1,000
Travel	100
Utilities	16,000
Service Contracts	2,000
Equipment Maintenance	14,000
Land/Bldg. Maintenance	12,000
Insurance	9,000
Supplies	5,000
Fuel & Lubricants	5,000
Professional Service	4,500
Equipment	<u>11,000</u>

Total Parks Fund. \$ 274,100

SENIOR CITIZENS III-B GRANT FUND

Salaries	\$ 59,278
Travel	955
Utilities	1,800
Equipment Maintenance	900
Vehicle Leases	4,472
Supplies	1,593
Fuel & Lubricants	4,400
Postage	<u>535</u>

Total Sr Citizens III-B Grant Fund .\$ 73,933

SENIOR CITIZENS III-D GRANT FUND

Salaries	\$ 1,435
Travel	<u>70</u>

Total Sr Citizens III-D Grant Fund .\$ 1,505

STATE BLOCK GRANT FUND

Salaries	\$ 5,800
Equipment Maintenance	460
Fuel	1,000
Equipment Lease	<u>1,200</u>

Total State Block Grant Fund. . . . \$ 8,460

SEWER REPLACEMENT FUND

Equipment Maintenance	\$ 100,000.00
Land/Building Maintenance	30,000.00
Equipment	2,030,000.00
Capital Improvements	<u>912,000.00</u>

Total Sewer Replacement Fund. . . . \$3,072,000

SEWER REVENUE FUNDSewer Maintenance & Repair

Salaries	\$ 277,090
Benefits	125,104
Clothing Allowance	2,250
Utilities	2,600
Professional Services	8,700
Equipment Maintenance	5,400
Insurance	10,000
Supplies	41,000
Fuel & Lubricants	9,500
Equipment	<u>3,500</u>

Total Sewer Maint. & Repair. \$ 485,144

Water Pollution Control

Salaries	\$ 746,689
Benefits	293,355
Clothing Allowance	5,500
Travel	1,500
Utilities	504,500
Professional Services	125,000
Service Contracts	26,400
Equipment Maintenance	42,000
Land/Building Maintenance	25,000
Insurance	50,000
Taxes	1,100
Supplies	232,000
Fuel & Lubricants	15,800
Equipment	62,000
Postage	100
OWDA Loan	306,760
Refunds	2,800
Transfer-Replacement	200,000
Transfer-Utility Billing	109,000
G.O. Bond Interest	27,825
G.O. Bond Principal	35,000
Subscriptions/Publications	<u>1,528</u>

Total Water Pollution Control. \$2,813,857

TOTAL SEWER REVENUE FUND. \$3,299,001

SANITATION FUNDRefuse Collection

Salaries	\$ 619,500
Benefits	262,051
Clothing Allowance	5,500
Travel	500
Equipment Maintenance	45,000
Insurance	20,000
Supplies	40,000
Fuel & Lubricants	35,000
Equipment	72,000
Refunds	1,000
Transfer-Utility Billing	87,200
Service Contracts	500
Solid Waste Transfer Expense	<u>540,000</u>

Total Refuse Collection. \$1,728,251

Landfill Operations

Salaries	\$ 227,791	
Benefits	93,835	
Clothing Allowance	1,750	
Travel	100	
Utilities	10,000	
Professional Services	190,000	
Equipment Maintenance	50,000	
Insurance	12,000	
Taxes	2,368	
Supplies	100,000	
Fuel & Lubricants	25,000	
Equipment Lease	36,000	
EPA Corrective Measure	10,000	
		<u>758,844</u>
<u>Total Landfill Operations.</u>		\$ 758,844
<u>TOTAL SANITATION FUND.</u>		\$2,487,095

STREET CONSTRUCTION MAINTENANCE & REPAIR FUND

Traffic Maintenance

Utilities	\$ 35,000	
Equipment Maintenance	18,900	
Supplies	32,000	
		<u>85,900</u>
<u>Total Traffic Maintenance.</u>		\$ 85,900

Street Maintenance

Salaries	\$ 654,150	
Benefits	279,515	
Clothing Allowance	5,250	
Travel	100	
Professional Services	2,000	
Service Contracts	3,000	
Equipment Maintenance	40,000	
Permissive Auto Tax	145,000	
Insurance	40,000	
Supplies	120,000	
Fuel & Lubricants	35,000	
Equipment	10,000	
Streetscape	5,000	
		<u>\$1,339,015</u>
<u>Total Street Maintenance.</u>		\$1,339,015
<u>TOTAL SCMR FUND.</u>		\$1,424,915

STATE HIGHWAY IMPROVEMENT FUND

Street Maintenance	\$ 40,000	
Reimbursements	15,000	
		<u>55,000</u>
<u>Total State Highway Improvement.</u>		\$ 55,000

UTILITY BILLING FUND

Salaries	\$ 121,299	
Benefits	61,034	
Travel	200	
Professional Services	7,500	
Supplies	4,900	
Service Contracts	4,500	
Equipment	5,500	
Postage	14,000	
		<u>218,933</u>
<u>Total Utility Billing Fund.</u>		\$ 218,933

HEALTH FUNDAdministration

Salaries	\$ 211,440
Benefits	81,834
Travel	3,000
Professional Services	10,000
Service Contracts	2,000
Equipment Maintenance	1,500
Supplies	3,500
Fuel & Lubricants	500
State Reimbursements	14,500
Insurance	<u>4,000</u>

Total Health Administration.\$ 332,274

Inspection

Salaries	\$ 68,016
Benefits	23,106
Travel	1,500
Professional Services	1,400
Weed Control	14,000
Blight Control	10,000
Mosquito Control	3,000
Supplies	1,200
Fuel & Lubricants	<u>1,000</u>

Total Health Inspection.\$ 123,222

TOTAL HEALTH FUND.\$ 455,496

WOMEN, INFANTS & CHILDREN FUND

Salaries	\$ 147,010
Benefits	60,200
Travel	1,500
Building Lease	17,480
Equipment Maintenance	2,350
Supplies	12,500
Equipment	6,000
Utilities	<u>4,800</u>

Total WIC Fund.\$ 251,840

SWIMMING POOL FUND

Salaries	\$ 22,000
Benefits	7,300
Utilities	10,425
Equipment Maintenance	1,050
Land/Building Maintenance	11,600
Insurance	447
Supplies	19,250
Equipment	5,000
Schooling	500
Professional Service	<u>1,000</u>

Total Swimming Pool Fund.\$ 78,572

STATE PATROL FINES AGENCY FUND

State Patrol Fines	\$ <u>70,000</u>
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Total State Patrol Agency Fund. . .\$ 70,000

STREET CUT DEPOSIT TRUST FUND

Street Cut Deposits	\$	6,000	
<u>Total Street Cut Deposit Trust Fund</u>	\$		6,000

SENIOR CITIZENS TRUST FUND

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

SAFETY CITY TRUST FUND

Safety City	\$	2,000	
<u>Total Safety City Trust Fund</u>	\$		2,000

POLICE & FIREMEN PENSION AGENCY FUND

Transfers-General	\$	140,609	
<u>Total Police/Firemen Pens Ag Fund</u>	\$		140,609

SAFETY PATROL TRUST FUND

Safety Patrol Program	\$	4,000	
<u>Total Safety Patrol Trust Fund</u>	\$		4,000

LAW ENFORCEMENT TRUST FUND

Law Enforcement	\$	2,500	
<u>Total Law Enforcement Trust Fund</u>	\$		2,500

PARKING METER AGENCY FUND

Henney & Cooper	\$	5,000	
Jenkins & Jenkins		5,000	
Courthouse		5,000	
<u>Total Parking Meter Agency Fund</u>	\$		15,000

FIRE DAMAGED STRUCTURE TRUST FUND

Insurance Proceeds	\$	50,000	
<u>Total Fire Dmg Structure Trust Fund</u>	\$		50,000

G.O. BOND RETIREMENT FUND

Professional Services	\$	4,000	
G.O. Bond Interest		115,318	
G.O. Bond Principal		358,000	
<u>Total G.O. Bond Retirement Fund</u>	\$		477,318

S.A. BOND RETIREMENT FUND

S.A. Bond Interest	\$	34,563	
S.A. Bond Principal		35,000	
<u>Total S.A. Bond Retirement Fund</u>	\$		69,563

HEALTH LICENSE FUND

Trailer Park	\$	450
Food Service		27,810
Vending Machines		1,463
Swimming Pool		1,530
Infectious Waste		250
Solid Waste		<u>3,175</u>

Total Health License Fund. \$ 34,678

COMPREHENSIVE HOUSING FUND

Salaries	\$	14,586
Benefits		3,501
Private Rehab.		100,000
Administration		<u>5,000</u>

Total Comprehensive Housing Fund. \$ 123,087

RECYCLING FUND

Salaries	\$	112,672
Benefits		51,851
Equipment Maintenance		10,000
Insurance		3,500
Supplies		6,000
Fuel		5,000
Clothing Allowance		1,000
Transfer Utility Billing		<u>21,800</u>

Total Recycling Fund. \$ 211,823

REVOLVING FUND

Salaries	\$	3,000
Benefits		1,000
Primary Activity		<u>10,900</u>

Total Revolving Fund. \$ 14,900

UDAG LOAN REPAYMENT FUND

Salaries	\$	7,500
Benefits		2,500
Primary Activity		30,000
Grant		<u>10,000</u>

Total UDAG Loan Repayment Fund. \$ 50,000

COMMUNITY DEVELOPMENT BLOCK GRANT

Salaries	\$	16,245
Benefits		5,400
Building Demolition		31,200
Implementation		3,600
Emergency Rehab		33,500
Architectural Barrier Removal		22,000
Curbs and Sidewalks		34,500
Grant Match Funding		2,500
Fair Housing		455
Supplies		<u>900</u>

Total CDBG Fund. \$ 150,300

ROTARY AGENCY FUND

Pass-Thru Payments	\$	<u>50,000</u>	
<u>Total Rotary Agency Fund.</u>			\$ 50,000

EARLY INTERVENTION GRANT FUND

Professional Services	\$	31,850	
Supplies		900	
Schooling		3,125	
Utilities		1,350	
Postage		<u>300</u>	
<u>Total Early Intervention Grant Fund.</u>	\$		37,525

SPECIAL HOUSING (HAND) FUND

Private Rehab	\$	<u>73,440</u>	
<u>Total Special Housing (HAND) Fund .</u>	\$		73,440

HOME HEALTH SERVICE FUND

Reimbursements	\$	<u>5,000</u>	
<u>Total Home Health Service Fund.</u>	\$		5,000

GRAND TOTAL		\$27,156,496	\$27,138,603
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SUMMARY OF FUNDS

<u>FUND</u>	<u>APPROPRIATIONS</u>	<u>REIMBURSEMENTS & REFUNDS</u>	<u>TRANSFERS</u>	<u>TOTALS</u>
General	\$10,358,292 \$10,376,185	\$177,500	\$1,619,655	\$12,155,447 \$12,173,340
Sr. Cit. III-B	73,933			73,933
Sr. Cit. III-D	1,505			1,505
Sr. Cit. St. Block Grant	8,460			8,460
SCMR	1,424,915			1,424,915
State Highway Improvement	40,000	15,000		55,000
Health	440,996	14,500		455,496
WIC	251,840			251,840
Parks	274,100			274,100
Health License		34,678		34,678
Home Health Service		5,000		5,000
Early Intervention	37,525			37,525
Comp Housing	123,087			123,087
Revolving	14,900			14,900
CDBG	150,300			150,300
UDAG Loan Repayment	50,000			50,000
Special Housing	73,440			73,440
G.O. Bond Retirement	477,318			477,318
Capital Improvement	786,548			786,548
Transit	890,015			890,015
Sewer Replacement	3,072,000			3,072,000
Sewer Revenue	2,987,201	2,800	309,000	3,299,001
Sanitation	2,398,895	1,000	87,200	2,487,095
Recycling	190,023		21,800	211,823
Swimming Pool	78,572			78,572
Utility Billing	218,933			218,933
State Patrol Agency	70,000			70,000
Street Deposit Trust	6,000			6,000
Senior Citizens Trust	18,000			18,000
Police/Fire Pension Agency			140,609	140,609
Safety Patrol Trust	4,000			4,000
Law Enforcement Trust	2,500			2,500
Safety City Trust	2,000			2,000
Parking Meter Agency	15,000			15,000
Insurance Proceeds Trust	50,000			50,000
S.A. Bond Retirement Agency	69,563			69,563
Rotary Agency	50,000			50,000
GRAND TOTAL	\$24,727,754 \$24,709,861	\$250,478	\$2,178,264	\$27,156,496 \$27,138,603

Section 2. This ordinance is hereby declared to be an emergency measure necessary for the 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.

J.P. Ballenger

 PRESIDENT OF COUNCIL

PASSED: January 4, 1993

APPROVED: January 5, 1993

Jack R. Kellogg

 MAYOR

*Amended on Council floor 01/04/93

ATTEST:

Marsha Adams

 CLERK

* AMENDED

ORDINANCE NO. 1993-2

ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF MARION BY REZONING THE PROPERTY KNOWN AS 375 SOUTH VINE STREET, MARION, OHIO, FROM R-3 (MULTI-FAMILY RESIDENTIAL DISTRICT) TO C-1A (NEIGHBORHOOD SHOPPING DISTRICT), AND DECLARING AN EMERGENCY.

WHEREAS, Council finds that the real property described in Section 1 below should be rezoned from R-3 (Multi-Family Residential District) to C-1A (Neighborhood Shopping District), and

WHEREAS, the Marion City Planning Commission has considered and approved the rezoning from R-3 to C-1A, and

WHEREAS, due notice of the hearing on said rezoning has been given by publication in accordance with law,

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

Section 1. That the property known as 375 South Vine Street, Marion, Ohio, and being more particularly described as follows:

Situated in the County of Marion, in the State of Ohio and in the City of Marion and bounded and described as follows:

Being 64 feet off of the south end of Lot Number 798 in J.W. Bain's Second Addition to the City of Marion, Ohio.

ALSO THE FOLLOWING DESCRIBED REAL ESTATE:

Commencing at the Southeast corner of Lot Number 797 in J.W. Bain's Second Addition to the City of Marion, Ohio; thence westwardly a distance of 17 feet along the south line of Lot Number 797 to a point; thence north parallel with the east line of Lot Number 797 a distance of 64 feet to a point; thence eastwardly a distance of 17 feet to a point in the east line of Lot Number 797; thence southwardly along the west line of Lot Number 798 a distance of 64 feet to the place of beginning,

heretofore zoned R-3 (Multi-Family Residential District) is hereby zoned C-1A (Neighborhood Shopping District).

Section 2. That the Clerk of Council is hereby authorized and directed to make said change on the Zoning District Map of the City of Marion, on file in the office of the Clerk of Marion City Council and on the copy thereof on file in the office of the Safety/Service Director.

~~Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.~~ This ordinance is hereby declared to be an emergency measure necessary for the 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.

J. Ballenger
PRESIDENT OF COUNCIL

PASSED: January 4, 1993

APPROVED: January 4, 1993

*Amended on Council floor 01/04/93

Jack L. Kellogg
MAYOR

ATTEST:
Marsha Adams
CLERK

*published
The Marion Star
12/5/92
Marsha Adams
Clerk of Council*

ORDINANCE NO. 1993 - 3

ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF MARION BY REZONING THE PROPERTY KNOWN AS LOT #2209 IN THOMAS A. THOMPSON'S FIRST ADDITION TO THE CITY OF MARION, OHIO FROM I-2 (GENERAL INDUSTRIAL DISTRICT) TO C-4 (CENTRAL FRAME BUSINESS DISTRICT), AND DECLARING AN EMERGENCY.

WHEREAS, Council finds that the real property described in Section 1 below should be rezoned from I-2 (General Industrial District) to C-4 (Central Frame Business District), and

WHEREAS, the Marion City Planning Commission has considered and approved the rezoning from I-2 to C-4, and

WHEREAS, due notice of the hearing on said rezoning has been given by publication in accordance with law,

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

Section 1. That the property known as Lot #2209 on the southwest corner of Center and Davids Street and being more particularly described as follows:

Situated in the City of Marion, County of Marion and State of Ohio and being known as Lot #2209 in Thomas A. Thompson's First Addition to the City of Marion, Ohio.

heretofore zoned I-2 (General Industrial District) is hereby zoned C-4 (Central Frame Business District).

Section 2. That the Clerk of Council is hereby authorized and directed to make said change on the Zoning District Map of the City of Marion, on file in the office of the Clerk of Marion City Council and on the copy thereof on file in the office of the Safety/Service Director.

Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason that it provides for the daily operation of the 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

*published
The Marion Star
12/12/92
Marsha Adams
Clerk of Council
defeated
Feb. 8, 1993*

ORDINANCE TO VACATE THAT PORTION OF ALLEY EAST WEST BETWEEN LOT NOS. 1950 AND 1951 ON THOMPSON STREET, THAT LIES WITHIN THE CITY LIMITS.

WHEREAS, in the opinion of this Council, there is good cause for vacating that portion of alley east west between lot nos. 1950 and 1951 on Thompson Street, that lies within the City limits, and

WHEREAS, the petition to vacate this portion of alley east west between lot nos. 1950 and 1951 on Thompson Street was approved by the Marion City Planning Commission at its meeting of November 3, 1992, 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 avenue, to-wit:

Situated in the City of Marion, County of Marion and State of Ohio, and bounded and described as follows:

Being a fourteen foot wide east-west alley between Lots 1950 and 1951 on Thompson Street in Loves 3rd Addition to the City of Marion, Ohio.

Being further described as follows: commencing at the northwest corner of Lot No. 1951; then North 14 feet to the southwest corner of Lot 1950; then east along the south line of Lot No. 1950, 172 feet to the southeast corner of Lot No. 1950; thence south 14 feet to the northeast corner of Lot 1951; thence west along the north line of Lot No. 1951, 172 feet to the place of beginning.

be and is hereby vacated.

Section 2. That title to the above real estate 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 property for sewer purposes or for use by any public utility operating under a franchise with the City of Marion, and the vacation of said property 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. That this ordinance shall take effect and be in force from and the earliest period allowed by law.

PRESIDENT OF COUNCIL

PASSED:
APPROVED:

MAYOR

ATTEST:

CLERK

*published
The Marion Star
11/27/92
and Jan. 1, 1993
12/4, 11, 18, 25, 1992
defeated
Feb. 8, 1993
Marsha Adams
Clerk of Council*

ORDINANCE NO. 1993-5

AN ORDINANCE FOR THE RESURFACING OF DELAWARE AVENUE (SR-423); WEST CENTER STREET, DAVIDS STREET, WEST COLUMBIA STREET, BLAINE AVENUE, WEST CHURCH STREET (SR-95); AND EAST CHURCH STREET, SARGENT STREET (SR-309), AND DECLARING AN EMERGENCY.

Delaware Ave./W. Center, Davids,
W. Columbia, Blaine, W. Church St./
NAME OF STREET E. Church St., Sargent St. ORDINANCE NO. 1993-5
ROUTE NO. SR-423/SR-95/SR-309 DATE January 11, 1993

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:

- Starting on Delaware Ave. at Marion Corporation Line (S.L.M. 7.69) and ending at McKinley Park/Vernon Heights Blvd. (S.L.M. 8.23). Remove the existing pavement surface in the curb section and replace with asphaltic concrete. Resurface the non-curb areas with asphaltic concrete and provide asphaltic concrete shoulders.
- Starting on W. Center St. at Marion Corporation Line (S.L.M. 13.28) and ending on Church St. at SR-309 (S.L.M. 15.59B). Remove the existing pavement surface in the curb section and replace with asphaltic concrete. Resurface the non-curb areas with asphaltic concrete.
- Starting on E. Church St. at SR-95 (S.L.M. 16.92) and ending on Sargent St. at E. Center St. (S.L.M. 17.34). Remove the existing pavement surface and replace with asphaltic concrete.

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:

- 1. The Ohio Department of Transportation shall assume and bear one-hundred percent (100%) of the cost of improvements.

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 Safety/Service Director
City Engineer 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:

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 11, _____, 19 93.

Attest: Marsha Adams
Clerk

Jack L. Kellogg
Mayor
J. T. Ballenger
President of Council

Attest: _____

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 11th day of January, 19 93, 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. 36, Page 295-297.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 12th day of January, 19 93.

(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 Marion, Ohio.

Attest: _____

_____, Date _____
Contractual Officer

For the State of Ohio

Attest: _____

_____, Date _____
Director, Ohio Department of Transportation

ORDINANCE NO. 1993- 6

ORDINANCE REDUCING APPROPRIATIONS IN VARIOUS FUNDS
FOR THE YEAR ENDING DECEMBER 31, 1993, AND DECLARING
AN EMERGENCY.

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

Section 1. That there be reductions in the appropriations of various
funds in the amount of \$85,000.00 as follows:

G.O. Bond Retirement Fund

Professional Services 343-08-911-230-000-320 \$(1,000.00)

Transit Fund

Salaries 502-06-512-210-000-110 \$(20,000.00)
Benefits 502-06-512-210-000-120 (29,000.00)
Insurance 502-06-512-230-000-380 (15,000.00)
Fuel 502-06-512-240-000-430 (20,000.00)

TOTAL Transit Fund.....\$(84,000.00)


Section 2. This ordinance is hereby declared to be an emergency measure
necessary for the 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: *January 25, 1993*

APPROVED: *January 26, 1993*



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1993-7

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 1993, 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 in the amount of \$64,316.75 as follows:

General Fund

Police Equipment	101-01-111-250-000-450	\$ 500.00
Dispatch Equipment	101-01-113-250-000-450	<u>600.00</u>
TOTAL General Fund.....		\$1,100.00

Transit Fund

Capital Improvements	502-06-512-250-000-520	\$63,000.00
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Southeast Storm Sewer Fund

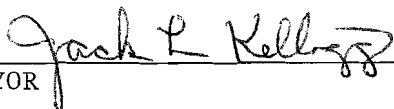
Professional Service	556-05-533-230-000-320	216.75
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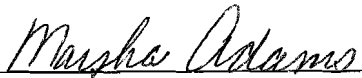
Section 2. This ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason that it is necessary for the daily operation of said City; and as such, shall take effect and be in force immediately upon its 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: *January 25, 1993*

APPROVED: *January 26, 1993*


MAYOR

ATTEST:


ORDINANCE NO.: 1993-8

ORDINANCE APPROVING THE PURCHASE OF ONE COMPACT UTILITY TRACTOR THROUGH THE OHIO COOPERATIVE PURCHASING PROGRAM.

WHEREAS, the Parks Department is in need of a new compact utility tractor for use in maintaining the city parks, and

WHEREAS, the City of Marion is a participant in the Ohio Cooperative Purchasing Program, and

WHEREAS, Ordinance No. 1991-136 required Council approval of all Capital Expenditures exceeding \$2,500.00 except for expenditures necessary for the health and safety of the citizens of Marion, Ohio,

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

Section 1. That the Parks Superintendent is hereby authorized to purchase one (1) compact utility tractor through the Ohio Cooperative Purchasing Program for use in the city parks.

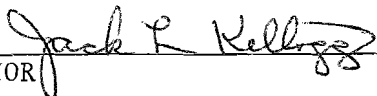
Section 2. That the cost of said purchase shall be paid from the Parks Fund, Account No. 221-03-421-250-000-450.

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: *January 25, 1993*

APPROVED: *January 26, 1993*


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1993- 9 A

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 1993 AND DECLARING AN EMERGENCY.

WHEREAS, there remained unused 1992 appropriations in certain Grant Funds at the end of 1992, and

WHEREAS, these funds must be reappropriated in 1993,

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 in the amount of \$83,037.26 as follows:

1. Early Intervention Fund

Schooling	249-02-543-230-000-221	\$1,200.00
Utilities	249-02-543-230-000-310	65.87
Prof. Service	249-02-543-230-000-320	3,284.99
Supplies	249-02-543-240-000-420	406.80
Postage	249-02-543-240-000-423	17.00

TOTAL Early Intervention Fund.....\$4,974.66

2. Comprehensive Housing Fund

Salaries	271-04-541-210-326-110	\$3,206.78
Benefits	271-04-541-210-326-120	1,307.21
Private Hsg.Rehab	271-04-541-230-000-322	51,243.00
Administration	271-04-541-230-000-324	6,558.72
Implementation	271-04-541-230-000-326	600.00
Emergency Rehab	271-04-541-230-000-328	3,425.00

TOTAL Comp.Housing Fund.....\$ 66,340.71

3. CDBG (Formula)Fund

Salaries	275-04-541-210-000-110	\$ 6,259.10
Benefits	275-04-541-210-000-110	1,521.23
Salaries	275-04-541-210-326-110	494.55
Benefits	275-04-541-210-326-120	2,747.01
Travel	275-04-541-220-326-220	450.00
Implementation	275-04-541-240-000-326	250.00

TOTAL CDBG Fund..... \$11,721.89

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

J.P. Ballenger
PRESIDENT OF COUNCIL

PASSED: *January 25, 1993*
APPROVED: *January 26, 1993*

Jack L. Kellogg
MAYOR

ATTEST:
Marsha Adams
CLERK

ORDINANCE NO. 1993-9 B

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."

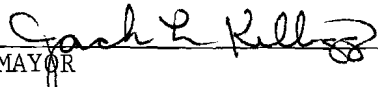
Sanitation Fund	\$1,245.39
General Fund	<u>3,026.67</u>
Total	\$4,272.06

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 8, 1993

APPROVED: February 9, 1993


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1993- 10

ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE
STORM SEWER IMPROVEMENT FUND FOR THE YEAR ENDING
DECEMBER 31,1993, 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 Storm
Sewer Improvement Fund in the amount of \$47,800.00 as follows:

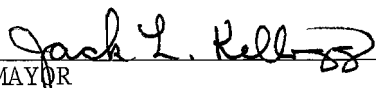
Professional Services 460-05-507-230-000-320 \$47,800.00

Section 2. That this ordinance is hereby declared to be an emergency
measure necessary for the immediate preservation of the 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 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.



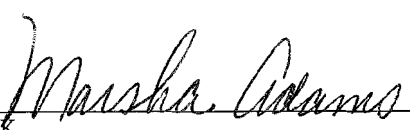
PRESIDENT OF COUNCIL

PASSED: February 8, 1993
APPROVED: February 9, 1993



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1993- 11

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 1993, 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 in the amount of \$351,500.00 as follows:

Northwest Interceptor Improvement Fund

Transfer to Air.Ind.Pk.Sani. Sewer Fund		
	552-05-533-270-000-703	\$300,000.00

Airport Industrial Park Sanitary Sewer Fund


Professional Services	462-05-522-230-000-320	\$ 51,500.00
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Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the 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 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 8, 1993

APPROVED: February 9, 1993


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1993-12

ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE CAPITAL IMPROVEMENT FUND FOR THE YEAR ENDING DECEMBER 31, 1993, 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 Capital Improvement Fund in the amount of \$12,137.47 as follows:

F.Y.93 Contingency 401-09-543-270-000-624 \$12,137.47

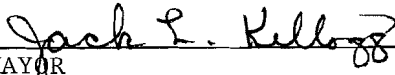
Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the welfare of the City of Marion and the inhabitants thereof and for the further reason that it provides for the daily operation of said City; and as such, shall take effect and be 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

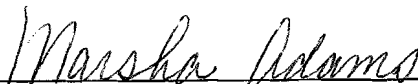
PASSED: February 8, 1993

APPROVED: February 9, 1993



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1993-13

ORDINANCE DIRECTING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN AND INSPECTION OF THE AIRPORT INDUSTRIAL PARK SANITARY SEWER PROJECT AND THE STORM SEWER IMPROVEMENTS PROJECT.

WHEREAS, Resolution No. 1992-10 authorized the Mayor of the City of Marion, Ohio to apply to the Ohio Public Works Commission (OPWC) for funds to help finance the Airport Industrial Park Sanitary Sewer Project and the Storm Sewer Improvements Project, and

WHEREAS, the OPWC has approved a 70% loan for the Airport Industrial Park Sanitary Sewer Project and 50% grant for the Storm Sewer Improvements Project, and

WHEREAS, Floyd Browne Associates, Ltd. submitted the lowest and best proposal to provide engineering services for both projects,

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

Section 1. That the Safety/Service Director is hereby directed to enter into contract with Floyd Browne Associates, Ltd., for their proposal of \$92,300 to provide engineering services for both projects.

Section 2. That the \$46,500 cost to provide services for the Airport Industrial Park Sanitary Sewer project shall be payable from the Airport Industrial Park Sanitary Sewer Fund.

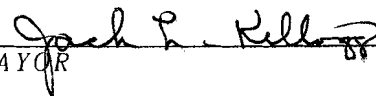
Section 3. That the \$45,800 cost to provide services for the Storm Sewer Improvements project shall be payable from the Storm Sewer Improvements fund.


Section 4. That this ordinance is hereby declared to be an emergency for the welfare of the City of Marion and the inhabitants thereof and also to comply with the terms established by the Ohio Public Works Commission; 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 8, 1993

APPROVED: February 9, 1993


MAYOR

ATTEST:

CLERK

ORDINANCE NO. 1993-14

ORDINANCE AUTHORIZING THE SAFETY/^{Service}DIRECTOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS TO REPLACE BASE STATION FOR PRESENT RADIO SYSTEM IN COMBINED DISPATCH COMMUNICATIONS AT CITY HALL AND DECLARING AN EMERGENCY.

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

Section 1. That the Safety/Service Director be and is hereby authorized and directed to prepare specifications and advertise for bids to replace Base Station for present Radio System in Combined Dispatch Communications at City Hall. bb

Section 2. That this ordinance is hereby declared to be an emergency measure for the 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.

J. T. Ballenger
PRESIDENT OF COUNCIL

PASSED: February 8, 1993

APPROVED: February 9, 1993

Joseph L. Kell
MAYOR

ATTEST:

Marsha Adams
CLERK OF COUNCIL

AMENDED
ORDINANCE NO. 1993 - 15

ORDINANCE DECLARING THAT CERTAIN CITY PROPERTY IS NOT NEEDED FOR ANY MUNICIPAL PURPOSE AND AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ~~SELL SAID PROPERTY LISTED AS~~ ~~XXXX XXX, XXX AND XXX IN BAIN, BUTLER AND POWELL'S~~ ~~ADDITIONS AND TRUES ADDITION TO~~ ~~THE CITY OF MARION.~~ ~~XXXX OR XXXXX~~ PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS TO SELL SAID PROPERTY LISTED AS LOTS 240, 241 AND 242 IN BAIN, BUTLER AND POWELL'S ADDITION AND LOT 819 IN WALLACE AND TRUES ADDITION TO THE CITY OF MARION.

WHEREAS, The City of Marion owns certain property being Outlots 240, 241, 242 and 819 in the City of Marion and such real estate is not needed for any municipal purpose, and

WHEREAS, In accordance with Section 721.01, Ohio Revised Code, the City desires to dispose of such property.

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

Section 1. That it is hereby declared that certain city property as described on the attached exhibit, located in the City of Marion and now owned by the City of Marion is not needed for any municipal purpose.

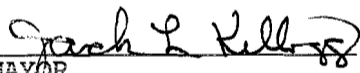
Section 2. That the Safety/Service Director be and she is hereby authorized to prepare specifications and advertise for bids to sell said real estate listed above.

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 8, 1993

APPROVED: February 9, 1993


MAYOR

*AMENDED ON COUNCIL FLOOR 02/08/93

ATTEST:


CLERK

DESCRIPTION

TRACT #1

0.884 ACRE

Being Part of Lots 240 and 241 in Bain, Butler & Powell's Addition, Part of Lot 819 in Wallace & True's Addition and Part of Section 21, 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 the intersection of the North Right-of-Way Line of W. Church Street (now 66 feet wide) and the East Right-of-Way Line of Orchard Street (now 60 feet wide) (also being the Southwest Corner of Lot 819); thence along said East Right-of-Way Line N 0° 35' 05" W for a distance of 126.51 feet to a point; thence S 89° 52' 50" E for a distance of 305.14 feet to a railroad spike set (passing over a 5/8" dia. iron pin set at 1.00 feet, the East Line of Lot 819 at 75.00 feet, the West Line of Lot 240 at 200.14 feet and the West Line of Lot 241 at 266.14 feet); thence S 0° 00' 00" E for a distance of 126.50 feet to a point on the North Right-of-Way Line of W. Church Street (passing over a 5/8" dia. iron pin set at 124.50 feet); thence along said North Right-of-Way Line N 89° 52' 50" W for a distance of 303.85 feet to the point of beginning (passing over the West Line of Lot 241 at 39.00 feet, the West Line of Lot 240 at 105 feet, the East Line of Lot 819 at 228.85 feet and an existing iron pin at 302.85 feet).

Containing 0.884 acre more or less, of which 0.218 acre more or less is in Lot 819, 0.362 acre more or less is in Section 21, 0.191 acre more or less is in Lot 240 and 0.113 acre more or less is in Lot 241, and being subject to legal highways, easements, restrictions, and agreements of record. This description prepared from a survey performed by Thomas L. Boblenz, Registered Surveyor 5719, and dated January 26, 1993. All 5/8" dia. iron pins set have a plastic identity cap with the following caption, "TLB & Associates."

DESCRIPTION

TRACT #2

0.796 ACRE

Being Part of Lots 240 and 241, and Lot 242 in Bain, Butler & Powell's Addition, Part of Lot 819 in Wallace & True's Addition and Part of Section 21, 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 an existing iron pin located at the intersection of the West Right-of-Way Line of Union Street (now 25 feet wide) with the North Right-of-Way Line of W. Church Street (now 66 feet wide) (also being the Southeast Corner of Lot 242); thence along said North Right-of-Way Line N 89° 52' 50" W for a distance of 77.00 feet to a point (passing over the East Line of Lot 241 at 58.00 feet); thence N 0° 00' 00" W for a distance of 126.50 feet to a railroad spike set (passing over a 5/8" dia. iron pin set at 2.00 feet); thence N 89° 52' 50" W for a distance of 305.14 feet to a point on the East Right-of-Way Line of Orchard Street (now 60 feet wide) (passing over the East Line of Lot 240 at 39.00 feet, the West Line of Lot 240 at 105.00 feet, the East Line of Lot 819 at 230.14 feet and a 5/8" dia. iron pin set at 304.14 feet); thence along said East Right-of-Way Line N 0° 35' 05" W for a distance of 65.43 feet to a point on the South Right-of-Way Line of Holmes Place (now 44 feet wide) (passing over an existing iron pin at 64.43 feet); thence along said South Right-of-Way Line S 89° 48' 15" E for a distance of 382.81 feet to a point on the West Right-of-Way Line of Union Street (now 25 feet wide) (said point being referenced by an existing railroad spike 0.35 feet South and 0.27 feet West) (passing over the East Line of Lot 819 at 75.00 feet, the West Line of Lot 240 at 200.81 feet, the West Line of Lot 241 at 266.81 feet and the West Line of Lot 242 at 324.81 feet); thence along said West Right-of-Way Line S 0° 00' 00" E for a distance of 191.42 feet to an existing iron pin on the North Right-of-Way Line of W. Church Street and the point of beginning.

Containing 0.796 acre more or less, of which 0.112 acre more or less is in Lot 819, 0.188 acre more or less is in Section 21, 0.099 acre more or less is in Lot 240, 0.142 acre more or less is in Lot 241 and 0.255 acre more or less is in Lot 242, and being subject to legal highways, easements, restrictions, and agreements of record. This description prepared from a survey performed by Thomas L. Boblenz, Registered Surveyor 5719, and dated January 26, 1993. All 5/8" dia. iron pins set have a plastic identity cap with the following caption, "TLB & Associates."

PLAT OF SURVEY

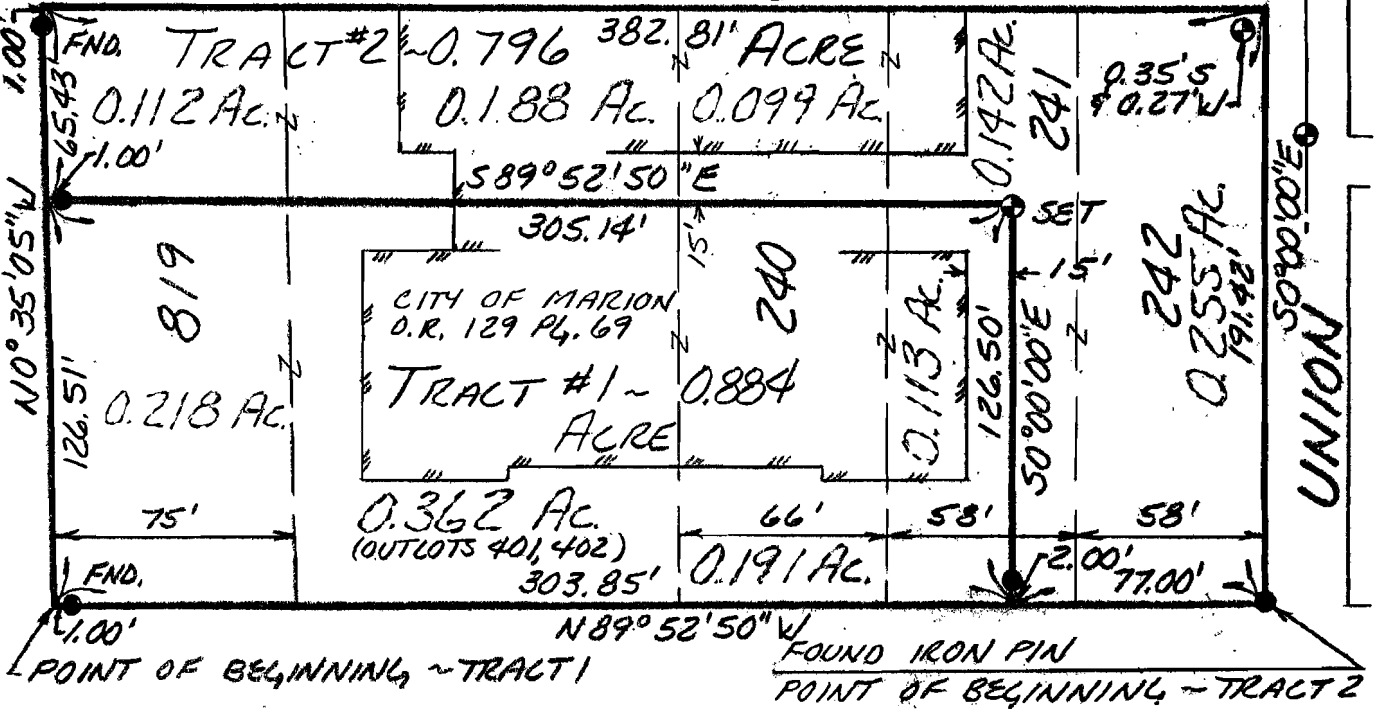
BEING, LOTS 240, 241 & 242 IN BAIN,
 BUTLER & POWELL'S ADDITION, LOT 819
 IN WALLACE & TRUE'S ADDITION AND
 PART OF SECTION 21, T-5-S, R-15-E,
 IN THE CITY OF MARION, MARION
 COUNTY, STATE OF OHIO

ORCHARD STREET (60' WIDE)

ST. (25' WIDE)

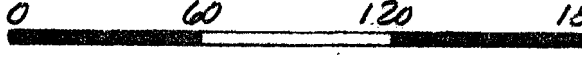
HOLMES PLACE (44' WIDE)

589° 48' 15" E



W. CHURCH STREET (66' WIDE)

ALL 5/8" DIA. IRON PINS SET HAVE PLASTIC
 IDENTITY CAP WITH THE FOLLOWING CAPTION
 THIS SURVEY PREPARED FOR AND AT "TLB & ASSOC 5719"
 THE REQUEST OF CITY OF MARION.



THIS DRAWING REPRESENTS AN
 ACTUAL SURVEY OF THE PROPERTY
 WITH MONUMENTS MARKING THE
 BOUNDARIES AS SHOWN.



SCALE 1" = 60'
 DATE JAN. 26, 1993

- LEGEND
- - 5/8 DIA. IRON PIN SET (U.N.)
 - - IRON PIPE
 - ⊕ - R.R. SPIKE FOUND (U.N.)
 - - STONE

T.L. Boblenz
 T. L. BOBLENZ & ASSOCIATES, INC.
 MARION, OHIO
 REGISTERED SURVEYORS
 & ENGINEERS

BY _____ CHK IV JOB NO. 10999

AMENDED
ORDINANCE NO. 1993- 16

ORDINANCE AUTHORIZING THE MARION MUNICIPAL COURT TO PREPARE SPECIFICATIONS, ADVERTISE FOR BIDS ~~XXXXXXXXXXXXXXXXXXXX~~ FOR A MUNICIPAL COURT COMPUTER SYSTEM - BOTH HARDWARE AND SOFTWARE FOR THE MARION MUNICIPAL COURT LOCATED AT 233 WEST CENTER ST., MARION, OHIO, AND DECLARING AN EMERGENCY.

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

Section 1. That the Marion Municipal Court be and is hereby authorized and directed to prepare specifications, advertise for bids ~~XXXXXXXXXXXXXXXXXXXX~~ for a Municipal Court Computer System, both Hardware and Software, for the Marion Municipal Court located at 233 West Center Street, Marion, Ohio.

Section 2. That the cost of said contract shall be payable from the Court Computerization Fund.

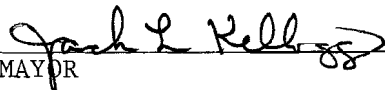
Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason that it is necessary for the daily operation of said Marion Municipal Court and its employees; and as such, shall take effect 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

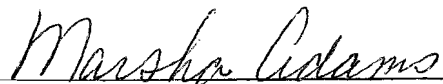
PASSED: February 8, 1993

APPROVED: February 9, 1993

*AMENDED ON COUNCIL FLOOR 02/08/93


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1993-17

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN THE
AIRPORT IMPROVEMENT FUND FOR THE YEAR ENDING
DECEMBER 31, 1993, 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 Airport
Improvement Fund in the amount of \$693,629.00 as follows:

Project 07 - Improvements to Runway 6/24

Professional Services	446-06-447-230-000-320	\$ 48,669.00
Construction	446-06-447-250-000-520	581,331.00

Project 05 - Land Acquisition - Tree Removal

Professional Services	446-06-445-230-000-320	\$ 9,740.00
Tree Removal	446-06-445-230-000-370	15,000.00
Land Acquisition	446-06-445-250-000-455	38,889.00

Section 2. That this ordinance is hereby declared to be an emergency
measure necessary for the immediate preservation of the 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.

J. Ballenger

PRESIDENT OF COUNCIL

PASSED: February 22, 1993

APPROVED: February 23, 1993

Jack L. Kellogg

MAYOR

ATTEST:

Marsha Adams

CLERK

ORDINANCE NO. 1993- 24

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."

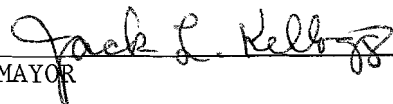
General Fund	\$2,875.86
TOTAL	\$2,875.86

Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the 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.

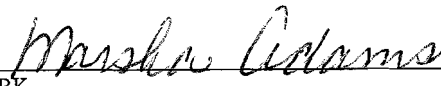

PRESIDENT OF COUNCIL

PASSED: March 8, 1993

APPROVED: March 9, 1993


MAYOR

ATTEST:


CLERK

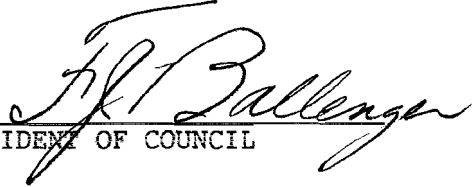
ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE HOME HEALTH FUND FOR THE YEAR ENDING DECEMBER 31, 1993, AND DECLARING AN EMERGENCY.

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 Home Health Fund in the amount of \$5,818.38 as follows:

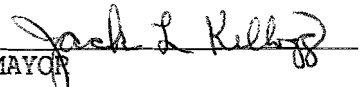
Reimbursements	248-02-221-270-000-721	\$5,818.38
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Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason that it provides for the daily operation of the 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 8, 1993

APPROVED: March 9, 1993


 MAYOR

ATTEST:


 CLERK

ORDINANCE NO. 1993 - 26

ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE UTILITY BILLING FUND FOR THE YEAR ENDING DECEMBER 31, 1993, 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 Utility Billing Fund in the amount of \$4,000.00 as follows:

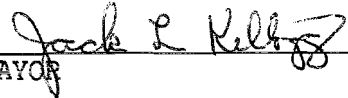
Salaries	612-05-571-210-000-110	\$4,000.00
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Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason that it provides for the daily operation of the 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 8, 1993

APPROVED: March 9, 1993


MAYOR

ATTEST:


CLERK

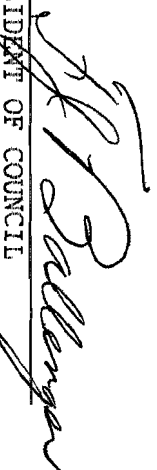
ORDINANCE MAKING APPROPRIATION ADJUSTMENTS IN THE WIC FUND FOR THE YEAR ENDING DECEMBER 31, 1993, AND DECLARING AN EMERGENCY.

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

Section 1. That appropriation adjustments be made in the WIC Fund resulting in a reduction of (\$53,192.02) as follows:

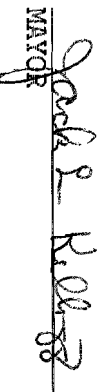
Salaries	215-02-543-210-000-110	\$ (52,484.72)
Benefits	215-02-543-210-000-120	(16,205.70)
Travel	215-02-543-220-000-220	(96.18)
Utilities	215-02-543-230-000-310	5,900.00
Professional Services	215-02-543-230-000-320	4,060.00
Equipment Maintenance	215-02-543-230-000-360	(250.00)
Building Lease	215-02-543-230-000-371	6,780.00
Supplies	215-02-543-240-000-420	1,104.58
Equipment	215-02-543-250-000-450	(2,000.00)
TOTAL		<u>\$ (53,192.02)</u>

Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason that it provides for the daily operation of the 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 8, 1993

APPROVED: March 9, 1993

MAYOR 

ATTEST:

CLERK 

ORDINANCE NO. 1993-28

ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY/SERVICE DIRECTOR TO PREPARE PLANS AND SPECIFICATIONS AND ADVERTISE FOR BIDS FOR THE CHATFIELD ROAD SANITARY SEWER 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 Safety/Service Director is hereby authorized and directed to prepare plans and specifications and advertise for bids for the installation of a sanitary sewer on Chatfield Road between Merkle Avenue and Maple Lane Road in the City of Marion, Ohio.

Section 2. That the cost of advertising for bids shall be payable from the Sewer Improvement 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 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. H. Ballenger

President of Council

Passed: March 8, 1993

Approved: March 9, 1993

Jack L. Kellogg

Mayor

Attest:
Marsha Adams

Clerk of Council

ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF MARION BY REZONING THE PROPERTY KNOWN AS LOTS #7195, #7196 AND #7197 IN THE SUBDIVISION OF PETERS PARK ADDITION IN THE CITY OF MARION, OHIO FROM R-1A (SINGLE FAMILY, LOW DENSITY DISTRICT) TO O-I (OFFICE INSTITUTIONAL), AND DECLARING AN EMERGENCY.

WHEREAS, Council finds that the real property described in Section 1 below should be rezoned from R-1A (Single Family, Low Density District) to O-I (Office Institutional), and

WHEREAS, the Marion City Planning Commission had considered on February 2, 1993 and not made a recommendation for the rezoning from R-1A to O-I, and

WHEREAS, due notice of the hearing on said rezoning has been given by publication in accordance with law,

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

Section 1. That the property known as 1036 Mt. Vernon Avenue, including Lots #7195, #7196 and #7197 and being more particularly described as follows:

Situated in the City of Marion, County of Marion and State of Ohio and being known as Lots Numbered Seven Thousand One Hundred Ninety-five (7195), Seven Thousand One Hundred Ninety-six (7196) and Seven Thousand One Hundred Ninety-seven (7197) in the Subdivision of Peters Park Addition to the City of Marion, Ohio.

heretofore zoned R-1A (Single Family, Low Density District) is hereby zoned O-I (Office Institutional).

Section 2. That the Clerk of Council is hereby authorized and directed to make said change on the Zoning District Map of the City of Marion, on file in the office of the Clerk of Marion City Council and on the copy thereof on file in the office of the Safety/Service Director.

Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason that it provides for the daily operation of the 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.

J. Ballenger
PRESIDENT OF COUNCIL

PASSED: March 22, 1993

APPROVED: March 23, 1993

Jack L. Kellogg
MAYOR

ATTEST:

Marsha Adams
CLERK

ORDINANCE NO. 1993-30

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT AND APPROPRIATE FUNDS FOR THE PURCHASE OF A HOT PAINT RIDING HIGHWAY LINE MAKING MACHINE FROM KELLY-CRESWELL COMPANY, INC., FOR USE ON THE CITY STREETS AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance 1993-19 authorized the advertising and bidding for the purchase of a Hot Paint Machine for use on the City Streets, and

WHEREAS, Kelly-Creswell Company, Inc., submitted the only bid of \$27,645.00,

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

Section 1. That the Safety/Service Director be authorized and is hereby directed to enter into contract with Kelly-Creswell Company, Inc., to purchase a Hot Paint Riding Highway Line Making Machine for use on the City Streets.

Section 2. That said contract shall be payable from the S.C.M.& R. Fund.

Section 3. That there be additional appropriations made in the amount of \$27,645.00 as follows:

S.C.M.& R. Fund

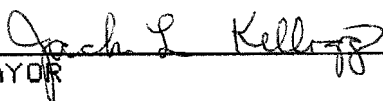
Capital Equipment, 207-06-612-250-000-450. \$27,645.00

Section 4. That this ordinance is hereby declared to be an emergency measure necessary for the 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: March 22, 1993

APPROVED: March 23, 1993


MAYOR

ATTEST:


CLERK OF COUNCIL

ORDINANCE NO. 1993- 18

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS FOR AIRPORT RUNWAY 6/24 IMPROVEMENTS AND DECLARING AN EMERGENCY.

WHEREAS, The City of Marion has been allocated \$567,000.00 in Federal Funds to rehabilitate, overlay, groove and mark Runway 6/24, and

WHEREAS, The City must submit to the FAA a Project Schedule based on the bids by April 30, 1993,

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


Section 1. That the Safety/Service Director is hereby authorized to prepare specifications and advertise for bids for improvements to Runway 6/24 at the Marion Municipal Airport.

Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the welfare of the City of Marion and the inhabitants thereof and for the further reason that the Project Schedule must be submitted by April 30, 1993; 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 22, 1993

APPROVED: February 23, 1993


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1993-19

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS FOR THE PURCHASE OF A HOT PAINT MACHINE FOR USE ON THE CITY STREETS.

WHEREAS, the current paint machine is in a state of disrepair and is not economically feasible to repair,

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

Section 1. That the Safety/Service Director is hereby authorized to prepare specifications and advertise for bids for the purchase of a Hot Paint Machine for use on the city streets.

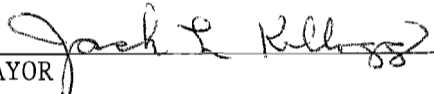
Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.



PRESIDENT OF COUNCIL


PASSED: February 22, 1993

APPROVED: February 23, 1993



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1993-20

ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH O'KEEFE ELECTRIC AND TO APPROPRIATE FUNDS FOR THE IMPROVEMENT OF PEDESTRIAN SIGNAL INSTALLATIONS AT CERTAIN INTERSECTIONS IN THE CITY OF MARION, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 1992-90 authorized the preparation of specifications and advertising for bids for the improvement of pedestrian signal installations in the City of Marion, Ohio, and

WHEREAS, O'Keefe Electric submitted the lowest and best bid of \$32,399.65,

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

Section 1. That the Safety/Service Director be directed to enter into contract with O'Keefe Electric for the installation of pedestrian signals at certain intersections.

Section 2. That said contract shall be payable from the State Highway Improvement Fund (\$30,378.86) and S.C.M. & R. Fund (\$2,020.79).

Section 3. That there be additional appropriations made in the amount of \$35,800.00 as follows:

S.C.M. & R. Fund

Capital Improvements, 207-06-612-250-000-520 \$2,300.00

State Highway Fund

Capital Improvements 208-06-613-250-000-520 \$35,500.00

Section 4. That this ordinance is hereby declared to be an emergency measure necessary for the welfare 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. Ballenger
PRESIDENT OF COUNCIL

Passed: February 22, 1993.

Approved: February 23, 1993

Jack L. Kelly
MAYOR

Attest:
Marsha Adams
CLERK OF COUNCIL

ORDINANCE NO. 1993-21

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO SOLICIT PROPOSALS FOR THE FIRST DETERMINATION REPORT FOR OEPA AND DECLARING AN EMERGENCY.

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

Section 1. That the Safety/Service Director be and is hereby authorized and directed to solicit proposals for the First Determination Report for OEPA.

Section 2. That this ordinance is hereby declared to be an emergency measure for the 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: February 22, 1993

APPROVED: February 23, 1993


MAYOR

ATTEST:


CLERK OF COUNCIL

AMENDED
ORDINANCE NO. 1993-22

ORDINANCE TO AMEND THE YARGER REPORT BY CREATING THE POSITION OF UTILITY BILLING SUPERVISOR IN THE CITY OF MARION AND ESTABLISHING SALARY AND BENEFITS FOR SAID POSITION, AND DECLARING AN EMERGENCY.
FOR A ONE (1) YEAR PERIOD AND THEN TO BE REEVALUATED

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

Section 1. That there is hereby created the position of Utility Billing Supervisor in the City of Marion *for a one (1) year period and then to be reevaluated.*

Section 2. That the Pay Grade for the Utility Billing Supervisor shall be Pay Grade 24.

Section 3. In addition to the compensation heretofore provided, the Utility Billing Supervisor shall be entitled to the working conditions and employee benefits for full-time employees as set out in Ordinance No. 68-41, as amended, and Ordinance No. 1969-183, as amended.

Section 4. That the job description for said position is attached hereto and incorporated herein by reference and shall by reference become a part of the personnel classification schedule heretofore adopted by this Council as fully as if the same were re-written in said personnel classification schedule.

Section 5. That this ordinance is hereby declared to be an emergency measure for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof and to secure the services of an employee for this position; 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. T. Ballenger

PRESIDENT OF COUNCIL

PASSED: February 22, 1993

APPROVED: February 23, 1993

Jack L. Kellogg

MAYOR

*Amended on Council floor 02/22/93

ATTEST:
Masha Adams

CLERK OF COUNCIL

UTILITY BILLING SUPERVISOR

GENERAL STATEMENT OF DUTIES: Responsible to the Safety/Service Director or designee for: accurate, timely billing of Sanitation and Sewer customers of the City; accurate, timely accounting for collections; safeguarding of assets and efficient operation of the department.

DISTINGUISHING FEATURES OF THE CLASS: Directly responsible for managing the Utility Billing Dept: directs, schedules, oversees and assigns work of all Account Clerks in the department; trains employees; recommends staffing, methods and procedures.

✓ Responsible to assure that there is proper accounting for all monies received; proper customer billing; accurate records and reconciliation.

EXAMPLES OF WORK: (Illustrative Only)

Essential functions include but are not limited to:

✓ Supervises all daily functions of subordinates including operation of all equipment when instructing or assisting with problem resolution, daily check-out, etc.

Scheduling and coordination of work times, break times, vacations, etc., and accounting for the authorization of any deviation from those schedules.

Assists with budget preparation.

Recommends staffing.

Researches, recommends, implements methods and procedures.

Trains employees; includes developing programs and procedures with the use of all types of office equipment, preparing and performing hands-on and visual demonstrations, instructing verbally, audio-visually and in written form.

Liaison with Ohio American Water Company for reports of new customers/new accounts, changes, water consumption and problems.

Authorizes billing adjustments and changes.

Assures following Report files are orderly and up-to-date:

- Billing Register
- Mismatch
- Daily Cash
- Customer Account History
- Additions/Changes/Deletions
- Daily Mail
- Credit/Debit Memo

Assures reports forwarded to Auditor's office for proper reconciliation of collections to accounting records:

- Daily Revenue Summary Report
- End of Month Reconciliation Report
- Delinquency Report

REQUIRED KNOWLEDGE, SKILLS AND ABILITIES: Thorough knowledge of Chapters 912, 914, 916 and 918 of the codified ordinances of the City of Marion as they relate to customer billing for sewer usage; thorough knowledge of Chapter 943 of the codified ordinances which regulates domestic refuse, collection of and charges there for (the foregoing knowledge can be acquired on the job); knowledge of bookkeeping, accounting, auditing, management, labor relations, work force planning, employee training and development, supervision, human relations, office management, office practices, budgeting; knowledge of and excellent skill in use of personal computer; above average knowledge and skill in use of calculator and cash register; ability to interpret and apply laws, rules and regulations applicable to the operation of the department; mental capacity to solve complicated problems when presented visually, orally or written; sufficient corrected or uncorrected vision to review reports, search records and drive vehicle; ability to communicate verbally and speak distinctly; ability to develop good rapport with supervisors and employees, motivate employees and establish friendly atmosphere in the work unit, handle sensitive inquiries and resolve complaints from angry citizens.

MINIMUM ACCEPTABLE QUALIFICATIONS: Professional business experience with graduation from a two (2) or four (4) year college or university with major in accounting or business preferred. Any equivalent combination of experience and training which provides the required knowledge, skills and abilities may be accepted.

ORDINANCE NO. 1993-23

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS FOR LANDFILL CLOSURE ITEMS AS REQUIRED BY THE CLOSURE PLAN AT MARION CITY LANDFILL AND DECLARING AN EMERGENCY.

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

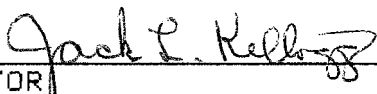
Section 1. That the Safety/Service Director be and is hereby authorized and directed to prepare specifications and advertise for bids for Landfill Closure items, as required by the Closure Plan which does include items, 1) Leachate Collection System, 2) Cap Construction, 3) Fencing at the Marion City landfill.

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: March 8, 1993

APPROVED: March 9, 1993


 MAYOR

ATTEST:


 CLERK OF COUNCIL

ORDINANCE NO. 1993-100

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."

Sewer Revenue Fund

\$573.95

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.

J. Ballenger

PRESIDENT OF COUNCIL

PASSED: August 23, 1993

APPROVED: August 24, 1993

Jack L. Killip

MAYOR

ATTEST:

Marsha Adams

CLERK

ORDINANCE NO. 1993-101

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN THE VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 1993, 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 various funds in the amount of \$507,500.00 as follows:

Home Implementation Grant (CDBG) Fund

Salary	272-04-542-210-326-110	\$44,000.00
Benefits	272-04-542-210-326-120	11,750.00
Travel	272-04-542-220-326-220	<u>250.00</u>

TOTAL Home Imp. Grant Fund.....\$56,000.00

Home Program Grant Fund

Private Rehab	277-04-542-230-000-322	\$328,000.00
Administration	277-04-542-230-000-324	26,000.00
Rental Assistance	277-04-542-230-000-340	<u>90,000.00</u>

TOTAL Home Program Fund.....\$444,000.00

Comp. Housing Improvement Strategy Fund

Administration	278-04-542-230-000-324	\$ 7,500.00
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TOTAL Comp. Housing Imp. Strategy Fund....\$ 7,500.00

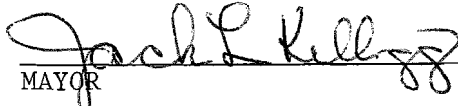
Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason that it is necessary for the daily operation of said City; and as such, shall take effect and be in force immediately upon 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 23, 1993

APPROVED: August 24, 1993



 MAYOR

ATTEST:



 CLERK

ORDINANCE NO. 1993 - 102

ORDINANCE AUTHORIZING THE PURCHASE OF CAPITAL EQUIPMENT EXCEEDING \$2,500.00 IN COST AND MAKING AN ADDITIONAL APPROPRIATION IN THE GENERAL FUND FOR THE YEAR ENDING DECEMBER 31, 1993, AND DECLARING AN EMERGENCY.

WHEREAS, Marion City Council passed Ordinance No. 1991-136 requiring approval of all capital expenditures exceeding \$2,500.00 except for expenditures necessary for the health and safety of the citizens of the City of Marion, Ohio, and

WHEREAS, the Airport Manager has requested a replacement mower exceeding \$2,500.00 in cost for the Airport,

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

Section 1. That the Airport Manager is hereby authorized to purchase a Bush Hog 3126 replacement mower for the Airport at an estimated cost of \$4,867.00.

Section 2. That there be an additional appropriation made in the General Fund in the amount of \$4,867.00 as follows:


Capital Equipment	101-06-621-250-000-450	\$4,867.00
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Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason that it provides for the daily operation of the 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 23, 1993

APPROVED: August 24, 1993


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1993- 103

ORDINANCE REPEALING ORDINANCE NO. 1991-136 - RESTRICTING CERTAIN EXPENDITURES TO \$2,500.00 WITHOUT PRIOR LEGISLATIVE AUTHORITY.

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

Section 1. That Ordinance No. 1991-136 which currently states: "No expenditure exceeding \$2,500.00 for any capital/equipment contract, whether labor or materials, shall be permitted without approval by ordinance; this limitation, however, shall not be applicable to usual, customary expenditures for taxes, insurance, pension contributions, utilities, operation of the Waste Water Treatment Plant, or such other expenditures necessary for the health and safety of the citizens of the City of Marion, Ohio.", be and is 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:

APPROVED:

MAYOR

defeated 9/13/93

ATTEST:

CLERK

ORDINANCE NO. 1993- 104

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN THE
VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 1993,
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 various
funds in the amount of \$20,700.00 as follows:

Storm Sewer Improvement Fund

Prof. Service 460-05-507-230-000-320 \$7,700.00

Air Industrial Park Sanitary Sewer Fund

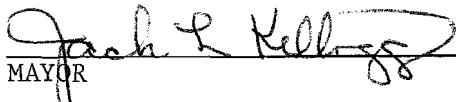
Prof. Service 463-05-522-230-000-320 \$13,000.00

Section 2. That this ordinance is hereby declared to be an emergency
measure necessary for the 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 23, 1993

APPROVED: August 24, 1993


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1993- 105

ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE
SANITATION FUND FOR THE YEAR ENDING DECEMBER 31, 1993,
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
Sanitation Fund in the amount of \$15,000.00 as follows:

Landfill

Supplies	506-05-562-240-000-420	\$15,000.00
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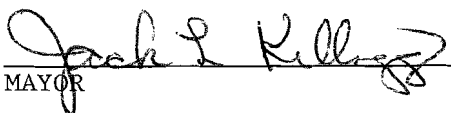
Section 2. That this ordinance is hereby declared to be an emergency
measure necessary for the welfare of the City of Marion and the inhabitants
thereof and for the further reason that it is necessary for the daily operation
of said City; and as such, shall take effect and be in force immediately upon
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 23, 1993

APPROVED: August 24, 1993



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1993 - 106

ORDINANCE APPROPRIATING FUNDS AND RATIFYING AND APPROVING THE COLLECTIVE 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 collective 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, 1993.

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, 1993, as provided to Council in writing, by the City Administration on August 16, 1993.

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, 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:

APPROVED:

MAYOR

ATTEST:

CLERK

defeated 9/13/93

ORDINANCE NO. 1993 - 107

ORDINANCE APPROPRIATING FUNDS AND RATIFYING AND APPROVING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF MARION AND THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC., FOR THE PATROL OFFICERS (BLUE) BARGAINING UNIT, AND DECLARING AN EMERGENCY.

WHEREAS, Council will hereby appropriate monies to implement a collective bargaining agreement with the Fraternal Order of Police, Ohio Labor Council, Inc., for the Patrol Officers (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, 1993.

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, 1993, as provided to Council in writing, by the City Administration on August 16, 1993.

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:

APPROVED:

MAYOR

ATTEST:

CLERK

defeated 9/13/93

ORDINANCE NO. 1993 - 108

ORDINANCE APPROPRIATING FUNDS AND RATIFYING AND APPROVING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF MARION AND THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC., FOR THE SERGEANTS AND CAPTAINS (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 Sergeants and Captains (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, 1993.

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, 1993, as provided to Council in writing, by the City Administration on August 16, 1993.

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:

APPROVED:

MAYOR

ATTEST:

CLERK

defeated 9/13/93

ORDINANCE NO. 1993- 109

ORDINANCE TO AMEND ORDINANCE NO. 1993-92 AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO PREPARE PLANS AND SPECIFICATIONS, ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE BALLENTINE AVENUE CURB AND PAVEMENT PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 1993-92 authorized the contract for the Ballentine Avenue Curb and Pavement Project, and

WHEREAS, said contract was to be funded entirely by the Formula Grant Fund (\$34,500), and

WHEREAS, the bid recieved for the said project exceeds the amount of funds available in the Formula Grant Fund.

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

Section 1. That Section 2 of Ordinance No. 1993-92 now reading as follows:

"Section 2. That the cost of such contract shall be payable from the Formula Grant Fund." is hereby amended to read as follows:

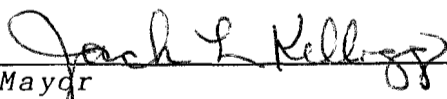
"Section 2. That the cost of such contract shall be payable from the Formula Grant Fund (\$34,500) and the S.C.M.&R. Fund (\$8,000)."

Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason that the construction season is limited to the warmer 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.

PASSED: August 23, 1993


PRESIDENT OF COUNCIL

APPROVED: August 24, 1993


Mayor

ATTEST:

Clerk of Council

ORDINANCE NO. 1993-110

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO LEASE AGREEMENT WITH MARION HAND TO LEASE A PARCEL OF LAND AT THE HARDING FRESHMAN BUILDING, AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance 1993-59 authorized the preparation of specifications and the advertising for bids to lease a parcel of land at the Harding Freshman Building, and

WHEREAS, Marion Hand submitted the only bid,

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

Section 1. That the Safety/Service Director be authorized and is hereby directed to enter into a lease agreement with Marion Hand, in the amount of \$1,200.00 per year, to lease a parcel of land at the Harding Freshman Building to be developed into a parking lot as per City of Marion specifications.

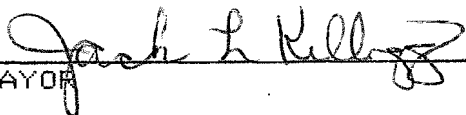
Section 2. That receipts from said lease agreement will be deposited into the general fund.

Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason it is necessary for the daily operation of the 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 23, 1993

APPROVED: August 24, 1993


MAYOR

ATTEST:


CLERK OF COUNCIL

ORDINANCE NO. 1993- 111

ORDINANCE AUTHORIZING THE PARKS SUPERINTENDENT TO ENTER INTO CONTRACTS FOR THE CONSTRUCTION OF A NEW RESTROOM FACILITY AT LINCOLN PARK AND DECLARING AN EMERGENCY.

WHEREAS, the Parks Board received bids for the construction of a restroom facility at Lincoln Park, and

WHEREAS, the project architect has recommended acceptance of the bids from Baldauf Construction for the general and electrical contract and Carl's Plumbing and Heating for the plumbing contract, and

WHEREAS, the Parks Board concurs with said recommendation, and

WHEREAS, Marion Baseball For Youth has committed ^{up to} \$18,000.00 to the project,

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

Section 1. That the Parks Superintendent be authorized and is hereby directed to enter into two contracts for the construction of the Lincoln Park restroom facility as follows:

- 1. Baldauf Construction - General and Electrical Contract - \$26,881.00
- 2. Carl's Plumbing and Heating - Plumbing Contract - \$12,900.00

Section 2. That said contracts shall be payable from the Formula Grant appropriation of \$22,000.00, account no. 275-04-542-230-000-341, and a Rotary Fund appropriation of \$17,781.00 in Marion Baseball For Youth Contributions, account no. 788-09-750-270-000-750.

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

F. J. Ballenger

PRESIDENT OF COUNCIL

PASSED: August 23, 1993

APPROVED: August 24, 1993

Jack L. Killip

MAYOR

ATTEST:

Marsha Adams

CLERK

ORDINANCE NO. 1993-112

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH MARION MEDICAL BUILDING INC., TO LEASE CLINIC SPACE FOR THE WIC PROGRAM AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 1993-37 authorized the advertising and bidding to Lease Clinic Space for the Wic Program, and

WHEREAS, Marion Medical Building Inc., submitted the only bid.

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

Section 1. That the Safety/Service Director be and is hereby authorized and directed to enter into contract with Marion Medical Building, Inc., to Lease Clinic Space for the Wic Program.

Section 2. That said contract shall be payable from the WIC Fund.

Section 3. That this ordinance is hereby declared to be an emergency measure for the 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 OF COUNCIL

defeated 9/27/93

ORDINANCE NO. 1993-113

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH FLOYD BROWNE ASSOCIATES, INC., FOR TWO (2) SAND AND GRAVEL AQUIFER PUMPING TESTS AT MARION CITY LANDFILL AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 1992-117 authorized the advertising and bidding for Landfill Closure Items at Marion City

Landfill, and

WHEREAS, Floyd Browne Associates, Inc., submitted the only bid.

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

Section 1. That the Safety/Service Director be and is hereby authorized and directed to enter into contract with Floyd Browne Associates, Inc., for two (2) Sand and Gravel Aquifer Pumping Tests at Marion City Landfill.

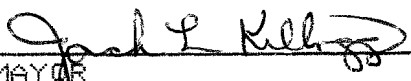
Section 2. That said contract in the amount of \$25,025.00 shall be payable from the Landfill Monitoring Fund, Professional Services, 507-05-563-230-000-320.

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


PRESIDENT OF COUNCIL

PASSED: September 13, 1993

APPROVED: September 14, 1993


MAYOR

ATTEST:


CLERK OF COUNCIL

ORDINANCE NO. 1993-114

ORDINANCE AUTHORIZING THE SAFETY/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 Safety/Service Director be and is hereby authorized to contract and purchase supplies, materials and services, to-wit: Crushed limestone (various sizes), concrete transit mixed, asphalt concrete, pre-mixed patching materials, motor oil, transmission oil, hydraulic hoist oil, chassis grease, wheel bearing grease, gasoline, diesel fuel, anti-freeze, salt, sign blanks, tires, paint, etc.

Section 2. That said Safety/Service Director shall advertise for bids for such supplies, materials and services and 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 December 1, 1993 and terminating not later than November 30, 1994. Said Safety/Service Director may reject any or all bids.

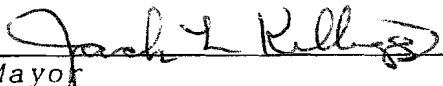
Section 3. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that the present contracts will expire November 30, 1993; and as such, shall take effect and be in force immediately upon its passage and approval by the Mayor provided it received 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 13, 1993

Approved: September 14, 1993



Mayor

Attest:


Clerk of Council

AMENDED
ORDINANCE NO. 1993-115

ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY/SERVICE DIRECTOR TO ADVERTISE FOR BIDS ~~AND ENTER INTO CONTRACT~~ FOR THE AIRPORT INDUSTRIAL PARK SANITARY SEWER AND THE STORM SEWER IMPROVEMENTS PROJECT, AND DECLARING AN EMERGENCY.

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

Section 1. That the Safety/Service Director is hereby authorized and directed to advertise for bids ~~and enter into contract~~ for the Airport Industrial Park Sanitary Sewer and the Storm Sewer Improvements Project.

Section 2. That the cost of such contract shall be payable from the Northwest Interceptor Sewer Fund (sanitary), an Ohio Public Works Commission Loan (sanitary), the Capital Improvements Fund (storm), and an Ohio Public Works Commission grant (storm).

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 provides for the daily operation of the 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 13, 1993

APPROVED: September 14, 1993

*Amended on Council floor 09/13/93

MAJOR 

ATTEST:



CLERK OF COUNCIL

ORDINANCE NO. 1993 - 116

ORDINANCE DIRECTING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN AND INSPECTION OF THE STORM SEWER IMPROVEMENTS PROJECT, PHASE II, APPROPRIATING FUNDS THEREFORE, AND DECLARING AN EMERGENCY.

WHEREAS, Resolution No. 1993-11 authorized the Mayor of the City of Marion, Ohio to apply to the Ohio Public Works Commission (OPWC) for funds to help finance the Storm Sewer Improvements Project, Phase II, and

WHEREAS, the OPWC has approved a 65% grant for the Storm Sewer Improvements Project, Phase II, and

WHEREAS, Wilbur Smith Associates, Inc. submitted the lowest and best proposal to provide engineering services for the project,

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

Section 1. That the Safety/Service Director is hereby directed to enter into contract with Wilbur Smith Associates, Inc. for their proposal of \$45,416 to provide engineering services for the project.

Section 2. That the \$45,416 cost to provide services for the Storm Sewer Improvements Project, Phase II shall be payable from the Storm Sewer Improvement Fund No. 460-05-704-230-000-320.

Section 3. That there be an additional appropriation made in the Storm Sewer Improvement Fund as follows:


Professional Services	460-05-704-230-000-320	\$45,416.00
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Section 4. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason that it provides for the daily operation of the 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 13, 1993

APPROVED: September 14, 1993


MAYOR

ATTEST:


CLERK

ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN
THE GENERAL FUND FOR THE YEAR ENDING DECEMBER
31, 1993, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 117 - 1993

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 in the amount of \$62,599.00 as follows:

Transfer to Transit Fund 101-09-745-270-000-704 \$62,599.00

Section 2. That this ordinance is hereby declared to be an emergency
measure necessary for the 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.

[Signature]
PRESIDENT OF COUNCIL

PASSED: September 13, 1993
APPROVED: September 14, 1993

[Signature]
MAYOR

[Signature]
CLERK

ORDINANCE NO. 1993 - 118ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN
THE LANDFILL MONITORING FUND FOR THE YEAR ENDING
DECEMBER 31, 1993, 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
Landfill Monitoring Fund in the amount of \$31,249.00 as follows:


Professional Services	507-05-563-230-000-320	\$31,249.00
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Section 2. That this ordinance is hereby declared to be an emergency
measure necessary for the welfare of the City of Marion and the inhabitants
thereof and for the further reason that it is necessary for the daily operation
of the 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 13, 1993

APPROVED: September 14, 1993


MAYOR

ATTEST:


CLERK

ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE STREET IMPROVEMENT FUND FOR THE YEAR ENDING DECEMBER 31, 1993, 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 Street Improvement Fund in the amount of \$80,000.00 as follows:

Resurfacing Project	461-06-614-230-000-531	\$80,000.00
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Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason that it is necessary for the daily operation of the 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.

F. J. Ballenger
PRESIDENT OF COUNCIL

PASSED: September 13, 1993

APPROVED: September 14, 1993

Jack L. Killings
MAYOR

ATTEST:

Marsha Adams
CLERK

ORDINANCE NO. 1993-120

ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE
GENERAL FUND FOR THE YEAR ENDING DECEMBER 31, 1993,
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
General Fund in the amount of \$8,000.00 as follows:

Police Quartermaster	101-01-111-210-000-140	\$8,000.00
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Section 2. That this ordinance is hereby declared to be an emergency
measure necessary for the welfare 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

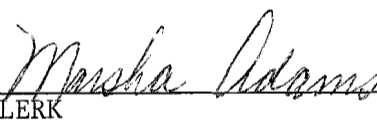
PASSED: *September 27, 1993*

APPROVED: *September 28, 1993*



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1993- 121

ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE
ENFORCEMENT & EDUCATION FUND FOR THE YEAR ENDING
DECEMBER 31, 1993, 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
Enforcement & Education Fund in the amount of \$1,625.00 as follows:

Supplies	227-01-111-240-000-420	\$1,625.00
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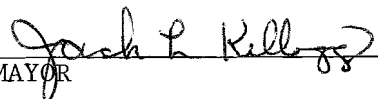
Section 2. That this ordinance is hereby declared to be an emergency
measure necessary for the welfare of the City of Marion and the inhabitants
thereof and for the further reason that it is necessary for the daily operation
of said City; and as such, shall take effect and be in force immediately upon
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 27, 1993

APPROVED: September 28, 1993



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1993- 122

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 1993, 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 in the amount of \$95,115.00 as follows:

Landfill Monitoring Fund

Professional Services	507-05-563-230-000-320	\$44,325.00
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Sanitation Fund

Supplies	506-05-562-240-000-420	18,000.00
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Transit Fund

Capital Improvements	502-06-512-250-000-520	32,790.00
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Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the welfare 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: September 27, 1993

APPROVED: September 28, 1993


MAYOR

ATTEST:


CLERK

*Amended*ORDINANCE NO. 1993- 123

ORDINANCE APPROVING THE PURCHASE OF ONE (1) VEHICLE
THROUGH THE OHIO COOPERATIVE PURCHASING PROGRAM FOR
USE IN THE MARION CITY FIRE DEPARTMENT, ~~XXXXXXXXXXXX~~
~~XXXXXXXXXXXX~~

WHEREAS, the Marion City Fire Department is in need of a new vehicle
for use as a command vehicle, and

WHEREAS, the City of Marion is a participant in the Ohio Cooperative
Purchasing Program, and

WHEREAS, Ordinance No. 1991-136 required Council approval of all Capital
Expenditures exceeding \$2,500.00 except for expenditures necessary for the health
and safety of the citizens of Marion, Ohio,

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

Section 1. That the Safety/Service Director is hereby authorized to
purchase one (1) vehicle through the Ohio Cooperative Purchasing Program, and
equip said vehicle for use in the Marion City Fire Department as a command
vehicle.

Section 2. That the cost of said purchase shall be paid from the General
Fund, Fire Department Account No. 101-01-131-250-000-450.

Section 3. That this ordinance is hereby declared to be an emergency
measure necessary for the welfare of the City of Marion and the inhabitants
thereof and for the further reason that the order must be placed on or before
September 30, 1993; 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.

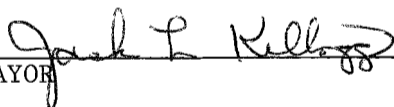
Section 3. That this ordinance shall take effect and be in force from and
after the earliest period allowed by law.


PRESIDENT OF COUNCIL

PASSED: September 27, 1993

APPROVED: September 28, 1993

**Amended on Council floor 09/27/93.*


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1993- 124

ORDINANCE APPROVING THE PURCHASE OF FOUR (4)
POLICE CRUISERS THROUGH THE OHIO COOPERATIVE
PURCHASING PROGRAM.

WHEREAS, the Marion City Police Department is in need of four (4) new police cruisers, and

WHEREAS, the City of Marion is a participant in the Ohio Cooperative Purchasing Program, and

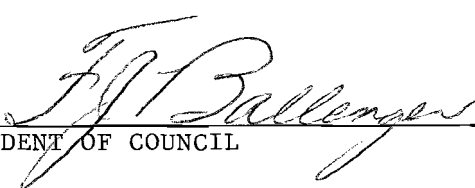
WHEREAS, Ordinance No. 1991-136 required Council approval of all Capital Expenditures exceeding \$2,500.00 except for expenditures necessary for the health and safety of the citizens of Marion, Ohio,

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

Section 1. That the Safety/Service Director is hereby authorized to purchase four (4) police cruisers through the Ohio Cooperative Purchasing Program for use in the Marion City Police Department.

Section 2. That the cost of said purchase shall be paid from the General Fund, Police Department Account No. 101-01-111-250-000-450.

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: September 27, 1993

APPROVED: September 28, 1993



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1993-125

ORDINANCE DECLARING THAT CERTAIN CITY PROPERTY IS NOT NEEDED FOR ANY MUNICIPAL PURPOSE AND AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS TO SELL SAID PROPERTY BEING PART OF LOT #86 WITHIN THE CITY OF MARION (PARKING LOT BESIDE FAHEY BANK).

WHEREAS, the City of Marion owns certain property being part of Lot #86 in the City of Marion and such real estate is not needed for any municipal purpose, and

WHEREAS, in accordance with Section 721.01, Ohio Revised Code, the City desires to dispose of such property,

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

Section 1. That it is hereby declared that certain city property being part of Lot #86 in the City of Marion and now owned by the city is not needed for any municipal purpose.


Section 2. That the Safety/Service Director be and she is hereby authorized to prepare specifications and advertise for bids to sell said real estate listed above.

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 8, 1993

APPROVED: November 9, 1993


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1993 - 126

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN
THE LANDFILL MONITORING FUND FOR THE YEAR ENDING
DECEMBER 31, 1993, 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 Landfill Monitoring Fund in the amount of \$53,000.00 as follows:


Professional Services	507-05-563-230-000-320	\$3,000.00
Capital Improvements	507-05-563-250-000-520	\$50,000.00

Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the 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: October 11, 1993

APPROVED: October 12, 1993


MAYOR

ATTEST:


CLERK

ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE GENERAL FUND FOR THE YEAR ENDING DECEMBER 31, 1993, 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 General Fund in the amount of \$300.00 as follows:


Civil Service Benefits 101-07-717-210-000-120 \$300.00

Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason that it is necessary for the daily operation of the 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 11, 1993

APPROVED: October 12, 1993


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1993 - 128

ORDINANCE TO AMEND ORDINANCE NO. 1993-86 VACATING AN EAST-WEST ALLEY BETWEEN N. PROSPECT STREET AND N. MAIN STREET AND THE NORTH-SOUTH ALLEY BETWEEN LOT #309 IN BAKER'S THIRD ADDITION AND LOT #179 IN HOLMES ADDITION, AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 1993-86 vacated an east-west alley between N. Prospect Street and N. Main Street and the north-south alley between Lots #309 and 179 in the City of Marion, and

WHEREAS, said contract failed to state that Lot #309 is in Baker's Third Addition and Lot #179 is in Holmes Addition, and

WHEREAS, the County Engineer will not approve the alley vacation in Ordinance No. 1993-86 until said change is added to the ordinance.

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

Section 1. That the title of Ordinance No. 1993-86 now reading as follows:

"Ordinance to Vacate an East-West Alley Between N. Prospect and N. Main Streets and the north-south alley between Lots #309 and 179 in the City of Marion.

Whereas, in the opinion of this Council, there is good cause for vacating part of a certain alley running east-west between N. Prosect Street and N. Main Streets and the north-south alley between lots #309 and 179 in the City of Marion, and"

is hereby amended to read as follows:

"Ordinance to Vacate an East-West Alley Between N. Prospect Street and N. Main Street and the north-south alley between Lot #309 in Baker's Third Addition and Lot #179 in Holmes Addition in the City of Marion.


Whereas, in the opinion of this Council, there is good cause for vacating part of a certain alley running east-west between N. Prosect Street and N. Main Street and the north-south alley between Lot #309 in Baker's Third Addition and Lot #179 in Holmes Addition in the City of Marion, and"

Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason that it is necessary for the daily operation of the 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 11, 1993

APPROVED: October 12, 1993


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1993 - 129

ORDINANCE DIRECTING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH MILLER BROTHERS CONSTRUCTION, INC. FOR THE CONSTRUCTION OF A CAPPING AND DRAINAGE SYSTEM AT THE MARION CITY LANDFILL, AND DECLARING AN EMERGENCY.

WHEREAS, on September 15, 1993, the City of Marion received bids for the construction of a capping and drainage system at the Marion City Landfill, and

WHEREAS, Bentley Development Company submitted the lowest bid which was accepted and recommended by the City Administration and Finance Committee, and

WHEREAS, Bentley Development Company subsequently requested that their bid be withdrawn from consideration due to numerous miscalculations, and

WHEREAS, Miller Brothers Construction, Inc. submitted the second lowest bid.

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

Section 1. That Bentley Development Company be permitted to withdraw their bid without penalty as recommended by the City Law Director.

Section 2. That the Safety/Service Director be authorized and is hereby directed to enter into contract with Miller Brothers Construction, Inc. for the construction of a capping and drainage system at the Marion City Landfill.

Section 3. That said authorization is contingent upon the passage of an ordinance authorizing the sale of bond anticipation notes to be used for the financing of the construction.

Section 4. That said contract and any change orders shall not exceed \$2,400,000.00.

Section 5. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason that the contract must be awarded by October 14, 1993; 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 11, 1993

APPROVED: October 12, 1993


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1993-130

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN THE PRINCIPAL AMOUNT OF \$3,200,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF PROVIDING FOR THE CLOSURE OF THE CITY'S LANDFILL BY CONSTRUCTING AND PROVIDING ALL NECESSARY FACILITIES AND APPURTENANCES, AND DECLARING AN EMERGENCY.

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 20 years, and the maximum maturity of the Notes described in Section 3, to be issued in anticipation of the bonds, is 20 years.

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 \$3,200,000 (the Bonds) for the purpose of paying costs of providing for the closure of the City's landfill by installing a clay covering with a vegetative soil overlay, constructing a leachate collection system and related necessary sanitary sewers, installing fences, and making necessary and incidental road repairs and site improvements, together with all necessary appurtenances.

Section 2. The Bonds shall be dated approximately July 1, 1994, shall bear interest at the now estimated rate of 5-1/4% per year, payable semiannually until the principal amount is paid, and are estimated to mature in 20 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 \$3,200,000 (the Notes) shall be issued in anticipation of the issuance of the Bonds. The Notes shall bear interest at a rate or rates not to exceed 4-1/2% 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. If requested by the original purchaser, the Notes may provide that, in the event the City does not pay or make provision for payment at maturity of the debt charges on the Notes, the principal amount of the Notes shall bear interest at a different rate or rates not to exceed 9-1/2% per year from the maturity date until the City pays or makes provision to pay that principal amount. 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 lawful money of the United States of America, or in Federal Reserve funds of the United States of America if so requested by the original purchaser, and shall be payable, without deduction for services of the City's paying agent, at the principal office of National City Bank, Columbus, Columbus, Ohio, or at the principal office of a bank or trust company requested by the original purchaser of the Notes, provided that such request shall be approved by the Auditor after determining that the payment at that bank or trust company will not endanger the funds or securities of the City and that proper procedures and safeguards are available for that purpose. The Notes shall be dated the date of issuance and shall mature nine months from the date of issuance provided that the Auditor may, if it is determined to be necessary or advisable to the sale of the Notes, establish a maturity date that is up to seven days less than nine months from date of issuance by setting forth that maturity date in the certificate of award.

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. In addition, the Notes may be issued (i) in the denominations of \$100,000 each or (ii) in any denomination that is the sum of \$100,000 and \$5,000 or any whole multiple thereof, and are not exchangeable

for other notes in denominations less than \$100,000. 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 the 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 purchaser price. The Mayor, the Auditor 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. In each year to the extent the income from the City's solid waste disposal fund is available for the payment of debt charges on the Notes and Bonds and is appropriated for that purpose, the amount of the tax shall be reduced by the amount of the income so available and appropriated.

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 a preference 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, (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 purposes 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 Notes are hereby designated as "qualified tax-exempt obligations" pursuant to Section 265(b)(3) of the Code. In that connection, the City hereby represents and covenants that it, together with all its subordinate entities or entities that issue obligations on its behalf, or on behalf of

which it issues obligations, in or during the calendar year in which the Notes are issued, (i) have not issued and will not issue tax-exempt obligations designated as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code, including the Notes, in an aggregate amount in excess of \$10,000,000 and (ii) have not issued, do not reasonably anticipate issuing, and will not issue, tax-exempt obligations (including the Notes, but excluding obligations, other than qualified 501(c)(3) bonds as defined in Section 145 of the Code, that are private activity bonds as defined in Section 141 of the Code and excluding refunding obligations that are not advance refunding obligations as defined in Section 149(d)(5) of the Code) in an aggregate amount exceeding \$10,000,000, unless the City first obtains a written opinion of nationally recognized bond counsel that such designation or issuance, as applicable, will not adversely affect the status of the Notes as "qualified tax-exempt obligations." 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 benefitted 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 issues.

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 Auditor 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, safety and welfare 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 at the earliest possible date in order to provide funds required for the construction of the improvement pursuant to bids which have been received and

in order to thereby provide for the construction of the improvement in accordance with requirements of the Ohio Environmental Protection Agency for the health and safety of the City and its inhabitants; wherefore, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed: October 11, 1993

J. H. Ballenger
President of Council

Approved: October 12, 1993

Jack L. Killip
Mayor

Attest: *Marsha Adams*
Clerk of Council

ORDINANCE NO. 1993- 131

ORDINANCE MAKING APPROPRIATIONS IN VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 1993, AND DECLARING AN EMERGENCY.

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

Section 1. That there be appropriations made in various funds in the amount of \$3,375.00 as follows:

E.I. Initiative Grant Fund

Salary	250-02-544-210-000-110	\$1,040.00
Benefits	250-02-544-210-000-120	260.00
Travel	250-02-544-220-000-220	37.50
Schooling	250-02-544-230-000-221	50.00
Supplies	250-02-544-240-000-420	387.50
Postage	250-02-544-240-000-423	<u>100.00</u>
TOTAL E.I. Initiative Grant Fund		\$1,875.00

E.I. Linkage Grant Fund

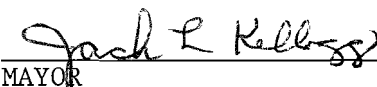
Salary	251-02-544-210-000-110	\$ 650.00
Benefits	251-02-544-210-000-120	160.00
Travel	251-02-544-220-000-220	50.00
Prof. Services	251-02-544-230-000-320	<u>640.00</u>
TOTAL E.I. Linkage Grant		\$1,500.00

Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the 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.

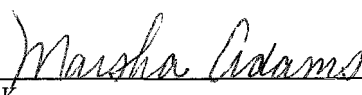

PRESIDENT OF COUNCIL

PASSED: October 25, 1993

APPROVED: October 26, 1993


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1993- 132

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN THE
GENERAL FUND FOR THE YEAR ENDING DECEMBER 31, 1993,
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 \$12,000.00 as follows:


Police Dept.

Unclaimed Vehicles 101-01-111-230-000-550 \$6,000.00

Safety/Service Director

Equipment 101-07-716-250-000-450 \$6,000.00


Section 2. That this ordinance is hereby declared to be an emergency
measure necessary for the 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

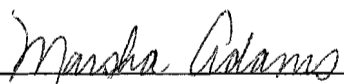
PASSED: October 25, 1993

APPROVED: October 26, 1993



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1993- 133

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN THE
LANDFILL MONITORING FUND FOR THE YEAR ENDING
DECEMBER 31, 1993, 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 Landfill
Monitoring Fund in the amount of \$3,200,000.00 as follows:

Professional Service	507-05-563-230-000-320	\$ 200,000.00
Capital Improvements	507-05-563-250-000-520	3,000,000.00


Section 2. That this ordinance is hereby declared to be an emergency
measure necessary for the 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

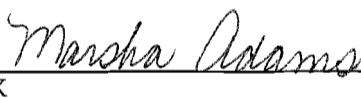
PASSED: October 25, 1993

APPROVED: October 26, 1993



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1993- 134

ORDINANCE TO AUTHORIZE THE SETTLEMENT OF PENDING LITIGATION AND CLAIMS AGAINST THE CITY OF MARION BY MARY BRADY, AND MAKING ANY AND ALL NECESSARY APPROPRIATIONS TO CARRY OUT THIS SETTLEMENT, AND DECLARING AN EMERGENCY.

WHEREAS, litigation is presently pending in the Marion Municipal Court involving certain claims by Mary Brady seeking damages against the City of Marion, and

WHEREAS, the City of Marion concedes no liability on behalf of itself, and

WHEREAS, the City of Marion in no way wishes to show reason to doubt the integrity of the actions of the City of Marion, but


WHEREAS, the City of Marion elects to reach a full, complete and final settlement of all legal issues and liabilities raised among and between all of the parties in this litigation in the interest of expediency and reducing the costs of litigation;

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

Section 1. The City of Marion hereby authorizes, ratifies and approves, and agrees to implement the negotiated full, complete and final settlement of all claims against the City of Marion pursuant to such terms and conditions as previously presented to the members of Council by the Law Director, including the provision that the terms of the settlement not be disclosed by the parties or their counsel.

Section 2. That the necessary appropriation be made in the Professional Services Fund -101-07-714-230-000-320.

Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason that it is necessary to settle this claim immediately to avoid further litigation costs to the 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 25, 1993

APPROVED: October 26, 1993


MAYOR


CLERK

ORDINANCE NO. 1993-135

ORDINANCE ACCEPTING THE PLAT OF NATIONAL DEVELOPMENT CORPORATION OF CHATEAU RIDGE 13th ADDITION TO THE CITY OF MARION, OHIO AND CONFIRMING THE DEDICATION OF THE STREETS THEREIN SHOWN, AND DECLARING AN EMERGENCY.

WHEREAS, National Development Corporation has hereunto submitted to the Planning Commission of the City of Marion, a plat of 14 lots, numbered 17101 through 17114 in Chateau Ridge 13th Addition, being a part of Section 35, T-5-S, R-15-E, City of Marion, County of Marion, State of Ohio, and being of the dimensions as shown on said plat, and three streets known as Chaumont Drive, Chaumont Circle, and Barks Road, and

WHEREAS, on the 1st day of June, 1993, said Commission approved said plat.

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

Section 1. That the plat of National Development Corporation of 14 lots, numbered 17101 through 17114 in Chateau Ridge 13th Addition, being a part of Section 35, T-5-S, R-15-E, City of Marion, State of Ohio, dated October 19, 1993 and dedicated October 19, 1993, be and the same is hereby approved and accepted and the dedication to the public use of the streets shown therein be and the same is hereby accepted and confirmed.


Section 2. That the acceptance of this plat of Chateau Ridge 13th Addition shall be subject to the provisions of Ordinance No. 1973-108 pertaining to underground facilities.

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 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 all members elected to Council; otherwise, it shall become effective from and after the earliest period allowed by law.


 President of Council

Passed: October 25, 1993

Approved: October 26, 1993


 Mayor

Attest:


 Clerk of Council

*Further classified
Ordinance 1999-110*

ORDINANCE NO. 1993 - 136

ORDINANCE TO AMEND ORDINANCE 1985-28 AWARDING A CREDIT TO LOCAL BIDDERS OF 3% IN CONTRACTS FOR NOT LESS THAN \$5,000.00 NOR MORE THAN \$25,000.00; 2% FOR CONTRACTS OF NOT LESS THAN \$25,000.00 NOR MORE THAN \$100,000.00; AND 1% FOR CONTRACTS EXCEEDING \$100,000.00, AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 1985-28 defined the term "local bidder" in regard to City of Marion, Ohio contracts, and

WHEREAS, the said ordinance awarded a credit to local bidders on City of Marion contracts, and

WHEREAS, the Council of the City of Marion, Marion County, Ohio desires to amend the definition of the term "local bidder".

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

Section 1. That Section 1 of Ordinance No. 1985-28 now reading as follows:

"Section 1. A local bidder is defined as a person, corporation or business entity which has listed in official documents filed with the Secretary of State, State of Ohio, or Marion County Recorder's Office, its principal place of business within the County of Marion or maintains a city income tax account number for business profits and withholding taxes with the Department of Income Tax of the City of Marion."

is hereby amended to read as follows:

"Section 1. A local bidder is defined as, if a person or an unincorporated business entity, as an individual domiciled within the County of Marion, Ohio or as maintaining a permanent place of abode or principal place of business within the County of Marion, Ohio in the aggregate for more than three hundred thirty-five days of the taxable year or if a corporation as having listed in its Articles of Incorporation, filed with the Ohio Secretary of State, its principal place of business address of the corporation within the County of Marion, Ohio."

Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason that it is necessary for the daily operation of the 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.

J. J. Ballenger
PRESIDENT OF COUNCIL

PASSED: October 25, 1993

APPROVED: October 26, 1993

Jack L. Kelly
MAYOR

ATTEST:

Marsha Adams
CLERK

ORDINANCE NO. 1993 - 137

ORDINANCE APPROVING CAPITAL EXPENDITURES IN EXCESS OF
\$2,500.00, AND DECLARING AN EMERGENCY.

WHEREAS, this Council by passage of Ordinance No. 1991-136 requires Council approval of all capital expenditures exceeding \$2,500.00 except for expenditures necessary for the health and safety of the citizens of Marion, Ohio, and


WHEREAS, the Parks Department has demonstrated the need to remodel the Sawyer-Ludwig Park restroom facilities and the need of a new mower, and

WHEREAS, the Board of Park Commissioners concur with said needs.

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

Section 1. That the Parks Department is hereby authorized to remodel the Sawyer-Ludwig Park restroom facility at an estimated cost of \$7,000.00 and purchase a new mower at a price of \$5,150.00.

Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason that it provides for the daily operation of the 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 8, 1993

APPROVED: November 9, 1993


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1993 - 138

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN THE
SANITATION FUND FOR THE YEAR ENDING DECEMBER 31,
1993, 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 Sanitation Fund in the amount of \$37,750.00 as follows:

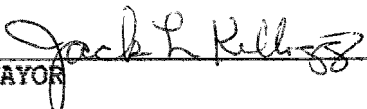
Solid Waste Transfer Expense	506-05-561-230-000-319	\$27,750.00
Professional Service	506-05-561-230-000-320	\$10,000.00

Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason that it is necessary for the daily operation of the 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 8, 1993

APPROVED: November 9, 1993


MAYOR

ATTEST:


CLERK

Amended
ORDINANCE NO. 1993-139

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR
TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS FOR
RECYCLING SERVICES ~~WITH THE OPTION OF PURCHASING AND HANDLING~~
~~XXXXXXXXXXXX~~ OF PURCHASING AND HANDLING AND DECLARING
AN EMERGENCY.

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

Section 1. That the Safety/Service Director be and is hereby authorized and directed to prepare specifications and advertise for bids for Recycling Services **of purchasing and handling.**

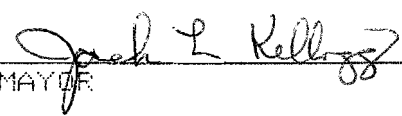
Section 2. That this ordinance is hereby declared to be an emergency measure for the welfare and safety of the City of Marion and the inhabitants thereof; and as such, shall take effect and be in force immediately upon its passage and approval by the Mayor provided it receives the affirmative vote of two-thirds of all members elected to Council; otherwise, it shall become effective from and after the earliest period allowed.



PRESIDENT OF COUNCIL

PASSED: November 8, 1993

APPROVED: November 9, 1993



MAYOR

ATTEST:



CLERK OF COUNCIL

*Amended on Council floor 11/08/93

ORDINANCE TO VACATE A CERTAIN 15 FEET WIDE ALLEY AND
PART OF A 16 FEET WIDE ALLEY SOUTH OF AND EAST OF LOT
4950 IN SHOVELTON'S ADDITION IN THE CITY OF MARION.

Whereas, in the opinion of this Council, there is good cause for vacating part of a certain 15 feet wide alley and part of a 16 feet wide alley south of and east of Lot 4950 in Shovelton's Addition in the City of Marion, and

Whereas, the petition to vacate this alley was approved by the Marion City Planning Commission at its meeting of October 5, 1993, and

Whereas, notice to all abutting landowners was given in accordance with Marion Codified Ordinances 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:

Situated in the State of Ohio, County of Marion, and City of Marion, and more particularly described as follows:

Being part of a certain 15 feet wide alley and part of a 16 feet wide alley South of and East of Lot 4950 in Shovelton Addition (as recorded Plat Book 2, Page 297 in the Marion County Recorder's Office) to the City of Marion, Marion County, State of Ohio and being more particularly described as follows:

Commencing at an existing iron pin located at the intersection of the South right-of-way line of Buckeye Street (now 50.00 feet wide) with the East right-of-way line of Mound Street (now 60.00 wide); thence along the East right-of-way line of Mound Street North 01 degree 14 minutes 09 seconds West for a distance of 35.00 feet to a railroad spike set on the South right-of-way line of a 15 feet wide alley in said Shovelton's Addition and the point of beginning; thence continuing 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 on the Southwest corner of Lot 4950 in said Shovelton's Addition; thence along the South line of Lot 4950 and the North right-of-way line of said 15 feet wide alley North 89 degrees 38 minutes 27 seconds East for a distance of 153.66 feet a railroad spike set on the Southeast corner of said Lot 4950; thence along the East right-of-way line of Lot 4950 the West right-of-way line of a certain 16 feet wide alley North 01 degree 07 minutes 07 seconds East for a distance of 53.08 feet to a 5/8" dia. iron pin set on the Northeast corner of Lot 4950 and the Southeast corner of Lot 4949; thence North 89 degrees 15 minutes 19 seconds East for a distance of 16.01 feet to a 5/8" dia. iron pin set on the East right-of-way line of said 16 feet wide alley and the West right-of-way line of the CSX Railroad; thence along the East line right-of-way of said 16 feet wide alley and West right-of-way line of said CSX railroad South 01 degree 07 minutes 07 seconds West for a distance of 68.20 feet to a 5/8" dia. iron pin set; thence along the South right-of-way line of said 15 feet wide alley South 89 degrees 38 minutes 27 seconds West for a distance of 169.05 feet to a railroad spike set on the East right-of-way line of Mound Street and the point of beginning (passing over a railroad spike set at 2.27 feet).

Containing 0.078 acres (3,391.26 sq. ft.) more or less and subject to legal highways, easements restrictions and agreements of record.

*

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.

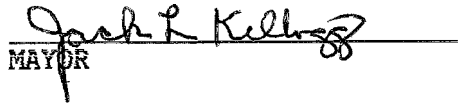
Section 4. That the Clerk of Council be and she is hereby authorized and directed to certify a copy of the within ordinance to the Auditor of Marion County and to the Recorder of Marion County, Ohio.

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


PRESIDENT OF COUNCIL

PASSED: November 22, 1993

APPROVED: November 23, 1993


MAYOR

ATTEST:


CLERK

*

This description was prepared from a survey made by Stults and Associates, Incorporated and dated September 16, 1993.

The bearing North 01 degree 14 minutes 09 seconds West for the West right-of-way line of Mound Street is the same used on a previous survey made by John J. (Jack) Norris dated July 5, 1989. All other bearings were then calculated from field observations.

All 5/8" dia. iron pins set are 30" long # 5 rein. rods having yellow colored plastic caps stamped "Stults & Assoc."

ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF MARION BY REZONING THE PROPERTY KNOWN AS LOTS NUMBERED 11480, 11481, 11482, 11483, 11484, 11485, 11498, 11499, 11500, 11501, 11502, 11503, AND 11504, ALL IN MT. VERNON AVENUE ADDITION TO THE CITY OF MARION, OHIO, AND LOT NUMBER 2665 IN MT. VERNON HEIGHTS ADDITION TO THE CITY OF MARION, OHIO, TOGETHER WITH THAT VACATED PORTION OF OHIO STREET RUNNING ALONG LOTS NUMBERED 11485 THROUGH AND INCLUDING 11504 AND THAT CERTAIN VACATED ALLEY LYING BETWEEN THE ABOVE-DESCRIBED LOTS FROM R-1C (SINGLE FAMILY-HIGH DENSITY DISTRICT) TO R-2 (GENERAL RESIDENTIAL DISTRICT), AND DECLARING AN EMERGENCY.

WHEREAS, Council finds that the real property described in Section 1 below should be rezoned from R-1C (Single Family-High Density District) to R-2 (General Residential District), and

WHEREAS, the Marion City Planning Commission has considered and denied the rezoning from R-1C to R-2, and

WHEREAS, due notice of the hearing on said rezoning has been given by publication in accordance with law,

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

Section 1. That the property known as 356 S. Grand Avenue, which was formerly Vernon Heights Elementary School and includes lots 2665, 11480 through 11485, 11498 through 11504, and part of a vacated alley on Ohio Street and being more particularly described as follows:

Situated in the City of Marion, County of Marion and State of Ohio and bounded and described as follows:

Being known as Lots Numbered 11480, 11481, 11482, 11483, 11484, 11485, 11498, 11499, 11500, 11501, 11502, 11503, and 11504, all in Mount Vernon Avenue Addition to the City of Marion, Ohio, and Lot Number 2665 in Mt. Vernon Heights Addition to the City of Marion, Ohio, together with that vacated portion of Ohio Street running along Lots Number 11485 through and including 11504 being referenced in Marion City Ordinance Number 5385 (1951) and that certain vacated alley lying between the above-described lots and described in Marion City Ordinance Number 5315 (1951).

heretofore zoned R-1C (Single Family - High Density District) is hereby zoned R-2 (General Residential District).

Section 2. That the Clerk of Council is hereby authorized and directed to make said change on the Zoning District Map of the City of Marion, on file in the office of the Clerk of Marion City Council and on the copy thereof on file in the office of the Safety/Service Director.

Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason that it provides for the daily operation of the 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.

J. H. Ballenger
 PRESIDENT OF COUNCIL

PASSED: December 13, 1993
 APPROVED: December 14, 1993

Jack L. Kellogg
 MAYOR

ATTEST:

Masha Adams
 CLERK

AN ORDINANCE TO VACATE ALLEYS IN THE VICINITY OF NORTH STATE STREET JUNIOR HIGH SCHOOL AND VERNON JUNIOR HIGH SCHOOL.

WHEREAS, the Board of Education, Marion City School District, Marion, Ohio, owner of lots in the immediate vicinity of the following described alleys, to-wit:

Situated in the City of Marion, County of Marion and State of Ohio and being an alley Sixteen and one-half (16½) feet wide lying adjacent to the north side of Lot Number Five Hundred and Fifty seven (557) in Ballentine's Addition to the City of Marion, Ohio, and extending Three Hundred Thirty-one and one-half (331½) feet, more or less, to a point east of the east of said Lot.

Situated in the City of Marion, County of Marion and State of Ohio, and being an alley Sixteen and one-half (16½) feet wide lying along the east side of Lots Number Five Hundred and fifty-eight (558) in Ballentine's First Addition.

Situated in the City of Marion, County of Marion and State of Ohio and being an alley lying east of Lots Number Eleven Thousand Four Hundred and Eighty (11480) through Eleven Thousand Four Hundred and Eighty-five (11485) in the Mt Vernon Avenue Addition to the City of Marion Ohio

duly presented to Council a petition praying that said alleys be vacated, and

WHEREAS, Council upon hearing is satisfied that there is good cause for such vacations as prayed for, that there is good cause for such vacations as prayed for, that it will not be detrimental to the general interest and ought to be made.

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

SECTION 1. That the alleys described in the premises hereto be and the same are hereby vacated.

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

Wm. G. Slack, President of
Council

Passed: February 26, 1951
Approved: February 27, 1951
By: Harold F. Robinson, Mayor
Attest: Mayme Gorton, Clerk

ORDINANCE NO. 5385

AN ORDINANCE TO VACATE THE OHIO AVENUE.

WHEREAS, a petition has been presented to Council requesting that the Ohio Avenue be vacated, and,

WHEREAS, all property owners abutting said Ohio Avenue have signed said petition and Council is satisfied that there is good cause for such vacation as prayed for, that it will not be detrimental to the general interest and ought to be made.

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

SECTION 1. That that portion of the Ohio Avenue which lies adjacent the South boundary of the Vernon Junior High School property and runs from Grand Avenue to Seffner Avenue be in the same as hereby vacated. Subject to the City of Marion rights to enter upon said vacated avenue to install, operate, and maintain utility services and sewers.

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

Passed: September 24, 1951
Approved: September 25, 1951
By: Harold F. Robinson, Mayor
Attest: Mayme Gorton, Clerk

ORDINANCE NO. 1993- 142

ORDINANCE DIRECTING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH UNDERGROUND UTILITIES, INC. FOR THE INSTALLATION OF THE AIRPORT INDUSTRIAL PARK SANITARY SEWER PROJECT 92-1S AND THE STORM SEWER IMPROVEMENT PROJECT 92-2S, APPROPRIATING THE NECESSARY FUNDS AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 1993-115, the City received bids for the installation of the Airport Industrial Park Sanitary Sewer and Storm Sewer Improvements, and

WHEREAS, the lowest and best bid was submitted by Underground Utilities, Inc.,

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

Section 1. That the Safety/Service Director is hereby directed to enter into contract with Underground Utilities, Inc. for the installation of the Airport Industrial Park Sanitary Sewer Project 92-1S and the Storm Sewer Improvement Project 92-2S as per the terms and conditions of the respective specifications.

Section 2. That the cost of \$1,198,126.00 for Project 92-1S shall be payable from the Airport Industrial Park Sanitary Sewer Fund and the cost of \$740,852.90 for Project 92-2S shall be payable from the Storm Sewer Improvement Fund.

Section 3. That the estimated 1993 costs are hereby appropriated as follows:

Airport Industrial Park Sanitary Sewer Fund

Capital Improvements	462-05-522-250-000-520	\$400,000.00
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Storm Sewer Improvement Fund

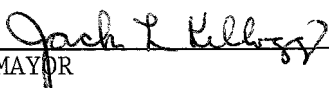
Capital Improvements	460-05-507-250-000-520	200,000.00
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Section 4. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason that it is necessary 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: November 22, 1993

APPROVED: November 23, 1993


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1993- 143

ORDINANCE AMENDING THE APPROPRIATIONS IN VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 1993, AND DECLARING AN EMERGENCY.

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

Section 1. That there be adjustments made in various funds in the amount of \$164,433.84 as follows:

General Fund

Transfers to Capital Improvement Fund	101-09-745-270-000-712	\$37,135.00
Transfers to SCMR Fund	101-09-745-270-000-718	<u>37,135.00</u>
Total General Fund.....		74,270.00

Enforcement & Education Fund

Reimbursements	227-01-111-270-000-721	\$ 5,418.00
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Rental Rehab Fund

Emergency Rehab	273-04-539-230-000-328	\$11,090.09
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Police & Fire Pension Agency Fund

Transfer to General Fund	735-09-821-270-000-790	\$ 7,496.40
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Home Health Service Fund

Reimbursements	248-02-221-270-000-721	\$ 3,500.00
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Airport Improvement Fund

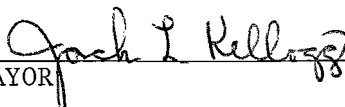
Professional Service	446-06-445-230-000-320	\$(8,771.00)
Land Maintenance	446-06-445-230-000-370	(15,000.00)
Land Acquisition	446-06-445-250-000-455	<u>(38,888.35)</u>
Total Airport Improvement Fund		\$(62,659.35)

Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the 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.

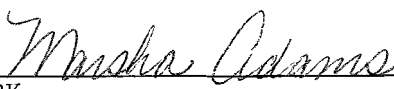

PRESIDENT OF COUNCIL

PASSED: November 22, 1993

APPROVED: November 23, 1993


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1993- 144

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH FLOYD BROWNE & ASSOCIATES, INC. FOR ENGINEERING OF NEW SOLIDS HANDLING SYSTEM, AND DECLARING AN EMERGENCY.

WHEREAS, requests for proposals on engineering services necessary for the replacement of a portion of the solids handling system were sent to five engineering firms, and

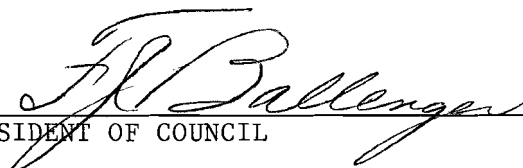
WHEREAS, two of those firms submitted bids and a scope of proposal, and it has been recommended that Floyd Browne & Associates, Inc.'s bid, being the lowest and best, be accepted.

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

Section 1. That the Safety/Service Director be and is hereby authorized and directed to enter into contract with Floyd Browne & Associates, Inc. for engineering services of new solids handling system at the Wastewater Treatment Plant.

Section 2. That the cost of said contract, \$142,400.00, shall be payable from the Sewer Replacement Fund - 504-05-553-250-000-520.

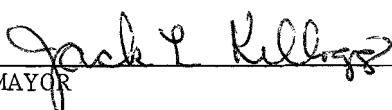
Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason that it is cost effective to have this construction done as early as possible; and as such, shall take effect and be in force 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 22, 1993

APPROVED: November 23, 1993



 MAYOR

ATTEST:



 CLERK

ORDINANCE NO. 1993-145

ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY/SERVICE DIRECTOR TO PREPARE PLANS AND SPECIFICATIONS AND ADVERTISE FOR BIDS FOR THE MARK STREET SANITARY SEWER LINER PROJECT, AND DECLARING AN EMERGENCY.

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


Section 1. That the Safety/Service Director is hereby authorized and directed to prepare plans and specifications and advertise for bids for the installation of a sanitary sewer liner on Mark Street from Patterson Street to Greenwood Street.

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: November 22, 1993

Approved: November 23, 1993


MAYOR

ATTEST:


CLERK OF COUNCIL

ORDINANCE NO. 1993 - 146

ENACTING AS AN ORDINANCE, A CODE OF ORDINANCES FOR THE CITY OF MARION REVISING, AMENDING, RESTATING, CODIFYING, AND COMPILING CERTAIN EXISTING GENERAL ORDINANCES OF THE CITY DEALING WITH SUBJECTS EMBRACED IN SAID CODE.

WHEREAS, the present general ordinances of the City of Marion are incomplete and inadequate and the manner of arrangement, classification and indexing thereof is insufficient to meet the immediate needs of the public; and

WHEREAS, the Acts of the State legislature of the State of Ohio empower and authorize the Legislative body of every City to revise, amend, restate, codify and to compile any existing ordinance or ordinances and all new ordinances not heretofore adopted or published and to incorporate said ordinances into one ordinance in book form; and

WHEREAS, the City Council of the City of Marion has authorized a general compilation, revision and codification of the ordinances of the municipality of a general and permanent nature and publication of such ordinances in book form.

NOW, THEREFORE, BE IT ORDAINED by the Legislative Body of the City of Marion, that:

Section 1. The general ordinances of the City of Marion, as herein revised, amended, restated, codified and compiled in book form are adopted as and shall constitute the "Code of Ordinances of the City of Marion".

Section 2. Said Code as adopted in Section 1 shall consist of the following titles to-wit:

- Part One Administrative Code
- Part Three Traffic Code
- Part Six General Offenses Code
- Part Seven Business Regulations
- Part Nine Streets and Public Services Code
- Part Eleven Planning and Zoning Code ✓
- Part Thirteen Housing Code
- Part Fifteen Fire Prevention Code
- Table of Special Ordinances
- Parallel References
- Index

Section 3. All prior ordinances pertaining to the subjects treated in said code shall be deemed repealed from and after the effective date of said Code except as they are included and reordained in whole or in part in said Code; provided such repeal shall not affect any offense committed or penalty incurred or any right established prior to the effective date of said Code, nor shall such repeal affect the provisions of ordinances levying taxes, appropriating money, annexing or detaching territory, establishing franchises or granting special rights to certain persons, authorizing public improvements, authorizing the issuance of bonds or borrowing of money, authorizing the purchase or sale of real or personal property, granting or accepting easements, plats or dedication of land to public use, naming or vacating or setting the boundaries of streets, alleys, or other public places, nor to any other ordinance of a temporary or special nature or pertaining to subjects not contained therein.

Section 4. Said Code shall be deemed published as of the day of its adoption and approval by the Legislative body of the City of Marion is hereby authorized and ordered to file a copy of said Code in the Office of the Council Clerk.

Section 5. Said Code shall be in full force and effect thirty days from the date of its publication and filing thereof in the Office of the Clerk of Council, and said Code shall be presumptive evidence in all courts and places of the ordinance and all provisions, sections, penalties and regulations therein contained and of the date of passage, and that the same is properly signed, attested, recorded and approved and that any public hearings and notices thereof as required by law have been given.

PRESIDENT OF COUNCIL

PASSED:

APPROVED:

MAYOR

ATTEST:

CLERK

Defeated Dec. 16, 1993

AMENDED
ORDINANCE NO. 1993 - 146

ENACTING AS AN ORDINANCE, A CODE OF ORDINANCES FOR THE CITY OF MARION REVISING, AMENDING, RESTATING, CODIFYING, AND COMPILING CERTAIN EXISTING GENERAL ORDINANCES OF THE CITY DEALING WITH SUBJECTS EMBRACED IN SAID CODE, AND DECLARING AN EMERGENCY.

WHEREAS, the present general ordinances of the City of Marion are incomplete and inadequate and the manner of arrangement, classification and indexing thereof is insufficient to meet the immediate needs of the public; and

WHEREAS, the Acts of the State legislature of the State of Ohio empower and authorize the Legislative body of every City to revise, amend, restate, codify and to compile any existing ordinance or ordinances and all new ordinances not heretofore adopted or published and to incorporate said ordinances into one ordinance in book form; and

WHEREAS, the City Council of the City of Marion has authorized a general compilation, revision and codification of the ordinances of the municipality of a general and permanent nature and publication of such ordinances in book form.

NOW, THEREFORE, BE IT ORDAINED by the Legislative Body of the City of Marion, that:

Section 1. The general ordinances of the City of Marion, as herein revised, amended, restated, codified and compiled in book form and as amended by Exhibit "A" (attached hereto), are adopted as and shall constitute the "Code of Ordinances of the City of Marion" with the exception of Part Eleven.

Section 2. Said Code as adopted in Section 1 shall consist of the following titles to-wit:

Part One	Administrative Code
Part Three	Traffic Code
Part Six	General Offenses Code
Part Seven	Business Regulations
Part Nine	Streets and Public Services Code
Part Thirteen	Housing Code
Part Fifteen	Fire Prevention Code
Table of Special Ordinances	
Parallel References	
Index	

Section 3. All prior ordinances pertaining to the subjects treated in said code shall be deemed repealed from and after the effective date of said Code except as they are included and reordained in whole or in part in said Code; provided such repeal shall not affect any offense committed or penalty incurred or any right established prior to the effective date of said Code, nor shall such repeal affect the provisions of ordinances levying taxes, appropriating money, annexing or detaching territory, establishing franchises or granting special rights to certain persons, authorizing public improvements, authorizing the issuance of bonds or borrowing of money, authorizing the purchase or sale of real or personal property, granting or accepting easements, plats or dedication of land to public use, naming or vacating or setting the boundaries of streets, alleys, or other public places, nor to any other ordinance of a temporary or special nature or pertaining to subjects not contained therein.

Section 4. Said Code shall be deemed published as of the day of its adoption and approval by the Legislative body of the City of Marion is hereby authorized and ordered to file a copy of said Code in the Office of the Council Clerk.

*Amended on Council floor 12/13/93

Section 5. Said Code shall be in full force and effect thirty days from the date of its publication and filing thereof in the Office of the Clerk of Council, and said Code shall be presumptive evidence in all courts and places of the ordinance and all provisions, sections, penalties and regulations therein contained and of the date of passage, and that the same is properly signed, attested, recorded and approved and that any public hearings and notices thereof as required by law have been given.

Section 6. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason that it is necessary for the daily operation of the 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

ORDINANCE NO. 1993- 147

ORDINANCE APPROPRIATING FUNDS, RATIFYING AND APPROVING THE BARGAINING AGREEMENT BETWEEN THE CITY OF MARION AND THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC. (FOP/OLC) FOR THE BLUE BARGAINING UNIT, AND DECLARING AN EMERGENCY.

WHEREAS, Council will, pursuant to the factfinder's report delivered November 17, 1993, now ratify and approve the bargaining agreement between the City of Marion and the FOP/OLC for the Blue Bargaining Unit, effective July 1, 1993, for the next three years ending June 30, 1996, and

WHEREAS, Council will hereby appropriate funds necessary to implement said bargaining agreement,

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

Section 1. That Council, pursuant to the factfinder's report delivered November 17, 1993, hereby ratifies and approves the bargaining agreement between the City of Marion and the FOP/OLC for the Blue Bargaining Unit, effective 7-1-93 and expiring 6-30-96.

Section 2. That Council hereby appropriates the funds necessary to implement said collective bargaining agreement, effective 7-1-93, as provided to Council, in writing, by the City Auditor.


Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the 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: November 22, 1993

APPROVED: November 23, 1993



 MAYOR

ATTEST:



 CLERK

ORDINANCE NO. 1993- 148

ORDINANCE APPROPRIATING FUNDS, RATIFYING AND APPROVING THE BARGAINING AGREEMENT BETWEEN THE CITY OF MARION AND THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC. (FOP/OLC) FOR THE COMMUNICATIONS AND CORRECTIONS OFFICERS BARGAINING UNIT, AND DECLARING AN EMERGENCY.

WHEREAS, Council will, pursuant to the factfinder's report delivered November 17, 1993, now ratify and approve the bargaining agreement between the City of Marion and the FOP/OLC for the Communications and Corrections Officers Bargaining Unit effective July 1, 1993, for the next three years ending June 30, 1996, and

WHEREAS, Council will hereby appropriate funds necessary to implement said bargaining agreement,

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

Section 1. That Council, pursuant to the factfinder's report delivered November 17, 1993, hereby ratifies and approves the bargaining agreement between the City of Marion and the FOP/OLC for the Communications and Corrections Officers Bargaining Unit, effective 7-1-93 and expiring 6-30-96.

Section 2. That Council hereby appropriates the funds necessary to implement said collective bargaining agreement, effective 7-1-93, as provided to Council, in writing, by the City Auditor.

Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the 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.

J. Ballenger

PRESIDENT OF COUNCIL

PASSED: November 22, 1993

APPROVED: November 23, 1993

Joseph L. Kelly

MAYOR

ATTEST:

Masha Adams

CLERK

ORDINANCE NO. 1993- 149

ORDINANCE APPROPRIATING FUNDS, RATIFYING AND APPROVING THE BARGAINING AGREEMENT BETWEEN THE CITY OF MARION AND THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC. (FOP/OLC) FOR THE GOLD BARGAINING UNIT, AND DECLARING AN EMERGENCY.

WHEREAS, Council will, pursuant to the factfinder's report delivered November 17, 1993, now ratify and approve the bargaining agreement between the City of Marion and the FOP/OLC for the Gold Bargaining Unit effective July 1, 1993, for the next three years ending June 30, 1996, and

WHEREAS, Council will hereby appropriate funds necessary to implement said bargaining agreement,

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

Section 1. That Council, pursuant to the factfinder's report delivered November 17, 1993, hereby ratifies and approves the bargaining agreement between the City of Marion and the FOP/OLC for the Gold Bargaining Unit, effective 7-1-93 and expiring 6-30-96.

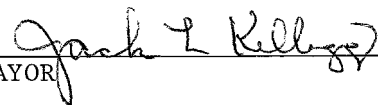
Section 2. That Council hereby appropriates the funds necessary to implement said collective bargaining agreement, effective 7-1-93, as provided to Council, in writing, by the City Auditor.

Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the 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.

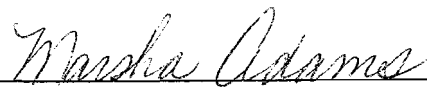

PRESIDENT OF COUNCIL

PASSED: November 22, 1993

APPROVED: November 23, 1993


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1993 - 150

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."

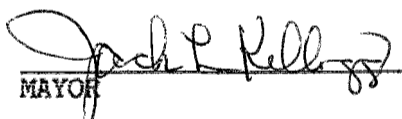
General Fund	<u>\$315.97</u>
TOTAL	\$315.97

Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason that it provides for the daily operation of the 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 13, 1993

APPROVED: December 14, 1993


MAYOR

ATTEST:


CLERK

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 1993, 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 in the amount of \$24,901.00 as follows:

General Fund

Council Salaries	101-07-721-210-000-110	\$400.00
Clerk Salaries	101-07-722-210-000-110	1.00
City Hall Salaries	101-07-741-210-000-110	500.00
Engineering Salaries	101-07-743-210-000-110	<u>700.00</u>

TOTAL GENERAL FUND \$1601.00

State Highway Fund

Maintenance	208-06-613-230-000-370	\$20,000.00
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Health License Fund

Swimming Pools	247-02-224-230-000-727	\$700.00
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State Patrol Agency Fund

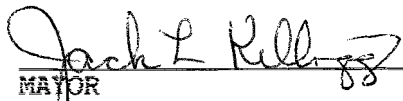
Agency Expense	728-09-814-270-000-730	\$2,600.00
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Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason that it is necessary for the daily operation of the 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 13, 1993

APPROVED: December 14, 1993


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1993 -152

ORDINANCE APPROVING CAPITAL EXPENDITURES IN EXCESS OF \$2,500.00, AND DECLARING AN EMERGENCY.

WHEREAS, this Council by passage of Ordinance No. 1991-136 requires Council approval of all capital expenditures exceeding \$2,500.00 except for expenditures necessary for the health and safety of the citizens of Marion, Ohio, and

WHEREAS, the Streets Department has demonstrated the need to purchase a motor driven hoist for the Maintenance Garage.

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

Section 1. That the Streets Department is hereby authorized to purchase a new motor driven hoist at a price of \$3,500.00.

Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason that it provides for the daily operation of the 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.

J. H. Ballenger
PRESIDENT OF COUNCIL

PASSED: December 13, 1993

APPROVED: December 14, 1993

Joseph L. Killings

MAYOR

ATTEST:

Marsha Adams

CLERK

ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN
THE GENERAL FUND FOR THE YEAR ENDING DECEMBER
31, 1993, 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
General Fund in the amount of \$65,000.00 as follows:

Police Equipment	101-01-111-250-000-450	<u>\$65,000.00</u>
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Section 2. That this ordinance is hereby declared to be an emergency
measure necessary for the 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.

J. H. Ballenger
PRESIDENT OF COUNCIL

PASSED: December 13, 1993

APPROVED: December 14, 1993

Jack L. Kellogg
MAYOR

ATTEST:

Marsha Adams
CLERK

ORDINANCE NO. 1993- 154

ORDINANCE TO VACATE THE 50 FOOT WIDE OHIO STREET BETWEEN LOTS NO. 11528 AND 11529 AND LOTS NO. 11558 AND 11559 IN MT. VERNON HEIGHTS IN THE CITY OF MARION, OHIO.

Whereas, in the opinion of this Council, there is good cause for vacating the 50 foot wide portion of Ohio Street that runs east and west between Seffner Avenue and Uhler Avenue in Mt. Vernon Heights in the City of Marion, and

Whereas, the petition to vacate this street was approved by the Marion City Planning Commission at its meeting of November 2, 1993, and

Whereas, notice to all abutting landowners was given in accordance with Marion Codified Ordinances 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 street, to wit:

Situated in the City of Marion, County of Marion and State of Ohio, and being the east-west Ohio Street between Lots No. 11528 and 11529 and Lots No. 11558 and 11559, Mt. Vernon Heights to the City of Marion, Ohio and being more fully described as follows:

Commencing at the northwest corner of Lot No. 11529; thence east 330 feet to the northeast corner of Lot No. 11559; thence north 50 feet to the southeast corner of Lot No. 11558; thence west 330 feet to the southwest corner of Lot No. 11528; thence south 50 feet to the place of beginning.

be and is hereby vacated.

Section 2. That title to the real estate comprising said street 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 street for sewer purposes or for use by any public utility operating under a franchise with the City of Marion, and the vacation of said street 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. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

J. H. Ballenger
PRESIDENT OF COUNCIL

PASSED: December 27, 1993
APPROVED: December 29, 1993

Jack R. Kellogg
MAYOR

ATTEST:
Marsha Adams
CLERK

ORDINANCE NO. 1993 - 155

**ORDINANCE APPROPRIATING FUNDS, RATIFYING AND APPROVING
THE BARGAINING AGREEMENT BETWEEN THE CITY OF MARION
AND THE UNITED STEELWORKERS OF AMERICA, LOCAL 1949-UNIT
2A, AND DECLARING AN EMERGENCY.**

WHEREAS, Marion City Council will now ratify and approve the bargaining agreement between the City of Marion and the United Steelworkers of America, Local 1949-UNIT 2A effective January 1, 1994, for the years 1994, 1995 and 1996, and

WHEREAS, Council will hereby appropriate funds necessary to implement said bargaining agreement,

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 1949-UNIT 2A, for the years 1994, 1995, and 1996, effective 1-1-94.

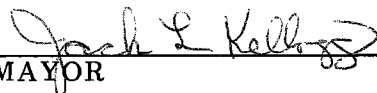
Section 2. That Council hereby appropriates the funds necessary to implement said collective bargaining agreement, effective 1-1-94, as provided to Council, in writing, by the City Auditor on December 20, 1993.

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 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, 1993

APPROVED: December 29, 1993


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1993-31

ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF MARION BY REZONING THE WEST 82 FEET OF 485 UNCAPHER AVENUE, MARION, OHIO, FROM R-1C (SINGLE FAMILY HIGH DENSITY) TO C-4 (CENTRAL FRAME BUSINESS DISTRICT).

WHEREAS, Council finds that the real property described in Section 1 below should be rezoned from R-1C (Single Family High Density) to C-4 (Central Frame Business District), and

WHEREAS, The Marion City Planning Commission has considered and approved the rezoning from R-1C to C-4, and

WHEREAS, due notice of the hearing on said rezoning has been given by publication in accordance with law,

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

Section 1. That the property known as the west 82 feet of 485 Uncapher Avenue, Marion, Ohio, and being more particularly described as follows:

Situated in the City of Marion, County of Marion and State of Ohio, being more fully described as follows:

Commencing at the Northwest corner of Lot No. 3130 in Silas Uncapher's Second Addition to the City of Marion, Ohio; thence East along the North line of said Lot No. 3130, a distance of 82 feet to a point; thence South, parallel with the East line of Uncapher Ave., a distance of 71 feet to a point in applicant's South property line, said point being 21 feet South of the South line of said Lot No. 3130; thence West a distance of 82 feet, parallel with the South line of said Lot No. 3130, to a point in the West line of Lot No. 3130 and the Southwest corner of applicant's property; thence North along the West property line of Lots No. 3130 and 3131 in said Silas Uncapher's Second Addition to the City of Marion, a distance of 82 feet to the place of beginning,

hereto^{fore}/zoned R-1C (Single Family High Density) is hereby zoned C-4 (Central Frame Business District).

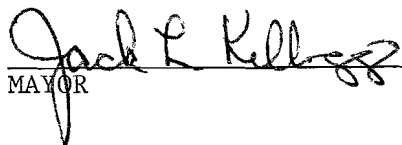
Section 2. That the Clerk of Council is hereby authorized and directed to make said change on the Zoning District Map of the City of Marion, on file in the office of the Clerk of City Council and on the copy thereof on file in the office of the Safety/Service Director.

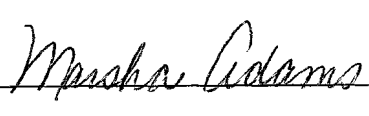
Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.


PRESIDENT OF COUNCIL

PASSED: April 13, 1993

APPROVED: April 14, 1993


MAYOR

ATTEST:

CLERK

Keenan

ORDINANCE NO. 1993- 32

ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF MARION BY REZONING THE PROPERTY KNOWN AS 246 JEFFERSON STREET, MARION, OHIO, FROM R-2(GENERAL RESIDENTIAL DISTRICT) TO C-1A (NEIGHBORHOOD SHOPPING DISTRICT).

WHEREAS, Council finds that the real property described in Section 1 below should be rezoned from R-2 (General Residential District) to C-1A (Neighborhood Shopping District), and

WHEREAS, The Marion City Planning Commission has considered and approved the rezoning from R-1C to C-1A, and

WHEREAS, due notice of the hearing on said rezoning has been given by publication in accordance with law,

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

Section 1. That the property known as 246 Jefferson Street, Marion, Ohio, and being more particularly described as follows:

Situated in the City of Marion, County of Marion and State of Ohio and bounded and described as follows:

Being part of the East half of the Southeast Quarter of Section Twenty-two (22) Township Five (5) South, Range Fifteen (15) East, known as being part of Land Number Two Hundred fifty-eight (258) in Marion Corporation Lands, Official Survey No. Three Hundred and Twenty-five (325), more fully described as beginning at a point thirty-two (32) feet north of the northwest corner of Land Number Two hundred and Fifty-seven (257) in the afore Survey and in the east line of Jefferson Street at the northwest corner of land sold to Marion Paterson; thence north upon the east line of Jefferson St. about thirty-eight and one-half (38½) feet to the south line of the C.C.C. & St. L.R.R. right of way; thence north eastwardly upon said right of way line to the west line of a proposed alley; thence south on said alley's west line about sixty (60) feet to the northeast corner of land sold to Marion Paterson; thence westward upon said Paterson's north line about one hundred and fifty (150) feet to the place of beginning,

heretofore zoned R-2 (General Residential District) is hereby zoned C-1A (Neighborhood Shopping District).

Section 2. That the Clerk of Council is hereby authorized and directed to make said change on the Zoning District Map of the City of Marion, on file in the office of the Clerk of City Council and on the copy thereof on file in the office of the Safety/Service Director.

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

J. H. Ballenger

PRESIDENT OF COUNCIL

PASSED: April 13, 1993

APPROVED: April 14, 1993

Jack L. Kellogg

MAYOR

ATTEST:
Masha Adams

CLERK

ORDINANCE NO. 1993- 33

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH SIMON ROOFING FOR THE REPLACEMENT AND REPAIR OF SEVEN (7) ROOFS IN THE DIVISION OF WATER POLLUTION CONTROL, AND DECLARING AN EMERGENCY.

WHEREAS, bids were advertised for the replacement and repair of seven roofs in the Division of Water Pollution Control, and

WHEREAS, Simon Roofing submitted the lowest and best bid,

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

Section 1. That the Safety/Service Director be and she is hereby authorized and directed to enter into contract with Simon Roofing for the replacement and repair of seven (7) roofs in the Division of Water Pollution Control.

Section 2. That the cost of said contract - \$72,419.00 - shall be payable from the Replacement Fund, Capital Improvements, 504-05-553-250-000-520.

Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and, also, in order to make said repairs as quickly 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:

APPROVED:

MAYOR

ATTEST:

CLERK

*defeated
May 10, 1993*

ORDINANCE MAKING AN ADDITIONAL APPROPRIATION
IN THE HEALTH FUND FOR THE YEAR ENDING
DECEMBER 31, 1993, 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 Health Fund in the amount of \$3,000.00 as follows:

Health Inspection Department

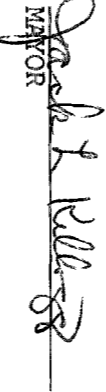
Professional Services 214-02-222-230-000-320 \$3,000.00

Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason that it is necessary for the daily operation of the 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 13, 1993

APPROVED: April 14, 1993


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1993 - 35

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS
IN THE SPECIAL HOUSING FUND FOR THE YEAR ENDING
DECEMBER 31, 1993, 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 Special Housing Fund in the amount of \$46,660.00 as follows:

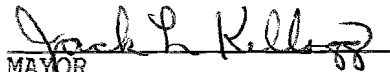
Private Rehabilitation	279-04-541-230-000-322	\$29,660.00
Administration	279-04-541-230-000-324	3,600.00
Implementation	279-04-541-230-000-326	<u>13,400.00</u>
TOTAL SPECIAL HOUSING FUND		\$46,660.00

Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the 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: April 13, 1993

APPROVED: April 14, 1993


MAYOR

ATTEST:


CLERK

ORDINANCE TO AMEND CHAPTER 912 SEWER USER CHARGE SYSTEM AND
CHAPTER 914 SEWER SYSTEM IMPROVEMENT, OF THE CODIFIED
ORDINANCES OF THE CITY OF MARION.

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

Section 1. That Section 912.10 of Chapter 912 of the Codified Ordinances, as amended and now reading in part as follows:

"912.10 USER CHARGE AND EXTRA STRENGTH SURCHARGE RATES.

(a) User Charge.

- (1) \$4.17 per monthly bill;
- (2) \$7.19 per bimonthly bill;
- (3) \$0.805 per 100 cubic feet for monthly bill;
- (4) \$0.805 per 100 cubic feet for bimonthly bill.

(b) Extra Strength Surcharge.

- (1) \$10.52 per 100 lbs. extra strength BOD;
- (2) \$11.84 per 100 lbs. extra strength Suspended Solids;
- (3) \$38.43 per 100 lbs. extra strength Phosphate."

is hereby amended to read as follows:

"(a) User Charge.

- (1) \$6.14 per monthly bill;
- (2) \$10.83 per bimonthly bill;
- (3) \$0.973 per 100 cubic feet.

(b) Extra Strength Surcharge.

- (1) \$12.51 per 100 lbs. extra strength BOD;
- (2) \$15.25 per 100 lbs. extra strength Suspended Solids;
- (3) \$38.44 per 100 lbs. extra strength Phosphate."

Section 2. That Section 914.05 of Chapter 914 of the Codified Ordinances as amended and now reading in part as follows:

"914.05 SEWER SYSTEM IMPROVEMENT CHARGE; CITY USERS.

The volumetric rate as determined in Section 914.04 and as may be amended from time to time shall be added to the volumetric rate as determined under Section 912.10 (a)(3) to provide the total volumetric rate. For the purposes stated herein, the sewer system improvement charge to be added to the user charge volumetric rate with the effective of this chapter and Chapter 912 is seventeen and one half cents (17.5¢) per 100 cubic feet."

is hereby amended to read as follows:

"The volumetric rate as determined in Section 914.04 and as may be amended from time to time shall be added to the volumetric rate as determined under Section 912.10 (a)(3) to provide the total volumetric rate. For the purposes stated herein, the sewer system improvement charge to be added to the user charge volumetric rate with the effective of this chapter and Chapter 912 is twenty-one and four tenths (21.4¢) cents per 100 cubic feet."

Section 3. That Section 914.06 of Chapter 914 of the Codified Ordinances as amended and now reading in part as follows:

"914.06 SEWER SYSTEM IMPROVEMENT CHARGE; OUTSIDE CITY USERS.

The volumetric rate as determined in Section 914.04 and as may be amended from time to time shall be added to the volumetric rate as determined under Section 912.10 (a)(3) to provide the total volumetric rate. For the purposes stated herein, the sewer system improvement charge to be added to the user charge volumetric rate with the effective of this chapter and Chapter 912 is thirty-five cents (35¢) per 100 cubic feet."

is hereby amended to read as follows:

"The volumetric rate as determined in Section 914.04 and as may be amended from time to time shall be added to the volumetric rate as determined under Section 912.10 (a)(3) to provide the total volumetric rate. For the purposes stated herein, the sewer system improvement charge to be added to the user charge volumetric rate with the effective of this chapter and Chapter 912 is forty-two and eight tenths (42.8¢) cents."

Section 4. That Section 914.07 of Chapter 914 of the Codified Ordinances, as amended and now reading in part as follows:

"914.07 AGGREGATE CHARGES FOR SEWER USES.

The total charges for sewer use to customers within and/or outside the corporate limits of the City shall be the aggregate of the rate determinations in Section 912.10(a) and Sections 914.05 and 914.06 as set forth below.

	<u>Inside City</u>	<u>Outside City</u>
Per monthly bill	\$4.17	\$4.17
Per bimonthly bill	\$7.19	\$7.19
Per 100 cubic feet for monthly bill	\$0.98	\$1.155
Per 100 cubic feet for bimonthly bill	\$0.98	\$1.155"

is hereby amended to read as follows:

"The total charges for sewer use to customers within and/or outside the corporate limits of the City shall be the aggregate of the rate determinations in Section 912.10(a) and Sections 914.05 and 914.06 as set forth below.

	<u>Inside City</u>	<u>Outside City</u>
Per monthly bill	\$6.14	\$6.14
Per bimonthly bill	\$10.83	\$10.83
Per 100 cubic feet	\$1.187	\$1.401"

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:

APPROVED:

MAYOR

ATTEST:

CLERK

Defeated 5/10/93

ORDINANCE NO. 1993-37

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS TO LEASE CLINIC SPACE FOR THE WIC PROGRAM AND DECLARING AN EMERGENCY.

WHEREAS, In accordance with Section 715.011, Ohio Revised Code, the City desires to lease space.

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

Section 1. That the Safety/Service Director be and is hereby authorized and directed to prepare specifications and advertise for bids to lease clinic space for the WIC Program.

Section 2. That this ordinance is hereby declared to be an emergency measure for the 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.

J. H. Ballenger

PRESIDENT OF COUNCIL

PASSED: April 13, 1993

APPROVED: April 14, 1993

Jack L. Kelly

MAYOR

ATTEST:

Marsha Adams

CLERK OF COUNCIL

ORDINANCE NO. 1993-38

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH CLEAN AIR CONCEPTS FOR AN AUTO DISCONNECT-SLIDING BALANCER TRACK/RAIL EXHAUST SYSTEM TO BE INSTALLED AT THE FIRE STATION LOCATED AT 186 SOUTH PROSPECT STREET AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance 1992-124 authorized the preparation of specifications and the advertising for Bids for a vehicle exhaust ventilation system for the Fire Station, and

WHEREAS, Clean Air Concepts submitted the best bid,

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

Section 1. That the Safety/Service Director be authorized and is hereby directed to enter into contract with Clean Air Concepts, to install an Auto Disconnect-Sliding Balancer Track/Rail Exhaust System at the Fire Station located at 186 South Prospect Street.

Section 2. That said contract shall be payable from the Capital Improvement Fund.

Section 3. That there be additional appropriations made in the amount of \$33,250.17 as follows:

Capital Improvement, 401-01-131-250-000-450. \$33,250.17

Section 4. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason it is necessary for the daily operation of the 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 13, 1993

APPROVED: April 14, 1993


MAYOR

ATTEST:


CLERK OF COUNCIL

ORDINANCE NO. 1993-39

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH DON BENDER ELECTRONICS TO UPDATE TWO-WAY RADIO SYSTEM IN COMBINED DISPATCH COMMUNICATIONS AT CITY HALL AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance 1993-14 authorized the preparation of specifications and the advertising for Bids to replace Base Station for present Radio System in Combined Dispatch Communications, and

WHEREAS, Don Bender Electronics submitted the only bid,

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

Section 1. That the Safety/Service Director be authorized and is hereby directed to enter into contract with Don Bender Electronics, to update Two-Way Radio System in Combined Dispatch Communications at City Hall.

Section 2. That amount of said contract shall be \$35,999.00 and payable from the General Fund Account.

Police Equipment, 101-01-111-250-000-450. \$35,999.00


Section 4. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason it is necessary for the daily operation of the 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 13, 1993

APPROVED: April 14, 1993



 MAYOR

ATTEST:



 CLERK OF COUNCIL

ORDINANCE NO. 1993-40

ORDINANCE AUTHORIZING THE CITY OF MARION TO ENTER INTO CONTRACT WITH CANDO TO FURNISH ECONOMIC DEVELOPMENT PROMOTIONS, INDUSTRIAL AND BUSINESS SITE DEVELOPMENT, AND OTHER RELATED ACTIVITIES.

WHEREAS, The City is interested in promoting economic growth in the City and environs, and

WHEREAS, CANDO is seeking funds from the City, County of Marion and the private sector to provide Economic Development promotions, industrial and business site development and other related activities,

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

Section 1. That the City of Marion is hereby authorized to enter into contract with CANDO to furnish economic development promotions, industrial and business site development and other related activities.

Section 2. Said contract, a copy of which is attached hereto, shall not exceed the sum of \$6500.00 per month, payable from the General Fund and the UDAG ~~Development~~ Fund.


Loan Repayment

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 13, 1993

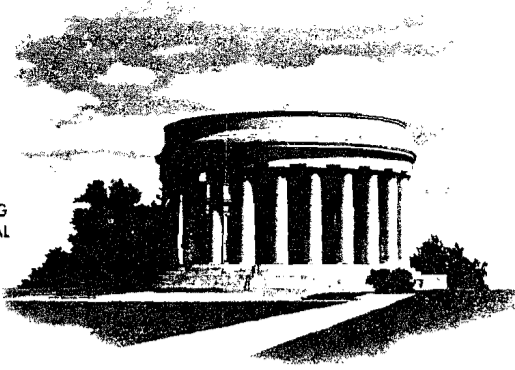
APPROVED: April 14, 1993


MAYOR

ATTEST:


CLERK

HARDING
MEMORIAL



PHONE: 614/387-2020

Ord. No. 1993-40

CITY OF MARION

233 WEST CENTER STREET
MARION, OHIO 43302

OFFICE OF THE LAW DIRECTOR
MICHAEL S. GRIMES, Law Director

TO: Members of Council and Mayor Jack Kellogg
FROM: Michael S. Grimes, Law Director
RE: CANDO Agreement
DATE: April 12, 1993

Please find attached hereto a copy of an agreement between the City of Marion and CANDO.

This has been reviewed by the executive committee of CANDO and is acceptable as relates to Ord. No. 1993-40. Please note that this is to be voted on Tuesday night.

Sincerely,

Michael S. Grimes ^{by} *J. Neal*

Michael S. Grimes
Law Director

MSG/jn

AGREEMENT

THIS AGREEMENT, made and entered into on _____, 1993 by and between the CITY OF MARION, Marion County, Ohio (hereinafter "CITY") and GREATER MARION C.A.N.D.O. INC. standing for Greater Marion Community Area New Development Organization, Inc., (hereinafter "CANDO") a Corporation not for profit, under Section 1702.01 et.seq, O.R.C. located at _____, Marion, Ohio 43302.

RECITALS

WHEREAS: The City is interested in promoting economic growth in the City and environs,

WHEREAS: CANDO is seeking funds from the CITY OF MARION and COUNTY OF MARION in equal amounts.

WHEREAS: CANDO is seeking private sector funds to provide Economic Development promotions, industrial and business site development, etc.

CANDO will assist the CITY in marketing and promoting Marion, including developing sites for industrial and business development as follows:

1. Developing and continually updating a list of available business and industrial buildings and sites with data on
 - (a) Size and specification of any structure
 - (b) Owner and involved realtor or developer
 - (c) Utilities available and specifications of service
 - (d) Price of sale or lease
 - (e) Other data and specifications necessary for economic development, i.e., number of loading docks, overhead cranes, etc.
2. Keeping up to date with prospect referrals from the State of Ohio and utility companies, and responding when a site or building in

Marion can be made into a potentially competitive proposal.

3. Working with Marion County and surrounding counties, for example, through organizations such as CORDA, to share prospects, especially when the first contacted county does not have a strong potential proposal, with the hope that an industry or business can expand or locate in North Central Ohio.
 4. Remain in contact and have a working relationship with the Marion Area Chamber of Commerce and any other business or trade group reasonably available to monitor area firms that need assistance in solving problems or in seeking to expand as part of any retention and expansion program, and to work directly with companies and firms already situated in the County and/or City of Marion.
 5. Meeting company executives, and representatives interested in potentially moving to Marion, arrange tours, local visits, information packets and meetings with government, utility and other officials that could have an impact on closing a deal. This will include such activities as meeting company officials at the airport, taking them out to dinner, etc.
 6. Proactively marketing Marion by going to industry trade shows, meeting out of town executives at their corporate headquarters, producing videotapes of Marion, etc.
 7. Coordinating with the Economic Development efforts of the CITY and County Regional Planning Commission, Mayor, City Council, and, to the extent funded, with the County Commissioners and Township Trustees. Assist the Planning Director when requested on tax, loan and grant incentives to new or expanding prospects.
-

8. As private sector funding permits, purchasing or leasing of land or buildings to offer to business and industry and actively manage the sites as required. Preference shall be given to developing sites in the CITY or within three (3) miles of the CITY or within or near the boundaries of other governmental entities that also contract with CANDO.
9. As private sector funding allows, develop sites with roads, utilities and/or speculative buildings to the extent feasible and where economic development research demonstrates there is a better chance of gaining new development. Such assistance may including financing and start up grant assistance to companies.
10. Keep program files, establish acceptable financial and accounts procedures and pay for audits by uninterested third party auditors. Open all records to City or State auditors when required.
11. The Director of CANDO, or officers if the Director is unavailable, shall be available to attend public meetings. At a minimum, they shall be available to attend annually at least (and if scheduled):
 - (a) 10 CITY Jobs and Economic Development Committee of Council meetings.
 - (b) 2 overall Economic Development Program meetings.
 - (c) 2 CITY or County Regional Planning meetings.
 - (d) 2 CITY Finance Committee of Council meetings.
 - (e) 6 Regular (full, City Council) meetings.
12. CANDO shall conduct an executive search for a Director in a commercially reasonable manner. CANDO shall hire the best qualified individual for this position after the executive search.

13. Every three months, by March 31st, June 30th, September 30th and December 31st of each year, give a quarterly written report for activities ending March 31st, June 30th, September 30th and December 31st respectively for CITY and public review. Copies of said reports shall be made available to all elected officials in the City of Marion. Specific contacts and activities shall be briefly listed. General descriptions, however, may be substituted when confidential material on a prospective industry or business might otherwise be compromised.

In return for the above, the CITY agrees to:

1. Fund \$6,500.00 per month to CANDO.
 2. Assist CANDO by having the CITY Mayor, Auditor, Law Director, Planning Director, or alternate staff attend functions as necessary to meet, or plan to respond to proposals of prospects.
 3. Cooperate with CANDO in evaluating potential land or building leases or acquisitions that CANDO might make. Nothing in this Agreement, however, commits the CITY to lease or sell any land in its possession to CANDO. Any sales or leases, and the terms therein, shall be separately agreed to. Nothing in this Agreement shall commit the CITY to provide office space or clerical help to CANDO.
 4. The CITY shall work with CANDO to consider tax incentives and apply for grants and loans to assist business expansion.
14. The parties specifically agree that the utilization of funds provided by the CITY to CANDO shall be limited based upon the level of funding provided by Marion County. It is the mutual

understanding of the parties that CANDO has applied for funding from Marion County in an amount equal to those funds committed by the City of Marion. In the event the County of Marion fails to provide funding to CANDO for economic development then the use of funds provided by the CITY to CANDO shall be restricted to the geographic boundaries of the municipal corporation and any CITY owned land within the entire County.

In the event Marion County funds CANDO in an amount less than that provided by the CITY, then CANDO may spend an equal amount of funds as provided by the County for joint economic development anywhere within confines of Marion County. However, any funds in excess of those matched by Marion County provided by the City shall be spent exclusively in the geographic boundaries of the municipal corporation or upon City owned land.

For example, should the County of Marion choose to fund CANDO at a rate of \$5,000.00 a month, then CANDO may spend \$5,000 of the \$6,500.00 funding per month on joint projects. The remaining balance of \$1,500.00 per month shall be spent solely on projects which benefit the City of Marion.

15. Further, funding of this agreement is subject to the legislative authority of City Council of the City of Marion. In the event Council fails to fund this agreement as set forth herein, then this agreement shall be cancelled immediately.
 16. Whereas, the parties agree that in the utilization of funds from the sources to be identified by the City of Marion, both parties shall observe any federal, state and local rules and regulations on the utilization of said funds.
-

This Agreement may be cancelled as of February 1 of each succeeding year. Either party has a right of cancellation upon the giving of written notice of either party at least one month before that date, or may be terminated after two months notice by either party for non-performance of this agreement.

Michael Steen, President

Frederick Ballinger, President of Council

Jack Kellogg, Mayor

ORDINANCE NO. 1993- 41ORDINANCE TO AUTHORIZE THE SETTLEMENT OF ALL PENDING
LITIGATION AND CLAIMS AGAINST THE CITY OF MARION BY
SHARON SUE McCLEARY, AND DECLARING AN EMERGENCY.

WHEREAS, litigation is presently pending in the United States District Court for the Northern District of Ohio, Western Division, involving certain claims by Sharon Sue McCleary seeking compensatory damages against the City of Marion, and

WHEREAS, The City of Marion concedes no liability on behalf of itself, and


WHEREAS, The City of Marion in no way wishes to show reason to doubt the integrity of the actions of the City of Marion, but

WHEREAS, The City of Marion elects to reach a full, complete and final settlement of all legal issues and liabilities raised among and between all of the parties in this litigation in the interests of expediency and reducing the costs of litigation;

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

Section 1. The City of Marion hereby authorizes, ratifies and approves, and agrees to implement the negotiated full, complete and final settlement of all claims against the City of Marion pursuant to such terms and conditions as previously presented to the members of Council by the Law Director, including the provision that the terms of the settlement not be disclosed by the parties or their counsel.

Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public welfare of the City of Marion and the inhabitants thereof and for the further reason that it is necessary to settle all claims immediately to avoid further litigation costs to the City; 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 26, 1993

APPROVED: April 27, 1993


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1993-42

ORDINANCE MAKING APPROPRIATION ADJUSTMENTS IN VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 1993, 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 \$8,000.00 as follows:

Police Department

Operation Buckle Down 101-01-111-240-000-431 \$2,000.00

Law Director

Professional Services 101-07-714-230-000-320 \$6,000.00

Section 2. That there be an appropriation reduction in the Capital Improvement Fund in the amount of \$33,250.17 as follows:

FY92 Contingency 401-09-542-270-000-624 \$(33,250.17)

Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public welfare of the City of Marion and the inhabitants thereof and also 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 26, 1993

APPROVED: April 27, 1993


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1993-43

ORDINANCE DIRECTING THE SAFETY/SERVICE DIRECTOR
TO ENTER INTO CONTRACT FOR THE CHATFIELD ROAD
SANITARY SEWER PROJECT AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 1993-28 authorized the preparation of specifications and the advertising for bids for the installation of a sanitary sewer on Chatfield Road between Merkle Avenue and Maple Lane Road , and

WHEREAS, Berry and Miller Construction, Inc. submitted the lowest and best bid of \$27,189.00,

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

SECTION 1. That the Safety/Service Director be directed to enter into contract with Berry and Miller Construction, Inc. for the installation of a sanitary sewer on Chatfield Road.

SECTION 2. That said contract shall be payable from the General Fund Account No. 101-07-743-250-000-520.

SECTION 3. That this ordinance is hereby declared to be an emergency measure necessary for the welfare 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

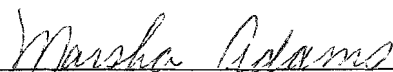
Passed: April 26, 1993

Approved: April 27, 1993



Mayor

Attest:



Clerk of Council

ORDINANCE NO. 1993- 44

ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE
GENERAL FUND FOR THE YEAR ENDING DECEMBER 31, 1993,
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 General
Fund in the amount of \$27,189.00 as follows:

Engineering Department

Capital Improvements 101-07-743-250-000-520 \$27,189.00

Section 2. That when funds become available in the Sewer Revenue Fund,
said expenditure shall be reimbursed to the General Fund by the Sewer Revenue
Fund.


Section 3. That this ordinance is hereby declared to be an emergency
measure necessary for the immediate preservation of the public welfare of the
City of Marion and the inhabitants thereof and also 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 effect-
ive from and after the earliest period allowed by law.



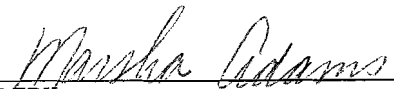
PRESIDENT OF COUNCIL

PASSED: April 26, 1993

APPROVED: April 27, 1993


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1993- 45

ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE
GENERAL FUND FOR THE YEAR ENDING DECEMBER 31, 1993,
AND DECLARING AN EMERGENCY.

WHEREAS, it is estimated that the Transit Fund will require \$90,000.00
in local cash for the 1993 operation of the Transit Fund,

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 in the amount of \$90,000.00 as follows:

Transfer to Transit Fund 101-09-745-270-000-704 \$90,000.00

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

J. T. Ballenger

PRESIDENT OF COUNCIL

PASSED: *April 26, 1993*

APPROVED: *April 27, 1993*

Joseph L. Kilb

MAYOR

ATTEST:

Marsha Adams

CLERK

ORDINANCE NO. 1993- 46

ORDINANCE TO FORGIVE THE TRANSIT ADVANCE AS PER RESOLUTION NO. 1992-40, AND APPROPRIATING THE NECESSARY FUNDS AND DECLARING AN EMERGENCY.

WHEREAS, certain in-kind expenditures are not eligible for reimbursement by State and Federal Operating Grants, and

WHEREAS, this condition will cause the Transit Fund to refund approximately \$44,124.26 of said Grants to the Ohio Department of Transportation, and

WHEREAS, The City of Marion has the requirement of making cash matches, if needed, and

WHEREAS, the Transit Fund owes \$50,000.00 to the General Fund as per Advance Resolution No. 1992-40,

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

Section 1. That this Council has now determined that the \$50,000.00 advance granted by Resolution is now to be a permanent transfer.

Section 2. That because of the action taken in Section 1 of this ordinance, it is necessary to appropriate funds.

Section 3. That there be an additional appropriation in the General Fund Transfer Account No. 101-09-745-270-000-704 in the amount of \$50,000.00.

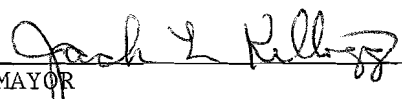
Section 4. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the welfare of the City of Marion and the inhabitants thereof and also for the daily operation of the Marion Area Transit Department; and as such, shall take effect immediately upon 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

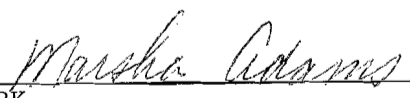
PASSED: April 26, 1993

APPROVED: April 27, 1993



 MAYOR

ATTEST:



 CLERK

ORDINANCE NO. 1993- 47

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	\$305.28
SCMR Fund	<u>150.00</u>
TOTAL	\$455.28

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.

J. T. Ballenger

PRESIDENT OF COUNCIL

PASSED: April 26, 1993

APPROVED: April 27, 1993

Jack L. Kellogg

MAYOR

ATTEST:

Marsha Adams

CLERK

AMENDED
ORDINANCE NO. 1993- 48

ORDINANCE TO AMEND ORDINANCE NO. 1969-29 (YARGER REPORT), AS AMENDED, BY GRANTING INCREASES IN THE PAY GRADES OF NON-BARGAINING UNIT EMPLOYEES IN VARIOUS CLASSES OF POSITIONS OF THE CITY OF MARION, CHANGING GRADE LEVELS OF CERTAIN POSITIONS AND UPDATING JOB DESCRIPTIONS.

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

Section 1. That Ordinance No. 1969-29 (Yarger Report), as amended, be and hereby is further amended by granting general increases in the amount of 5% in the pay grades of non-bargaining unit employees in various classes of positions within the service of the City of Marion, and a 15% increase for the Fire Chief and Police Chief, effective January 10, 1993, and changing grade levels of certain positions, to read as follows:

POSITION	GRADE	STEPS		
		A	B	C
Adm.Asst. - Housing	12	6.76	7.97	9.01
Acct.Clk.1 - Transit	16	7.96	9.36	10.61
Asst.Sr.Citizens Director	16			
Asst. Bailiff	18	8.63	10.17	11.51
Clerk Secretary	18			
Deputy Clerk of Court	18			
Airport Technician	18			
Probation Officer	18			
Secretary - Human Resources Dr., Safety/Service Dr., Law Director	19	9.01	10.61	12.02
Clerk of Council	21	9.79	11.51	13.04
Secretary - Mayor	21			
Bailiff	21			
Tax Investigator	21			
Mechanic - Police	22	10.23	11.99	13.63
WWTP Specialist 1	23	10.65	12.53	14.20
Senior Citizens Director	23			
Deputy Tax Commissioner	24	11.13	13.04	14.84
Housing & Rehab. Specialist	24			
Invest.& Internal Auditor	24			
Utility Bldg. Supervisor	24			
WWTP Specialist 11	25	11.64	13.63	15.52
Airport Manager	26	12.16	14.20	16.21
Recreation Director	26			
Clerk of Court	26			
Assistant - WPC	28	13.27	15.52	17.69
Deputy Auditor	28			
Tax Commissioner	28			
Service-Sanitation Supt.	30	14.51	16.94	19.34
WPC Superintendent		16.68	20.92	22.25
City Engineer		17.38	20.22	23.16
Fire Chief	32		E 22.16	F 23.14
Police Chief	32			

*debated
may 24 1993*

*Amended on Council Floor 05/24/93 (See Attached)

390

Section 2. That the updated job descriptions, attached hereto, are hereby incorporated herein by reference.

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:

APPROVED:

MAYOR

ATTEST:

CLERK

to amend
Mr 2

Yes 7th
no back building

26500 approx

ORDINANCE NO. 1993- 48

ORDINANCE TO AMEND ORDINANCE NO. 1969-29 (YARGER REPORT), AS AMENDED, BY GRANTING INCREASES IN THE PAY GRADES OF NON-BARGAINING UNIT EMPLOYEES IN VARIOUS CLASSES OF POSITIONS OF THE CITY OF MARION, ~~CHANGING~~ GRADE LEVELS OF CERTAIN POSITIONS AND UPDATING JOB DESCRIPTIONS.

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

Section 1. That Ordinance No. 1969-29 (Yarger Report), as amended, be and hereby is further amended by granting general increases in the amount of ~~8.5%~~ *maintaining* in the pay grades of non-bargaining unit employees in various classes of positions within the service of the City of Marion, and a ~~15%~~ *maintaining* increase for the Fire Chief and Police Chief, effective ~~January 10, 1993~~ *May 30, 1993*, and ~~changing~~ *maintaining* grade levels of certain positions, to read as follows:

POSITION	GRADE	STEPS		
		A	B	C
Adm.Asst. - Housing	12	6.76	7.97	9.01
Acct.Clk.1 - Transit	16	7.96	9.36	10.61
Asst.Sr.Citizens Director	16			
Asst. Bailiff	18	8.63	10.17	11.51
Clerk Secretary	18			
Deputy Clerk of Court	18			
Airport Technician	18			
Probation Officer	18			
Secretary - Human Resources Dr., Safety/Service Dr., Law Director	19	9.01	10.61	12.02
Clerk of Council	21	9.79	11.51	13.04
Secretary - Mayor	21			
Bailiff	21			
Tax Investigator	21			
Mechanic - Police	22	10.23	11.99	13.63
WWTP Specialist 1	23	10.65	12.53	14.20
Senior Citizens Director	23			
Deputy Tax Commissioner	24	11.13	13.04	14.84
Housing & Rehab. Specialist	24			
Invest.& Internal Auditor	24			
Utility Bldg. Supervisor	24			
WWTP Specialist 11	25	11.64	13.63	15.52
Airport Manager	26	12.16	14.20	16.21
Recreation Director	26			
Clerk of Court	26			
Assistant - WPC	28	13.27	15.52	17.69
Deputy Auditor	28			
Tax Commissioner	28			
Service-Sanitation Supt.	30	14.51	16.94	19.34
WPC Superintendent		16.68	20.92	22.25
City Engineer		17.38	20.22	23.16
Fire Chief	32		E 22.16	F 23.14
Police Chief	32			

Adjunct as appropriate

Section 2. That the updated job descriptions, attached hereto, are hereby incorporated herein by reference. *6 - 2 - 4 - job grades*

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:

APPROVED:

MAYOR

ATTEST:

CLERK

ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE YOUTH RECREATION TRUST FUND FOR THE YEAR ENDING DECEMBER 31, 1993, 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 Youth Recreation Trust Fund in the amount of \$500.00 as follows:


Trust Expense	732-03-422-270-000-731	<u>\$500.00</u>
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Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the 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.

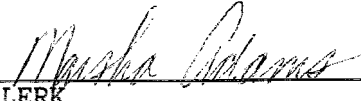

PRESIDENT OF COUNCIL

PASSED: *May 10, 1993*

APPROVED: *May 12, 1993*


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1993 - 50

ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN
THE SOFTBALL FIELD IMPROVEMENT FUND FOR THE YEAR
ENDING DECEMBER 31, 1993, 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
Softball Field Improvement Fund in the amount of \$6,000.00 as follows:

Capital Improvements 420-03-421-250-000-520 \$6,000.00

Section 2. That this ordinance is hereby declared to be an emergency
measure necessary for the welfare of the City of Marion and the inhabitants
thereof and for the further reason that it is necessary for the daily operation
of the 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.

J. Ballenger

PRESIDENT OF COUNCIL

PASSED: May 10, 1993

APPROVED: May 12, 1993

Jack L. Kellogg

MAYOR

ATTEST:

Masha Adams

CLERK

ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE LAW ENFORCEMENT TRUST FUND FOR THE YEAR ENDING DECEMBER 31, 1993, 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 Law Enforcement Trust Fund in the amount of \$18,838.82 as follows:

Trust Expense	737-09-823-270-000-731	<u>\$18,838.82</u>
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Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the 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: May 10, 1993

APPROVED: May 12, 1993


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1993 - 52

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO A WATER MAIN EXTENSION AND DEPOSIT AGREEMENT WITH OHIO-AMERICAN WATER COMPANY, AND DECLARING AN EMERGENCY.

WHEREAS, this Council desires to have an extension of a Water Main installed at the Marion Municipal Airport, and

WHEREAS, this Council has provided \$20,000.00 to install said Water Main, and

WHEREAS, the Ohio-American Water Company requires that a Water Main Extension and Deposit Agreement be signed,

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

Section 1. That the Safety/Service Director is authorized and is hereby directed to enter into a Water Main Extension and Deposit Agreement with the Ohio-American Water Company for the installation of a Water Main Extension at the Marion Municipal Airport.

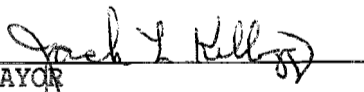
Section 2. That the annual refunds received from Ohio-American Water pursuant to the agreement shall be placed into the Capital Improvement Fund.

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

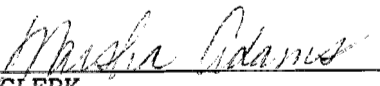

PRESIDENT OF COUNCIL

PASSED: May 10, 1993

APPROVED: May 12, 1993


MAYOR

ATTEST:


CLERK

ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF MARION BY REZONING THE PROPERTY KNOWN AS 984 S. PROSPECT STREET IN THE CITY OF MARION, OHIO FROM R-1C (SINGLE FAMILY-HIGH DENSITY DISTRICT) TO O-I (OFFICE INSTITUTIONAL DISTRICT).

WHEREAS, Council finds that the real property described in Section 1 below should be rezoned from R-1C (Single Family-High Density District) to O-I (Office Institutional District), and

WHEREAS, the Marion City Planning Commission has considered and approved the rezoning from R-1C to O-I, and

WHEREAS, due notice of the hearing on said rezoning has been given by publication in accordance with law,

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

Section 1. That the property known as 984 S. Prospect Street and being more particularly described as follows:

Situated in the City of Marion, County of Marion and State of Ohio and bounded and described as follows:

In the Southeast part of Section 28, Township 5 South, Range 15 East, commencing at a stone in the Southeast corner of said section; thence North one degree and 5 minutes East on the Section line 190.1 feet to a stone; thence North 89 1/2 degrees West 859.75 feet to a cross in the centerline of Prospect Street; thence South 20 degrees 35 minutes West 207.3 feet to a cross in said centerline and in the south line of the section; thence in the East part of the Northeast quarter of Section 33, Township 5 South, Range 15 East commencing from the aforementioned cross in said centerline in the South line of Section 28 continuing South 20 degrees and 35 minutes West on the centerline of the Marion and Marysville Highway a distance of approximately 460 feet, more or less, to a railroad spike in the center of said highway; thence in an easterly direction on a line parallel with the aforesaid north line of the within described tract, said line being the north line of the within described tract, said line being the north line of a tract of land conveyed to the Ohio Edison Company by a certain deed dated January 24, 1957, and recorded in Volume 344, at page 201, of the Deed Records of Marion County, Ohio, a distance of 1045.5 feet to an iron pipe, said iron pipe being 221.22 feet South of the corner of Section 27, 28, 33 and 34 and being the North and South line between Section 33 and 34; thence North on said North and South section line a distance of 221.22 feet to the corner of Sections 27, 28, 33 and 34.

Containing 9 acres, more or less.

heretofore zoned R-1C (Single Family-High Density District) is hereby zoned O-I (Office Institutional District).

Section 2. That the Clerk of Council is hereby authorized and directed to make said change on the Zoning District Map of the City of Marion, on file in the office of the Clerk of Marion City Council and on the copy thereof on file in the office of the Safety/Service Director.

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

J. Ballenger
PRESIDENT OF COUNCIL

PASSED: May 24, 1993

APPROVED: May 25, 1993

Jack L. Kill
MAYOR

ATTEST:

Marsha Adams
CLERK

ORDINANCE NO. 1993 - 54

ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF MARION BY REZONING THE PROPERTY KNOWN AS 5.86 ACRES ON HARDING MEMORIAL PARKWAY IN THE CITY OF MARION, OHIO FROM R-1A (SINGLE FAMILY-LOW DENSITY DISTRICT) TO O-I (OFFICE INSTITUTIONAL DISTRICT).

WHEREAS, Council finds that the real property described in Section 1 below should be rezoned from R-1A (Single Family-Low Density District) to O-I (Office Institutional District), and

WHEREAS, the Marion City Planning Commission has considered and approved the rezoning from R-1A to O-I, and

WHEREAS, due notice of the hearing on said rezoning has been given by publication in accordance with law,

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

Section 1. That the property known as 5.86 acres on Harding Memorial Parkway and being more particularly described as follows:

Being part of the SW1/4 of Section 27, T. 5 S., R. 15 E., in the City of Marion, Marion County, State of Ohio and more particularly described as follows:

Beginning at an iron pipe in the south line of Harding Memorial Association lands, said iron pipe being the NW corner of Executive Center Addition as shown on plat of said addition in Plat Book 5, pages 97 - 102 inclusive; thence N 89° - 14' W along the south line of Harding Memorial Association lands for a distance of 330 feet; thence N 0°-46' E along the east line of a 70 foot easement used as a drive to the Marion General Hospital for a distance of 548 feet to a point in the south line of McKinley Park Boulevard; thence S 89°-14' E along the south line of McKinley Park Boulevard for a distance of 580.83 feet to an iron pipe in the west line of Harding Memorial Parkway; thence along the west line of Harding Memorial Parkway; the following five (5) measurements; S 0°-46' W for a distance of 98.89 feet to a point of curvature; thence curving to the right 84.66 feet on an arc with a radius of 128 feet and whose chord bears S 19°-43' W for a distance of 83.14 feet to a point of tangency; thence S 38°-40' W for a distance of 316.25 feet to a point of curvature; thence curving to the left 92.61 feet on an arc with a radius of 140 feet and whose chord bears S 19°-43' W for a distance of 90.92 feet to a point of tangency; thence S 0°-46' W for a distance of 34.95 feet to the place of beginning; containing 5.86 acres of land, more or less, and subject to all legal highways and easements.

heretofore zoned R-1A (Single Family-Low Density District) is hereby zoned O-I (Office Institutional District).

Section 2. That the Clerk of Council is hereby authorized and directed to make said change on the Zoning District Map of the City of Marion, on file in the office of the Clerk of Marion City Council and on the copy thereof on file in the office of the Safety/Service Director.

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

J. T. Ballenger
PRESIDENT OF COUNCIL

PASSED: May 24, 1993

APPROVED: May 25, 1993

Jack L. Killings
MAYOR

ATTEST:

Maisha Adams
CLERK

ORDINANCE MAKING ADDITIONAL APPROPRIATION
IN THE HEALTH FUND FOR THE YEAR ENDING
DECEMBER 31, 1993, 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 Health Fund in the amount of \$500.00 as follows:

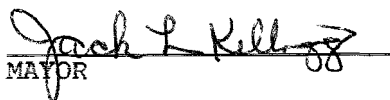
Inspection Supplies 214-02-222-240-000-420 \$500.00

Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the 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.

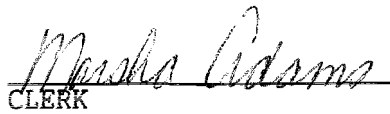

PRESIDENT OF COUNCIL

PASSED: May 24, 1993

APPROVED: May 25, 1993


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1993 - 56

ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE WIC FUND FOR THE YEAR ENDING DECEMBER 31, 1993, 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 WIC Fund in the amount of \$7,752.00 as follows:

Salaries	215-02-543-210-000-110	\$25,163.00
Benefits	215-02-543-210-000-120	6,286.00
Utilities	215-02-543-230-000-310	(7,950.00)
Prof. Services	215-02-543-230-000-320	(337.00)
Building Lease	215-02-543-230-000-371	(14,660.00)
Supplies	215-02-543-240-000-420	(450.00)
Postage	215-02-543-240-000-423	200.00
Equipment	215-02-543-250-000-450	<u>(500.00)</u>

TOTAL WIC FUND \$ 7,752.00

Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the 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.

J. T. Ballenger
 PRESIDENT OF COUNCIL

PASSED: May 24, 1993

APPROVED: May 25, 1993

Jack L. Kill
 MAYOR

ATTEST:

Marsha Adams
 CLERK

ORDINANCE NO. 1993 - 57

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH SIMON ROOFING FOR THE REPLACEMENT AND REPAIR OF SEVEN (7) ROOFS IN THE DIVISION OF WATER POLLUTION CONTROL, AND DECLARING AN EMERGENCY.

WHEREAS, bids were advertised for the replacement and repair of seven roofs in the Division of Water Pollution Control, and

WHEREAS, Simon Roofing submitted the lowest and best bid.

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

Section 1. That the Safety/Service Director be and she is hereby authorized and directed to enter into contract with Simon Roofing for the replacement and repair of seven (7) roofs in the Division of Water Pollution Control.

Section 2. That the cost of said contract shall be payable from the Sewer Replacement Fund, Capital Improvements, 504-05-553-250-000-520 and shall not exceed \$85,000.00 (base bid \$72,419.00, extra work \$12,581.00).

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

J. Ballenger
PRESIDENT OF COUNCIL

PASSED: May 24, 1993

APPROVED: May 25, 1993

Jack R. Kellogg
MAYOR

ATTEST:

Maryha Adams
CLERK

*Section 2
amended w/ Ord. 1993-99
passed 8/16/93*

ORDINANCE NO. 1993-58

ORDINANCE AUTHORIZING THE PURCHASE OF AND APPROPRIATING THE FUNDS FOR A COMPUTER SYSTEM TO BE USED IN THE MARION MUNICIPAL COURT AND DECLARING AN EMERGENCY.

WHEREAS, The Marion Municipal Court is in need of a new Computer System including Hardware, Software, Installation Services, Training and Data Conversion from the existing system, and

WHEREAS, The Marion Municipal Court has received and reviewed numerous proposals for said Computer System and has recommended the proposal from Conley, Canitano and Associates, Inc. (CCAI), and

WHEREAS, The City of Marion is a participant in the Ohio Cooperative Purchasing Program, and

WHEREAS, Ordinance No. 1991-136 requires Council approval of all Capital Expenditures exceeding \$2,500.00 except for expenditures necessary for the health and safety of the citizens of Marion, Ohio,

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

Section 1. That the Clerk of Court is hereby authorized to purchase the Computer Hardware through the Ohio Cooperative Purchasing Program.

Section 2. That due to the emergency situation created by the current computer system's failure in the past and its being inoperative intotal since the 17th day of May, 1993 and remaining shut down since then, the Clerk of Court is hereby authorized to enter into a contract with CCAI for the purchase of Software, Installation Services, Training and Data Conversion without formal bidding and advertising as per Section 735.051 of the Ohio Revised Code.

Section 3. That the cost of \$77,583.00 for said contracts shall be payable from the Court Computerization Fund and is hereby appropriated as follows:

Professional Service	210-07-731-230-000-320	\$ 5,500.00
Service Contracts	210-07-731-230-000-321	2,837.00
Capital Equipment	210-07-731-250-000-450	69,246.00


Section 4. This ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason that the Computer System has failed in the past and has been inoperative intotal since the 17th day of May, 1993 and remains shut down; 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 take effect and be in force from and after the earliest period allowed by law.



PRESIDENT OF COUNCIL

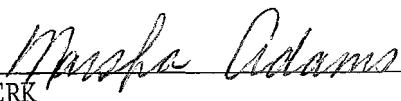
PASSED: *May 24, 1993*

APPROVED: *May 25, 1993*



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1993 - 59

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS TO LEASE A PARCEL OF LAND AT THE HARDING FRESHMAN BUILDING OWNED BY THE CITY OF MARION, AND DECLARING AN EMERGENCY.

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

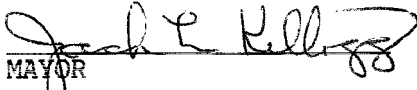
Section 1. That the Safety/Service Director be and is hereby authorized and directed to prepare specifications and advertise for bids to lease a parcel of land at the Harding Freshman Building.

Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the 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: May 24, 1993

APPROVED: May 25, 1993


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1993 - 60

ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF MARION BY REZONING THE PROPERTY KNOWN AS LOTS #2186, #2187, #2205, #2206, #2207, #2209, #701 AND A VACATED ALLEY ON W. CENTER STREET BETWEEN CAYUGA AND DAVID STREETS IN THOMAS A. THOMPSON'S ADDITION TO THE CITY OF MARION, OHIO FROM I-2 (GENERAL INDUSTRIAL DISTRICT) TO C-5 (GENERAL BUSINESS DISTRICT).

WHEREAS, Council finds that the real property described in Section 1 below should be rezoned from I-2 (General Industrial District) to C-5 (General Business District), and

WHEREAS, the Marion City Planning Commission has considered and approved the rezoning from I-2 to C-5, and

WHEREAS, due notice of the hearing on said rezoning has been given by publication in accordance with law,

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

Section 1. That the property known as Lot #2186, #2187, #2205, #2206, #2207, #2209, #701 and a vacated alley on W. Center Street between Cayuga and Davids Streets and being more particularly described as follows:

Situated in the City of Marion, County of Marion and State of Ohio and being part of Lot 2209 in T. A. Thompson's Addition to the City of Marion, Marion County, State of Ohio and being more particularly described as follows;

Beginning at the intersection of the West Right-of-Way Line of Davids Street (now 60 feet wide) with the North Right-of-Way Line of a 20-foot wide public alley (also being the Southeast corner of Lot 2209); thence along said North Right-of-Way Line S 87° 17' 40" W for a distance of 153.70 feet to an existing iron pin (passing over an existing iron pin at 1.00 foot); thence N 3° 25' 40" W for a distance of 84.84 feet to an existing iron pin on the South Right-of-Way Line of West Center Street (now 60 feet wide); thence along said South Right-of-Way Line N 81° 37' 15" E for a distance of 141.34 feet to a survey nail set; thence S 48° 34' 05" E for a distance of 18.26 feet to a survey nail set on the West Right-of-Way Line of Davids Street; thence along said West Right-of-Way Line S 3° 23' 05" E for a distance of 86.10 feet to a point on the North Line of said 20-foot wide public alley and the point of beginning.

Containing 0.325 acre more or less and being subject to legal highways, easements, restrictions, and agreements of record. For basis of bearing, see Survey Vol. 7 Pg. 204, Marion County Engineer's Office. This description prepared from a survey performed by Thomas L. Boblenz, Registered Surveyor 5719, and dated March 25, 1993. All 5/8" dia. iron pins set have a plastic identity cap with the following caption, "TLB & Associates."

also

Being part of the Southwest Quarter of Section 21, Township 5 South, Range 15 East, part of Sharp Street vacated, part of a 16-foot wide alley vacated, all of Lots 2186 and 2187, all of lots 2205 - 2207 and part of Lot 2209 in T. A. Thompson's Addition to 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 at the intersection of the West Right-of-Way line of the former Erie-Dayton Branch Railroad (now 100 feet wide) with the South Right-of-Way Line of Center Street (now 60 feet wide); thence along said South Right-of-Way Line N 81° 37' 15" E for a distance of 185.62 feet to a 5/8" dia. iron pin set (passing over the West Line of Lot 2209 at 161.55 feet); thence S 3° 25' 40" E for a distance of 84.84 feet to a 5/8" dia. iron pin set on the North line of a 20-foot wide public alley; thence along said North line S 87° 17' 40" W for a distance of 22.35 feet to a railroad spike set on the West Line of a 16-foot wide public alley extended North; thence along said extension and West Line S 3° 25' 40" E for a distance of 103.08 feet to a 5/8" dia. iron pin set on the Southeast Corner of Lot 2207 and the beginning of a 16-foot wide vacated alley; thence N 87° 17' 40" E for a distance of 8.00 feet to a point on the centerline of said vacated 16-foot wide alley (passing over a 5/8"

dia. iron pin set at 7.00 feet); thence along said centerline S 3° 25' 40" E for a distance of 122.12 feet to a 5/8" dia. iron pin set on the South line of Lot 2205 extended; thence along said extension and said South line S 87° 17' 40" W for a distance of 168.00 feet to a 5/8" dia. iron pin set on the East Right-of-Way line of vacated Sharp Street; thence along said East Right-of-Way line S 3° 25' 40" E for a distance of 120.12 feet to a 5/8" dia. iron pin set on the North Right-of-Way line of Hayes Street (now 40 feet wide); thence along said North Right-of-Way line S 87° 17' 40" W for a distance of 50.00 feet to a 5/8" dia. iron pin set on the West Right-of-Way line of Sharp Street (now 50 feet wide); thence along said West Right-of-Way line S 3° 25' 40" E for a distance of 102.77 feet to the Southeast corner of Lot 2187; thence along the South line of said Lot 2187 S 87° 17' 40" W for a distance of 171.22 feet to a 5/8" dia. iron pin set on the East Right-of-Way line of the former Erie-Dayton Branch Railroad (now 100 feet wide); thence along said East Right-of-Way line Southwesterly along a curve to the left having a radius of 1382.39 feet for an arc distance of 10.06 feet to a 5/8" dia. iron pin set; thence N 80° 39' 15" W for a distance of 101.18 feet to a 5/8" dia. iron pin set on the West Right-of-Way line of said Erie-Dayton Branch Railroad (also being the South Right-of-Way line of York Street (now 50 feet wide); thence along said West Right-of-Way line Northeasterly along a curve to the right having a radius of 1482.39 feet for an arc distance of 597.21 feet to a 5/8" dia. iron pin set on the South Right-of-Way line of Center Street and the point of beginning.

Containing 3.290 acres more or less of which 1.446 acres more or less are in said former Erie-Dayton Branch Railroad Right-of-Way (part of the Southwest Quarter of Section 21) and 1.844 acres more or less are in vacated street and alley and Lots 2186 and 2187, Lots 2205-2207 and Part of Lot 2209. For basis of bearing, see Sheet 3 of V.S.-8-Ohio Right-of-Way and Track Map, Erie Railroad Company. This description prepared from a survey performed by Thomas L. Boblenz, Registered Surveyor 5719, and dated September 30, 1988. All 5/8" dia. iron pins set have a plastic identity cap with the following caption, "TLB & Associates".

heretofore zoned I-2 (General Industrial District) is hereby zoned C-5 (General Business District).

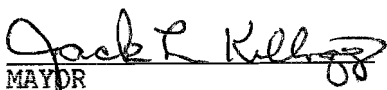
Section 2. That the Clerk of Council is hereby authorized and directed to make said change on the Zoning District Map of the City of Marion, on file in the office of the Clerk of Marion City Council and on the copy thereof on file in the office of the Safety/Service Director.

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

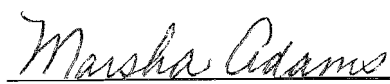

PRESIDENT OF COUNCIL

PASSED: June 14, 1993

APPROVED: June 15, 1993


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1993- 61


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."

Utility Billing \$810.00

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: June 14, 1993

APPROVED: June 15, 1993



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1993- 62


ORDINANCE MAKING AN APPROPRIATION REDUCTION IN THE SWIMMING POOL FUND FOR THE YEAR ENDING DECEMBER 31, 1993, AND DECLARING AN EMERGENCY.

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

Section 1. That there be an appropriation reduction in the Swimming Pool Fund in the amount of \$5,905.62 as follows:

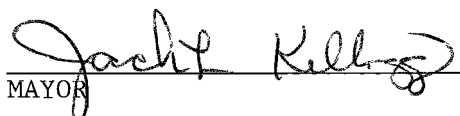
Land & Bldg. Maintenance	516-03-423-230-000-370	\$(2,905.62)
Capital Equipment	516-03-423-250-000-450	<u>(3,000.00)</u>
TOTAL.....		\$(5,905.62)

Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason that it is necessary for the daily operation of the 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.

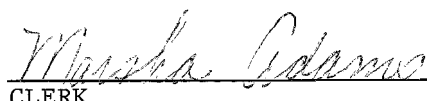

PRESIDENT OF COUNCIL

PASSED: June 14, 1993

APPROVED: June 15, 1993


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1993-63

ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE
SCMR FUND FOR THE YEAR ENDING DECEMBER 31, 1993, 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 SCMR
Fund in the amount of \$10,258.34 as follows:

Permissive Auto Tax 207-06-612-230-000-530 \$10,258.34

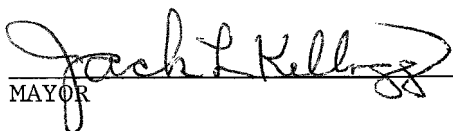
Section 2. That this ordinance is hereby declared to be an emergency
measure necessary for the welfare of the City of Marion and the inhabitants
thereof and for the further reason that it is necessary for the daily operation
of the City; and as such, shall take effect and be in force immediately upon
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

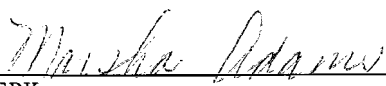
PASSED: June 14, 1993

APPROVED: June 15, 1993



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1993- 64

ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE
UDAG LOAN REPAYMENT FUND FOR THE YEAR ENDING
DECEMBER 31, 1993, 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 UDAG
Loan Repayment Fund in the amount of \$15,500.00 as follows:

Professional Services	276-04-539-230-000-320	\$15,500.00
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Section 2. That this ordinance is hereby declared to be an emergency
measure necessary for the welfare of the City of Marion and the inhabitants
thereof and for the further reason that it is necessary for the daily operation
of the 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 28, 1993

APPROVED: June 29, 1993



MAYOR

ATTEST:



CLERK

ORDINANCE TO AMEND CHAPTER 912 SEWER USER CHARGE SYSTEM AND
CHAPTER 914 SEWER SYSTEM IMPROVEMENT, OF THE CODIFIED
ORDINANCES OF THE CITY OF MARION.

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

Section 1. That Section 912.10 of Chapter 912 of the Codified Ordinances, as amended and now reading in part as follows:

"912.10 USER CHARGE AND EXTRA STRENGTH SURCHARGE RATES.

(a) User Charge.

- (1) \$4.17 per monthly bill;
- (2) \$7.19 per bimonthly bill;
- (3) \$0.805 per 100 cubic feet for monthly bill;
- (4) \$0.805 per 100 cubic feet for bimonthly bill.

(b) Extra Strength Surcharge.

- (1) \$10.52 per 100 lbs. extra strength BOD;
- (2) \$11.84 per 100 lbs. extra strength Suspended Solids;
- (3) \$38.43 per 100 lbs. extra strength Phosphate."

is hereby amended to read as follows:

"(a) User Charge.

- (1) \$6.09 per monthly bill;
- (2) \$10.52 per bimonthly bill;
- (3) \$0.928 per 100 cubic feet.

(b) Extra Strength Surcharge.

- (1) \$12.97 per 100 lbs. extra strength BOD;
- (2) \$15.84 per 100 lbs. extra strength Suspended Solids;
- (3) \$40.01 per 100 lbs. extra strength Phosphate."

Section 2. That Section 914.05 of Chapter 914 of the Codified Ordinances as amended and now reading in part as follows:

"914.05 SEWER SYSTEM IMPROVEMENT CHARGE; CITY USERS.

The volumetric rate as determined in Section 914.04 and as may be amended from time to time shall be added to the volumetric rate as determined under Section 912.10 (a)(3) to provide the total volumetric rate. For the purposes stated herein, the sewer system improvement charge to be added to the user charge volumetric rate with the effective of this chapter and Chapter 912 is seventeen and one half cents (17.5¢) per 100 cubic feet."

is hereby amended to read as follows:

"The volumetric rate as determined in Section 914.04 and as may be amended from time to time shall be added to the volumetric rate as determined under Section 912.10 (a)(3) to provide the total volumetric rate. For the purposes stated herein, the sewer system improvement charge to be added to the user charge volumetric rate with the effective of this chapter and Chapter 912 is twenty-one and four tenths (21.4¢) cents per 100 cubic feet."

Section 3. That Section 914.06 of Chapter 914 of the Codified Ordinances as amended and now reading in part as follows:

"914.06 SEWER SYSTEM IMPROVEMENT CHARGE; OUTSIDE CITY USERS.

The volumetric rate as determined in Section 914.04 and as may be amended from time to time shall be added to the volumetric rate as determined under Section 912.10 (a)(3) to provide the total volumetric rate. For the purposes stated herein, the sewer system improvement charge to be added to the user charge volumetric rate with the effective of this chapter and Chapter 912 is thirty-five cents (35¢) per 100 cubic feet."

is hereby amended to read as follows:

"The volumetric rate as determined in Section 914.04 and as may be amended from time to time shall be added to the volumetric rate as determined under Section 912.10 (a)(3) to provide the total volumetric rate. For the purposes stated herein, the sewer system improvement charge to be added to the user charge volumetric rate with the effective of this chapter and Chapter 912 is forty-two and eight tenths (42.8¢) cents per 100 cubic feet."

Section 4. That Section 914.07 of Chapter 914 of the Codified Ordinances, as amended and now reading in part as follows:

"914.07 AGGREGATE CHARGES FOR SEWER USES.

The total charges for sewer use to customers within and/or outside the corporate limits of the City shall be the aggregate of the rate determinations in Section 912.10(a) and Sections 914.05 and 914.06 as set forth below.

	<u>Inside City</u>	<u>Outside City</u>
Per monthly bill	\$4.17	\$4.17
Per bimonthly bill	\$7.19	\$7.19
Per 100 cubic feet for monthly bill	\$0.98	\$1.155
Per 100 cubic feet for bimonthly bill	\$0.98	\$1.155"

is hereby amended to read as follows:

"The total charges for sewer use to customers within and/or outside the corporate limits of the City shall be the aggregate of the rate determinations in Section 912.10(a) and Sections 914.05 and 914.06 as set forth below.

	<u>Inside City</u>	<u>Outside City</u>
Per monthly bill	\$6.09	\$6.09
Per bimonthly bill	\$10.52	\$10.52
Per 100 cubic feet	\$1.142	\$1.356

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:

APPROVED:

MAYOR

ATTEST:

CLERK

AMENDED
ORDINANCE NO. 1993- 66

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 1993, 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 in the amount of ~~\$9,269.00~~ **9,269.00** as follows:

Senior Citizens III-B Fund

Salaries	203-03-543-210-000-110	\$1,652.00
Travel	203-03-543-220-000-220	570.00
Training	203-03-543-230-000-221	679.00
Equip.Maint.	203-03-543-230-000-360	430.00
Insurance	203-03-543-230-000-380	622.00
Supplies	203-03-543-240-000-420	1,141.00
Postage	203-03-543-240-000-423	840.00
Fuel	203-03-543-240-000-430	400.00
Equipment	203-03-543-250-000-450	<u>499.00</u>
TOTAL.....		\$6,833.00

Senior Citizens III-D Fund

Travel	204-03-543-220-000-226	\$ 193.00
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Senior Citizens III-F Fund

Salaries	206-03-543-210-000-110	\$ 743.00 743.00
Prof. Service	206-03-543-230-000-320	<u>1,500.00</u>
TOTAL.....		\$2,243.00 2,243.00

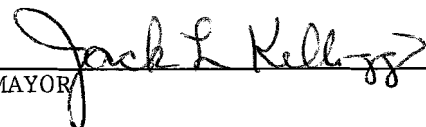
Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason that it is necessary for the daily operation of the City; and as such, shall take effect and be in force immediately upon 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 28, 1993

APPROVED: June 29, 1993

**Amended on Council floor 06/28/93*


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1993-67

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 \$211.48

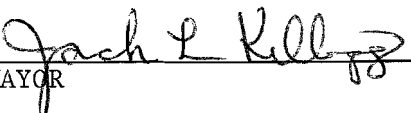
Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the City of Marion and the inhabitants thereof and for the further reason that it provides for the daily operation of said City, and as such, shall become 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 28, 1993

APPROVED: June 29, 1993



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1993-68

ORDINANCE AUTHORIZING THE PAYMENT OF \$1,182.50 TO
J. KAY ROTHMAN, PH.D., FOR SERVICES RENDERED, AND
DECLARING AN EMERGENCY.

WHEREAS, the City of Marion, on behalf of the Safety Forces of the
City, required the services of J. Kay Rothman, Ph.D., to insure the public
safety and welfare, and

WHEREAS, due to time restraints, the normal purchase order procedure
could not be followed,

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

Section 1. That it is hereby authorized that \$1,182.50 be paid to
J. Kay Rothman, Ph.D., for services rendered.

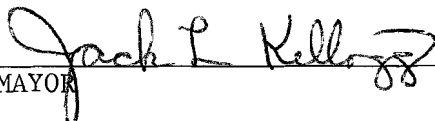
Section 2. That this ordinance is hereby declared to be an emergency
measure necessary for the welfare of the City of Marion and the inhabitants
thereof and for the further reason that the bill is overdue for payment; and
as such, shall take effect and be in force immediately upon its passage and
approval 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

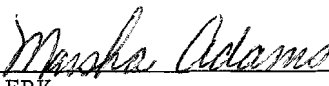
PASSED: June 28, 1993

APPROVED: June 29, 1993



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1993- 69

ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE
SCMR FUND FOR THE YEAR ENDING DECEMBER 31, 1993,
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 SCMR
Fund in the amount of \$150,000.00 as follows:

Resurfacing Projects 207-06-612-230-000-531 \$150,000.00

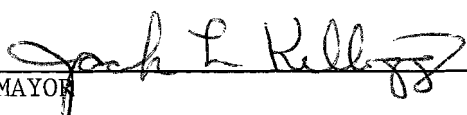
Section 2. That this ordinance is hereby declared to be an emergency
measure necessary for the welfare of the City of Marion and the inhabitants
thereof and for the further reason that it is necessary for the daily operation
of the City; and as such, shall take effect and be in force immediately upon
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 28, 1993

APPROVED: June 29, 1993



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1993- 70

ORDINANCE AUTHORIZING THE CITY OF MARION TO ENTER INTO AGREEMENT WITH THE MARION COUNTY REGIONAL PLANNING COMMISSION TO ADMINISTER THE FY 92 CHIP GRANT, AND TO APPLY FOR AND ADMINISTER ALL CDBG GRANTS FOR THE DURATION OF SAID GRANTS.

WHEREAS, the City of Marion has entered into an agreement with the Marion County Regional Planning Commission to apply for and administer the FY 91 Competitive Comprehensive CDBG Housing Grant, and

WHEREAS, an agreement is now necessary for administration of the Fy 92 CHIP Grant, and


WHEREAS, the City now desires the Planning Commission to apply for and administer all of its CDBG programs,

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

Section 1. That the City of Marion is hereby authorized to enter into an agreement with the Marion County Regional Planning Commission to administer the FY 92 CHIP Grant, a copy of which is attached hereto and incorporated herein by reference, and to apply for and administer all CDBG Grants for the duration of the grants.

Section 2. In addition to administrative expenses to be paid out of the FY 92 CHIP Grant, the City also commits up to \$10,000.00 per year in additional funds over and above its local share, to be paid in a lump sum to the Planning Commission for Grant and Economic Development technical assistance; such amount to be mutually agreed upon on an annual basis.

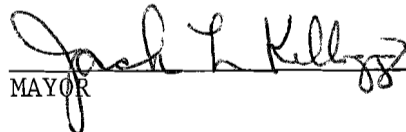
Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.



PRESIDENT OF COUNCIL

PASSED: June 28, 1993

APPROVED: June 29, 1993



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1993-71

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS FOR THE PURCHASE OF ONE (1) REFUSE PACKER FOR USE IN THE DEPARTMENT OF SANITATION.

WHEREAS, the current fleet is in a state of disrepair,

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


Section 1. That the Safety/Service Director be and is hereby authorized and directed to prepare specifications and advertise for bids for the purchase of one (1) Refuse Packer for use in the Department of Sanitation.

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 28, 1993

APPROVED: June 29, 1993


MAYOR

ATTEST:


CLERK OF COUNCIL

ORDINANCE NO. 1993 - 72

ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF MARION BY REZONING THE PROPERTY AT 1219, 1225 AND 1241 EAST CENTER STREET KNOWN AS LOTS #7333, #7334, #7335, OUTLOTS #1, #2, #3 AND NORTH PART OF #4 ON EAST CENTER STREET BETWEEN SPENCER AVENUE AND KENSINGTON PLACE AND THE NORTH HALF OF LOT #4 ON KENSINGTON PLACE IN THE CITY OF MARION, OHIO FROM R-2 (GENERAL RESIDENTIAL DISTRICT) TO C-2 (COMMERCIAL SHOPPING DISTRICT).

WHEREAS, Council finds that the real property described in Section 1 below should be rezoned from R-2 (General Residential District) to C-2 (Commercial Shopping District), and

WHEREAS, the Marion City Planning Commission has considered and denied the rezoning from R-2 to C-2, and

WHEREAS, due notice of the hearing on said rezoning has been given by publication in accordance with law,

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

Section 1. That the property known as Lot #7333, #7334, #7335, and Outlots #1, #2 and #3 and north part of #4 on East Center Street between Spencer Avenue and Kensington Place and the north half of Lot #4 on Kensington Place and being more particularly described as follows:

1241 East Center Street, Marion, Ohio 43302

Tract I: Being a part of the southeast quarter of Section Twenty-Three (23), Township Five (5), South Range Fifteen (15) East and being a part of official survey No. 403, beginning at the intersection of the south line of Center Street with the west line of Kensington Place; thence west on said south line, One Hundred and Sixty-Two and Five Tenths (162.5) feet to the east line of land formerly owned by C. B. Merchant; thence south on said east line One Hundred and Sixty point Seventy-Five (160.75) feet to an alley; thence east on the north line of said alley, One Hundred Sixty-Two and Five Tenths (162.5) feet to the west line of Kensington Place; thence North One Hundred Sixty-Two (162) feet to the place of beginning.

Tract II: Being a part of the southeast quarter of Section Twenty-Three (23), Township Five (5) South, Range Fifteen (15) East and being a part of official survey No. 403 as recorded in the recorded plat thereof in the surveyor's office of said County, Volume 3, Page 391, and further described as follows:

Being known as a Twenty-Eight (28) foot strip of land off the north end of lot Four (4) in said survey, said strip being parallel with the north line of said Lot No. Four (4); said tract being 28 feet by 151.8 feet and being a parking lot.

also

Being known as Lot Number Seven Thousand Three Hundred and Thirty-three (7333) in East Lynn Addition to the City of Marion, Ohio.

also

Situated in the County of Marion, State of Ohio and in the City of Marion and bounded and described as follows:

Being one hundred twenty (120) feet off of the North end of Lots numbered Seven Thousand Three Hundred Thirty-four (7334) and Seven Thousand Three Hundred Thirty-five (7335) in East Lynne Addition to the City of Marion, Ohio.

heretofore zoned R-2 (General Residential District) is hereby zoned C-2 (Commercial Shopping District).

*defeated
July 12, 1993*

Section 2. That the Clerk of Council is hereby authorized and directed to make said change on the Zoning District Map of the City of Marion, on file in the office of the Clerk of Marion City Council and on the copy thereof on file in the office of the Safety/Service 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:

APPROVED:

MAYOR

ATTEST:

CLERK

ORDINANCE NO. 1993- 73

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH CEDAR BAY CONSTRUCTION COMPANY TO REPLACE AND IMPROVE THE PRESENT CHLORINATION SYSTEM AT THE WASTEWATER TREATMENT PLANT, AND DECLARING AN EMERGENCY.

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

Section 1. That the Safety/Service Director be and is hereby directed to enter into contract with Cedar Bay Construction Company to replace and improve the present chlorination system at the Wastewater Treatment Plant.

Section 2. That the cost of said contract, \$272,000.00, shall be payable from the WWTP Chlorination System Replacement Fund (Capital Equipment - 463-05-609-250-000-450).

Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and also to comply with the time constraints on State Issue II Funding; 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 12, 1993

APPROVED: July 13, 1993



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1993- 74

ORDINANCE MAKING AN APPROPRIATION IN THE WWTP CHLORINATION SYSTEM REPLACEMENT FUND FOR THE YEAR ENDING DECEMBER 31, 1993, AND DECLARING AN EMERGENCY.

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

Section 1. That there be an appropriation made in the WWTP Chlorination System Replacement Fund in the amount of \$272,000.00 as follows:

Capital Equipment 463-05-609-250-000-450 \$272,000.00

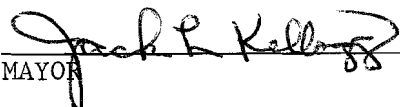
Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and also to comply with the time constraints on State Issue II Funding; and as such, shall take effect and be in force immediately upon its passage 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

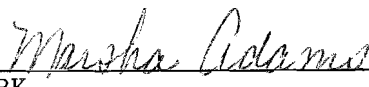
PASSED: *July 12, 1993*

APPROVED: *July 13, 1993*



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1993-75

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH O.W.T. CONSTRUCTION COMPANY TO INSTALL THE LEACHATE COLLECTION SYSTEM AT MARION CITY LANDFILL AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 1992-117 authorized the advertising and bidding for Landfill Closure Items at Marion City Landfill, and

WHEREAS, O.W.T. Construction Company submitted the lowest and best bid.

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

Section 1. That the Safety/Service Director be and is hereby authorized and directed to enter into contract with O.W.T. Construction Company to install the Leachate Collection System at Marion City Landfill.


Section 2. That said contract in the amount of \$217,301.00 shall be payable from the Landfill Monitoring Fund, Capital Improvements, 507-05-563-250-000-520.

Section 3. That this ordinance is hereby declared to be an emergency measure for the 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 12, 1993

APPROVED: July 13, 1993


MAYOR

ATTEST:


CLERK OF COUNCIL

ORDINANCE NO. 1993- 76

ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE
LANDFILL MONITORING FUND FOR THE YEAR ENDING
DECEMBER 31, 1993, 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 Landfill
Monitoring Fund in the amount of \$217,301.00 as follows:

Capital Improvements 507-05-563-250-000-520 \$217,301.00

Section 2. That this ordinance is hereby declared to be an emergency
measure necessary for the welfare of the City of Marion and the inhabitants
thereof and for the further reason that it is necessary for the daily operation
of the 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: July 12, 1993

APPROVED: July 13, 1993



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1993-77

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH MANSFIELD ASPHALT PAVING COMPANY FOR AIRPORT RUNWAY 6/24 IMPROVEMENTS AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 1993-18 authorized the advertising and bidding for Airport Runway 6/24 Improvements, and

WHEREAS, Mansfield Asphalt Paving Company submitted the only bid.

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

Section 1. That the Safety/Service Director be and is hereby authorized and directed to enter into contract with Mansfield Asphalt Paving Company for Airport Runway 6/24 Improvements.

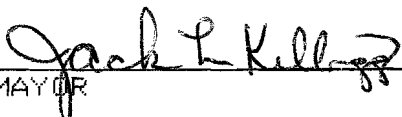
Section 2. That said contract in the amount of \$656,151.00 shall be payable from the Airport Improvement Fund, Capital Improvements, 446-06-447-250-000-520.

Section 3. That this ordinance is hereby declared to be an emergency measure for the 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 12, 1993

APPROVED: July 13, 1993


MAYOR

ATTEST:


CLERK OF COUNCIL

ORDINANCE NO. 1993- 78

ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE
AIRPORT IMPROVEMENT FUND FOR THE YEAR ENDING
DECEMBER 31, 1993, 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 Airport
Improvement Fund in the amount of \$74,820.00 as follows:

Capital Improvements	446-06-447-250-000-520	\$74,080.00
		\$74,820.00

Section 2. That this ordinance is hereby declared to be an emergency
measure necessary for the welfare of the City of Marion and the inhabitants
thereof and for the further reason that it is necessary for the daily operation
of the 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.

J. T. Ballenger

PRESIDENT OF COUNCIL

PASSED: July 12, 1993

APPROVED: July 13, 1993

Jack L. Kell

MAYOR

ATTEST:

Marsha Adams

CLERK

ORDINANCE NO. 1993- 79

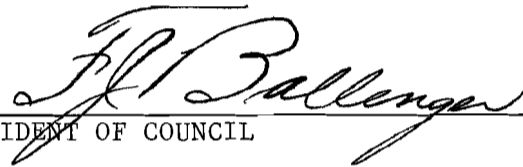
ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE CAPITAL IMPROVEMENT FUND FOR THE YEAR ENDING DECEMBER 31, 1993, AND DECLARING AN EMERGENCY.

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 Capital Improvement Fund in the amount of \$5,000.00 as follows:

Airport Facility Capital Improvements 401-06-542-250-216-520 \$5,000.00

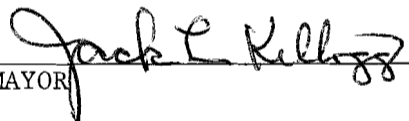
Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason it is necessary for the daily operation of the City; and as such, shall take effect and be in force immediately upon its 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: July 12, 1993

APPROVED: July 13, 1993



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1993- 80


ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE
SANITATION FUND FOR THE YEAR ENDING DECEMBER 31, 1993,
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
Sanitation Fund in the amount of \$24,557.00 as follows:

Landfill Professional Services 506-05-562-230-000-320 \$24,557.00

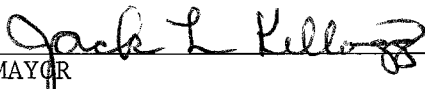
Section 2. That this ordinance is hereby declared to be an emergency
measure necessary for the welfare of the City of Marion and the inhabitants
thereof and for the further reason that it is necessary for the daily operation
of the City; and as such, shall take effect and be in force immediately upon
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: *July 12, 1993*

APPROVED: *July 13, 1993*



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1993- 81

ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE
SCMR FUND FOR THE YEAR ENDING DECEMBER 31, 1993, 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 SCMR
Fund in the amount of \$29,100.00 as follows:

Land & Bldg. Maintenance	207-06-612-230-000-370	\$11,000.00
Capital Equipment	207-06-612-250-000-450	<u>18,100.00</u>
	TOTAL.....	\$29,100.00

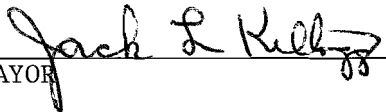
Section 2. That this ordinance is hereby declared to be an emergency
measure necessary for the welfare of the City of Marion and the inhabitants
thereof and for the further reason that it is necessary for the daily operation
of the City; and as such, shall take effect and be in force immediately upon
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: July 12, 1993

APPROVED: July 13, 1993



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1993- 82

ORDINANCE APPROVING THE PURCHASE OF TWO (2) USED PICKUP TRUCKS WITH SNOW BLADES FOR USE IN THE STREETS DEPARTMENT.

WHEREAS, the Streets Department is in need of two (2) pickup trucks with snow blades, and


WHEREAS, used vehicles will meet these needs, and

WHEREAS, Ordinance No. 1991-136 requires Council approval of all capital expenditures exceeding \$2,500.00 except for expenditures necessary for the health and safety of the citizens of the City of Marion, Ohio,

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

Section 1. That the Safety/Service Director is hereby authorized to purchase two (2) used pickup trucks with snow blades.

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 12, 1993

APPROVED: July 13, 1993



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1993- 83

ORDINANCE MAKING APPROPRIATION REDUCTIONS IN VARIOUS
FUND FOR THE YEAR ENDING DECEMBER 31, 1993, AND
DECLARING AN EMERGENCY.

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

Section 1. That there be appropriation reductions in various funds in
the amount of \$944,000.00 as follows:

Sewer Replacement Fund

Capital Equipment	504-05-553-250-000-450	\$(834,000.00)
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Sewer Revenue Fund

Salaries	505-05-551-210-000-110	\$(30,000.00)
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Insurance	505-05-551-230-000-380	(5,000.00)
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Salaries	505-05-552-210-000-110	(60,000.00)
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Insurance	505-05-552-230-000-380	(15,000.00)
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TOTAL Sewer Revenue Fund.....		\$(110,000.00)
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Section 2. That this ordinance is hereby declared to be an emergency
measure necessary for the welfare of the City of Marion and the inhabitants
thereof and for the further reason that it is necessary for the daily operation
of the 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: July 12, 1993

APPROVED: July 13, 1993



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1993-84

ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY/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 Safety/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>STREET</u>	<u>FROM</u>	<u>TO</u>
1. Cambridge Avenue	entire	
2. Clinton Street	entire	
3. Colonial Avenue	entire	
4. Columbia Street	Blaine Avenue	High Street
5. Fairlane Avenue	entire	
6. Fairwood Avenue	entire	
7. Woodrow Avenue	Clinton Street	W. Corporation
8. Prospect Street and Walnut Street	redesign traffic island	
9. Marion Area Transit	parking lot paving	

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), 207-06-612-230-000-531 (resurfacing projects), the Ohio Public Works Commission's Local Transportation Improvement Program (LTIP) Fund (40% grant for Clinton Street, Columbia Street, Fairlane Avenue, Fairwood Avenue; and Woodrow Avenue), the State Highway Improvement Fund, and an Urban Mass Transit Authority (UMTA) grant.

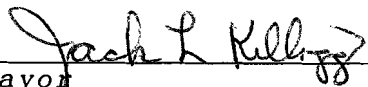
Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the inhabitants thereof and for the further reason that the construction season for this project is limited to the summer months; and as such shall take effect and be in force immediately 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: July 12, 1993

approved: July 13, 1993



 Mayor

Attest:



 Clerk of Council

ORDINANCE NO. 1993- 85

ORDINANCE TO ESTABLISH A 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 THE FORMULA 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. Gebhardt & Adams Streets Storm Sewer Projects.....	\$ 81,000.00
2. Emergency Housing.....	31,000.00
3. North Main Street Sidewalks.....	25,000.00
4. Adult Day Care (City Residents).....	5,000.00
5. Administration, Audit, Environmental Review.....	25,100.00
6. Fair Housing.....	<u>1,000.00</u>
	\$168,100.00

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.

J. T. Ballenger
PRESIDENT OF COUNCIL

PASSED: August 9, 1993

APPROVED: August 10, 1993

Jack L. Kelly
MAYOR

ATTEST:

Marsha Adams
CLERK OF COUNCIL

ORDINANCE NO. 1993- 86

ORDINANCE TO VACATE AN EAST-WEST ALLEY BETWEEN N. PROSPECT AND N. MAIN STREETS AND THE NORTH-SOUTH ALLEY BETWEEN LOTS #309 AND 179 IN THE CITY OF MARION.

amended w/ Ord. No. 1993-128 passed 10/11/93

Whereas, in the opinion of this Council, there is good cause for vacating part of a certain alley running east-west between N. Prospect Street and N. Main Streets and the north-south alley between lots #309 and 179 in the City of Marion, and

Whereas, the petition to vacate this alley was approved by the Marion City Planning Commission at its meeting of June 1, 1993, and

Whereas, notice to all abutting landowners was given in accordance with Marion Codified Ordinances 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:

Situated in the State of Ohio, County of Marion, and City of Marion, and more particularly described as follows:

Beginning at the Northeast corner of Lot Number 309 in Baker's Third Addition; thence in a southerly direction along the east line of Lot Number 309, a distance of 66.24 feet, more or less, to the southeast corner of Lot Number 309; thence in a westerly direction along the south line of Lot Number 309, a distance of 165 feet, more or less, to the Southwest corner of Lot Number 309; thence in a southerly direction, a distance of 16.5 feet, more or less, to the Northwest corner of Lot Number 95 in the Original Town; thence in an easterly direction along the north line of Lot Number 95, a distance of 165 feet, more or less to the Northeast corner of Lot Number 95; thence in a northerly direction along the east line of Lot Number 309, extended southerly, a distance of 16.5 feet, more or less, to the Southeast corner of Lot Number 309; thence in an easterly direction along the south line of Lot Number 179 in Holmes Addition, extended westerly, a distance of 16.5 feet, more or less, to the Southwest corner of Lot Number 179; thence in a northerly direction along the west line of Lot Number 179, a distance of 66.24 feet, more or less, to the Northwest corner of Lot Number 179; thence in a westerly direction along the north line of Lot Number 309, extended easterly, a distance of 16.5 feet, more or less, to the Northeast corner of Lot Number 309 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. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

J. H. Ballenger
PRESIDENT OF COUNCIL

PASSED: August 9, 1993

APPROVED: August 10, 1993

Jack L. Kilb
MAYOR

ATTEST:

Marsha Adams
CLERK

ORDINANCE AMENDING VARIOUS SECTIONS OF THE ZONING CODE
OF THE CITY OF MARION.

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

Section 1. That Section 1123.01 of the Zoning Code, now reading in part as follows:

"1123.01 DEFINITIONS

(68) Permit, Building Any permit which authorizes the construction or alteration of buildings or structures."

is hereby amended to read as follows:

"1123.01 DEFINITIONS

(69) Permit, Building OFFICIALLY A ZONING PERMIT. A permit which authorizes the construction or alteration of buildings or structures. FOR THE PURPOSE OF THIS ORDINANCE THE TERM ZONING PERMIT MAY BE SUBSTITUTED FOR THE TERM BUILDING PERMIT TO AVOID CONFUSION WITH A BUILDING PERMIT PURSUANT TO ELECTRICAL, PLUMBING AND BUILDING MATERIAL STANDARDS.

Section 2. That Section 1125.02 of the Zoning Code, now reading in part as follows:

"1125.02 DISCONTINUANCE OF NON-CONFORMING USE

No building, structure or premises involving a non-conforming use shall, if such use is voluntarily discontinued for one or more years, again be put to a non-conforming use."

is hereby amended to read as follows:

"1125.02 DISCONTINUANCE OF NON-CONFORMING USE

No building, structure or premises involving a non-conforming use shall, if such use is voluntarily discontinued for THREE or more years, again be put to a non-conforming use."

Section 3. That Section 1141.01 of the Zoning Code, now reading in part as follows:

"1141.01 USE REGULATIONS IN O-I-A OFFICE-INSTITUTIONAL-APARTMENT DISTRICT

The regulation of the uses of land and buildings in the Office-Institutional-Apartment District shall be as set forth in the schedules hereunder. Only uses designated as Permitted Uses shall be allowed, and any use not so designated shall be prohibited.

(1) Principal Permitted Uses

(A) Any use permitted and as regulated in the O-I Office and Institutional District.

(B) Town houses and other multi-family dwellings."

is hereby amended to read as follows:

"1141.01 USE REGULATIONS IN O-I-A OFFICE-INSTITUTIONAL-APARTMENT DISTRICT

*Published
Sept. 13th 20, 1993
The Marion Star
Marsha Adams
Clerk of Council*

The regulation of the uses of land and buildings in the Office-Institutional-Apartment District shall be as set forth in the schedules hereunder. Only uses designated as Permitted Uses shall be allowed, and any use not so designated shall be prohibited.

(1) Principal Permitted Uses

- (A) Any use permitted and as regulated in the O-I Office and Institutional District.
- (B) Town houses and other multi-family dwellings.
- (C) SINGLE FAMILY DWELLINGS."

Section 4. That Section 1143.01 of the Zoning Code, now reading in part as follows:

"1143.01 USE REGULATIONS IN COMMERCIAL DISTRICTS

1143.011 C-1 Neighborhood Shopping District

(1) Principal Permitted Uses

- (B) Gasoline service station, limited to 22,500 square feet of lot area and subject to compliance with the requirements of Section 1163.02.
- (C) Funeral Home or Mortuary.
- (D) Automatic Conveyor Type Car Washes."

is hereby amended to read as follows:

"1143.01 USE REGULATIONS IN COMMERCIAL DISTRICTS

1143.011 C-1 Neighborhood Shopping District

(1) Principal Permitted Uses

- (B) Gasoline service station, limited to 22,500 square feet of lot area and subject to compliance with the requirements of Section 1163.02.
- (C) Funeral Home or Mortuary.
- (D) CAR WASHES."

Section 5. That Section 1148.02 of the Zoning Code, now reading in part as follows:

"1148.02 CITY WIDE LIMITATIONS

No mobile home or MANUFACTURED HOME, as defined in the Ohio Revised Code §4501.01(0) shall be permitted to be located or occupied as a dwelling in the City of Marion except under the following two provisions:

1. It is to be located or occupied in a mobile home park as provided for hereunder in this chapter.
2. It is placed on an individual lot in the R-1C or R-2 district, and both lot and mobile home meet all the requirements for single family dwellings in the zoning district within which it is located and the following additional requirements:"

is hereby amended to read as follows:

"1148.02 CITY WIDE LIMITATIONS

No mobile home or manufactured home, as defined in the Ohio Revised Code §4501.01(0) shall be permitted to be located or occupied as a dwelling in the City of Marion except under the following two provisions:

1. It is to be located or occupied in a mobile home park as provided for hereunder in this chapter.
2. It is placed on an individual lot in the R-1C or R-2 district, and both lot and mobile home meet all the requirements for single family dwellings in the zoning district within which it is located and the following additional requirements ARE MET PRIOR TO OCCUPANCY:"

Section 6. That Section 1153.01 of the Zoning Code, now reading in part as follows:

"1153.01 OFF-STREET LOADING AND PARKING STANDARDS

Purpose. The purpose of this Chapter is to provide, through special regulations, for adequate off-street loading and parking facilities, as necessary for efficient and convenient community activity and for the prevention of traffic congestion."

is hereby amended to read as follows:

"1153.01 OFF-STREET LOADING AND PARKING STANDARDS

Purpose. The purpose of this Chapter is to provide, through special regulations, for adequate off-street loading and parking facilities, as necessary for efficient and convenient community activity and for the prevention of traffic congestion.

1153.011 ABANDONED JUNK MOTOR VEHICLES - SEE CODIFIED ORDINANCES OF THE CITY OF MARION, 351.18

ABANDONED JUNK MOTOR VEHICLES

- A. NO PERSON SHALL WILLFULLY LEAVE AN "ABANDONED JUNK MOTOR VEHICLE" AS DEFINED IN OHIO R.C. 4513.63, ON PRIVATE PROPERTY FOR MORE THAN SEVENTY-TWO (72) CONSECUTIVE HOURS WITHOUT THE PERMISSION OF THE PERSON HAVING THE RIGHT TO THE POSSESSION OF THE PROPERTY, OR ON A PUBLIC STREET OR OTHER PROPERTY OPEN TO THE PUBLIC FOR PURPOSES OF VEHICULAR TRAVEL OR PARKING, OR UPON OR WITHIN THE RIGHT-OF-WAY OF ANY ROAD OR HIGHWAY, FOR FORTY-EIGHT (48) CONSECUTIVE HOURS OR LONGER, WITHOUT NOTIFICATION TO THE POLICE CHIEF OF THE REASONS FOR LEAVING THE VEHICLE IN SUCH PLACE.

FOR PURPOSES OF THIS SECTION, THE FACT THAT A VEHICLE HAS BEEN SO LEFT WITHOUT PERMISSION OR NOTIFICATION IS PRIMA-FACIE EVIDENCE OF ABANDONMENT. NOTHING CONTAINED IN THIS SECTION SHALL INVALIDATE THE PROVISIONS OF OTHER ORDINANCES REGULATING OR PROHIBITING THE ABANDONMENT OF MOTOR VEHICLES ON STREETS, HIGHWAYS, PUBLIC PROPERTY OR PRIVATE WITH THE MUNICIPALITY. (ORC 4513.64)

- B. WHOEVER VIOLATES THIS SECTION IS GUILTY OF A MINOR MISDEMEANOR, AND SHALL ALSO BE ASSESSED ANY COSTS INCURRED BY THE MUNICIPALITY IN DISPOSING OF SUCH VEHICLE OR ABANDONED JUNK MOTOR VEHICLE, LESS ANY MONEY ACCRUING TO THE MUNICIPALITY FROM SUCH DISPOSAL. (ORC 4513.99(D))"

Section 7. That Section 1161.012 of the Zoning Code, now reading in part as follows:

"1161.012 Traffic Hazards

No sign shall be erected in such a manner as to obstruct free and clear vision, or at any location where, by reason of position, shape or color, it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device, or which makes use of the words "Stop", "look", "danger", or other word, phrase or symbol in such manner as to interfere with, mislead or confuse motorists or pedestrians. Light sources for illuminated signs shall not be

of such brightness as to constitute a hazard to pedestrian or vehicular traffic. No rotating beam, beacon, or flashing illumination resembling an official traffic control or emergency light shall be used in connection with any sign display, nor shall any illuminated device designed to attract attention of users of the street be permitted unless it is an integral and functional part of the sign as herein defined."

is hereby amended to read as follows:

"1161.012 Traffic Hazards

No sign shall be erected in such a manner as to obstruct free and clear vision, or at any location where, by reason of position, shape or color, it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device, or which makes use of the words "Stop", "look", "danger", or other word, phrase or symbol in such manner as to interfere with, mislead or confuse motorists or pedestrians. Light sources for illuminated signs shall not be of such brightness as to constitute a hazard to pedestrian or vehicular traffic. No rotating beam, beacon, or flashing illumination resembling an official traffic control or emergency light shall be used in connection with any sign display, nor shall any illuminated device designed to attract attention of users of the street be permitted unless it is an integral and functional part of the sign as herein defined.

A. NO PERSON SHALL PLACE, MAINTAIN, OR DISPLAY UPON OR IN VIEW OF ANY STREET ANY UNAUTHORIZED SIGN, SIGNAL, MARKING OR DEVICE WHICH PURPORTS TO BE OR IS AN IMITATION OF OR RESEMBLES A TRAFFIC CONTROL DEVICE OR RAILROAD SIGN OR SIGNAL, OR WHICH ATTEMPTS TO DIRECT THE MOVEMENT OF TRAFFIC, OR WHICH HIDES FROM VIEW OR INTERFERES WITH THE EFFECTIVENESS OF ANY TRAFFIC CONTROL DEVICE OR ANY RAILROAD SIGN OR SIGNAL, AND NO PERSON SHALL PLACE OR MAINTAIN, NOR SHALL ANY PUBLIC AUTHORITY PERMIT UPON ANY STREET ANY TRAFFIC SIGN OR SIGNAL BEARING THEREON ANY COMMERCIAL ADVERTISING. THIS SECTION DOES NOT PROHIBIT THE ERECTION UPON PRIVATE PROPERTY ADJACENT TO STREETS OF SIGNS GIVING USEFUL DIRECTIONAL INFORMATION AND OF A TYPE THAT CANNOT BE MISTAKEN FOR TRAFFIC CONTROL DEVICES.

B. EVERY SUCH PROHIBITED SIGN, SIGNAL, MARKING OR DEVICE IS A PUBLIC NUISANCE, AND THE POLICE DEPARTMENT IS AUTHORIZED TO REMOVE THE SAME OR CAUSE IT TO BE REMOVED.
(ORC 4511.16)

PENALTY - SEE SECTIONS 309.01 AND 309.02 CODIFIED ORDINANCES"

Section 8. That Section 1173.01 of the Zoning Code, now reading in part as follows:

"1173.01 EXPIRATION OF PERMITS FOR EXCEPTIONS, CONDITIONAL USE AND VARIANCES

Every permit or variation of the application of the literal provisions of this Code allowed or granted, as provided in this Chapter shall expire and be of no force or effect after the expiration of six (6) months from the date thereof, unless:"

is hereby amended to read as follows:

"1173.01 EXPIRATION OF PERMITS FOR EXCEPTIONS, CONDITIONAL USE AND VARIANCES

BUILDING PERMITS OR VARIATION OF THE APPLICATION OF THE LITERAL PROVISION OF THIS CODE ALLOWED OR GRANTED BY THE MARION CITY BOARD OF ZONING APPEALS SHALL EXPIRE AND BE OF NO FORCE OR EFFECT AFTER THE EXPIRATION OF SIX (6) MONTHS FROM THE DATE THEREOF, AND IS SUBJECT TO THE PROVISIONS IN 1173.01."

Section 9. That Section 1143.01 of the Zoning Code, now reading in part as follows:

"1143.01 USE REGULATIONS IN COMMERCIAL DISTRICTS

1143.011 C-1 Neighborhood Shopping District

(1) Principal Permitted Uses

For Those Areas Designated C-1B, the following uses are also allowed:

(A) Retail sales, personal service and office establishments, not including drive-in facilities of the types listed hereunder, provided each such establishment occupies a total floor area of not more than 4,000 square feet, except that, for retail stores engaged primarily in the sale of foods for home preparation and consumption, the total floor area shall not be more than 20,000 square feet.

(1) Restaurant.

(2) Hardware store limited primarily to retail sales.

(3) Drycleaning and laundry pick-up service.

(4) Self service laundry and drycleaning.

(5) News stand.

(B) Gasoline service station, limited to 22,500 square feet of lot area and subject to compliance with the requirements of Section 1163.02.

(C) Funeral home or mortuary.

(D) Automatic conveyor type car washes (as provided for in Section 1163.05)."

is hereby amended to read as follows:

"1143.01 USE REGULATIONS IN COMMERCIAL DISTRICTS

1143.011 C-1 Neighborhood Shopping District

(1) Principal Permitted Uses

For Those Areas Designated C-1B, the following uses are also allowed:

(A) Retail sales, personal service and office establishments, not including drive-in facilities of the types listed hereunder, provided each such establishment occupies a total floor area of not more than 4,000 square feet, except that, for retail stores engaged primarily in the sale of foods for home preparation and consumption, the total floor area shall not be more than 20,000 square feet.

(1) Restaurant.

(2) Hardware store limited primarily to retail sales.

(3) Drycleaning and laundry pick-up service.

(4) Self service laundry and drycleaning.

(5) News stand.

(B) Gasoline service station, limited to 22,500 square feet of lot area and subject to compliance with the requirements of Section 1163.02.

(C) Funeral home or mortuary.

(D) Automatic conveyor type car washes (as provided for in Section 1163.05).

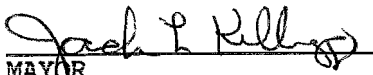
- (E) MINI WAREHOUSING, THAT IS STORAGE OF RESIDENTIAL FURNITURE AND BELONGINGS IN ENCLOSED BUILDINGS PROVIDED, HOWEVER, THAT SUCH BUILDINGS SHALL BE LIMITED TO ONE STORY IN HEIGHT WHICH ONE STORY SHALL NOT EXCEED TWELVE (12) FEET IN HEIGHT FROM FLOOR TO CEILING. SUCH STORAGE SHALL BE COMPLETELY RESTRICTED TO THE INTERIOR OF SUCH BUILDINGS AND NO OUTSIDE STORAGE OR WAREHOUSING OF ANY KIND OR NATURE SHALL BE PERMITTED. NO OTHER ACTIVITY INCLUDING ANY SELLING OF GOODS OR WORKSHOPS, SALES OF GOODS OR FLEAMARKETS SHALL BE PERMITTED ON THE SITE."

Section 10. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.


PRESIDENT OF COUNCIL

PASSED: August 9, 1993

APPROVED: August 10, 1993


MAYOR

ATTEST:


CLERK

ORDINANCE NO. 1993-88

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH MANSFIELD TYPEWRITER COMPANY AND APPROPRIATE FUNDS FOR A (4) FOUR YEAR LEASE ON A RICOH 6750R COPIER AND DECLARING AN EMERGENCY.

WHEREAS, Safety Service Director did receive proposals to lease a copier, and

WHEREAS, Mansfield Typewriter Company 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/Service Director be and is hereby authorized and directed to enter into contract with Mansfield Typewriter Company for a (4) four year lease on a Ricoh 6750R Copier.

Section 2. That said contract shall be payable from the General Fund.

Section 3. That there be additional appropriations made in the amount of \$1,896.12 as follows:

General Fund


Leased Equipment, 101-07-741-230-000-361 \$1,896.12

Section 4. That this ordinance is hereby declared to be an emergency measure for the 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: August 9, 1993

APPROVED: August 10, 1993


MAYOR

ATTEST:


CLERK OF COUNCIL

ORDINANCE NO. 1993-89

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS FOR THE SAMPLING AND ANALYSIS OF THE MONITORING WELLS AT THE MARION CITY LANDFILL FOR A **PERIOD** OF (1) ONE YEAR WITH AN OPTION YEAR AND DECLARING AN EMERGENCY.

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

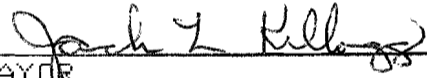
Section 1. That the Safety/Service Director be and is hereby authorized and directed to prepare specifications and advertise for bids for the Sampling and Analysis of the Monitoring Wells at the Marion City Landfill for a period of (1) one year with an option year.

Section 2. That this ordinance is hereby declared to be an emergency measure for the 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.


PRESIDENT OF COUNCIL

PASSED: August 9, 1993

APPROVED: August 10, 1993


MAYOR

ATTEST:


CLERK OF COUNCIL

ORDINANCE NO. 1993- 90


ORDINANCE MAKING AN APPROPRIATION REDUCTION IN THE CAPITAL IMPROVEMENT FUND FOR THE YEAR ENDING DECEMBER 31, 1993, AND DECLARING AN EMERGENCY.

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

Section 1. That there be an appropriation reduction made in the Capital Improvement Fund in the amount of \$(5,000.00) as follows:

FY92 Contingency 401-09-542-270-000-624 \$(5,000.00)

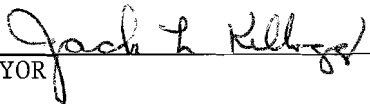
Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason it is necessary for the daily operation of said City; and as such, shall take effect and be in force immediately upon its 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 ghe earliest period allowed by law.



PRESIDENT OF COUNCIL

PASSED: August 9, 1993

APPROVED: August 10, 1993



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1993-91

AN ORDINANCE COOPERATING WITH THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF KLERX AVENUE AND PROSPECT STREET (SR-4DA); KENTON AVENUE (SR-309); DELAWARE AVENUE (SR-423); AND BELLEFONTAINE AVENUE AND HILL STREET (SR-739), AND DECLARING AN EMERGENCY.

Klerx Ave., Prospect St./
Kenton Ave./Delaware Ave./
NAME OF STREET Bellefontaine Ave., Hill St.,
ROUTE NO. SR-4DA/SR-309/SR-423/SR-739

ORDINANCE NO. 1993-91
DATE July 26, 1993

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:

- Starting on Klerx Ave. at Main St. (SLM 1.41) and ending on S. Prospect St. at W. Walnut St. (SLM 0.00). Remove the existing pavement surface and replace with asphaltic concrete.
- Starting on Kenton Ave. at Marion West Corporation Line (SLM 15.36) and ending at Center St. (SLM 15.82). Remove the existing pavement surface in the curb section and replace with asphaltic concrete. Resurface the non-curb areas with asphaltic concrete.
- Starting on Delaware Ave. at McKinley Park/Vernon Hts. Blvd. (SLM 8.23) and ending at W. Walnut St. (SLM 8.59). Remove the existing pavement surface and replace with asphaltic concrete.
- Starting on Bellefontaine Ave. at Barks Ave. (SLM 8.27) and ending on Hill St. at Main St. (SLM 9.55). Remove the existing pavement surface in the curb section and replace with asphaltic concrete. Resurface the non-curb areas with asphaltic concrete.

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:
The Ohio Department of Transportation will assume and bear one-hundred percent (100%) of the cost of the project. For those items not necessary for the improvement, as decided upon by the State, the City will take responsibility for payment of these items.

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 Safety/Service Director 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: No Restrictions

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.

 * SPECIAL NOTE: *
 * Please make sure all spaces are filled out and signed, including the signature *
 * for the Contractual Officer and Witness near the bottom of this sheet. If the *
 * clerk does not have a seal, please enclose a signed note stating this. Please *
 * return two (2) signed and certified copies of the legislation to: *
 * Ned W. Kerstetter, P. E. *
 * Ohio Department of Transportation *
 * District Six *
 * 400 E. William Street *
 * Delaware, Ohio 43015 *

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: August 9, _____, 1993.

Attest: Marsha Adams
 Clerk

Jack T. Kelly
 Mayor

Attest: _____

J.P. 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 9th day of August, 1993, 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. 37, Page 89-92.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 10th day of August, 1993.

(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 Marion, Ohio.

Attest: _____

_____, Date _____
 Contractual Officer

For the State of Ohio

Attest: _____

_____, Date _____
 Director, Ohio Department of Transportation

ORDINANCE NO. 1993-92

ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY/SERVICE DIRECTOR TO PREPARE PLANS AND SPECIFICATIONS, ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE BALLENTINE AVENUE CURB AND PAVEMENT PROJECT, AND DECLARING AN EMERGENCY.

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

Section 1. That the Safety/Service Director is hereby authorized and directed to prepare plans and specifications, advertise for bids and enter into contract for the improvement of Ballentine Avenue from George Street to Farming Street by widening the roadway and installing new curbs.

Section 2. That the cost of such contract shall be payable from the Formula Grant Fund.

Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of 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.

J. T. Ballenger

President of Council

Passed: August 9, 1993 .

Approved: August 10, 1993

Jack L. Kellogg

Mayor

Attest:
Marsha Adams

Clerk of Council

*Section 2 amended w/Ord. 1993-109
passed 8/24/93*

ORDINANCE NO. 1993-93

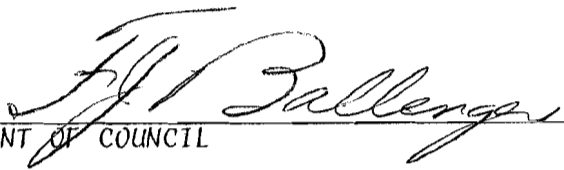
ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE PARKS FUND FOR THE YEAR ENDING DECEMBER 31, 1993, AND DECLARING AN EMERGENCY.

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 Parks Fund in the amount of \$10,142.68 as follows:

Resurfacing Projects 221-03-421-230-000-531 \$10,142.68


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

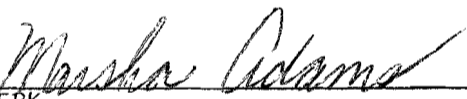
PASSED: August 9, 1993

APPROVED: August 10, 1993



MAYOR

ATTEST:



CLERK

ORDINANCE NO. 1993- 94

ORDINANCE DESIGNATING DEPOSITORIES OF PUBLIC MONEYS OF THE CITY OF MARION.

WHEREAS, applications have been received from eligible institutions to serve as depositories of the public moneys of the City of Marion, which applications are presently on file with this City and in the office of the City Treasurer thereof and which are hereby incorporated herein by reference, and it is therefore essential that action be taken on such applications as in this ordinance provided;

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

Section 1. That the applications to serve as depositories of the active moneys of this City which have been received from the financial institutions referred to below, all of which are hereby determined to be eligible institutions for the deposit of such moneys, are hereby found to be in conformity with law, including Chapter 135 of the Ohio Revised Code, and the following financial institutions are hereby designated as public depositories of the active moneys under the control of this City for the period from September 14, 1993 to and including September 13, 1995, provided, however, that none of such institutions shall be permitted to receive and have on deposit at any one time a greater amount of active deposits of moneys of this City than that specified in its application for the same. That, on the basis of the operating needs of this City, the first \$25,000.00 of such moneys subject to the control of this City shall, in accordance with Section 135.04 of the Ohio Revised Code, be deposited in the FAHEY BANKING COMPANY and that the active moneys of this City in excess of such sum of \$25,000.00 shall be deposited in such institutions in proportion to their respective award quotas as determined pursuant to such Section 135.04. Said institutions and the amount of deposit in each are as follows:

<u>DEPOSITORY OF ACTIVE MONEYS</u>	<u>PERCENT TO BE DEPOSITED</u>
National City Bank	23.06
Bank One, Marion	14.01
The Fahey Banking Company	13.90
The Commercial Savings Bank	15.623
The Marion Bank	18.52
Americom Bank	14.83

Section 2. That the applications to serve as depositories of the interim funds of this City which have been received from the finance institutions referred to below, all of which are hereby determined to be eligible institutions for the deposit of such moneys, are hereby found to be in conformity with law, including Chapter 135, Ohio Revised Code, and the financial institutions referred to below are hereby designated as public depositories of the interim moneys under the control of this City for the period from September 14, 1993 to and including September 13, 1995:

NAME OF INSTITUTION

- The Commercial Savings Bank
- The Fahey Banking Company
- Bank One, Marion
- National City Bank
- State Savings Bank
- The Marion Bank
- Americom Bank

Section 3. The City Treasurer be and she is hereby authorized to determine from time to time the amount of funds available for investment or deposit as interim moneys, to select the date or dates for investment or deposit of such interim moneys, and to select the classifications of obligations for the investment or deposit of such moneys as provided in Section 135.14, Ohio Revised Code, provided that if such moneys are determined to be deposited as interim deposits (evidenced by a certificate of deposit), in accordance with Division (C) of Section 135.14, the same shall be deposited with the financial institution specified above which offered to pay the highest permissible interest as nearly as practicable in pro-

portion to the respective capital funds as defined in Section 135.01 (C), Ohio Revised Code, taking into account, however, the amount of funds from time to time to be deposited, the amount required to be deposited to obtain the highest permissible interest rate, and the maturity dates and rights of redemption with respect to the respective deposits; and provided further that the Treasurer shall, within thirty days after classifying any public moneys as interim moneys, notify this Council of such classification and of the investment or deposits made pursuant to this Section.

Section 4. That the award of public moneys herein made is subject to the provisions of Chapter 135 of the Ohio Revised Code, including the limitation imposed by, and the variations permitted by, Sections 135.03 and 135.20 thereof, respectively; and, subject to the provisions of such Chapters, deposits of moneys shall be made pursuant to this ordinance from time to time in accordance with the financial requirements of this City.

Section 5. That the City Treasurer is hereby directed to keep all such applications on file in her office.

Section 6. That the City Treasurer is hereby directed to forward certified copies of this ordinance to the financial institutions herein designated as public depositories of this City and the Mayor and the City Treasurer are hereby authorized and directed to execute on behalf of this City such memorandum agreements relating to the designation of such institutions as public depositories and the securing of deposits therein as are required, authorized or permitted by law.

Section 7. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

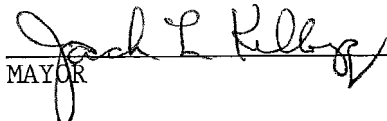
Section 8. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.



 PRESIDENT OF COUNCIL

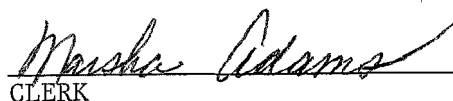
PASSED: August 9, 1993

APPROVED: August 10, 1993



 MAYOR

ATTEST:



 CLERK

ORDINANCE NO. 1993- 95

ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE
SANITATION FUND FOR THE YEAR ENDING DECEMBER 31, 1993,
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
Sanitation Fund in the amount of \$10,865.00 as follows:

Professional Services 506-05-562-230-000-320 \$10,865.00

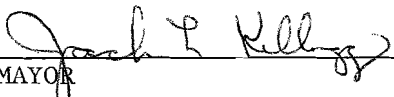
Section 2. That this ordinance is hereby declared to be an emergency
measure necessary for the welfare of the City of Marion and the inhabitants
thereof and for the further reason that it is necessary for the daily operation
of said City; and as such, shall take effect and be in force immediately upon
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 9, 1993

APPROVED: August 10, 1993



MAYOR

ATTEST:



CLERK

*defeated
9/13/93*

ORDINANCE NO. 1993-96

ORDINANCE TO AMEND ORDINANCE NO. 1969-29 (YARGER REPORT), AS AMENDED, BY GRANTING WAGE INCREASES AND ESTABLISHING A PROCEDURE FOR GRANTING AUTOMATIC WAGE RANGE CHANGES IN THE PAY GRADES OF NON-BARGAINING UNIT EMPLOYEES IN VARIOUS CLASSES OF POSITIONS WITHIN THE SERVICE OF THE CITY OF MARION AND APPROPRIATING FUNDS FOR ANY WAGE RATE INCREASES GENERATED THEREFROM.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARION, MARION COUNTY, OHIO:

SECTION 1. That, whereas 4.5% wage range and pay increases have been granted effective August 8, 1993, by order of Marion Municipal Court to certain classes of positions listed in Ordinance No. 1969-29(as amended), as follows:

Position	Grade	Steps		
		A	B	C
Bailiff	21	9.74	11.45	12.97
Deputy Bailiff	18	8.59	10.13	11.45
Deputy Clerk of Court	18	8.59	10.13	11.45

And, that, whereas, the City wishes to maintain equitable wage ranges and pay increases for all non-bargaining unit employees within the various classes of positions within the service of the City of Marion, Ordinance No. 1969-29, as amended, is hereby further amended granting increases in the amount of 4.5%, effective August 8, 1993, as follows:

Position	Grade	Steps		
		A	B	C
Account Clerk I-Transit	16	7.92	9.31	10.55
Asst Dir.-Senior Ctr	16	7.92	9.31	10.55
Airport Technician	18	8.59	10.13	11.45
Secretary- HR,SS,LAW	18	8.59	10.13	11.45
Probation Officer	18	8.59	10.13	11.45
Clerk of Council	20	9.35	10.99	12.47
Secretary-Mayor	20	9.35	10.99	12.47
Income Tax Investigator	21	9.74	11.45	12.97
Police Mechanic	22	10.18	11.93	13.56
Wastewater Control Spec I	23	10.60	12.47	14.13
Director-Senior Ctr.	23	10.60	12.47	14.13
Deputy Tax Commissioner	24	11.08	12.98	14.77
Housing Rehab. Spec.	24	11.08	12.98	14.77
Inv. & Int. Auditor	24	11.08	12.98	14.77
Utility Billing Supvr	24	11.08	12.98	14.77
Wastewater Control Spec II	25	11.59	13.56	15.45
Airport Manager	26	12.10	14.13	16.13
Recreation Director	26	12.10	14.13	16.13
Clerk of Court	26	12.10	14.13	16.13
Asst WPC Supt	27 28	12.64 13.21	14.77 15.45	16.86 17.61
Deputy Auditor	28	13.21	15.45	17.61
Tax Commissioner	28	13.21	15.45	17.61
Service-Sanitation Supt.	30	14.44	16.86	19.25
WPC Supt.		16.61	20.82	22.14
City Engineer		17.29	20.13	23.05

SECTION 2. That Ordinance No. 1969-29 (Yarger Report), as amended, is further amended by inclusion of the revised Job Descriptions appended hereto.

SECTION 3. That, in recognition of the inequitable pay differential that exists between a supervisor and subordinates in the Water Pollution Control Division and in accordance with job responsibilities as specified in the job description for Asst. Water Pollution Control Superintendent appended hereto, Ordinance No. 1969-29, as amended, is hereby further amended by placing said position on Pay Grade 28 effective August 8, 1993.

SECTION 4. That Ordinance No. 1969-29, as amended, is hereby further amended by providing for computation of new wage ranges effective January 1 of each year for all non-bargaining positions listed herein, including Municipal Court positions; such changes in the wage ranges shall be the average of the general wage increases granted to bargaining unit members in the preceding twelve (12) months. Any wage increases resulting therefrom shall be effective on the first pay period beginning after January 1. Should wage decreases result therefrom the employee's wage rate shall be held at the then current level until further increase is warranted by an additional Step within the range or further adjustment of the wage range.

SECTION 5. That the funds necessary to implement the wage increases in Sections 1 and 3 above are hereby appropriated.

SECTION 6. That hereafter the Administration shall include in the Annual Budget each year for Council's approval any wage increases resulting from the new wage ranges; such budgeted appropriations shall then require no further action of or by Council.

SECTION 7. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.



 PRESIDENT OF COUNCIL

PASSED:

APPROVED:

 MAYOR

ATTEST:

 CLERK

defeated 9/13/93

*defeated 9/13/93*ORDINANCE NO. 1993- 97

ORDINANCE TO AMEND ORDINANCE NO. 1969-29 (YARGER REPORT) AS AMENDED, ORDINANCE NO. 68-41 (PERSONNEL POLICIES) AS AMENDED AND CHAPTERS 137 AND 139 OF THE CODIFIED ORDINANCES OF THE CITY OF MARION BY GRANTING WAGE INCREASES AND BENEFITS AND ESTABLISHING A PROCEDURE FOR GRANTING AUTOMATIC CHANGES IN WAGE RATES AND BENEFITS FOR THE POSITIONS OF CHIEF OF POLICE AND FIRE CHIEF IN THE CITY OF MARION AND APPROPRIATING FUNDS FOR ANY INCREASES GENERATED THEREFROM.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARION, MARION COUNTY, OHIO:

SECTION 1. That, in recognition of the inequitable pay and benefits differential that exists or may exist in future between the Chief of Police and subordinates, Paragraph 137.01 of Chapter 137 of the Codified Ordinances of the City of Marion now reading as follows:

"137.01 COMPOSITION

The Division of Police shall be composed of a Chief of Police and such other officers and personnel as Council shall from time to time determine."

IS HEREBY AMENDED TO READ AS FOLLOWS:

"137.01 COMPOSITION, PAY AND BENEFITS

The Division of Police shall be composed of a Chief of Police and such other officers and personnel as Council shall from time to time determine.

A newly appointed Chief of Police shall serve a probationary period of six months. During the probationary period the base rate of pay for the Chief of Police shall be maintained at a level 17% above that of the top base rate of pay of a Captain in the Marion Police Department.

The base rate of pay for the Chief of Police, after satisfactory completion of the probationary period, shall be adjusted to and maintained at a level 22% above the top base rate of pay of a Captain in the Marion Police Department.

Except for overtime pay, the Chief of Police shall be eligible for all other benefits for which the officers of the *GOLD UNIT OF THE* Marion Police Department are eligible."

SECTION 2. That, in recognition of the inequitable pay and benefits differential that exists or may in future exist between the Fire Chief and subordinates, Paragraph 139.01 of Chapter 139 of the Codified Ordinances of the City of Marion now reading as follows:

"139.01 COMPOSITION

The Division of Fire shall be composed of a Fire Chief and such other officers and personnel as Council shall from time to time determine."

IS HEREBY AMENDED TO READ AS FOLLOWS:

"139.01 COMPOSITION, PAY AND BENEFITS

The Division of Fire shall be composed of a Fire Chief and such other officers and personnel as Council shall from time to time determine.

A newly appointed Fire Chief shall serve a probationary period of six months. During the probationary period the base rate of pay for the Fire Chief shall be maintained at a level 5% above the top base rate of pay/ ~~FOR A 48 HOUR WEEK~~ ~~at the~~ ~~FOR THE~~ Assistant Fire Chief in the Marion City Fire Department.

The base rate of pay for the Fire Chief, after completion of the probationary period, shall be adjusted to and maintained at a level 10% above that of the top base rate of pay ~~FOR A 48 HR.~~ ~~FOR THE~~ ~~WEEK~~ ~~WEEK~~ the Assistant Fire Chief in the Marion City Fire Department.

Except for overtime pay, the Fire Chief shall be eligible for all other benefits for which officers of the Marion City Fire Department are eligible."

SECTION 3. That Ordinance No. 1969-29 (Yarger Report), as amended, is further amended by inclusion of the revised Job Descriptions appended hereto.

SECTION 4. That, in accordance with changes in Chapters 137 and 139 of the Codified Ordinances of the City of Marion herein enacted by Sections 1 and 2, references to pay and benefits for the Chief of Police and Fire Chief are hereby removed from Ordinance No.1969-29, as amended and Ordinance No. 68-41, as amended.

SECTION 5. That the changes in Sections 1 and 2 above are to be implemented effective August 8, 1993, and the funds necessary to implement such changes are hereby appropriated.

SECTION 6. That hereafter the Administration shall include in the Annual Budget each year for Council's approval any wage and benefit increases resulting from the application of the regulations contained in paragraphs 137.01 and 139.01 of the Codified Ordinances of the City of Marion; such budgeted appropriations shall then require no further action of or by Council.

SECTION 7. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PRESIDENT OF COUNCIL

PASSED:

APPROVED:

MAYOR

ATTEST:

CLERK

defeated 9/13/93

ORDINANCE NO. 1993-98

ORDINANCE AUTHORIZING THE PURCHASE OF CAPITAL
EQUIPMENT EXCEEDING \$2,500.00 IN COST, AND
DECLARING AN EMERGENCY.

WHEREAS, Marion City Council passed Ordinance No. 1991-136 requiring approval of all Capital expenditures exceeding \$2,500.00 except for expenditures necessary for the health and safety of the citizens of the City of Marion, Ohio, and

WHEREAS, the Safety/Service Director has requested the replacement and connection of a telephone to the Service Garage exceeding \$2,500.00 in cost for the Sanitation Department,

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

Section 1. That the Safety/Service Director is hereby authorized to purchase telephone equipment from GTE Telecom at a cost of \$3,798.81 payable from the Sanitation Fund Account No. 506-05-561-250-000-450.

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 for the further reason that it provides for the daily operation of the 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.

J. H. Ballenger

PRESIDENT OF COUNCIL

PASSED: August 23, 1993

APPROVED: August 24, 1993

Jack L. Killgore

MAYOR

ATTEST:

Marsha Adams

CLERK

ORDINANCE NO. 1993 - 99

ORDINANCE TO AMEND ORDINANCE # 1993-57 AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH SIMON ROOFING FOR THE REPLACEMENT AND REPAIR OF SEVEN (7) ROOFS IN THE DIVISION OF WATER POLLUTION CONTROL, AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 1993-57 authorized the contract for the replacement and repair of seven roofs at the Water Pollution Control Plant, and

WHEREAS, said contract was not to exceed \$85,000.00, and

WHEREAS, additional deterioration of the roof structure will require an increase in the contract limit to \$96,000.00.

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

Section 1. That Section 2 of Ordinance No. 1993-57 now reading as follows:

"Section 2. That the cost of said contract shall be payable from the Sewer Replacement Fund, Capital Improvements, 504-05-553-250-000-520 and shall not exceed \$85,000.00 (base bid \$72,419.00, extra work \$12,581.00)."

is hereby amended to read as follows:

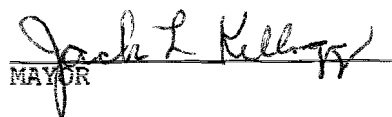
"Section 2. That the cost of said contract shall be payable from the Sewer Replacement Fund, Capital Improvements, 504-05-553-250-000-520 and shall not exceed \$96,000.00 (base bid \$72,419.00, extra work \$23,281.00)."

Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason that it is necessary for the daily operation of the 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 16, 1993

APPROVED: August 17, 1993


MAYOR

ATTEST:


CLERK