

Rick Huddle, Chair Robert Landon, Member Josh Daniels, Member

Marion City Council
Finance Committee Agenda
November 19, 2019 at 6:30 PM

Roll Call

Minutes

Old Business:

New Business:

Item 1. DISCUSSION: APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF MARION, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2020

Item 2. DISCUSSION: PRESENTATION FROM CITY FIRE DEPARTMENT REQUESTING COUNCIL APPROVE THE PLACEMENT OF THE NECESSARY RESOLUTION IN ORDER TO HAVE PLACED BEFORE CITY VOTERS A REAL ESTATE LEVY SUPPORTING FIRE DEPARTMENT NEEDS

Items not on the Agenda



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

AGENDA
LEGISLATION AND CODES
COMMITTEE MEETING
12/02/2019 at 6:35 PM
City Hall – Council Chambers, 2nd Floor

- 1. Roll Call**
- 2. Approval of Minutes**
- 3. Old Business**
- 4. New Business**

Item 1. LIQUOR PERMIT RENEWALS (entire list of renewals)

- No (required) legislation received regarding any objections
- Administration has indicated no concerns as of 12/02/2019
Reports by City Administration, Chief Collins, and Chief Deem

- ☐ We request a hearing on the advisability of issuing the permit and request that a hearing be held in our county seat for the following:
 - ☐ Specify Liquor Permit Holder, Grounds, and Evidence – see attached form to complete to prepare legislation
- ☐ **Motion to take no action on any of the listed liquor permit renewals**

Item 2. DISCUSSION ONLY: VETERAN PARKING

5. Items not on the Agenda



**Department
of Commerce**

Division of Liquor Control

Mike DeWine, Governor
Sheryl Maxfield, Director

**NOTICE TO LEGISLATIVE AUTHORITIES
Objections to Renewal of a Liquor Permit**

CLERK OF MARION CITY COUNCIL
233 W CENTER ST
MARION OHIO 43302

51-044

NOVEMBER 12, 2019

Dear Clerk of Legislative Authority:

This is notice that all permits to sell alcoholic beverages in your political subdivision will expire on **February 1, 2020**. In order to maintain permit privileges, every permit holder must file a renewal application.

Ohio Revised Code Section 4303.271(B) provides the legislative authority with the right to object to the renewal of a permit and to request a hearing. The hearing may be held in the county seat of the county in which the permit premises is located if that request is made in writing. This will be your only opportunity to object to the renewal of a liquor permit premises which might be a problem in your community.

In order to register a valid objection with the Division of Liquor Control and request a hearing, the legislative authority must pass a resolution that specifies the problems at the liquor permit premises and the legal grounds for the objection as set forth in Ohio Revised Code Section 4303.292(A). It is suggested that a separate resolution be passed for each permit premises. The Chief Legal Officer of your political subdivision must also submit a statement with the resolution that, in the Chief Legal Officer's opinion, the objection is based upon substantial legal grounds within the meaning and intent of Ohio Revised Code Section 4303.292(A). The resolution and Chief Legal Officer's statement must be addressed to the Division of Liquor Control, Attn: Legal Section, 6606 Tussing Road, P.O. Box 4005, Reynoldsburg, Ohio 43068-9005 and postmarked no later than January 2, 2020.

For your convenience, you may access our brochure entitled "[How to Object to the Issuance or Renewal of a Liquor Permit](#)" from our website at www.com.ohio.gov/liqr Under "Licensing" click on "Renewals" and under that mega menu please select the link "Object to the Issuance or Renewal of a Liquor Permit".

You may wish to contact the law enforcement agency for your jurisdiction to determine if it has any information which will aid in your decision whether or not to object and request a hearing. For your convenience you may obtain a [list of issued permit holders](#) in your jurisdiction from our website at the above link. Under "Liquor Control" click on "Look it up" and under that mega menu please select "Search Permit Holders" "Permit Applicant / Holder Information (types and status)". You will then enter the search criteria for your county / city / township to bring up the issued permits in your jurisdiction. If you do not have access to the internet, you may request a list from us by writing the Division at the below address.

If you determine that there are no permit premises within your jurisdiction that you wish to object to, you do not need to take any action. The renewal applications for those premises will be submitted by the permit holders and will be processed by the Division and issued as appropriate.

If you have any questions, please contact the Legal Section at (614) 644-2489.

Very truly yours,

Cassandra L. Hicks
Deputy Superintendent & Chief Of Licensing



Department of Commerce

Division of Liquor Control

Permit Objection Process

Objections to a new permit, or transfer of ownership and/or location of an existing permit:

Who may file an objection?

- Local legislative authority (city council if within a municipal corporation, township trustees or county commissioners)
- Public institutions (schools, churches, libraries, public playgrounds, and township parks) within a 500-foot radius of the proposed permit premises

Once notified by the Division of Liquor Control, the local legislative authority and/or public institutions have 30 days to submit their objection and request a hearing. Only the local legislative authority may request an extension beyond 30 days.

Objections to a permit renewal:

Who may file an objection?

Only the local legislative authority can object to annual permit renewals by taking the following actions:

- Adopt a resolution stating the reason for the objection and forward a copy to the division no later than 30 days before the expiration date of the permit.
- Provide a statement to accompany the resolution from the chief legal officer stating it has reviewed the resolution, and, in its opinion, it is based on substantial legal grounds.

Requests for hearings should be mailed to:

Ohio Department of Commerce
Division of Liquor Control
Licensing Office
6606 Tussing Rd. P.O. Box 4005
Reynoldsburg, Ohio 43068-9005

Concerned Citizens:

Citizens cannot file objections directly, but can make their concerns known to their local legislative authority and ask that it object and request a hearing. There are options available for communities dealing with a problem liquor permit establishment that may be found [here](#).

Hearing Procedure:

Hearings take place at the division's Reynoldsburg offices, the county seat of the permit holder/applicant, or via video conference where available. The objector must appear for the objection to be considered. The hearing is open to the public, but citizens cannot present evidence or provide testimony unless designated by the objector or permit holder/applicant.

An attorney from the division conducts the hearing, but does not make a decision. A report is submitted to the division's superintendent, who decides whether to overrule or sustain the objection.

The permit holder/applicant or legislative authority may appeal the decision to the Ohio Liquor Control Commission. Public institutions have no legal right to appeal the division's decisions.

Evidence:

The division's decision is guided by statutes, rules and legal cases. Evidence must be pertinent to the advisability of granting or renewing the permit. Speculative testimony not supported by sufficient evidence has been ruled by Ohio courts to be insufficient reason not to allow a business to operate. The burden of proof is on the objecting party, and the evidence presented must be:

- **Reliable** – Dependable evidence which can be confidently trusted.
- **Probative** - Relevant evidence which tends to prove the issue in question.
- **Substantial** - Evidence with some weight, importance and value.

Statutory Basis to Sustain Objection:

The grounds for which the division can deny a permit or reject a permit renewal are provided in Ohio Revised Code Section 4303.292.

Examples include:

- Conviction for a crime relating to the ability to operate a liquor establishment by the applicant, any partner, member, officer, director, manager or shareholder owning five percent or more of the capital stock.
- An applicant's unfavorable enforcement record and/or operation in disregard of laws, regulations or local ordinances.
- The location of the establishment substantially and adversely interfering with public decency, sobriety, peace, or good order of the neighborhood, or the normal, orderly conduct of a public institution.
- Saturation in the neighborhood such that the permit applied for would be detrimental to and substantially interfere with the morals, safety or welfare of the public.

Anyone with questions regarding the objection process may contact the division's legal section at 614-644-2489.

Ohio

Mike DeWine, Governor
Jon Husted, Lt. Governor

**Department
of Commerce**

Division of Liquor Control
Sheryl Manfield, Director

6606 Tussing Road
Reynoldsburg, OH 43068
614.644.2360



Community Options for Dealing with Problem Liquor Permit Premises

There are three ways a community may stop liquor permit privileges at a problem premises:

- Local option election;
- Padlock procedures to close a nuisance permit premises;
- Local legislative authority objections to the annual renewal of a liquor permit.

Local Option Election

A local option election involves ceasing alcoholic beverage sales of all liquor permit businesses in the precinct. Ohio Revised Code sections 4301.32, through 4305.14 are the applicable laws dealing with local option elections affecting an entire voting district.

A local option election allows the voters of a particular precinct to decide if the sale of beer, wine, or spirituous liquor shall be permitted within the precinct.

More information regarding local option elections may be obtained from local boards of elections. Instructions for local option petitioners are available by calling the Secretary of State's Office at 614-466-2585.

Padlock Procedures to Close a Nuisance Permit Premises

Another option local officials and residents may use is the padlock procedure. By establishing a permit premises is a nuisance, a court may order it closed for one year.

Ohio Revised Code sections 3767.01, 3767.03 and 3767.05 define what constitutes a nuisance, and set the procedures used when seeking to padlock such a location. This type of action is heard in the local court system and may be instituted by any of the following:

- **The Ohio Attorney General;**
- **The law director of any municipal corporation or township;**
- **The solicitor of any village;**
- **The county prosecuting attorney;**
- **Any person who is a citizen of the county in which the nuisance exists.**

A padlock action may be brought against any building, room, etc., where alcoholic beverages are manufactured, sold or possessed "in violation of law" and against all property kept and used maintaining it. "Violation of law" includes sales to an underage person, and any food stamp or drug violation. After such an action is filed, if it appears to the satisfaction of the court that such a nuisance does exist, a temporary injunction may be issued restraining the defendant from conducting a nuisance or permitting its continuance until the conclusion of the trial. The court may also preliminarily restrain the defendant from removing or interfering with any of the property that is the subject of the action.

If, at the trial's conclusion, the court finds the material allegations of illegality are proven, the one-year padlocking of the property may be ordered.

Further, the Division of Liquor Control is required to deny the issuance, renewal or transfer of any retail liquor permit if the applicant has been found to be maintaining a nuisance at the premises where the permit is issued or sought.

Before undertaking a padlock proceeding, the following points should be considered:

1. All nuisance actions must be brought in the common pleas court of the county where the nuisance is located.
2. Local law officials or prosecuting attorneys are usually in a better position to initiate this type of action, due to two factors:
 - The action must be brought in the local court system.
 - The witnesses are most likely to be local residents or local law enforcement officials. Such familiarity makes case preparation much more convenient and thorough.
3. Finally, these types of cases often take a great deal of time. The burden of proof in verifying the existence of a nuisance is higher than the normal administrative burden before the Liquor Control Commission.

Local Legislative Authority Objections to the Annual Liquor Permit Renewal

Although not required by law, the division informs legislative authorities they may object to annual permit renewals. They must adopt a resolution stating the reason for objecting and forward a copy to the division no later than 30 days before the expiration date of the permit. It must be accompanied by a statement from the chief legal officer that they reviewed the resolution, and in their opinion, it is based on substantial legal grounds.

A hearing is then hosted at the division's offices in Reynoldsburg, the county seat of the permit holder/applicant, or via video conference where available. The objector must appear for the objection to be considered. The hearing is open to the public, but citizens cannot present evidence or provide testimony unless designated by the objector or permit holder/applicant.

An attorney from the division conducts the hearing, but does not make a decision. A report is submitted to the division's superintendent, who decides whether to overrule or sustain the objection



**Department
of Commerce**

Division of Liquor Control

John R. Kasich, Governor

Jacqueline T. Williams, Director

6606 Tussing Road
Reynoldsburg, OH 43068
614.644.2360



Marion Police Department

233 West Center Street
Marion, Ohio 43302-3692
Telephone (740) 387-2525



Chief of Police

Bill Collins

wcollins@marionohio.org

November 25, 2019

To: Council Members

From: Chief Bill Collins

Ref: Bar Statistics as Referenced in Committee on 11/19/19

All,

I have attached for your review the statistics for the bars mentioned during the committee meeting on 11/19/19.

The top 3 calls for service at each bar are listed.

	Some Place Else	Whitey's	Time Out	Gotham	Ok Café
CFS Total	132	122	92	90	54
Bar Check	39	33	24	35	20
Disturbance	35	16	4	12	3
Fight	9	5	2	5	1

This was for 2019 through the end of October

The rest of the total calls for service not listed were miscellaneous calls for service such as Suspicious Person, Lock Out, Parking Violation etc.

Please let me know if you have any further questions regarding these statistics.

Chief Bill Collins
Marion Police Department

Permit Number	Permit Name	1802531381	Member/Officer	Class	Date Of Action	Street1	Quota Exempt Class
8003740	717 JL ENTERPRISES LLC	DBA SUNOCO FOODMART	JAGBIR SINGH, LAKHWINDER SINGH	C1	7/12/2018	717 DELAWARE AVE	NOT A QUOTA EXEMPT
00903950162	AL POST0162		No records to display.	D4	1/15/1974	531 BELLEFONTAINE AV	NOT A QUOTA EXEMPT
00903950584	AL POST0584 MARION G I INC		No records to display.	D4	11/20/1979	142 OLNEY AV	NOT A QUOTA EXEMPT
01802531381	AMVETS POST 138		No records to display.	D4	3/8/2012	403 SILVER ST 1ST FL ONLY	NOT A QUOTA EXEMPT
0379138	BAIRES DELI LLC		MARCELO OSCAR MARTIN	D1	10/5/2010	131 S MAIN ST 1ST FLR ONLY	NOT A QUOTA EXEMPT
0379138	BAIRES DELI LLC		MARCELO OSCAR MARTIN	D2	10/5/2010	131 S MAIN ST 1ST FLR ONLY	NOT A QUOTA EXEMPT
08984010032	BPOE LODGE0032 MARION		No records to display.	D4		130 1/2 S STATE ST 2ND FL	NOT A QUOTA EXEMPT
1171136	C S MARION ENTERPRISES LLC	DBA OK CAFE 1ST FL & PATIO	EVERETT C TACKETT, SCOTT E SHAWVER	D5	1/5/2018	734-38 E CENTER ST	NOT A QUOTA EXEMPT
1171136	C S MARION ENTERPRISES LLC	DBA OK CAFE 1ST FL & PATIO	EVERETT C TACKETT, SCOTT E SHAWVER	D6	1/5/2018	734-38 E CENTER ST	NOT A QUOTA EXEMPT
13702000150	CERTIFIED OIL CORP	DBA CERTIFIED OIL #150	No records to display.	C1	8/29/1996	301 S MAIN	NOT A QUOTA EXEMPT
13702000150	CERTIFIED OIL CORP	DBA CERTIFIED OIL #150	No records to display.	C2	8/29/1996	301 S MAIN	NOT A QUOTA EXEMPT
13702000289	CERTIFIED OIL CORP	DBA CERTIFIED 289	No records to display.	C1	3/22/1999	976 E CENTER	NOT A QUOTA EXEMPT
13702000289	CERTIFIED OIL CORP	DBA CERTIFIED 289	No records to display.	C2	3/22/1999	976 E CENTER	NOT A QUOTA EXEMPT
7308385	CHRIS RENNICK	DBA ATTA BOYS	No records to display.	D1	8/23/2018	289 W CENTER ST	NOT A QUOTA EXEMPT
7308385	CHRIS RENNICK	DBA ATTA BOYS	No records to display.	D3	8/23/2018	289 W CENTER ST	NOT A QUOTA EXEMPT
1778193	COURTYARD GRUB & PUB LLC	DBA COURTYARD GRUB & PUB & COURTYARD	GILBERT S WILLIAMS	D5	2/28/2013	142 N MAIN ST 1ST FL & BSMT	NOT A QUOTA EXEMPT
4640485	DANIEL E KINCAID	DBA WHITEYS TAVERN	No records to display.	D2	5/17/2004	119 HUBER ST 1ST FL & BSMT	NOT A QUOTA EXEMPT
4640485	DANIEL E KINCAID	DBA WHITEYS TAVERN	No records to display.	D2X	5/17/2004	119 HUBER ST 1ST FL & BSMT	NOT A QUOTA EXEMPT
4640485	DANIEL E KINCAID	DBA WHITEYS TAVERN	No records to display.	D3	5/17/2004	119 HUBER ST 1ST FL & BSMT	NOT A QUOTA EXEMPT
4640485	DANIEL E KINCAID	DBA WHITEYS TAVERN	No records to display.	D3A	5/17/2004	119 HUBER ST 1ST FL & BSMT	NOT A QUOTA EXEMPT
21115730005	DEW DROP CO LTD	DBA DEW DROP THRU	ROBERT MORGAN, SHERRY MORGAN	C2	7/26/2010	575 N MAIN ST	NOT A QUOTA EXEMPT
21115730005	DEW DROP CO LTD	DBA DEW DROP THRU	ROBERT MORGAN, SHERRY MORGAN	C2X	7/26/2010	575 N MAIN ST	NOT A QUOTA EXEMPT
2111575	DEW DROP THRU 2 LLC	DBA DEW DROP THRU 2	SHERRY L MORGAN	C1	5/16/2018	450 JEFFERSON ST EXCLUDING S/E COR	NOT A QUOTA EXEMPT
2111575	DEW DROP THRU 2 LLC	DBA DEW DROP THRU 2	SHERRY L MORGAN	C2	5/16/2018	450 JEFFERSON ST EXCLUDING S/E COR	NOT A QUOTA EXEMPT
2111575	DEW DROP THRU 2 LLC	DBA DEW DROP THRU 2	SHERRY L MORGAN	D6	5/16/2018	450 JEFFERSON ST EXCLUDING S/E COR	NOT A QUOTA EXEMPT

22348151470	DOLGEN MIDWEST LLC	DBA DOLLAR GENERAL STORE 12300	No records to display.	C1	2/1/2013	617 N MAIN ST	NOT A QUOTA EXEMPT CLASS
22348151470	DOLGEN MIDWEST LLC	DBA DOLLAR GENERAL STORE 12300	No records to display.	C2	2/1/2013	617 N MAIN ST	NOT A QUOTA EXEMPT CLASS
22348152060	DOLGEN MIDWEST LLC	DBA DOLLAR GENERAL STORE #15523	No records to display.	C1	2/13/2015	1055 BELLEFONTAINE AV	NOT A QUOTA EXEMPT CLASS
22348152060	DOLGEN MIDWEST LLC	DBA DOLLAR GENERAL STORE #15523	No records to display.	C2	2/13/2015	1055 BELLEFONTAINE AV	NOT A QUOTA EXEMPT CLASS
22348152415	DOLGEN MIDWEST LLC	DBA DOLLAR GENERAL STORE 2929	No records to display.	C1	3/27/2017	1346 MOUNT VERNON AV	NOT A QUOTA EXEMPT CLASS
22348152415	DOLGEN MIDWEST LLC	DBA DOLLAR GENERAL STORE 2929	No records to display.	C2	3/27/2017	1346 MOUNT VERNON AV	NOT A QUOTA EXEMPT CLASS
25230550790	ENGLEFIELD INC	DBA FAIRPARK DUCHESS	No records to display.	C1	5/8/2017	440 E FAIRGROUND ST	NOT A QUOTA EXEMPT CLASS
25230550790	ENGLEFIELD INC	DBA FAIRPARK DUCHESS	No records to display.	C2	5/8/2017	440 E FAIRGROUND ST	NOT A QUOTA EXEMPT CLASS
25230550790	ENGLEFIELD INC	DBA FAIRPARK DUCHESS	No records to display.	D6	12/14/2017	440 E FAIRGROUND ST	NOT A QUOTA EXEMPT CLASS
25230550895	ENGLEFIELD INC	DBA CLOVER & MERCHANT DUCHESS	No records to display.	C1	5/25/2017	1070 MT VERNON RD	NOT A QUOTA EXEMPT CLASS
25230550895	ENGLEFIELD INC	DBA CLOVER & MERCHANT DUCHESS	No records to display.	C2	5/25/2017	1070 MT VERNON RD	NOT A QUOTA EXEMPT CLASS
26463240010	FARM TRANSPORT LLC		No records to display.	H	5/11/2017	1353 COLUMBUS SANDUSKY RD S	NOT A QUOTA EXEMPT CLASS
260008900501	FKG OIL CO	DBA MARION MOTOMART	No records to display.	C1	12/17/1996	1297 S PROSPECT ST	NOT A QUOTA EXEMPT CLASS
260008900501	FKG OIL CO	DBA MARION MOTOMART	No records to display.	C2	12/17/1996	1297 S PROSPECT ST	NOT A QUOTA EXEMPT CLASS
26000890055	FKG OIL CO	DBA CENTER STREET MOTOMART	No records to display.	C2	12/17/1996	691 W CENTER ST	NOT A QUOTA EXEMPT CLASS
26000890055	FKG OIL CO	DBA CENTER STREET MOTOMART	No records to display.	C2X	12/17/1996	691 W CENTER ST	NOT A QUOTA EXEMPT CLASS
2949350	FROSTY MUG SPORTS BAR LLC		JAMES R FRANK II	D1	7/7/2006	612 S PROSPECT ST	NOT A QUOTA EXEMPT CLASS
2949350	FROSTY MUG SPORTS BAR LLC		JAMES R FRANK II	D2	7/7/2006	612 S PROSPECT ST	NOT A QUOTA EXEMPT CLASS
2949350	FROSTY MUG SPORTS BAR LLC		JAMES R FRANK II	D3	7/7/2006	612 S PROSPECT ST	NOT A QUOTA EXEMPT CLASS
4057918	GREG & DEBBIE HUGHES	DBA FAST PARTS BY AUTO VALUE	No records to display.	C1	7/30/1993	410 DAVIDS ST	NOT A QUOTA EXEMPT CLASS
3580538	HANNAH GROCERY INC	DBA FIVE O DRIVE THRU	SHREERAM M PATEL	C1	11/22/2005	676 E CENTER ST	NOT A QUOTA EXEMPT CLASS
3580538	HANNAH GROCERY INC	DBA FIVE O DRIVE THRU	SHREERAM M PATEL	C2	11/22/2005	676 E CENTER ST	NOT A QUOTA EXEMPT CLASS
35805380005	HANNAH GROCERY INC	DBA FIVE O DRIVE THRU	SHREERAM M PATEL	C1	1/9/2008	1068 MT VERNON AVE	NOT A QUOTA EXEMPT CLASS
35805380005	HANNAH GROCERY INC	DBA FIVE O DRIVE THRU	SHREERAM M PATEL	C2	1/9/2008	1068 MT VERNON AVE	NOT A QUOTA EXEMPT CLASS
6440035	HUGH H NORRIS	DBA POP WYLUES SERVICE	No records to display.	C1	8/29/2018	331 N MAIN ST	NOT A QUOTA EXEMPT CLASS

6440035	HUGH H NORRIS	DBA POP WYLIES SERVICE	No records to display.	C2	8/29/2018	331 N MAIN ST	NOT A QUOTA EXEMPT CLASS
4191802	JACKS DRIVE THRU OF MARION LLC	DBA JACKS DRIVE THRU	VICKI GREGORY, ROBERT GREGORY III	C1	5/10/2005	410 W CENTER ST	NOT A QUOTA EXEMPT CLASS
4191802	JACKS DRIVE THRU OF MARION LLC	DBA JACKS DRIVE THRU	VICKI GREGORY, ROBERT GREGORY III	C2	5/10/2005	410 W CENTER ST	NOT A QUOTA EXEMPT CLASS
1717569	JOHN K COOK	DBA WOODY'S PLACE	No records to display.	C1	4/25/2007	566 DELAWARE AV	NOT A QUOTA EXEMPT CLASS
1717569	JOHN K COOK	DBA WOODY'S PLACE	No records to display.	C2	4/25/2007	566 DELAWARE AV	NOT A QUOTA EXEMPT CLASS
6440033	KEVIN J NORRIS	DBA NORRIS GROCERY 1ST FL	No records to display.	C1	4/5/2011	901 BENNETT ST	NOT A QUOTA EXEMPT CLASS
6440033	KEVIN J NORRIS	DBA NORRIS GROCERY 1ST FL	No records to display.	C2	4/5/2011	901 BENNETT ST	NOT A QUOTA EXEMPT CLASS
488508908085	KROGER CO		No records to display.	C2	9/18/1996	1428 MARION WALDO RD	NOT A QUOTA EXEMPT CLASS
488508908085	KROGER CO		No records to display.	C2X	9/18/1996	1428 MARION WALDO RD	NOT A QUOTA EXEMPT CLASS
488508908085	KROGER CO		No records to display.	D6	12/24/2002	1428 MARION WALDO RD	NOT A QUOTA EXEMPT CLASS
488508908085	KROGER CO		No records to display.	D8	8/3/2004	1428 MARION WALDO RD	NOT A QUOTA EXEMPT CLASS
5027320	LARGEN ENTERPRISES LLC	DBA DINOS NORTH	LARRY SHERMAN MULLINS, GENOVA MULLINS	C1	12/21/2016	696 RICHMOND AV	NOT A QUOTA EXEMPT CLASS
5027320	LARGEN ENTERPRISES LLC	DBA DINOS NORTH	LARRY SHERMAN MULLINS, GENOVA MULLINS	C2	12/21/2016	696 RICHMOND AV	NOT A QUOTA EXEMPT CLASS
5027320	LARGEN ENTERPRISES LLC	DBA DINOS NORTH	LARRY SHERMAN MULLINS, GENOVA MULLINS	D6	12/18/2017	696 RICHMOND AV	NOT A QUOTA EXEMPT CLASS
528497508898	LOOM LODGE0889	DBA LOOM LODGE 0889	No records to display.	D4	5/3/2018	1300 DELAWARE AVE & PATIO	NOT A QUOTA EXEMPT CLASS
54054195332	MACS CONVENIENCE STORES LLC	DBA CIRCLE K 5332	No records to display.	C1	1/29/2003	588 N MAIN ST	NOT A QUOTA EXEMPT CLASS
54054195332	MACS CONVENIENCE STORES LLC	DBA CIRCLE K 5332	No records to display.	C2	1/29/2003	588 N MAIN ST	NOT A QUOTA EXEMPT CLASS
5544104	MARION BREWING CO	DBA MARION BREWING CO 1ST FL ONLY	JOE VANBUSKIRK, TIM CHAMBERS	A1C	6/27/2019	151 S MAIN ST	NOT A QUOTA EXEMPT CLASS
4330577	MARY J JOHNSON	DBA MIDWAY TAVERN	No records to display.	D2	8/15/1979	388 W CENTER ST & PATIO	NOT A QUOTA EXEMPT CLASS
4330577	MARY J JOHNSON	DBA MIDWAY TAVERN	No records to display.	D2X	8/15/1979	388 W CENTER ST & PATIO	NOT A QUOTA EXEMPT CLASS
4330577	MARY J JOHNSON	DBA MIDWAY TAVERN	No records to display.	D3	8/15/1979	388 W CENTER ST & PATIO	NOT A QUOTA EXEMPT CLASS
4330577	MARY J JOHNSON	DBA MIDWAY TAVERN	No records to display.	D3A	8/15/1979	388 W CENTER ST & PATIO	NOT A QUOTA EXEMPT CLASS
6064860	MI RANCHO GROCERY STORE LLC		ESTHER DIAZ	C1	7/31/2014	170 BARKS RD E	NOT A QUOTA EXEMPT CLASS
2095150	MICHAEL C DESKINS	DBA THIRD BASE DRIVE THRU	No records to display.	C1	2/10/2014	1129 S PROSPECT ST	NOT A QUOTA EXEMPT CLASS
2095150	MICHAEL C DESKINS	DBA THIRD BASE DRIVE THRU	No records to display.	C2	2/10/2014	1129 S PROSPECT ST	NOT A QUOTA EXEMPT CLASS

9055891	MICHAEL J TROIANO	DBA TOWNE HOUSE 1ST FL & PATIO	No records to display.	D1	10/28/2015	199 DAVIDS ST	NOT A QUOTA EXEMPT CLASS
9055891	MICHAEL J TROIANO	DBA TOWNE HOUSE 1ST FL & PATIO	No records to display.	D2	10/28/2015	199 DAVIDS ST	NOT A QUOTA EXEMPT CLASS
9055891	MICHAEL J TROIANO	DBA TOWNE HOUSE 1ST FL & PATIO	No records to display.	D3	10/28/2015	199 DAVIDS ST	NOT A QUOTA EXEMPT CLASS
9055891	MICHAEL J TROIANO	DBA TOWNE HOUSE 1ST FL & PATIO	No records to display.	D6	10/28/2015	199 DAVIDS ST	NOT A QUOTA EXEMPT CLASS
64421310005	NORTH MARION FUEL INC	DBA MARATHON	MEGDAD ALDAMEN	D1	5/16/2019	847 N MAIN ST	NOT A QUOTA EXEMPT CLASS
64421310005	NORTH MARION FUEL INC	DBA MARATHON	MEGDAD ALDAMEN	D2	5/16/2019	847 N MAIN ST	NOT A QUOTA EXEMPT CLASS
65172420960	OHIO CVS STORES LLC	DBA CVS PHARMACY 3432	No records to display.	C1	7/5/2011	535 DELAWARE AV	NOT A QUOTA EXEMPT CLASS
65172420960	OHIO CVS STORES LLC	DBA CVS PHARMACY 3432	No records to display.	C2	7/5/2011	535 DELAWARE AV	NOT A QUOTA EXEMPT CLASS
65911380015	OSIAM INC	DBA DINOS DRIVE THRU WEST	CALVIN T LAMB, GLORIA WESTLAKE, JEFF LAMB	D1	10/1/1981	810 DAVIDS ST 1ST FL & BSMT	NOT A QUOTA EXEMPT CLASS
65911380015	OSIAM INC	DBA DINOS DRIVE THRU WEST	CALVIN T LAMB, GLORIA WESTLAKE, JEFF LAMB	D2	10/1/1981	810 DAVIDS ST 1ST FL & BSMT	NOT A QUOTA EXEMPT CLASS
65911380015	OSIAM INC	DBA DINOS DRIVE THRU WEST	CALVIN T LAMB, GLORIA WESTLAKE, JEFF LAMB	D3	10/1/1981	810 DAVIDS ST 1ST FL & BSMT	NOT A QUOTA EXEMPT CLASS
65911380015	OSIAM INC	DBA DINOS DRIVE THRU WEST	CALVIN T LAMB, GLORIA WESTLAKE, JEFF LAMB	D3A	10/1/1981	810 DAVIDS ST 1ST FL & BSMT	NOT A QUOTA EXEMPT CLASS
6655996	PALACE CULTURAL ARTS ASSOCIATION	DBA MARION PALACE THEATER	BEV FORD, DAVID KASMENN, JEFF BALDAUF, ROBERT ANDREW HARPER	D1	10/29/2012	276 W CENTER	NOT A QUOTA EXEMPT CLASS
6655996	PALACE CULTURAL ARTS ASSOCIATION	DBA MARION PALACE THEATER	BEV FORD, DAVID KASMENN, JEFF BALDAUF, ROBERT ANDREW HARPER	D2	10/29/2012	276 W CENTER	NOT A QUOTA EXEMPT CLASS
6655996	PALACE CULTURAL ARTS ASSOCIATION	DBA MARION PALACE THEATER	BEV FORD, DAVID KASMENN, JEFF BALDAUF, ROBERT ANDREW HARPER	D3	10/29/2012	276 W CENTER	NOT A QUOTA EXEMPT CLASS
6836195	PESTO ONE LLC	DBA SANSOTTAS FRESH ITALIAN & PATIO	JOSEPH A SANSOTTA II	D1	6/10/2014	1292 DELAWARE AV	NOT A QUOTA EXEMPT CLASS
6836195	PESTO ONE LLC	DBA SANSOTTAS FRESH ITALIAN & PATIO	JOSEPH A SANSOTTA II	D2	6/10/2014	1292 DELAWARE AV	NOT A QUOTA EXEMPT CLASS
68620990005	PETROVSKI BROTHERS LLC	DBA OLD MAURYS 1ST FL & PATIO	BOBBY PETROVSKI	D1	8/24/2017	138 S MAIN ST	NOT A QUOTA EXEMPT CLASS
68620990005	PETROVSKI BROTHERS LLC	DBA OLD MAURYS 1ST FL & PATIO	BOBBY PETROVSKI	D2	8/24/2017	138 S MAIN ST	NOT A QUOTA EXEMPT CLASS
68620990005	PETROVSKI BROTHERS LLC	DBA OLD MAURYS 1ST FL & PATIO	BOBBY PETROVSKI	D3	8/24/2017	138 S MAIN ST	NOT A QUOTA EXEMPT CLASS
74015600126	RITE AID OF OHIO INC	DBA RITE AID #0277	No records to display.	C1	1/18/2007	332 S MAIN ST	NOT A QUOTA EXEMPT CLASS
74015600126	RITE AID OF OHIO INC	DBA RITE AID #0277	No records to display.	C2	1/18/2007	332 S MAIN ST	NOT A QUOTA EXEMPT CLASS
74015600126	RITE AID OF OHIO INC	DBA RITE AID #0277	No records to display.	D6	2/1/2007	332 S MAIN ST	NOT A QUOTA EXEMPT CLASS
7532565	ROSS CO LLC	DBA GOTHAM CITY CLUB	LISA ROSS, NATALIE WILSON	D5	6/24/2014	137-139 W CENTER ST 1ST FL	NOT A QUOTA EXEMPT CLASS

7645833	S & R ENTERPRISES LLC		DBA SOMPLACE ELSE		ROBERT MORGAN, SHERRY MORGAN ERIC J ANDERSON, FRESH ENCOUNTER INC, JULIE ANDERSON, MARK DOUGLAS GEPHART, MICHAEL NEEDLER SR, MICHAEL S NEEDLER JR	D5	12/27/2006	176-80 S MAIN ST 1ST FL	NOT A QUOTA EXEMPT CLASS
76611100040	SACK N SAVE INC					C2	9/13/1989	725 RICHMOND AV	NOT A QUOTA EXEMPT CLASS
76611100040	SACK N SAVE INC				ERIC J ANDERSON, FRESH ENCOUNTER INC, JULIE ANDERSON, MARK DOUGLAS GEPHART, MICHAEL NEEDLER SR, MICHAEL S NEEDLER JR	C2X	9/13/1989	725 RICHMOND AV	NOT A QUOTA EXEMPT CLASS
6109970	SHANNON LEE MONK		DBA LEGENDS BAR 1ST FL ONLY		No records to display.	D2	8/20/2019	462 W CENTER ST	NOT A QUOTA EXEMPT CLASS
6109970	SHANNON LEE MONK		DBA LEGENDS BAR 1ST FL ONLY		No records to display.	D2X	8/20/2019	462 W CENTER ST	NOT A QUOTA EXEMPT CLASS
6109970	SHANNON LEE MONK		DBA LEGENDS BAR 1ST FL ONLY		No records to display.	D3	8/20/2019	462 W CENTER ST	NOT A QUOTA EXEMPT CLASS
8039293	SHANTA KRISH LTD		DBA SOUTH PROSPECT MARKET		JIGNESH B PATEL	C1	9/18/2008	682 S PROSPECT ST 1ST FL	NOT A QUOTA EXEMPT CLASS
8039293	SHANTA KRISH LTD		DBA SOUTH PROSPECT MARKET		JIGNESH B PATEL	C2	9/18/2008	682 S PROSPECT ST 1ST FL	NOT A QUOTA EXEMPT CLASS
8039293	SHANTA KRISH LTD		DBA SOUTH PROSPECT MARKET		JIGNESH B PATEL	D6	9/18/2008	682 S PROSPECT ST 1ST FL	NOT A QUOTA EXEMPT CLASS
8113164	SHRI SYP CORPORATION LLC		DBA MARION FOOD MARKET		POONAM M PATEL	C1	7/26/2016	887 E CENTER ST	NOT A QUOTA EXEMPT CLASS
8113164	SHRI SYP CORPORATION LLC		DBA MARION FOOD MARKET		POONAM M PATEL	C2	7/26/2016	887 E CENTER ST	NOT A QUOTA EXEMPT CLASS
8113172	SHRI YOGI CORPORATION LLC		DBA MARION MARATHON		GUNVANTI JETHVA, PRABHUDAS JETHVA	C1	2/1/2012	885 E CENTER ST	NOT A QUOTA EXEMPT CLASS
8113172	SHRI YOGI CORPORATION LLC		DBA MARION MARATHON		GUNVANTI JETHVA, PRABHUDAS JETHVA	C2	2/1/2012	885 E CENTER ST	NOT A QUOTA EXEMPT CLASS
81220970005	SHYAMA CORPORATION INC		DBA FIVE POINTS DRIVE THRU		ANILA B PATEL, BHARAT M PATEL	C1	3/9/2012	687 KENTON AV	NOT A QUOTA EXEMPT CLASS
81220970005	SHYAMA CORPORATION INC		DBA FIVE POINTS DRIVE THRU		ANILA B PATEL, BHARAT M PATEL	C2	3/9/2012	687 KENTON AV	NOT A QUOTA EXEMPT CLASS
8200017	SIX SEVEN ONE HOME CORP		DBA KNIGHTS OF COLUMBUS & DECK		TERRY LAVENDER	D1	10/15/1992	1232 E CENTER ST ENTIRE BLDG	NOT A QUOTA EXEMPT CLASS
8200017	SIX SEVEN ONE HOME CORP		DBA KNIGHTS OF COLUMBUS & DECK		TERRY LAVENDER	D2	10/15/1992	1232 E CENTER ST ENTIRE BLDG	NOT A QUOTA EXEMPT CLASS
8200017	SIX SEVEN ONE HOME CORP		DBA KNIGHTS OF COLUMBUS & DECK		TERRY LAVENDER	D3	10/15/1992	1232 E CENTER ST ENTIRE BLDG	NOT A QUOTA EXEMPT CLASS
8320005	SMITLER OF MARION LLC		DBA TJS TOBACCO		TRACY BUTLER, KEITH D BUTLER	C1	11/2/2015	729 DAVIDS ST 1ST FL	NOT A QUOTA EXEMPT CLASS
8320005	SMITLER OF MARION LLC		DBA TJS TOBACCO		TRACY BUTLER, KEITH D BUTLER	C2	11/2/2015	729 DAVIDS ST 1ST FL	NOT A QUOTA EXEMPT CLASS
84189940855	SPEEDWAY LLC		DBA SPEEDWAY 3619		No records to display.	C1	3/30/2011	800 BELLEFONTAINE AV	NOT A QUOTA EXEMPT CLASS
84189940855	SPEEDWAY LLC		DBA SPEEDWAY 3619		No records to display.	C2	3/30/2011	800 BELLEFONTAINE AV	NOT A QUOTA EXEMPT CLASS

87742300015	T W F HOLDING COMPANY INC	DBA SAVE A LOT	No records to display.	C1	9/29/2015	1306 MT VERNON AV	NOT A QUOTA EXEMPT CLASS
87742300015	T W F HOLDING COMPANY INC	DBA SAVE A LOT	No records to display.	C2	9/29/2015	1306 MT VERNON AV	NOT A QUOTA EXEMPT CLASS
87742300015	T W F HOLDING COMPANY INC	DBA SAVE A LOT	No records to display.	D6	9/29/2015	1306 MT VERNON AV	NOT A QUOTA EXEMPT CLASS
8951070	TOBY SMITH LLC	DBA TJS TOBACCO	LAURA L SMITH, TOBY J SMITH	C1	5/13/2019	118 JEFFERSON ST	NOT A QUOTA EXEMPT CLASS
8951070	TOBY SMITH LLC	DBA TJS TOBACCO	LAURA L SMITH, TOBY J SMITH	C2	5/13/2019	118 JEFFERSON ST	NOT A QUOTA EXEMPT CLASS
8980080	TOMMYS CREATIONS LLC	DBA TOMMYS CREATIONS 1ST FL ONLY	ROBIN TRENT, TOMMY L TRENT JR	D1	7/26/2018	141 E CENTER ST	NOT A QUOTA EXEMPT CLASS
8980080	TOMMYS CREATIONS LLC	DBA TOMMYS CREATIONS 1ST FL ONLY	ROBIN TRENT, TOMMY L TRENT JR	D2	7/26/2018	141 E CENTER ST	NOT A QUOTA EXEMPT CLASS
91336330005	U ROLL IT TOBACCO LLC	DBA U ROLL IT	ERIC T DICKENS	C1	12/28/2012	1315 DELAWARE AV	NOT A QUOTA EXEMPT CLASS
91336330005	U ROLL IT TOBACCO LLC	DBA U ROLL IT	ERIC T DICKENS	C2	12/28/2012	1315 DELAWARE AV	NOT A QUOTA EXEMPT CLASS
926235533132	VFW POST3313		No records to display.	D4	6/10/1987	961 N MAIN ST	NOT A QUOTA EXEMPT CLASS
935794110295	WALGREEN CO	DBA WALGREENS 10295	No records to display.	C1	11/23/2009	1321 DELAWARE AVE	NOT A QUOTA EXEMPT CLASS
935794110295	WALGREEN CO	DBA WALGREENS 10295	No records to display.	C2	11/23/2009	1321 DELAWARE AVE	NOT A QUOTA EXEMPT CLASS
9404973	WAREHOUSE INC		GLEN T KILDOW	D5	10/19/2001	320 W CENTER ST & PATIO	NOT A QUOTA EXEMPT CLASS
0347950	BFE OF MARION LLC	DBA BLUE FUSION & PATIO	ROBERT GREGORY, VICKI GREGORY	D5I	2/26/2018	1340 MT VERNON AV	NOT A QUOTA EXEMPT CLASS
0347950	BFE OF MARION LLC	DBA BLUE FUSION & PATIO	ROBERT GREGORY, VICKI GREGORY	D6	2/26/2018	1340 MT VERNON AV	NOT A QUOTA EXEMPT CLASS
72469720185	RED LOBSTER HOSPITALITY LLC	DBA RED LOBSTER #560	No records to display.	D5	9/28/2015	1318 MT VERNON AV	NOT A QUOTA EXEMPT CLASS
72469720185	RED LOBSTER HOSPITALITY LLC	DBA RED LOBSTER #560	No records to display.	D6	9/28/2015	1318 MT VERNON AV	NOT A QUOTA EXEMPT CLASS

Jason Schaber, Chair Robert Landon, Member Kevin Norris, Member

Marion City Council
Municipal Services, Parks & Recreation
December 2, 2019 at 6:40 PM

Roll Call

Minutes

New Business:

Item 1. ORDINANCE AMENDING CERTAIN PORTIONS OF ORDINANCE
2008-125 AND DECLARING AN EMERGENCY

Items not on the Agenda

ORDINANCE AMENDING CERTAIN PORTIONS OF ORDINANCE
2008-125 AND DECLARING AN EMERGENCY

WHEREAS, the City Council for the City of Marion finds it necessary to amend certain portions of Ordinance 2008-125 and such other previously adopted Ordinances in order to carry out the desired end, that being, enabling even greater efficiencies within the Office of the Law Director, and

WHEREAS, the Council finds the modifications, adjustments and amendments contained herein are necessary,

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

SECTION 1. The Council finds it necessary to make the following amendments to previously adopted Ordinances referenced below, all previous terms not amended herein shall remain in full force as if fully rewritten herein:

SECTION 2. Section 1 of Ordinance 2008-125 now reading in relevant part as:

Section 1. Beginning on the first day of January 2009, the ... First Assistant Law Director from time to time also referred to as Chief Prosecutor.... The base salary for said position shall be \$ 72,000.00 with all the benefits previously provided the former position.

Shall be amended to:

Section 1. Beginning on the first day of January 2020, the ... First Assistant Law Director from time to time also referred to as Chief Prosecutor.... The base salary for said position shall be \$ 75,000.00 with all the benefits previously provided the former position.

SECTION 3 Ordinance 2008-125 now reading, in relevant part, as:

Commencing on the first day of 2009 the duties of the Assistant Law Director for Prosecution in the Marion Municipal Court (3rd Assistant) shall be consolidated and combined with those duties assigned to the Second Assistant Law Director. The base salary for the holder of the Office of the newly reformatted Second Assistant Law Director shall be \$ 40,000 per year, payable semi-monthly.

Shall be amended to:

Commencing on the first day of 2009 the duties of the Assistant Law Director for Prosecution in the Marion Municipal Court (3rd Assistant) shall be consolidated and combined with those duties assigned to the Second Assistant Law Director. The base salary for the holder of the Office of the newly reformatted Second Assistant Law Director shall be \$ 42,000 per year, payable semi-monthly.

SECTION 4. All provisions contained in previously adopted Ordinances not modified by the above shall remain in effect as if fully restated herein.

SECTION 5 . That this Ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and its' inhabitants thereof: given the need to take the opportunity to increase efficiencies; 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

APPROVED:

Mayor Scott Schertzer

ATTEST:

Clerk of Council