

City of  
**Marion  
Ohio**

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

**AGENDA**  
**REGULAR MEETING**  
October 14, 2019 at 7:30 PM  
City Hall – Council Chambers, 2<sup>nd</sup> Floor

**ROLL CALL**

**PRAYER**

**PLEDGE OF ALLEGIANCE**

**MINUTES FROM 09/23/2019**

**OLD BUSINESS:**

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

**Item 2. ORD 2019-59: ORDINANCE AMENDING MARION CODIFIED ORDINANCE 111.03, ALSO KNOWN AS RULE 15, RELATING TO COMMITTEE MEETINGS, AND DECLARING AN EMERGENCY. (Councilman Daniels) (2<sup>nd</sup> Reading)**

**NEW BUSINESS:**

**Item 1. RES 2019-18: RESOLUTION APPROVING AND AUTHORIZING ALL ACTIONS NECESSARY TO CREATE A LINE ITEM WITHIN THE DEPARTMENT OF POLICE FOR THE CITY OF MARION OHIO (Finance, 3-0, Mr. Huddle) (1<sup>st</sup> Reading)**

**OTHER BUSINESS:**

**ITEMS EXPECTED TO BE ADDED BY COMMITTEE ACTION:**

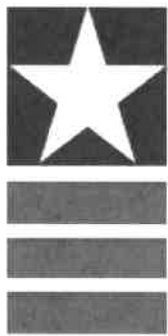
**Item 1. ORD 2019-60: ORDINANCE TO AUTHORIZE THE CITY TO ENTER INTO CONTRACT WITH MARK LECKY ARCHITECTS LLC FOR PROFESSIONAL SERVICES RELATED TO THE CRITICAL INFRASTRUCTURE GRANT AND DECLARING AN EMERGENCY (Jobs and Economic Development holding committee meeting prior to council meeting)**

**MATTERS NOT ON THE AGENDA:**

**COUNCIL COMMITTEE MEETING SCHEDULE:**

**ADJOURN**





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Ohio

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**COMMITTEE SCHEDULE**

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

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

Committee	Chair	10/22/2019	**Possible** Agenda Items
Finance	Huddle		
Airport, Lands & Buildings	Huddle		
Information Systems	Landon		
Jobs and Economic Development	Schaber		
Legislation, Codes & Regulations	Landon		
Municipal Services, Parks & Recreation	Schaber		
Public Utilities	Cunningham		
Regional Planning	Norris	10/xx/2019 At 7:00 PM	
Streets and Sewers	Schaber		
Zoning and Annexation	Cunningham		

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

**COUNCIL MEMBERS (2018-2019 TERM)**

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

## RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. 2019-49Passed

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

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

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

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

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

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

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

SHALL BE AMENDED TO READ AS:

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

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

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

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

**RECORD OF ORDINANCES**

Form 6220S

BRETT BROTHERS - DAYTON, OHIO

<i>Ordinance No.</i>	<i>Passed</i>
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(H) Whoever violates divisions (B),(C) or (D) is guilty of a 4th Degree misdemeanor for the first offense. Any person convicted of a similar offense within one year is guilty of a 3rd misdemeanor.

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

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

Approved:

\_\_\_\_\_  
 Todd Schneider  
 President of Council

\_\_\_\_\_  
 Mayor Scott Schertzer

Attest:

\_\_\_\_\_  
 Tarina R. Rose  
 Clerk of Council

## RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. 2019-59

Passed \_\_\_\_\_

ORDINANCE AMENDING MARION CODIFIED ORDINANCE 111.03, ALSO KNOWN AS RULE 15, RELATING TO COMMITTEE MEETINGS, AND DECLARING AN EMERGENCY.

WHEREAS, Council last amended its rule as to regular committee dates in Ordinance 2000-50, and

WHEREAS, Councilperson Daniels proposed the Rule be amended and Council has duly waived Rule 56 requiring consideration at Committee, and

WHEREAS, Council has entertained and waived Rule 72.

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

Section 1. That Chapter 111.03, of the Codified Ordinances, now reading as follows:

(C) Rule 15. Committee meetings. A majority of the members of a committee shall constitute a quorum for the transaction of business. Each committee shall hold its meetings at such time and place as fixed by the chairman of the respective committees, and each committee or chairman thereof shall have the right to require the attendance at its meetings of such administrative officers as in its judgment are needed to properly dispose of the matter under consideration. Absence of a member of a committee from three consecutive meetings, unless authorized by the chairman of such committee, may, upon the recommendation of such committee, cause the removal of such member from such committee by the Council. No legislation shall be amended while in committee and it shall be the duty of the committee to recommend to Council the approval, disapproval or amendment of any legislation pending before the committee. A majority of the members of a committee shall be necessary for the recommendation of approval, disapproval or amendment of any legislation pending before a committee. All other motions shall require only a majority vote of the members of committee shall be necessary for the recommendation of approval, disapproval or amendment of any legislation pending before a committee. All other motions shall require only a majority vote of the members of committee present. (Ord. 2000-50, passed 05-08-2000)

is hereby amended to read as follows:

M.C.C. 111.03

(C) Rule 15. Committee meetings. A majority of the members of a committee shall constitute a quorum for the transaction of business. Regular meetings of Committees shall be held on the first and third Monday of each month, unless the Monday is a holiday the regular meeting of Committees shall be on Tuesday of the first or third full week of each month. Meetings other than regular meetings of Committees maybe held at such time and place as fixed by the chairman of the respective committees. Each committee shall hold its meetings at such time and place as fixed by the chairman of the respective committees, and Each committee or chairman thereof shall have the right to require the attendance at its meetings of such administrative officers as in its judgment are needed to properly dispose of the matter under consideration. Absence of a member of a committee from three consecutive meetings, unless authorized by the chairman of such committee, may, upon the recommendation of such committee, cause the removal of such member from such committee by the Council. No legislation shall be amended while in committee and it shall be the duty of the committee to recommend to Council the approval, disapproval or amendment of any legislation

**RECORD OF ORDINANCES**

PRETT BROTHERS - DAYTON, OHIO.

*Ordinance No.*

*Passed*

pending before the committee. A majority of the members of a committee shall be necessary for the recommendation of approval, disapproval or amendment of any legislation pending before a committee. All other motions shall require only a majority vote of the members of committee shall be necessary for the recommendation of approval, disapproval or amendment of any legislation pending before a committee. All other motions shall require only a majority vote of the members of committee present. (Ord. 2000-50, passed 05-08-2000)

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 efficient daily operation of the City by providing for a equitable rule imposed upon committee chairs; 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 ed by law.

\_\_\_\_\_  
Todd Schneider  
President of Council

APPROVED:

\_\_\_\_\_  
Scott Schertzer  
Mayor

ATTEST:

\_\_\_\_\_  
Tarina R. Rose  
Clerk of Council



# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 2019-18 Passed \_\_\_\_\_, 20\_\_\_\_

**RESOLUTION APPROVING AND AUTHORIZING ALL ACTIONS NECESSARY TO CREATE A LINE ITEM WITHIN THE DEPARTMENT OF POLICE FOR THE CITY OF MARION, OHIO**

WHEREAS, a proposal has been made by a Councilperson to enable the reimbursement of approved expenditures for members of the CPAAA, and

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

Section 1. The Council hereby approves and authorizes all actions necessary to enable the reimbursement of approved expenditures for members of the CPAAA. Further the Council requests the Chief of the Police Department develop rules, regulations or policies which detail and account for proper reimbursement of the aforementioned members. In addition, the line item should be funded in an amount determined sufficient for reasonable reimbursement for the year 2020 and thereafter.

Section 2. This resolution shall take affect at the earliest date allowed by law.

\_\_\_\_\_  
Todd Schneider  
President of Council

APPROVED:

\_\_\_\_\_  
Mayor Scott Schertzer

ATTEST:

\_\_\_\_\_  
Tarina R. Rose  
Clerk of Council

# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. \_\_\_\_\_

Passed \_\_\_\_\_, 20\_\_\_\_

## RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. 2019-60

Passed \_\_\_\_\_

ORDINANCE TO AUTHORIZE THE CITY TO ENTER INTO CONTRACT WITH MARK LECKY ARCHITECTS LLC FOR PROFESSIONAL SERVICES RELATED TO THE CRITICAL INFRASTRUCTURE GRANT AND DECLARING AN EMERGENCY.

WHEREAS, the Fiscal Year 2018 Critical Infrastructure grant for Fire Station 1 requires additional architectural and engineering services, and

WHEREAS requests for professional qualifications and proposals were advertised and solicited from engineering and architectural firms,

WHEREAS, upon review Mark Lecky Architects LLC was viewed to be qualified and most advantageous to the City for this project in term as of familiarity and ability to begin quickly, and

WHEREAS, given the poor structural integrity of Fire Station #1 it is desirable to begin the design work this fall in order to bid out the work this winter.

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

Section 1: Enter into contract with Mark Lecky Architects LLC in the amount of \$37,500 to be paid by the Critical Infrastructure Grant to create the estimate, specifications, assist with bidding process, local and state permitting processes, coordinate with contractors and perform inspections.

Section 2. In order to carry out the authorizations contained in item 1 above, the Safety Director is authorized to take all steps necessary to obtain said grant approvals, including but not limited to the execution of all documents required or which may facilitate the City of Marion receiving, utilizing and completing the undertaking.

Section 3 Due to the critical physical condition of the Fire Station #1 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 upon its passage and approval by the Mayor, provided it receives the affirmative vote of two-thirds of all members elected to Council; it shall become effective from and after the earliest period allowed by law.

\_\_\_\_\_  
Todd Schneider  
President of Council

APPROVED:

\_\_\_\_\_  
Scott Schertzer  
Mayor

ATTEST:

\_\_\_\_\_  
Tarina R. Rose  
Clerk of Council

# RECORD OF ORDINANCES

Form 62208

PRETT BROTHERS - DAYTON, OHIO

*Ordinance No.*

*Passed*