

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

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Held

City Hall – Council Chambers on 12/16/2019 7:30 PM

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ROLL CALL: 8 members answered – Mr. Landon, Mr. Ratliff, Mr. Schaber, Mrs. Blevins, Mrs. Cunningham, Mr. Thomas, Mr. Daniels, Mr. Schneider. Absent – Mr. Huddle, Mr. Norris

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

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

SUMMARY OF PROCEEDINGS – 12/9/2019

OLD BUSINESS:

Item 1. ORD 2019-64: ORDINANCE REESTABLISHING THE SALARY AND BENEFITS FOR STATUTORY OFFICE HOLDERS WITHIN THE CITY, OTHER THAN CITY COUNCIL, TO BE EFFECTIVE THE FIRST DAY OF EACH RESPECTIVE OFFICE'S NEXT TERM, AMENDING THOSE RELEVANT SECTIONS OF EACH APPLICABLE PREVIOUS ORDINANCE, AND DECLARING AN EMERGENCY (Added by Mr. Schaber – 1st, Mr. Ratliff – 2nd, Mrs. Cunningham – 3rd; Rule 56 waived on 11/25/2019) (Auditor) (3rd Reading)

Mr. Ratliff asked Auditor-Elect Landon how he wished for council to vote on this specific salary change, because he has been voting no on issues during first and second readings. Auditor-Elect Landon said that he would like it defeated.

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

ORDINANCE 2019-64 DEFEATED 0-6-1

Item 2. ORD 2019-65: ORDINANCE REESTABLISHING THE SALARY AND BENEFITS FOR STATUTORY OFFICE HOLDERS WITHIN THE CITY, TO BE EFFECTIVE THE FIRST DAY OF EACH RESPECTIVE OFFICE'S NEXT TERM, AMENDING THOSE RELEVANT SECTIONS OF EACH APPLICABLE PREVIOUS ORDINANCE, AND DECLARING AN EMERGENCY (Added by Mr. Schaber – 1st, Mr. Ratliff – 2nd, Mrs. Cunningham – 3rd; Rule 56 waived on 11/25/2019) (Council and Treasurer) (3rd Reading)

Treasurer Pannett indicated that he was in favor of no raise for his office.

Mr. Schaber made a motion to approve; Mrs. Blevins 2nd. Roll Call: Ayes -- Mr. Ratliff, Mr. Schaber, Mrs. Blevins, Mr. Thomas, Mr. Daniels. Nays – Mr. Landon, Mrs. Cunningham

ORDINANCE 2019-65 APPROVED 5-2

Mr. Ratliff clarified that ordinance passed but will not take effect for 30 days, so it will not go into effect until term of office starting January 1, 2022.

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Item 3. ORD 2019-66: ORDINANCE REESTABLISHING THE SALARY AND BENEFITS FOR STATUTORY OFFICE HOLDERS WITHIN THE CITY, OTHER THAN CITY COUNCIL, TO BE EFFECTIVE THE FIRST DAY OF EACH RESPECTIVE OFFICE'S NEXT TERM, AMENDING THOSE RELEVANT SECTIONS OF EACH APPLICABLE PREVIOUS ORDINANCE, AND DECLARING AN EMERGENCY (Added by Mr. Schaber – 1st, Mr. Ratliff – 2nd, Mrs. Cunningham – 3rd; Rule 56 waived on 11/25/2019) (Law Director) (3rd Reading)

Mr. Schaber made a motion to approve; Mr. Ratliff 2nd. Roll Call: Ayes -- Mr. Ratliff, Mr. Schaber, Mrs. Blevins, Mr. Thomas, Mr. Daniels. Nays – Mr. Landon, Mrs. Cunningham

ORDINANCE 2019-66 APPROVED 5-2

Mr. Ratliff clarified that ordinance passed but will not take effect for 30 days, so it will not go into effect until term of office starting January 1, 2024.

Item 4. ORD 2019-67: ORDINANCE REESTABLISHING THE SALARY AND BENEFITS FOR STATUTORY OFFICE HOLDERS WITHIN THE CITY, OTHER THAN CITY COUNCIL, TO BE EFFECTIVE THE FIRST DAY OF EACH RESPECTIVE OFFICE'S NEXT TERM, AMENDING THOSE RELEVANT SECTIONS OF EACH APPLICABLE PREVIOUS ORDINANCE, AND DECLARING AN EMERGENCY (Added by Mr. Schaber – 1st, Mr. Ratliff – 2nd, Mrs. Cunningham – 3rd; Rule 56 waived on 11/25/2019) (Mayor) (3rd Reading)

Mr. Schaber made a motion to approve; Mr. Ratliff 2nd. Roll Call: Ayes -- Mr. Ratliff, Mr. Schaber, Mrs. Blevins, Mr. Thomas, Mr. Daniels. Nays – Mr. Landon, Mrs. Cunningham.

ORDINANCE 2019-67 APPROVED 5-2

Mr. Ratliff clarified that ordinance passed but will not take effect for 30 days, so it will not go into effect until term of office starting January 1, 2024.

Item 5. RES 2019-20: RESOLUTION DECLARING IT NECESSARY TO LEVY A TAX IN EXCESS OF THE TEN MILL LIMITATION (Finance 3-0, Mr. Huddle/Mr. Landon) (Fire Department) (2nd Reading)

Chief Deem asked council to sent Item 5 and Item 6 back to Finance Committee to discuss further, develop a plan, and allow for time to consult with bond counsel. They have weighed all the options and decided that this would be the best option to put on the ballot. Administration will work to pull in bond counsel to meet with the fire department to determine needs.

Mr. Daniels made a motion to refer Item 5 and Item 6 back to finance committee; Mr. Thomas 2nd. Roll Call: Ayes -- Mr. Landon, Mr. Schaber, Mrs. Blevins, Mrs. Cunningham, Mr. Thomas, Mr. Daniels. Nays – Mr. Ratliff

ORDINANCE 2019-20 and 2019-21 referred to Finance Committee 6-1

Item 6. RES 2019-21: RESOLUTION DECLARING IT NECESSARY TO LEVY A TAX IN EXCESS OF THE TEN MILL LIMITATION (Finance 3-0, Mr. Huddle/Mr. Landon) (Fire Department) (2nd Reading)

ORDINANCE 2019-20 and 2019-21 referred to Finance Committee 6-1

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Item 7. ORD 2020-01: 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, 2020, AS AMENDED. (Finance with no recommendation 2-1, Mr. Huddle/Mr. Landon) (Expense Budget) (2nd Reading)

Mr. Landon proposed a second amended budget specifically for expenses in the auditor's office to council.

Mr. Ratliff indicated that they had already amended the auditor's budget once. He asked Mr. Landon to now go line by line and explain what they are amending and why, and if the change is from the 1st or 2nd proposed budget.

Mr. Landon stated that they have more information from current auditor and that is why there are changes. The newest amendment is \$21,000 less than the original proposal. It is about \$20,000 more than the 2019 budget, mostly because of increases in salaries and health care costs. He stated that they have not discussed the whole city budget that council is expected to vote on 01/01/2020.

Mr. Thomas asked if this had been taken in front of Finance Committee. It has not, but Law Director Russell clarified that it is not necessary to go before committee as it is part of an amendment. The previous auditor indicated that she had reduced some allocations but had requested that council consider Mr. Landon's proposed changes once he knew his plan for office and staffing.

Mr. Ratliff again asked for a line by line explanation. Mr. Landon stated that they should be talking about the entire budget, and not just highlight the auditor's budget. The main change in his department is salary increases and health care costs.

Mr. Ratliff asked where the unemployment is budgeted. Mr. Landon indicated that is a new line item that they have added. They have budgeted \$1,680 for 2020. Mr. Ratliff asked if that is for 26 weeks for three employees. Mr. Landon said no, that the State sets a maximum of 3% of \$9,000.

Mr. Landon continued to ask why Mr. Ratliff was focusing only on his budget and not all the departments. Mr. Ratliff said it is because he has already proposed a second amendment. None of the other departments have requested changes since it came out of committee. Mr. Ratliff stated that he wanted to make sure that Mr. Landon knows what he is doing because he has not done this before. This is now the second set of numbers he has presented. Mr. Landon stated this is because of new information from the current auditor. He said that all the information is there. They are only focusing on his budget. Mr. Ratliff asked about the training dollars. Mr. Landon said that he will not answer questions on each line item because Mr. Ratliff is not questioning the entire budget.

Mr. Daniels explained that the Auditors office had been cut coming out of committee because three positions were removed. That has created more questions on this particular budget.

Mr. Ratliff asked more about costs associated with training new staff. Mr. Landon stated that increased costs are to have New World come in and do training. He does not know about the other professional services. The increase is more of a "cushion". He will know more later in the year.

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Mr. Ratliff stated that he does not believe that \$1,680 is sufficient to cover unemployment. Mr. Robbins clarified that funds come out of salary line item. Mr. Ratliff believes that the budgeted amount should be more like \$45,000 because the city is self-funded. Mr. Robbins confirmed that the city pays the whole amount. Mr. Ratliff does not think these numbers are right. He said that Mr. Landon was on the finance committee when the budget came out of committee and went to council. It is costing us a lot of money to go in and fire trained people to replace them with new staff. Mr. Ratliff stated that it is not fair to the tax payers to pay for unemployment and training for this change when they have already paid for this staff to be trained.

Mr. Landon called for a point of order and asked that Mr. Ratliff be removed from the meeting, citing personal attacks and failure to stop when requested (gaveled) by President; Roll Call: Ayes -- Mr. Landon, Mrs. Cunningham. Nays – Mr. Ratliff, Mr. Schaber, Mrs. Blevins, Mr. Thomas, Mr. Daniels.

Mr. Ratliff's removal defeated 2-5

Mr. Ratliff continued. It is costing the tax payers a lot of money to do business like this. The city does not have a lot of money in the budget anyway. The total bill is about \$75,000.

Mr. Schaber stated that the real numbers are an increase of about \$21,000 over the 2019 amended budget. He asked if Mr. Ratliff wanted to amend the budget to allow for the unemployment. \$21,000 is not a lot of money.

Mr. Ratliff said that it is a lot of money, especially when some of it is being described as a "cushion". \$1,600 will be eaten up in the first week. When the Auditor comes back and asks for more money, remember that these numbers were not budgeted correctly by the auditor-elect.

Mr. Cooperrider if \$20,000 is not a lot of money you voted for over \$21,000 in raises and that didn't bother you. Auditor-elect has not served a day in office. You are trying to bury him before he even starts.

Mr. Ratliff stated that he is trying to help auditor because he believes that the numbers are wrong.

Mr. Daniels noted that efforts need to be made to balance the budget if an affirmative vote from him is required to pass it.

Mr. Landon made a motion to approve the second amendment to ORD 2020-01; Mrs. Cunningham 2nd. Roll Call: Ayes -- Mr. Landon, Mr. Schaber, Mrs. Cunningham. Nays – Mr. Ratliff, Mrs. Blevins, Mr. Thomas, Mr. Daniels

2ND AMENDMENT TO ORDINANCE 2020-01 FAILS 3-4

THIS SERVES AS 2ND READING FOR ORD 2020-01

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NEW BUSINESS:**ITEMS EXPECTED TO BE ADDED:****Motion made to add ORD 2019-70 and 2019-71 to agenda by Mr. Schaber, Mr. Thomas 2nd, Mr. Ratliff 3rd****ORD 2019-70: ORDINANCE AUTHORIZING AND DIRECTING THE PUBLIC WORKS DIRECTOR TO ENTER INTO CONTRACT WITH JACK DOHENY COMPANIES, INC FOR THE PURCHASE OF A COMBINATION SEWER CLEANER FOR THE CITY OF MARION OHIO, AND APPROPRIATING NECESSARY FUNDS AND DECLARING AN EMERGENCY (Streets and Sewers 2-0, Mr. Schaber)**

Mr. Bischoff explained that the funds are available as part of a capital line item. This is a revenue fund, not general fund dollars. The money just needs appropriated. This is a demo unit and they would like to act now so that they can purchase it.

Mr. Schaber made a motion to suspend the rules; Mr. Landon 2nd. Roll Call: Ayes -- Mr. Landon, Mr. Ratliff, Mr. Schaber, Mrs. Blevins, Mrs. Cunningham, Mr. Thomas, Mr. Daniels. Nays – none

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

ORDINANCE 2019-70 APPROVED 7-0**ORD 2019-71: ORDINANCE MAKING APPROPRIATION ADJUSTMENTS IN VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 2019 (Finance, Mr. Huddle/Mr. Landon)**

Mr. Landon stated that this ordinance covers the year-end adjustments and leaves the city with \$2mil+ carryover.

Mr. Landon made a motion to suspend the rules; Mrs. Cunningham 2nd. Roll Call: Ayes -- Mr. Landon, Mr. Ratliff, Mr. Schaber, Mrs. Blevins, Mrs. Cunningham, Mr. Thomas, Mr. Daniels. Nays – none

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

ORDINANCE 2019-71 APPROVED 7-0**OTHER MATTERS NOT ON THE AGENDA:**

Mr. Thomas made a motion to meet on 01/01/2020 at noon to organize and to act on budget ordinance; Mr. Schaber 2nd. Roll Call: Ayes -- Mr. Landon, Mr. Ratliff, Mr. Schaber, Mrs. Cunningham, Mr. Thomas, Mr. Daniels. Nays – none. Abstain – Mrs. Blevins

Mr. Winslow (LaRue) stated that he was present to oppose the cut by Marion City to Marion Public Health from "338 to 154".

Wilfrid Theil (Morrall) asked about cut for health department and whether this was something that council has to vote on or something that they are willing to take action on. This was supposed to be a merger and it seems like this is not being done as a merger. It is going to be taken over by state and it will be more expensive to city.

Mrs. Dyer also expressed concern.

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Law Director Russell stated that the Mayor has shared a letter and that administration intends to sit down with the district advisory council. The city has had two agreements regarding the public health district. There is a meeting set up for 12/23. Part of the agreement includes a provision to allow for renegotiation. Any changes will be brought back before the council

Mr. Redmon commended Chief Deem for his work on the proposed levy documents and expense forecasts.

COMMITTEE MEETING SCHEDULE:

No committees scheduled while appointments are pending with the new council

With no further business to come before Council, Mr. Schneider adjourned the meeting at 8:34 PM.



Todd Schneider
President of Council



Tarina R. Rose
Clerk of Council